

Administrative law

Doctrine of Legitimate Expectations



Legitimate Expectations In Administrative Law

Paul Daly



Legitimate Expectations In Administrative Law:

Legitimate Expectations in Administrative Law Søren J. Schønberg, 2000 This original and stimulating book is the first systematic study of the principle of legitimate expectations in administrative law to appear in the English language The notion of reasonable or legitimate expectations has played a central role in the development of administrative law over the last thirty years and it remains one of the most contentious and most frequently invoked grounds of judicial review In this book Dr Schonberg provides a detailed comparative and critical analysis of that notion He begins by clarifying why administrative law should protect expectations at all by linking expectations to fairness trust in administration and the Rule of Law with its requirements of legal certainty and formal equality In the light of this framework he examines in detail the principles and rules which contribute to the protection of expectations The scope of this analysis is broad looking both at procedural and substantive principles of administrative law as well as principles of tort liability and statutory compensation In all of these areas English law is carefully compared with French and EC law and is shown how the three legal systems often reach similar outcomes by the application of different legal principles and rules The current state of English law is examined critically in the light of the comparative study of French and EC law and a number of original suggestions for legal reform are presented They include the adoption of a general principle of irrevocability of intra vires administrative decisions a distinct principle of substantive legitimate expectations subject to a significant imbalance threshold for judicial intervention and a statutory right to compensation for loss caused by sufficiently serious violations of public law Legitimate Expectations and Proportionality in Administrative Law Robert Thomas, 2000-08-18 This book presents a comparison of the development of legitimate expectations and proportionality in European and English law against the different traditions of administrative law While these two principles are well established in European law only in recent years have the English courts years sought to integrate them into the common law and have experienced various difficulties in doing so This book seeks to understand the motivation behind this development explain why the English courts have been troubled by the principles and suggest how such difficulties can be resolved It will be of interest to all administrative lawyers both in practice and in academe It will also be of interest to EU lawyers particularly those interested in EU public law **A Theory of Legitimate Expectations for Public Administration** Alexander Brown, 2017 Should governmental administrative agencies be liable to pay compensation to agents who suffer losses as a result of a policy U turn Drawing on insights from political and legal theory Alexander Brown argues that agencies should be held liable for losses they directly cause by creating and then frustrating legitimate expectations Evolution and Application of the Doctrine of Legitimate Expectation in Administrative Law Apoorwa Nanayakkara, 2023 This article delves into the evolution and application of the doctrine of legitimate expectation in administrative law exploring its fundamental principles and implications The concept of legitimate expectation has emerged as a vital bridge between the Rule of Estoppel and the Principle of Administrative Fairness serving to safeguard individuals

against arbitrary exercise of power by state agencies Further examines the theoretical underpinnings of legitimate expectation its procedural and substantive aspects and its significance in ensuring good governance Through an analysis of key cases from different jurisdictions including Sri Lanka the article evaluates the development of the doctrine and its interplay with principles of natural justice and equality The article also discusses the challenges and ambiguities faced in distinguishing between procedural and substantive legitimate expectations Overall it highlights the importance of maintaining a delicate balance between protecting legitimate expectations and prioritizing the public interest while emphasizing the evolving nature of this doctrine within the realm of administrative law

Legitimate Expectations in the Common Law World Matthew Groves,Greg Weeks,2017-01-12 The recognition and enforcement of legitimate expectations by courts has been a striking feature of English law since R v North and East Devon Health Authority ex parte Coughlan 2001 3 QB 213 Although the substantive form of legitimate expectation adopted in Coughlan was quickly accepted by English courts and received a generally favourable response from public law scholars the doctrine of that case has largely been rejected in other common law jurisdictions The central principles of Coughlan have been rejected by courts in common law jurisdictions outside the UK for a range of reasons such as incompatibility with local constitutional doctrine or because they mark an undesirable drift towards merits review The sceptical and critical reception to Coughlan outside England is a striking contrast to the reception the case received within the UK This book provides a detailed scholarly analysis of these issues and considers the doctrine of legitimate expectations both in England and elsewhere in the common law world

Understanding Administrative Law in the Common Law World Paul Daly,2021 This book offers a new framework for understanding contemporary administrative law through a comparative analysis of case law from Australia Canada England Ireland and New Zealand The author argues that the field is structured by four values individual self realisation good administration electoral legitimacy and decisional autonomy

Beatson, Matthews and Elliott's Administrative Law Text and Materials Mark Elliott,Jack Beatson,Martin Matthews,2011-01-27 Beatson Matthews Elliot s Administrative Law combines extracts from key cases articles and other sources with detailed commentary Aimed at undergraduates studying administrative law it provides comprehensive coverage of the subject

Wade & Forsyth's Administrative Law C. F. Forsyth,William Wade,Christopher Forsyth,Julian Ghosh,2023 Wade Forsyth s Administrative Law is the definitive account of the principles of judicial review and the administrative arrangements of the United Kingdom Firmly established among the foremost rank of legal textbooks it stands unparalleled in both scope and detail

Administrative Law Mark Elliott,Jason N. E. Varuhas,2017 Administrative Law Text and Materials combines carefully selected extracts from key cases articles and other sources with detailed commentary Aimed at undergraduates studying administrative law it provides comprehensive coverage of the subject and brings together in one volume the best features of a textbook and a casebook Rather than simply presenting administrative law as a straightforward body of legal rules this engaging critical text considers the subject as an

expression of underlying constitutional and other policy concerns which fundamentally shape the relationship between the citizen and the state The result is a fascinating account of a subject of crucial importance Online Resource Centre The book is supported by online an Online Resource Centre offering the following useful resources Updates which cover all the legal developments since publication Oxford NewsNow RSS feeds provide constantly refreshed links to the latest relevant new stories Interactive timeline of key dates in British political history Annotated web links

The Anatomy of Administrative Law Joanna Bell, 2020-05-28 Winner of the 2022 Inner Temple New Authors Book Prize This book seeks to further our understanding of the nature of administrative law doctrine and adjudication It has three main aims The first is to improve understanding of administrative law s anatomy by pulling the subject apart and exploring the nature of the legal structures at play in adjudication In doing so the book emphasises three main ways in which administrative law s anatomy is both complex and diverse namely administrative law doctrine interacts with a broad array of legislative frameworks administrative law adjudication seeks to accommodate a variety of legal values and administrative law is concerned with legal relationships of different kinds The second aim is to illustrate the importance of recognising the complexity and variety of administrative law s anatomy in three particular doctrinal contexts procedural review legitimate expectations and standing The third and final aim is to raise an important but under explored question is it plausible and useful to attempt to make sense of administrative law doctrine by reference to a singular organising concept or principle The overarching message of the book is one of cynicism The complexity and variety of administrative law s legal structures probably means that attempts to explain the field monistically while they may capture important themes will be unhelpfully reductionist Ambitious and thought provoking this is an important new statement on administrative law

Embark on a transformative journey with is captivating work, Grab Your Copy of **Legitimate Expectations In Administrative Law** . This enlightening ebook, available for download in a convenient PDF format , invites you to explore a world of boundless knowledge. Unleash your intellectual curiosity and discover the power of words as you dive into this riveting creation. Download now and elevate your reading experience to new heights .

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