

STATEMENT ON PRINCIPLE OF NATURAL JUSTICE

RATIONALE:

The principle of Natural Justice is to be applied to all practices at HPC. The principle of Natural Justice relates to the rules and procedures that must be followed when dealing with the rights of others. It is usually applied to discipline situations and in particular student stand downs and suspensions.

PURPOSE:

To provide information and guidelines which ensure compliance with the principle of Natural Justice.

GUIDELINES:

1. Natural Justice means that the management and discipline of students must be fair and also flexible enough to take into account the particular needs, issues and circumstance of each case.
2. The key requirements of Natural Justice are:
 - (1) A person (eg Principal) must not be both the judge and the prosecutor
 - (2) A person's defence must always be fairly heard
 - (3) Decisions must be in good faith without bias and prejudice
3. Discipline decisions must be made after considering both sides with an open mind and with no preconceived ideas. Decisions must not follow an inflexible rule or policy and must only consider relevant factors.
4. A student cannot be stood down or suspended automatically because he/she has broken a school rule – the circumstances of each case must be considered. Discipline procedures as outlined in the Hauraki Way Handbook and in the Drug, Alcohol and Smokefree Policy are guidelines only and are not to be treated as inflexible rules.
5. Principals and Boards of Trustees must carefully consider the circumstances of each case when making a decision relating to student discipline.

REVIEW: This statement will be reviewed in according to the Board of Trustee's triennial programme of self review (2013).

DATE CONFIRMED: