

## 1 Definition

While the terms natural justice and procedural fairness have similar meaning and are often used interchangeably, the term procedural fairness is thought to be preferable when talking about administrative decision-making because the term natural justice is associated with procedures used by courts of law.

Natural justice aims to ensure decision-making is fair (procedural fairness) and the resulting decision is reasonable because it is based on rules of evidence that are appropriate to the circumstances.

Natural Justice therefore involves:

- the hearing rule - the decision-maker informing the person of the case against them or their interests, giving them the right to be heard; and
- the rule against bias - the decision-maker not having a personal interest in the outcome; and additionally
- the evidence rule - acting only on the basis of logically probative evidence not suspicion or speculation; and
- proportionality - the impact is proportionate for the circumstance.

As for procedural fairness, there is the need for flexibility in the application of the rules of Natural Justice depending on the circumstances of each individual matter.

## 2 References

USQ Defined.

## 3 Definition Information

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