

CURRICULUM VITAE

Name: Derek Roebuck
Born: 1935 Stalybridge, England
Married: 1981 Susanna Hoe, writer
Died: 27 April 2020 Oxford, England

Qualifications:

1955 Hons Mods Lit Hum Oxford University 1957 BA Jurisprudence Oxford University
1960 MA Oxford University
1965 MCom Accounting Victoria University of Wellington 1962 Solicitor Supreme Court of England & Wales
1968 Barrister Tasmania
1983 Legal Practitioner Papua New Guinea
1988 Solicitor Hong Kong
1989 Member Chartered Institute of Arbitrators

Experience: Legal Practice

1957-62 Articled clerk, then solicitor in general practice in England
1962-67 Consultancies in Wellington NZ
1968-78 Barrister, Hobart, Tasmania
1979-82 Amnesty International head of research
1983-87 Barrister, Port Moresby, Papua New Guinea
1987-97 Solicitor, Hong Kong
1997-2005 Solicitor, England, consultant on international commercial transactions, disputes and arbitration, then retired from active practice

Experience: Academic

1962-68 Victoria University of Wellington lecturer 1962-63, senior lecturer 1964-68 in commercial law
1968-78 University of Tasmania senior lecturer 1968-69, professor of law, head of department and dean of faculty of law 1969-78
1982-87 University of Papua New Guinea associate professor 1982-85, professor of law 1986-87
1987-97 City Polytechnic (later University) of Hong Kong founding head of law 1987-93, professor of law 1988-93, dean of law 1993-94, professor of comparative law 1993-97
1994-2020 People's University of China, visiting professor
1999-2020 Institute of Advanced Legal Studies, University of London, Senior Associate Research Fellow

Research: Latterly the history of arbitration and other forms of dispute resolution; law and language; formerly contract; commercial law, particularly banking and securities; legal translation; comparative legal systems; codification of criminal law and procedure; legal history; the teaching of law to non-lawyers.

Professional Appointments and Consultancies: Consultant, Messrs Ho & Chan, Solicitors, Hong Kong 1988-97; Law Reform Commissioner, Hong Kong 1992-97; chair, Hong Kong Law Reform Commission Sub-Committee on Sale of Uncompleted Flats 1993-97; honorary legal adviser, Hong Kong Ombudsman 1994-97; formerly member of Tasmanian Law

Reform Commission and consultant to Australian Law Reform Commission; President, Australasian Law Schools Association 1977, life member 1979; non-executive director, Universal Appliances Ltd 1995-2000, consultant 2000-05; trustee, International NGO Training and Research Centre 1999- 2009, hon sec 2001-07; editor *Arbitration* 2000-2010; editor emeritus 2011-2020; member of editorial board representing United Kingdom, *Revista Română de Arbitraj* 2009-2020; member editorial advisory board, *Law, Language and Interdisciplinary Practice* 2012-2020.

PUBLICATIONS

Books and Monographs

1. *The Law of Contract: text and materials for students of business* Sweet and Maxwell, volume 1 Formation 1966; volume 2 Interpretation 1968
2. *Law in the Study of Business* Pergamon Press 1967
3. *Law of Commerce* (with PC Duncan and Alexander Szakats) Sweet and Maxwell 1968
4. *Asian Contract Law: a survey of current problems* (with DE Allan and ME Hiscock) Melbourne UP 1969
5. *Credit and Security in Singapore: the legal problems of development finance* (with Koh Kheng Lian, DE Allan and ME Hiscock) Queensland UP 1973
6. *Credit and Security in Indonesia: the legal problems of development finance* (with Gautama Sudargo (Gouwgioksiong), DE Allan and ME Hiscock) Queensland UP 1973
7. *Credit and Security in Japan: the legal problems of development finance* (with Tanikawa Hiroshi, DE Allan and ME Hiscock) Queensland UP 1973
8. *Credit and Security in Sri Lanka: the legal problems of development finance* (with Wickrema Weerasooria, DE Allan and ME Hiscock) Queensland UP 1973
9. *Credit and Security in the Philippines: the legal problems of development finance* (with STJ de Guzman Jr, DE Allan and ME Hiscock) Queensland UP 1973
10. *Credit and Security in Korea: the legal problems of development finance* (with Kwack Yoon Chick, DE Allan and ME Hiscock) Queensland UP 1973
11. *Credit and Security in Taiwan: the legal problems of development finance* (with Loh Jen-Kong, DE Allan and ME Hiscock) Queensland UP 1973
12. *Credit and Security in Thailand: the legal problems of development finance* (with Chitti Tingsabath, DE Allan and ME Hiscock) Queensland UP 1973
13. *Law of Contract: text and materials* Law Book Co., Sydney 1974
14. *Credit and Security: the legal problems of development financing, a comparative analysis* (with DE Allan and ME Hiscock) Queensland UP 1974
15. *Credit and Security in Australia: the legal problems of development finance* (with DE Allan, ME Hiscock and Leigh Masel) Queensland UP 1977
16. *The Court as the Public Conscience: conservation, pollution and the law* (ed with RJK Chapman) Environmental Law Reform Group, Hobart 1976
17. *The Whores of War: mercenaries today* (with Wilfred Burchett) Penguin 1977. Other versions in French, Spanish, Russian, Japanese, Portuguese, Croatian and Bulgarian
18. *Credit and Security in West Malaysia: the legal problems of development finance* (with Jaginder Singh, DE Allan and ME Hiscock) Queensland UP 1980
19. *The Background of the Common Law* U of Papua New Guinea P 1983; second impression Oxford UP 1988; second edition Oxford UP 1990
20. *The Context of Contract in Papua New Guinea* (with DK Srivastava and John Nonggorr) U of Papua New Guinea P 1984
21. *The Modern Law: an introduction to the study of law in Papua New Guinea* U of Papua New Guinea Printery 1986
22. *Pacific Contract Law: a source book for the South Pacific* (with DK Srivastava and John Nonggorr) U of Papua New Guinea P 1986
23. *Cheques: an introduction to the law of banking instruments in Hong Kong* Hong Kong UP 1989; second edition 1991

24. *Hong Kong Contracts* (with Carole Chui) Hong Kong UP 1989; second edition 1991
25. *Law Relating to Banking in Hong Kong* (edited and co-authored) Hong Kong UP 1993, second edition 1994
26. *Digest of Hong Kong Contract Law* (general editor) Peking UP 1995
27. *Criminal Law of Hong Kong: a descriptive text* (general editor) Peking UP 1995
28. *Banking Law in Hong Kong: cases and materials* (with DK Srivastava and HM Zafrullah) Butterworths 1995
29. *Criminal Law of Hong Kong: a descriptive text* (general editor, with Zhao Bingzhi) Peking UP 1996 (Chinese translation of augmented version of 27)
30. *The Criminal Procedure of Hong Kong: a descriptive text* (general editor) Peking UP 1996
31. *The Criminal Procedure of Hong Kong: a descriptive text* (general editor, with Zhao Bingzhi) Peking UP 1996 (Chinese translation of 30)
32. *Introduction to Law in the Hong Kong SAR* (with Ian Dobinson) Sweet and Maxwell 1996 second edition 2001
33. *Digest of Hong Kong Criminal Law* (general editor with Zhao Bingzhi) Peking UP 1996
34. *Bills of Exchange and Other Negotiable Instruments in Halsbury's Laws of Hong Kong* vol 3 Butterworths 1996
35. *Digest of Hong Kong Criminal Procedure Law* (general editor with Zhao Bingzhi) Peking UP 1997
36. *Sources for the History of Arbitration: a bibliographical introduction* (1998) 14:3 *Arbitration International* 236-343
37. *Guarantee and Indemnity in Hong Kong* Halsbury Butterworths 1998
38. *The Taking of Hong Kong: Charles and Clara Elliot in China Waters* (with Susanna Hoe) Curzon P 1999 reissue Hong Kong UP 2009
39. *A Miscellany of Disputes* HOLO Books: The Arbitration Press 2000
40. *Ancient Greek Arbitration* HOLO Books: The Arbitration Press 2001
41. *The Charitable Arbitrator: How to Mediate and Arbitrate in Louis XIV's France* HOLO Books: The Arbitration Press 2002
42. *Roman Arbitration* (with Bruno de Loynes de Fumichon) HOLO Books: The Arbitration Press 2004
43. *Early English Arbitration* HOLO Books: The Arbitration Press 2008
44. *National Resources: the Challenges for International Dispute Resolution* (edited) IDR Group 2009
45. *Disputes and Differences: Comparisons in Law, Language and History* HOLO Books: The Arbitration Press 2010
46. *Mediation and Arbitration in the Middle Ages: England 1154 to 1558* HOLO Books: The Arbitration Press 2013
47. *The Golden Age of Arbitration: Dispute Resolution Under Elizabeth I* HOLO Books: The Arbitration Press 2015
48. *Arbitration and Mediation in Seventeenth-Century England* HOLO Books: The Arbitration Press 2017
49. *Women in Disputes: A History of European Women in Mediation and Arbitration* [With Susanna Hoe] (HOLO Books 2018)
50. *English Arbitration and Mediation in the Long Eighteenth Century* (with Francis Calvert Boorman and Rhiannon Markless) HOLO Books: The Arbitration Press, 2019
51. *More Disputes and Differences: Essays on the History of Arbitration and its Continuing Relevance* (edited by Susanna Hoe) HOLO Books: The Arbitration Press, 2022

Chapters and Introductions

1. Security over Corporeal Movables: some Asian peculiarities, in JG Sauveplanne ed *Security over Corporeal Movables* (Vol 1 Comparative Legal Studies) Sijthoff 1974
2. Poisoned by Pollution, in RJK Chapman and Derek Roebuck edd *The Court as the*

- Public Conscience: conservation, pollution and the law* Environmental Law Group, Hobart 1976
3. Admiralty: Australian and New Zealand commentary on *Halsbury's Commentaries on the Laws of England* (with John Beattie and PA Cornford) 4th edn Butterworths 1976
 4. Custom and Usage: Australian and New Zealand commentary on *Halsbury's Commentaries on the Laws of England*, 4th edn Butterworths 1979
 5. Custom, Common Law and Constructive Judicial Lawmaking, in *Essays on the Papua New Guinea Constitution* Ross de Vere et al edd Government Printer, Waigani 1985
 6. The Future of Legal Education in Hong Kong, in *The Future of Legal Education and the Legal Profession in Hong Kong* Faculty of Law, U of Hong Kong 1989
 7. Law and Language: the ethics of ignorance, in C Thirlwall and PJ Hughes edd *The Ethics of Development: language, communication and power* U of Papua New Guinea P 1989
 8. The Ego and I and Ngo: theoretical problems in the translation of the Common Law into Chinese, (with KK Sin) in Raymond Wacks ed *Hong Kong, China and 1997: essays in legal theory* Hong Kong University P 1993
 9. Hypernationalism and Micronations: the Common Law, its growth and spread from island to islands, in Gary Trompf ed *Islands and Enclaves: nationalisms and separatist pressures in island and littoral contexts* Sterling 1993
 10. A Short History of Arbitration, in Neil Kaplan, Jill Spruce and MJ Moser *Hong Kong and China Arbitration: cases and materials* Butterworths 1994 xxxiii-lxv
 11. Guo Qu Shi Ling Yi Ge Guo Du in Shen Jongling and Wang Chenguang ed *New Trends in Comparative Law: a collection of papers presented to the International Comparative Law Conference* Peking UP 1995 23-39 (translated version of Article 27)
 12. The New Socialist Market Economy and the Development of the Chinese Legal System: the influence of traditional morality on the enforcement of foreign judgments and awards (in Chinese, with Wong Kwok-yuen) in *The New Socialist Market Economy and the Development of the Chinese Legal System* Peking UP 1995
 13. A Step Away from the Market: the autonomy of negotiable instruments and the new Negotiable Instruments Law of the People's Republic of China in Wang Guiguo and Wei Zhenying ed *Legal Developments in China: market economy and law* Sweet and Maxwell 1996 205-16
 14. The Influence of Traditional Morality on the Enforcement of Foreign Arbitral Awards in China (with Wong Kwok Yuen) in AJ de Roo and RW Jagtenberg 2 *Yearbook Law & Legal Practice in East Asia* Kluwer Law International 1997 29-53
 15. Der Historische Hintergrund (The Historical Background) in Michael Shone and Francesca Stevens *Finanzierung des Internationalen Handels: Financing Foreign Trade* Holo Books: The Arbitration Press 2003 1-10 and 149-56
 16. Financial Instruments in Michael Shone *Managing the Recovery of Foreign Debts* Holo Books: The Arbitration Press 2005 37-54
 17. Introduction to A Gentleman of the Middle Temple [Matthew Bacon] *The Compleat Arbitrator: or, The Law of Awards and Arbitrements* reprinted Law Book Exchange 2009 III- XXXI
 18. Introduction to Stewart Kyd *A Treatise on the Law of Awards* 2nd edn reprinted Law Book Exchange 2009 III-XXXV
 19. Neil Kaplan – Patron of Learning in Chiann Bao and Felix Lautenschlager eds *Arbitrators' Insights: Essays in Honour of Neil Kaplan* Sweet and Maxwell 2012 Chapter 18 317-325
 20. Arbitration, Mediation, Conciliation: Pitfalls of Prescription in Gerolamo Tessuto ed *Explorations in Language and Law: Language and Law in Academic and Professional Settings: Analyses and Applications* Aprilia, Novalogos 2014

Articles and Notes

1. A Legal Bibliography for Students of Accountancy (1993) 45 *New Zealand Accountants' Journal* reprinted as a students' guide 1963, 1965 and (ed Alexander Szakats) 1968
2. Business Law in New Zealand (1965) *American Business Law Journal* 3:2
3. The Law and Business Studies: the problem (1967) 1 *Abacus* 46-61
4. The Law and Business Studies: the solution (1967) 1 *Abacus* 173-87
5. The Auditor's Responsibility for Inventories: an interdisciplinary study (with PC Byers)(1968) *The Singapore Accountant* 3
6. Commercial Law in Australia: the development of the teaching of law to commerce students (1969) *Journal of the Association of Law Teachers* 94
7. The Crisis of Contract (1969) 3 *U of Tasmania LR* 191-203
8. The Ratification of United Nations Covenants on Human Rights (1970) 3 *Justice* 29-35
9. Modern Society and Primitive Law (1970) 3 *U of Tasmania LR* 258-74
10. Offer and the Display of Goods (1971-1972) 4 *U of Tasmania LR* 99
11. Clashes of Legal Cultures: some problems of imported legal systems (1973) *Transactions of the World Federation for Mental Health* 1-17
12. The Diplock Report on Mercenaries *New Statesman* 13 August 1976
13. Customary Law and Statute Law in the Pacific: a policy framework (with BD Brunton), a paper delivered to the Third Pacific Islands Law Officers' Meeting, Suva 1983; (1982) *Melanesian Law Journal* 1
14. The Mareva Injunction: birth, death and transfiguration in Papua New Guinea (1985) 6 *Company Lawyer* 242
15. The Reception of Common Law and Equity in Papua New Guinea: the problem of the cut-off date (with DK Srivastava) (1985) 34 *International and Comparative Law Quarterly* 850- 57
16. Judicial Revision of the Revised Laws of Papua New Guinea (with DK Srivastava) (1985) 11 *Commonwealth Law Bulletin* 1450
17. Is There a Common Law of the Commonwealth? (1982-1983) 18 & 19 *Banaras Hindu University Law Journal* (Diamond Jubilee Issue) 29
18. Victims of Language (1986) *Transactions of the Australasian Universities Law Schools Association* 1
19. Remedies: the pre-emptive strike (1988) *Law Lectures for Practitioners* 1988 105
20. China and the Year Books (1989) *Law Lectures for Practitioners* 1989 17
21. The English Language and the Common Law (1989) *New Zealand Law Journal* (November) 391
22. The Chinese Digest of the Common Law (1990) 6 *Institute of Advanced Legal Studies Bulletin* 17
23. The Chronology of a Cobweb: Anglo-Norman from 1066-1250, in *City Polytechnic of Hong Kong Language Working Papers* No 2, October 1990
24. Law in a Foreign Language : the Hong Kong experience (1991) 15 *Revista de Llengua i Dret* 125
25. Theory in Legal Theory: an address (1991) 6 *University of Connecticut Journal of International Law* 301
26. Language, Law and Truth (1992) 1 *Asia Pacific Law Review* 51
27. The Past is Another Country: legal history as comparative law (1994) *Asia Pacific Law Review* (1994) Special Issue No1 9-23
28. The Myth of Judicial Jealousy (1994) 10 *Arbitration International* 395-406
29. Law as a Foreign Language: Chinese and English in Hong Kong's legal system (1995) *Journal of Asian and Pacific Communication* 189-200

30. Rapid Change and Traditional Morality: enforcement of arbitral awards in the People's Republic of China (1995) 8 *Australian Journal of Corporate Law* 342-55
31. Courts, Judges and Arbitral Awards in the History of the Common Law and in China Today (in Chinese, tr Zhao Yuhong) (1995) 32 *Jurist's Review* 24-30
32. Gerard Malynes, Arbitrator (1996) 62 *Arbitration* 12-15
33. Language Engineering for Legal Transplantation: conceptual problems in creating Common Law Chinese, (with KK Sin) (1996) 16:3 *Journal of Language and Communication* 235-54
34. Arbitration in Early Hong Kong 1835-67 (1997) 63 *Arbitration* 263-69
35. Charles Elliot RN, Arbitrator: dispute resolution in China Waters 1834-1836 (1998) 14 *Arbitration International* 89-116
36. 'Best to Reconcile': Mediation and Arbitration in the Ancient Greek World 66 *Arbitration* 275-287
37. Cultural Differences and Mediation (2002) *Asian Dispute Review* 135-137
38. L'Arbitrage en Droit Anglais avant 1558 (2002) 3 *Revue de l'Arbitrage* 535-577
39. Insights into Equity (2003) 15 *Bond Law Review* 74-85 (2000)
40. The Prehistory of Dispute Resolution in England (2006) 72 *Arbitration* 94-104
41. Customary Law before the Conquest (2006) 68 *Amicus Curiae* 23-32
42. The Myth of Modern Mediation (2007) 73 *Arbitration* 105-116
43. Bricks Without Straw: Arbitration in Roman Britain (2007) 23 *Arbitration International* 143-156
44. Cleopatra Compromised: Arbitration in Egypt in the First Century BC (2008) 74 *Arbitration* 263-268
45. The Institute of Advanced Legal Studies, the IDR Group and the Relation of Theory to Practice (2009) 75 *Arbitration* 268-270
46. 'Something So Unenglish': Mediation and Arbitration in Hong Kong 1841-1865 (with Christopher Munn) (2010) 26 *Arbitration International* 87-102
47. Stewart Kyd: the Scottish Pioneer (2010) 76 *Arbitration* 32-43
48. The Life and Death of the *Compromissum* (2011) 1 *Revista Română de Arbitraj* 29-39
49. Time to Think: Understanding Dispute Management (2011) 77 *Arbitration* 342-350
50. Keeping an Eye on Fundamentals (2012) 78 *Arbitration* 375-376
51. ADR in Business: Topics for Research (2012) 3 *Revista Română de Arbitraj* 29-36
52. The English *Compromissum*: What Can be Learned from its History? (2013) 1 *Revista Română de Arbitraj* ???
53. The Future of Arbitration' (2013) 96 *Amicus Curiae* 1-3
54. Odds or Evens: How Many Arbitrators? (2014) 80 *Arbitration* 8-15
55. The London Centre for International Mediation and Arbitration in the Reign of Elizabeth I (2014) 30 *Arbitration International* 577-588
56. Plain, Clear and Something More? Criteria for Communication in Legal Language (2014) 16 *European Journal of Law Reform* (Special Issue on Law and Language) 633-650
57. Italian Arbitrators in Elizabethan London (2015) 4 *Revista Română de Arbitraj* 56-63
58. What Law was there in Roman Bath? A lecture delivered to the Bath Royal Literary and Scientific Institution [<https://www.brsls.org/>]
59. 'The English Inheritance: What the First American Colonists Knew of Mediation and Arbitration' (2016) *J of Dispute Resolution* Vol. 2016, Issue. 2, Article 5
60. 'Mediation and Arbitration in Medieval Malta from the Records of Notary Zabbara (1471-1500) (2015) *Melita Historica Vol. 16, No.4*