



Judicial Review Grounds Checklist

Proportionality

Have they:

- come to a decision that is disproportionate?

'Illegality'

Have they:

- taken into account irrelevant considerations or ignored relevant considerations;
- failed to ask the questions necessary to discharge their decision making functions;
- gone beyond the limits of their powers;
- misdirected themselves about, or misapplied, the law that applies to their decisions;
- fettered or avoided exercising their discretion in relation to individual cases;
- delegated decisions for which they are exclusively responsible to other bodies, or allow other bodies to make such decisions for them?

Fairness

Have they:

- breached a duty to reach a decision by way of an express procedure;
- breached natural justice requirements of fairness, including providing the individual with the opportunity to meet the case against them; or
- acted in a manner so unfair that it amounts to an abuse of power
- failed to give adequate reasons?

Irrationality

Have they:

- acted in a way that no reasonable decision maker would consider justifiable?