

Fuller quotes to complement Protection of Title column for BD- September 2019- E. Jolliffe

As well as Ben Derbyshire and the RIBA I would like to thank Neil Shashone of the SAHGB for pointing me in the direction of some great resources.

RIBA Statement (12/09/19)

"Our current policy is to support continued protection of title for architects as both an assurance to consumers and a benefit to the profession

We don't currently have a policy to actively campaign for protection of function for architects, something we believe any UK government would be highly unlikely to contemplate given UK competition policy.

Having said that, the Hackitt Review recommendations on accreditation and competency do appear to open the door a little, to some degree of protection of function for "Principle Designers" in relation to life safety compliance on higher risk buildings."

Ben Derbyshire (10/09/2019)

"Protection of function for the architecture profession is a pipe dream in the current neo liberal political zeitgeist. But in any event, I am not personally convinced of its efficacy in terms of the fortunes of the profession or the quality of our output. Comparing experiences with sister institutes around the world whilst in office, I was struck that the same concerns about the position of architects in society and the perceived value of our contribution appears unconnected with whether architects enjoy protection of function in their respective markets.

Whilst we enjoy protection of title, we should hang on to it. In the UK it is particularly appreciated in the regions, where the status of being an ARB and RIBA member is regarded more as a differentiator in the market. There have been conversations between RIBA and ARB about more effective measures to police this protection, particularly through digital media, but recent changes of leadership and the prioritisation of action over Fire Safety and Brexit have overtaken events.

Irrespective of these privileges, I argue that the profession should work harder to make itself relevant to societal needs. That is why I have agreed five principles last summer with the Presidents of RIBA's sister institutes in Eire, Ulster, Scotland and Wales to strengthen architecture's compact with society and thereby safeguard the future of the profession.

The five principles are:

- Acting in the public interest
- Raising standards to better manage risk
- Improving the diversity of the workforce
- Researching to build a body of knowledge
- Placing the UN Sustainable Development Goals at the heart of practice

And I suggested in my valedictory speech at Alan Jones' inauguration last week that this is an extraordinary time for the Institute and its members; a once-in-generation opportunity for transformative change because renewed resources and governance changes at RIBA coincide with the widely acknowledged climate emergency. If ever there was a moment in history when the profession can re-assert its relevance, equip itself with the necessary knowledge and skill, get out there and be seen to contribute in a big way to staving off the existential threat, this is it."

Should protection of title be abolished? Richard Saxon (26.11.2007)

“Protection of title supposedly exists to protect the public from unqualified practitioners, yet the Architects Act does not allow ARB to pursue plan-drawers who call themselves ‘architectural consultants’, nor those who claim to offer the service of ‘architecture’. Now we also have the situation where European Union graduates of variable quality can become registered in the UK without passing Part 3 as all UK graduates have to do. The only guarantee the public has of competence in an architect is the standard of Chartered Architect, and for practices that of the Chartered Practice. This title is protected by Royal Charter and means that the architect has Part 3 and keeps up to date via CPD. For practices it means that they have basic quality, health and safety and employment standards and that all work is supervised by a chartered architect. Nearly 80% of all UK architects are chartered already, and a higher proportion of principals in practice. Protection of title adds nothing for them.

UK architects have no protection of function, nor is it ever likely to happen in this country. Even so, the new CIC survey shows that we earn fees equivalent to 3% on every pound spent on construction today, including repairs, civil works and housebuilding. We are employed because we add value, not because of a title. Chartered Surveyors have made those two words stick together in everyone’s mind; Chartered Architect is all the title we need.”

Farrell Review (2014)

“We have the strange situation in this country where the title “architect” is protected but the ability to carry out architectural work is not. In 2005, over 75% of countries protected the “function” of being an architect, preventing anyone carrying out architectural work without registration. In this country anyone can carry out this work as long as they don’t call themselves an “architect”. Even if they were to call themselves an architect, the current protection is relatively toothless... Engineers, surveyors and all other construction industry professions are able to regulate their professions and promote their members without statutory protection of title. Sunand Prasad suggested that the RIBA’s threshold of “Chartered Architect” would become more relevant if the protection of title were abolished. The RIBA could still prosecute those who misuse the title of “Chartered Architect”, as is the case with these other professions.

A lot of concern about the diminishing role of the architect was expressed in the Farrell Review workshops. Architects were seen to have given up aspects of their role now carried out by quantity surveyors and project managers. The protection of title, which is challenged in the “Education, Outreach and Skills” section of this document (chapter 1), is relevant here. As Terry Farrell said at the 2013 SCHOSA annual general meeting: “By differentiating architecture, it becomes an increasingly narrow definition in terms of the things that only an architect can do. Architects are in effect backing themselves into a corner and ever smaller areas of expertise which they feel they then defend.”

Department for Communities and Local Government: Periodic Review Report: Architects Regulation and the Architects Registration Board- March 2017

“The following main arguments were made in favour of continued regulation:

- that regulation of architects is in the public interest and supports consumer protection because regulation provides assurance that a certain level of qualification has been obtained; This was viewed as particularly helpful for the many clients (organisations as well as individuals) that only engage with an architect once in what is a complex purchase. The independence and comprehensiveness of the register were highlighted in responses to the call for evidence as delivering significant benefits by enabling consumers to make an informed choice and by providing an element of consumer protection because individuals that illegally hold themselves out to be architects without being registered may be pursued by the Regulator. The Act cannot, however, be completely effective given that the distinction between the title ‘architect’ and similar titles such as ‘architectural-drawer’ (which are not regulated) may not be understood by clients. It is also increasingly difficult to police use of title with the increasing use of the internet and social media.
- that regulation is necessary to maintain high professional standards (by requiring students to obtain qualifications) and hold architects to account for failure to adhere to them; 13 Regulation is seen as helping uphold the United Kingdom’s international reputation supporting export of services and overseas take-up of United Kingdom courses and qualifications (see Annex A for details of the value of architecture to the UK economy). Annex A also provides data on the size and structure of the sector. Particularly among small firms (businesses with between 1 and 10 architects), continued regulation was seen as a means of distinguishing those who have invested in qualifications from those who have not. Opponents to regulation in its current form argue that it is for professional bodies with their longstanding and more detailed knowledge of the requirements of the profession to set and maintain high standards for UK architects.
- and that regulation is required by the Mutual Recognition of Professional Qualifications Directive which defines architects as a ‘sectoral’ profession and sets out specific minimum harmonized qualification requirements enabling architects with these qualifications to operate in any Member State. Whilst the UK remains a member of the EU, the obligations of EU law remain.”

Despite a high level of support for protection of function there was similarly widespread recognition of how difficult this would be to define and implement in practice since many individual aspects of the role are shared with other professions – architects may also undertake many aspects of the roles of (for instance) surveyors or interior designers. Protection of function would also extend the scope of regulation into areas already addressed by other regulatory regimes (including planning, building regulations and health and safety regulations, for instance) and no evidence was provided of market failure suggesting the need to make the employment of an architect mandatory.”

The following are quotes from older books and journals

Architect and Patron- Frank Jenkins (1961)

"With the passing of the Registration Act of 1938 architecture became a closed profession, but the acts have not proved to be the complete solution that was hoped for. Although the profession, and to some degree the public, are protected by them this protection is limited... The only assurance given to members of the public is that the agent they employ will conform to a professional code, that their financial interests will be protected and that the building they commission will be reasonably sound structurally. That broadly speaking is all. An honest builder could in many cases give them as much... But all architects- good, bad, and indifferent- are hallmarked by the Registration Acts, and it is difficult for members of the public to differentiate between them as regards their ability... Statutory registration should not, however, be looked upon as an end in itself. Rather it should be regarded as a step, albeit a necessary one, in the development of increased professional competence, providing the means by which the standards of the profession may be improved."

The Architect in History – Martin S Briggs (1927)

"The enormous additions to [the RIBA's] membership that have taken place even within my own memory, on one pretext and another, have been made with the expressed view of eventual registration of all reputable architects, thus leading practically if not specifically to the ultimate closing of the profession. This has not yet been achieved, but the status if the architect is improving. For better or for worse, he is becoming first and foremost a professional man.

There are some who regard with genuine regret, even with alarm, this stereotyping of one of the fine arts into professional moulds. Unfortunately it seems to have become inevitable. Combinations for mutual self-defence and self-advertisement, for the maintenance of a minimum wage and a minimum code of honour surround us on all sides. The architect, like all other men, has to live, and it seems to be generally held that he can only live by combining with his brethren. But there are compensating features, and the RIBA has done much to enhance the reputation and improve the methods of one of the oldest callings in the world. Supporters of registration believe that the Bill now (1927) before Parliament will raise the standard of architecture and architectural practice throughout the country."

The Growth & Work of the Royal Institute of British Architects 1834- 1934 -J.A. Gotch (1934)

"For twenty years the Institute opposed registration bills in the House of Commons for "the older members of the Institute in particular, strongly and not unnaturally, objected to a process of levelling-up which would give a definite status to "the mere ignorant, though bold pretender," in fact, to the very class of person against whom registration was ultimately aimed."

"I do not conceive the purpose of the Registration Act to be that of protecting the Architectural profession. The interests of the Profession are of course legitimate but are best served by the Architectural Associations... The object of the Registration Act is to ensure to the public that the architects they employ possess capacity and character.

The Architects Registration Council stands at the gateway of the realm of Architectural practice, but within that realm the affairs of the Architect are best administered by those voluntary associations to which he has allied himself and over the actions of which he has complete control."

RIBA Journal (1946)

“Just as [the architect] was once the serve to of an enlightened patron who directed his expert labour, the= n became a freelance professional subordinating his inclinations to the need to please, so it is now up to him to become a dominant element in contemporary life. He is the planner, the builder, the technologist, a master of the social sciences, and creator of the environment in which we have to live, expand and fulfill ourselves in our several ways. He is the expert in all the things that most touch the material conditions of our lives. And, because of his tradition, and because human needs extend beyond material amenities, he is, and must remain, an artist too- but always a maker of things, and thus responsible and masculine as well. Painters and authors can execute their work in haughty isolation. An architect can only build at somebody else’s expense, and this will always be the test of his good faith and dependability.

General salaried architects would hesitate to arrogate to themselves the elevated status above... yet it may be assumed that they would agree to the general trends, a trend away from the picture of the creative artist expressing a unique vision, and towards that of the professional seeking to find the best possible technical solution to a highly complex problem...”

“If the architect’s province were conceived as being limited to the purely practical solution of problems of construction and equipment, then the builder or engineer might be considered to be already fitted to take his place... Once full closure of the profession is achieved it is difficult to see what advantage membership of the RIBA will hold out... whether it will become a trade union, bargaining with the government for higher standard salaries and using its monopoly position to do so, or an association concerned with the maintenance of a traditional code of conduct, or a club, completing the cycle that was begun when a few architects met at the Thatched House Tavern in 1791 to form the Architect’s Club, seems to rest on factors that are not at present predictable.”

RIBA Journal (1948)

The RIBA has now reached the end of the first stage of its registration policy which has required so much effort. The ultimate objective is naturally to prevent anyone performing the duties of an architect unless he is resisted- a legal enactment found in some American states. At present in this country anyone can design and supervise the erection of a building provided he does not call himself an architect.

Clearly the time is not ripe for this next step. The second registration act has hardly begun as yet to be effective. Complicated negotiations with other professions would be necessary to determine the boundaries between architecture, engineering and surveying. Finally, no private members bills have been given time in Parliament since 1939.

The Registration Committee is the instrument for carrying out RIBA policy on registration. It includes among its members the representatives of the Architectural Association and of the provincial associations who serve as members of the Architect’s Registration `council of the United Kingdom.