

Ian Salisbury gives an account of the withdrawal of the proceedings by the ARB against him for unacceptable professional conduct

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The Board's capitulation

The collapse of the Board's case against me is a welcome justification for the investment that I (and the many others who have supported me) have made over the last 12 years.

Faced with the High Court decision of August 2009 in my favour, it had become clear that the Board must retract with as much grace as could be mustered. Like many others I had from the outset refused to "tick the box" (that is, about the level of PII) – a demand that the Board has now been compelled to resile from. There was a risk, for in pursuit of the ARB's policy, a failure or a refusal to comply was treated as sufficient ground for erasure from the register. Having first objected in 1998, it was not until 2005 that a charge was brought against me. But it also became clear that justice was only to be found in the High Court, for although in June 2009 the PCC's decision to find me guilty was pronounced, it was a decision that by August the High Court had quashed.

Policy reform?

Will the Board and Registrar now be minded to put right any of the wrongful PCC decisions against other architects, which have no better basis than the one I overturned? I doubt it, seeing that on the day when the collapse of the Board's case against me had been formally pronounced at the morning session of the PCC, that very afternoon the Board sent a coercive email to an architect, threatening disciplinary proceedings for failing to "tick the box". Can that be mere carelessness? Is this organisation incorrigible? And if so, what remedy can there be?

But what of the other troubles besetting the profession? Will the rejected schools now be told that the Board's prescription process, *aka* validation or recognition, is flawed and cannot in any event be justified under the Act? I doubt it. Will the Board admit that it is irrational to refuse registration to British applicants who have like those applying from the continent (about a third of the total) only the equivalent of RIBA Part II? I doubt it.

The Board's habit of ambition and secrecy

What had led to the capitulation in the Board's proceedings against me started in 1998. The old ARCUK had gone and in its place ARB was promised as the lean list-keeper that would be bound down to the essential tasks of keeping the register, prescribing architectural qualifications and reproving those who failed to maintain standards. Parliament was clear: all else including CPD and insurance matters were excluded from its minimal responsibilities.

Yet in no time the new chairman had written to all on the Register, boldly claiming "You might not be aware that in addition to the statutory functions ARB is undertaking in place of ARCUK, ARB's remit is considerably wider". I said at the

time that this could not be a valid claim, a view that was later reinforced by the RIBA.

The Board's expansive ambition was accompanied by an immediate 67% fee hike, one of many increases that have seen the rising cost of registration climb at six times RPI. But I think it was a sense that the Board was careless about damaging the profession that led to my election as a Board member in 2003.

I soon discovered that on the day before I took my seat with other incoming members, the outgoing Board had decided to prevent inquiry into its past business. I was prohibited from seeing papers; I was denied a position on any committee and was ejected when I tried to sit and observe. Motions concerning the Board's conduct were moved to the Board's closed session; closed sessions were in consequence characterised by ill-temper. On one occasion I forced an admission that only one Board member had read the papers provided: an example of how schools of architecture trying to get approval for their qualifications were treated. In short it could seem that the Board was little more than a yea-saying cipher.

Under the secrecy policy being conducted by appointed members of the Board I felt disabled from properly acting as an elected member, and into the second year of my three year term, having succeeded in removing a gagging injunction that the Board had placed on me the previous year while I was walking in the Dolomites, I resigned.

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