

## Sir Anthony Colman

Anthony Colman, who has died at the age of 79, was successively a barrister, High Court judge and international arbitrator. In each role he was highly respected and much liked.

Born in Yorkshire in 1938 to Solomon and Helen Colman he was educated at Harrogate Grammar School where he acquired a lifelong passion for 17th Century History and acquired his bowling skills at cricket matches played throughout the Yorkshire Dales . Surprisingly, the Rabbi at the small Harrogate Synagogue pronounced that it was fine to play Cricket on Sabbath afternoons provided the boys attended Synagogue in the morning!

Colman was the last generation required to do National Service. Discovering that all young Commissioned Officers were kicking their heels in the UK , he volunteered to go as a sergeant in The Education Corps and spent two interesting years in Berlin. When not teaching the troops everything from spelling to basic economics he enjoyed the luxury of cheap but brilliant opera productions and recordings in East Germany, accessible to the BAOR forces .His Army flat overlooked the exercise yard of Spandau Prison.

Colman launched his legal career by taking a double first in law at Trinity Hall, Cambridge, in 1961. Called to the Bar by Gray's Inn in 1962, he was a pupil of Christopher Staughton (later Lord Justice Staughton) at 3 Essex Court in the Temple before practising from sister chambers at 4 Essex Court. After serving as a High Court judge from 1992 to 2007, he returned to Essex Court Chambers where he was in practice as an arbitrator at the time of his death.

Colman was a successful, impressive and stylish advocate. Appointed Queen's Counsel at the age of 38, many of his cases were argued in The Far East, particularly Singapore, reflecting his love of travel. He was elected a Bencher of Gray's Inn in 1986 and became Head of Chambers in 1990. Alongside his busy practice, he was closely involved in the establishment of the Commercial Bar Association (COMBAR) in 1989 and organised its North American Committee, an early step in the current level of international cooperation between commercial courts and the lawyers who practise in them.

After his appointment to the High Court in 1992, Colman sat regularly in the Commercial Court until he retired in 2007. As a judge he gained a well-deserved international reputation, notably in the fields of arbitration

and maritime law. His judgments were thorough and carefully drafted, revealing a sound knowledge of the law and a full grasp of the facts as well as an understanding of the commercial background of each case and its wider implications. His decisions were usually upheld on appeal and, on three notable occasions when the Court of Appeal ventured to disagree with him, reinstated by the House of Lords.

Colman's long and close connection with the Commercial Court was reflected in his writings, first as editor of Mathew's Practice (2nd edition, 1967) and later as author of Practice and Procedure (1983) and as general editor of and contributor to the Encyclopedia of International Commercial Litigation (1991).

Characteristically, he supported moves to end the wearing of wigs in the Commercial Court, arguing they were not accordance with the "overriding objective of informal professionalism which ought to characterise the Commercial Court proceedings".

In the year 2000, prior to the admittance of the Czech Republic to the EU, he was invited by then Lord Chancellor, Lord Irvine of Lairg, to go as Special Adviser to report to the governments of the UK and the Czech Republic on 'the state of Commercial Litigation in the Czech Republic and the need for change in Czech Procedural Law.' He was further asked to suggest educational back up for the necessary changes. This gave him another opportunity to foster international cooperation and proved an outstanding success. His work was recognised by his receipt of the prestigious Gratias Agit Award from the Czech Republic, and secondly, by a legacy of personal friendships. Colman once said this was perhaps the most interesting work in his career. He was later a co-founder of the European Commercial Judges Forum.

Colman added further to his reputation in maritime circles when he was asked in 1998 to re-open the formal investigation into the loss of the bulk carrier Derbyshire, which had sunk in the Pacific Ocean during a typhoon in 1980. After an earlier inconclusive inquiry, new, state-of-the-art underwater cameras enabled the actual wreck to be found and photographed. Colman's inquiry was able to determine the cause of the sinking and made some important recommendations about the construction of bulk carriers. More importantly he was able to lift the burden from those families whose sons/ husbands had been wrongly blamed for the disaster.

Many expressed surprised that Colman was never promoted to the Court of Appeal. But that court's loss was the Commercial Court's gain, allowing him to play a major part in the development of arbitration, insurance and shipping law.

After his retirement from the bench in 2007, Colman soon found that his services as an arbitrator were "much in demand" (to quote an appreciative obituary in *Global Arbitration Review*). But he also had other responsibilities around the world.

In 2008, he became one of the first judges of the Dubai International Financial Centre (DIFC) Courts. These courts had been created in 2005 as common law, English-language commercial courts — originally for cases connected with the DIFC and latterly from 2011 with an international, elective jurisdiction. By common consent, Colman made a massive contribution to the development of the courts. He became Deputy Chief Justice and served until reaching the court's mandatory retirement age in 2013.

Meanwhile, he had been appointed by the government of Trinidad and Tobago in 2010 to inquire into the failure of a number of banking and insurance companies. He held lengthy hearings in the Caribbean islands and delivered reports in 2014 and 2016. The work was physically demanding and it seemed no coincidence that a period of ill-health followed from which he recovered sufficiently to resume his arbitration practice and his work in Dubai.

His retirement from the DIFC did not end his connection with Dubai. In 2016 he became the founding chairman of the Emirates Maritime Arbitration Centre (EMAC), whose aim, in his words, is to "settle local and international maritime disputes using methods of alternative dispute resolution efficiently and effectively". Its Vice-Chairman and Secretary General, Majid Obaid Bin Bashir, lamented the loss of "such a high-calibre professional at the helm" in an obituary published in *Gulf News*. Even at 79, Colman had much to offer to the world of arbitration and would have achieved a great deal more through EMAC and as a result of his arbitration connections with Singapore, Malaysia and China. Anthony Colman loved books, particularly 17th Century books; he was interested in British and European history; he was a skilled gardener and was particularly proud of the large garden he maintained at the family home in Hertfordshire.

In 1964, he married Angela Glynn, also a Cambridge graduate but a medic who 'escaped' her family's distinguished scientific tradition to be a painter. She survives him, together with their daughters Deborah and Rosalind and four grandchildren. Colman was extremely supportive of his wife's career. On the occasion when she was commissioned to go to India to paint a series of pictures for an Indian Legal Practice in London, Colman happily reversed their normal rolls and accompanied her to India as her 'brush carrier'. Angela and Anthony were able to paint together, particularly on the Greek island of Sifnos where they made their second home and became adopted members of the local community.

At each stage in his long career, Colman earned a reputation for legal scholarship combined with a full appreciation of the personal and commercial interests of the parties to disputes. He remains a model for all who believe that fairness in litigation, arbitration and alternative methods of dispute resolution is as important as a fair outcome.

Colman's death on 28 July 2017 was sudden and unexpected. He appeared to have made a good recovery from his period of ill-health and had returned to his good-natured and hard-working self.

He was, in the words of one tribute, "a fabulous judge".