

PRIME MINISTER

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Dub 14/12

CONVEYANCING FOR REWARD

The situation has changed since the Lord Chancellor has in effect conceded the extension to employed solicitors. But this will not get us off the hook. If we go no further than this, our response to the Austin Mitchell Bill will still seem timid and anti-customer. We would still be defending the closed shop for solicitors.

There are now three options for Cabinet:

- (a) The status quo - no longer seriously defended by anyone.
- (b) Extension to employed solicitors -
 - (i) EITHER say, as Quintin prefers, that we are "attracted" by the idea and will consult on the principle;
 - (ii) OR say, with the rest of H Committee, that we have decided on the change and will consult on the detail.

We must insist on (ii). But if Ministers share our feelings that this is still too feeble, we could go a little further in the direction of:

- (c) Extension to non-solicitors -
 - (i) EITHER say that we have decided on the extension to employed solicitors and that we are "attracted" by the extension to non-solicitors of the right to convey registered land - with proper safeguards - and will consult;
 - (ii) OR accept the Mitchell Bill as a whole (or possibly promise a Government version of it). One of the difficulties about this is that the Bill contains other provisions which genuinely do need further work, eg about the purchaser using the vendor's survey.

The advantage of (c)(i) is that it keeps open the possibility of extending to non-solicitors without committing ourselves or pushing the Lord Chancellor too far too fast. So we would be working towards the end of the solicitors' closed shop - but in a responsible fashion, and allowing time for popular pressure to build up even more strongly than it has already.

If we close the door on Friday on the extension to non-solicitors, we shall do considerable damage to the image of this Government as an opponent of the closed shop and a defender of competition and the customer.

We suggest that, if Cabinet is in a mood for radical action, the Government should announce on Friday that we have decided on the extension to employed solicitors, and will consult on the extension to non-solicitors conveying registered land, by means of a Green Paper.

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FERDINAND MOUNT