



Prof. Christopher Forsyth

Year of call: 1987

Practice Summary

Christopher Forsyth holds the chair of Public Law and Private International Law at the University of Cambridge. He is the author with the late Sir William Wade, QC of *Administrative Law* (9th ed, 2004) a standard work on the subject cited regularly by courts and counsel through the common law world. He is the author of more than nine other books on different aspects of public law and private international law as well as about 100 journal articles.

His books include *Private International Law – the Modern Roman-Dutch Law including the Jurisdiction of the High Courts* (4th ed., 2003) which is an authoritative work on the subject in Roman-Dutch jurisdictions.

He is a Recorder and regularly sits in the Crown Court as a judge. He is also a Bencher of the Inner Temple.

The two books mentioned define Christopher Forsyth's major areas of practice. He accepts instructions in all areas of constitutional and administrative law but particularly those where difficult issues of principle arise. In addition he regularly advises several governments on matters of administrative and constitutional law of the greatest moment.

His practice in private international law (conflict of laws) tends to concentrate on cases where South Africa and England are the jurisdictions involved. But he accepts instructions in all areas including, in particular, the Brussels I regulation (jurisdiction and the recognition and enforcement of European judgments).

In addition he has considerable experience of all aspects of university discipline (including judicial review of disciplinary proceedings). He has also given expert evidence on questions of South African law.

Qualifications

- BSc LLB (Natal)
 - LLB PhD (Cantab) Of the Inner Temple, Barrister
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Associations & Memberships

- Advocate of the High Courts of South Africa
 - He is a member of the Constitutional and Administrative Law Bar Association (ALBA)
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Publications

Books

Administrative Law (9th ed, OUP, 2004) with the late Sir William Wade QC. (We also collaborated on the 7th ed and 8th ed.) This is a standard textbook on Administrative Law in England and other common law jurisdictions. It is widely read by students, and regularly relied upon by practitioners and judges throughout the Commonwealth.

A Manual of Administrative Law for Malawi: A Guide for Ministers and Public Servants (Government Printer, Zomba 2002) with S D Matenje. This is a practical guide to the making of reasonable and lawful decisions by those involved in day to day administrative decision-making.

Caney's Law of Suretyship ,5th ed,(Juta & Co, 2002). A standard textbook on the Roman-Dutch law of suretyship for students and practitioners; it is regularly relied upon by the courts in Roman-Dutch jurisdictions. The 4th and 5th editions were written with J T Pretorius the 3rd by CFF alone.

Private International Law (Juta & Co,1981) A standard textbook on the Roman-Dutch conflict of laws for students and practitioners; it is regularly relied upon by the courts in Roman-Dutch jurisdictions. The first edition was reviewed in (1982)99 SALJ 313 (and in many other journals since). It is the first such book to be published since Paul Voet's De Statutis in 1661. The Second Edition was published in 1990 and the Third edition in 1996. The Fourth edition was published in 2003.

As yet unpublished Articles

"Showing the fly the way out of the bottle": The Value of Formalism and Conceptual Reasoning in Administrative Law

(an advanced draft exists but I am not sure where it will be published)

"Mind the Gap Part II": The Supreme Court of Appeal and Characterisation
(2006) 2 Journal of Private International Law (in the press)

Some Reflections on Administrative Justice in Malawi with STEVE D MATENJE, S.C. Solicitor General and Secretary for Justice, Malawi. [2006] Acta Juridica (in the press)

The Legal Effect of the Invalid Administrative Act: The Theory of the Second Actor Revisited
[2006] Acta Juridica (in the press)

The Impact of the Domestic on the International: Some Crucial Deficiencies in the South African Law of Jurisdiction with their Regional and International Consequences
(2006) 18 South African Mercantile Law Journal (in the press)

Published articles

"The Protection Of Legitimate Expectations: Some Pitfalls For Botswana To Avoid"
(2006) Botswana Law Journal 5

"Mind The Gap": A Practical Example Of The Characterisation Of Prescription/Limitation Rules
(2006) 2 Journal of Private International Law 113

The Domicile Of The Illegal Resident
(2005) 1 Journal of Private International Law 335

"The Eclipse Of Private International Law Principle? The Judicial Process, Interpretation And The Dominance Of Legislation In The Modern Era"
(2005) 1 Journal of Private International Law 93.

"The Constitution and Prospective Henry VIII Clauses"
[2004] Judicial Review 17 (with Elizabeth Kong)

"The Search for Principles of Permanent and Universal Validity": An Assessment of the Work of Professor Kurt Lipstein QC
In Jurists Uprooted (OUP, 2004) eds Professors Reinhard Zimmermann and Sir Jack Beatson celebrating the contribution to UK law of German émigré legal scholars.

"The Legitimacy of Judicial Review" [2003] Public Law 286 (with Mark Elliott)

www.4-5.co.uk

"Closing Chapter in the Immigrant Children Saga: Substantive Legitimate Expectations and Administrative Justice

