

Derek Roebuck (1935 – 2020)

With the passing of Derek Roebuck on 27 April the world of arbitration has lost its current and much-loved chronicler. Although Derek was a prolific author of legal texts he will long be remembered for his outstanding volumes on the history of arbitration from earliest times until almost the present.

Derek was born at Stalybridge near Manchester, England, UK, and showed early talent as a student which led him to Manchester Grammar School and thence to Oxford University for five years where he took degrees in classics and law. Oxford had a profound effect upon him as it was to Oxford that Derek and his wife Susanna Hoe moved and stayed after Derek's retirement.

Derek qualified as a solicitor and practiced for a short time in Stalybridge and Manchester but could not resist when he was offered a teaching post at Victoria University in Wellington, New Zealand. From there he moved to the University of Tasmania where he became Professor of Law and Head and Dean of the Law Faculty. In Tasmania he was strongly opposed to the involvement of Australia in the Vietnam war and urged young men to destroy their draft papers which led the then Attorney General, Tom Hughes QC, to issue a writ of sedition. As Derek reached 80 his friends tried to find a copy from government files to present to him but no copy could be found.

Derek also attended as an observer at the trial of 13 mercenaries in Angola together with Stephen Sedley later Lord Justice Sedley. Derek's attendance at the trial led to his writing with Wilfred Burchett *The Dogs of War*.

Between 1982 and 1987 he taught at the University of Papua New Guinea becoming Professor of Law.

From 1987 until 1997 he was the founding Head of the Law Faculty and then Professor at what was to become the City University of Hong Kong and he was the Dean of the Law Faculty 1993–1994. From 1994 he was a visiting Professor at People's University of China. From 1994 he was a Senior Associate Research Fellow at the Institute of Advanced Legal Studies, University of London.

Wherever Derek and Susanna went to work they are remembered with great fondness. I remember meeting Derek in 1987 shortly after he arrived in Hong Kong to set up the Law Faculty at City University. He was immensely proud of setting up one of the first post graduate courses in dispute resolution.

'Derek Roebuck (1935 – 2020)'. *Arbitration: The Int'l J. of Arb., Med. & Dispute Mgmt* 86, no. 3 (2020): 231–233.

I have to confess and have oft been reminded by Derek that it was persuading him, in 1990, to write a thirty page chapter on the history of arbitration for my book on Hong Kong arbitration that sparked his interest in the history of arbitration. I had heard a speech by Sir Ninian Stephen in Darwin, Australia, on the history of arbitration which so fascinated me that I asked Derek in short order to prepare this chapter. Naturally he delivered his chapter on time and the rest is really history.

That history became his passion to the end. For much of the time he combined his writing of what became several volumes with the editorship of the Journal of the Chartered Institute of Arbitrators. To mark his major contribution to the Journal the Institute set up the annual Roebuck Lecture which is now a major feature in the Institute's calendar of events.

He was delighted that for Arbitration in the Eighteenth Century he was ably assisted by Francis Boorman and Rhianon Markless whom we all, including Derek, hoped will take on the Nineteenth Century and finish the journey that Derek started.

Derek wrote fifty books and authored many articles. One of these was *Women in Disputes: A History of European Women in Mediation and Arbitration* which he co-authored with Susanna, a historian who has written many books focusing on the role of women. Derek wrote some fascinating articles especially about the early days in legal Hong Kong where arbitration preceded the court system. His *Miscellany of Disputes* is a wonderful treasure trove for quotes and stories about arbitration that help lighten presentations and after dinner speeches.

Derek's discovery and translation of the Charitable Arbitrator is not to be missed. An unknown cleric, whom Derek of course tracks down, writes a long letter to Louis XIV explaining that the courts are being subjected to chicanery and that he should impose arbitration on warring parties.

Who else would have found a passage from Hansard in 1601 where Mr Francis Bacon in introducing a Bill on Marine Insurance tells the House of Commons that they should note the recommendation in the Bill that disputes should be referred to arbitration. Why? Well simply because the courts were too slow and they also lacked subject matter expertise. More than four centuries later in some parts of the world we can say 'plus ça change'.

Derek's friend and colleague from Oxford, Professor William Twining, described Derek's writing as magnificent historical work.

Derek and Susanna shared so many interests including cricket and opera. Derek loved operas that few of us had ever heard and supported the English cricket team to the point of fanaticism.

Derek was a fair, kind and just man who stood up against injustice. It was fitting that Susanna and Derek met while they were both working for Amnesty International where Derek was Head of Research.

Derek had firm views on social justice from which he never deviated nor did he allow differences of principle to affect his friendships.

Derek was greatly saddened by the recent untimely death of Johnny Veeder with whom he enjoyed a friendship over many years.

It is hard to think of a kinder, more loyal and more caring man. This would be an epitaph enough for most of us but when you add in Derek's scholarship and dedication to learning and love of family it is easy to see why so many of his friends and family will miss him dearly. In addition to Susanna he is mourned by his daughter Lucy a doctor in Tasmania, Australia, his son Derek who is Professor of Radiology in Perth, Western Australia and Paul a lawyer living in Tasmania. He was intensely proud of their achievements as they were of his.

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