This chapter discusses the substantive grounds of judicial review: illegality, irrationality, and proportionality. Illegality covers the following: excess of power; the relevant/irrelevant considerations doctrine; unlawful delegation of power; unlawful fettering of power; and the estoppel doctrine. Irrationality is also concerned with the substantive content of a government decision, but focuses on the political or moral rather than (in the strict sense) legal character of the decision. Proportionality review can be defined as a constitutional device that requires the courts to accept that the boundaries of moral consensus within which government bodies are confined are discernibly less broad in substantive terms than those that apply in respect of irrationality-based review.
13. Substantive Grounds of Judicial Review

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