

# Mohamed Shafik

<b>PROGRAMME:</b>	Construction Law & Practice
<b>MODULE:</b>	Dispute Resolution: Law and Practice
<b>ASSESSMENT:</b>	Adjudication Decision – 100% of Module Marks
<b>TUTOR:</b>	Brodie McAdam

*The mark stated does not take account of any late submission or academic misconduct penalties which may apply, and is subject to ratification by the Exam Board.*

GRADE DESCRIPTION	GRADE
Outstanding performance against criteria	A
Good performance against criteria	B
Adequate performance against criteria	C
Inadequate performance against criteria	F

ASSESSMENT CRITERIA	GRADE
Brevity and clarity of writing style	B
Ability to develop an argument supported by accurately cited relevant evidence and/or authority	B
Depth of understanding of relevant legal concepts	A
Ability to clearly articulate relevant legal concepts	A
Ability to apply concepts to a given scenario	A
Capacity for critical and original thought	A
<b>Mark:</b>	<b>72%</b>

Good to identify that fidic terms not scheme compliant, but what about the CIC terms?

OK you say no dispute, and you provide some case law authority, though I think there are more authorities that you could have cited to explore this issue.

You identify some of the problematic issues regarding Hermione.

Ah. Now you address CIC. And correctly. Yes, I think RICS wrong body too.

S105 dealt with briefly but accurately

S 107 likewise

And SI 1998 654

Section 7.1 Good. You get to the bottom of the right points on notices etc

Same re 7.2 Good stuff

7.3 – you are right to say the issue not referred, but I think it would have improved the piece if you had set out somewhere early on the specific words of the notice of intention to refer, and then worked your arguments from that. [I now see that you do this in your explanatory notes, but this sort of thing would have worked better in the decision itself] – still an effective treatment, though perhaps at greater length than strictly required.

7.4 again effective, though was this referred to you?

7.5 thoughtful and well argued.

Explanatory notes good and on point

Overall quite a good piece of work, though the structuring of your decision was not as effective as it could have been, particularly bearing in mind the fact that you did “get” the key issues about which bits you could and couldn’t deal with.