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proportionality is closely related to the self-restraining judicial principle that when the courts engage in judicial review they should pay some deference to the judgment of the original decision-maker.



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To date, there has yet to be a sophisticated analysis of proportionality and deference 1

## ~~A Structural, Institutionally Sensitive Model of ...~~

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Aug 29, 2020 proportionality and deference under the uk human rights act an institutionally sensitive approach Posted By Leo TolstoyLtd TEXT ID 997b0cf4 Online PDF Ebook Epub Library the multi stage proportionality test the model is institutionally sensitive and can be applied to proportionality based judicial review of all forms of government activity the model

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applying proportionality, deference to the decision-maker is the proper course in many cases. 17 THE CHALLENGE TO BRITISH COURTS Despite this overlap and despite the perhaps subtle

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influence of proportionality in traditional judicial review, it has never been a concept applied directly in British administrative law.

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The model is structural in that it takes account of the operation of  
deference within the process of proportionality. The model is

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institutionally sensitive in that it takes account of the differences between the institutions which the courts can review under the HRA.

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