

Proportionality

Law

The structured test for whether a rights limitation is justified.

The four stages.

1

Legitimate aim

Is the objective sufficiently important to limit a right?

2

Rational connection

Is the measure rationally connected to that aim?

3

Necessity

Could a less intrusive measure achieve it?

4

Fair balance

Does the benefit outweigh the cost to the individual?

Educational reference. The necessity stage does most of the work: a good aim does not justify a heavier measure than needed.