

DOWN MEMORY LANE: SIXTY YEARS IN A VERY GENTLEMANLY PROFESSION 1952-2012

by J. F. Tillotson LL.B.



In the 1950's Assistant Solicitors were paid £500 per annum. Articled Clerks were unpaid and had to pay a premium of at least £200 to a Principal for five years training. Now they are paid a living wage as trainees. Secretaries were paid £250 Per annum. Now they are well paid. There were relatively few graduates who after three years at University served another three. There were very few women lawyers either Solicitors or at the Bar. A Solicitor's letter cost six shillings and eight pence. Solicitors were governed by the Law Society and between 1881 and 1985 had a monopoly on Conveyancing. Solicitor's managing clerks were modestly paid but highly regarded in practice both by principals and clients alike. Many sat on high stools at large desks scribing deeds and documents e.g. Wills on thick paper or parchment with quill pens before the advent of typewriters which were used for letters dictated to short hand typists. From about the late 1950's a professional association was formed and they were called Legal Executives with their own Examining Body. In recent years a new body "Licensed Conveyancers" has been formed. The Partners lived in nice houses and had cars but mainly the Staff did not except possibly an old banger or cycle! Secretaries used the bus and mostly everyone went home for lunch and worked Saturday morning.

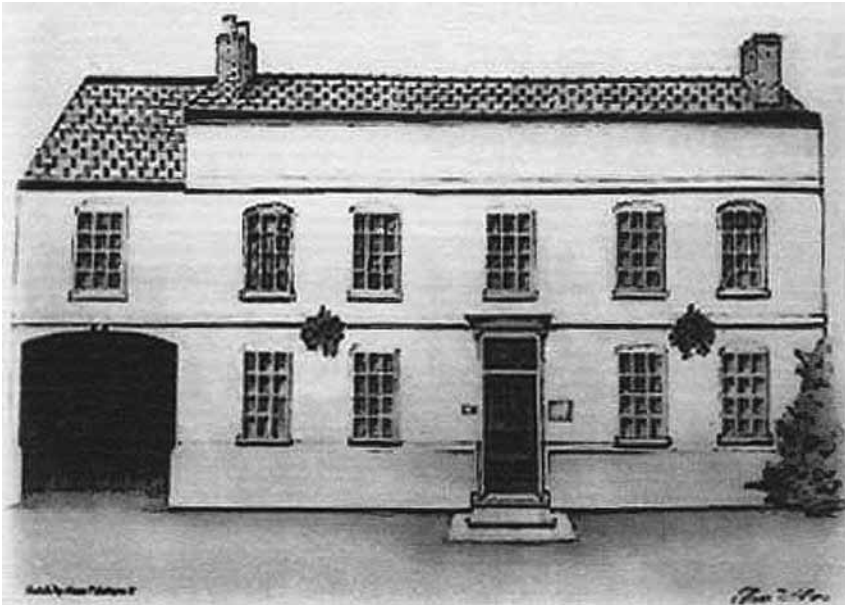
The Legal Aid Scheme for Civil Litigation started in 1948 and was means tested. Hitherto free advice was available from the Poor Man's Lawyer Association and much later on from CAB which had begun during the War to disseminate general information.

Advertising was not permitted and touting for clients was a professional offence. Solicitors did not generally poach other solicitor's clients who were loyal unless a conflict of interest arose. In Conveyancing there were rigid minimum Scale Fees which prevented undercutting until the advent of Resale Price Maintenance in the mid 1970's. Solicitors could act for both parties unless a conflict of interest arose. In 1985 Mrs Thatcher abolished the solicitor's monopoly on conveyancing allowing licensed conveyancers, banks and building societies to undertake such

work. But many building societies did not take up such business having lost money by taking over estate agents in the 1989 property crash. Competition was on service. The Law Society disciplined solicitors who could be struck off for misconduct fraud or "conduct unbefitting a solicitor". There was no compensation fund until later and if a solicitor was negligent a client had to go to another solicitor to sue for damages. There was no compulsory Insurance scheme until later. Now solicitors are regulated by the Solicitors' Regulation Authority and the Legal Ombudsman who handle complaints. The Law Society deal with administrative matters and the Solicitors Benevolent Association supports Solicitors and their families who have fallen on hard times.



QUILL PENS AND INK WERE USED ON THICK PARCHMENT FOR WRITING WILLS.



DRAWING OF WARTNABYS OFFICE 44, HIGH STREET, MARKET HARBOROUGH.

Land outside London was largely unregistered. In 1957 the City of Leicester became a Compulsory Registration Area and in 1987 the Harborough District became a Compulsory Area. In 1967 the Divorce Reform Act was enacted bringing in no fault divorce for the first time on the basis of two years separation with consent or five years without consent. Previously a Petitioner had to prove Desertion, Adultery or Cruelty either mental or physical which grounds are still relevant.

Lawyers always “strove mightily at the Law but ate and drank as friends”. Students at University would practice advocacy by way of mock trials or ‘Moots.’ Socially solicitors attended law dinners inviting local dignitaries and clients as guests entertained by after dinner speeches by High Court Judges with their inimitable dry witty humour! Leicester University opened a Law Department in 1960’s and De Montfort University in 1990’s.

In 2012 the Government substantially curtailed Legal Aid both for Criminal and Civil Legal Aid. The Profession has changed dramatically in the last sixty years but lawyers continue to uphold the rule of law with ‘high ethical standards.’ Hitherto in order to instruct a barrister one had to get a solicitor to prepare a brief but more recently anyone may instruct counsel directly. Solicitors now have rights of audience in the High Court and may apply to be a Silk i.e. Queen’s Counsel (Q.C.).

Now non lawyers are permitted to buy into law firms and under Alternate Business Structures non lawyers can undertake legal work within house lawyers so called “Tesco Law”. Modern technology has speeded up the process of the way lawyers operate with more specialisation simplifying land transfer. New entrants include AA and Co-op. Solicitors can apply to the Law Society to be accredited in conveyancing. Fifty per cent are now women and thirty per cent ethnic minorities. The Profession is still a big commitment.

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