

*The purpose of a code under the Architects Act 1997, s. 13:
a Note from an independent observer (28 April 2009)*

It might have been thought that the code which Part III of the Act requires the Architects Registration Board to issue should be of interest to none but the relatively few who are affected and who lack other reliable means of knowing or being informed about “standards of professional conduct and practice expected of registered persons” within the meaning of the Act. It ought to be made available as a helpfully informative document: concise, accurate and in a style fitted to its purpose; descriptive rather than prescriptive.

This few is likely to include some of the following:

- post-graduate students intending to practise in this country;
- practitioners from abroad who are not already conversant with the professional ethics and business practices of this country;
- practitioners in kindred professions and persons in the parts of the building industry connected with architectural work (including work for public buildings, industrial premises, property development, housing, shopfitting and interior design);
- those responsible to their employers or principals for procuring architectural services (such as public officials, or directors, managers or executives of corporate or other institutions or businesses, those who are business proprietors or property owners in their own right, and statutory “consumers” to whom consumer protection legislation applies);
- legislators; and
- specialist or general interest commentators, editors, feature writers, journalists and reporters.

But experience in the years from 1997 has shown that the Board and its Investigations Committee and Professional Conduct Committee seem to have acted sometimes as if they were entitled to use the code as a means, aid or basis for inducing, threatening, defaming, and imposing penalties upon registered persons, regardless of reason, common sense or simple justice. (*Inter alia*, see AARUK [Case Studies 1](#) and [2](#), passim.)

Interest in the code must therefore extend beyond the few more directly affected to those with wider social concerns.

Inquirers and policy makers may usefully consider whether the manner in which the present code is expressed and presented compares well or badly with an earlier “[code](#)” which had been issued before the Registration Board replaced the Registration Council. The earlier document may be taken as a model of plain English and fitness for its purpose which others could do well to note. If the current code falls short of such criteria then how much the more does the consultation draft issued by the Board in 2008.

Much of the earlier versions of the ARCUK document had become obsolete under other legislation in connection with the regulatory restrictions directed against what was referred to as a “mandatory” fee scale for architectural professional services. But the principal ethical concern for a public profession such as the practice of architecture continues to be about conflicts of interest.