

## **Solicitor, Conveyancer, lawyer, attorney, advocate, barrister, SC and QC, what are the differences?**

All the above words are very mysterious; let me shine a light on each one of them.

In Australia, there are 3 clubs or associations and they have to be a member of. It is a bit like your religion eg Buddhist, Catholic or Church of England (you cannot be a member of all).

Here are the three Associations:

The Australian Institute of Conveyancers, the Law Society and the Bar Association.

- **Australian Institute of Conveyancers:** members are the conveyancers
- **The law society:** members are the Solicitors
- **The Bar Association:** members are the barristers, SC and QC (continue reading for SC&QC)

Countries of origin is important.

In order to understand the terms, we need to understand the origin of those words.

### England

Solicitor came from England. So the countries that adopt the English system or have close legal connection will be familiar with this word eg Australia, New Zealand and England itself.

### America

Lawyers: This is an American term. The USA became independent from England on July 4, 1776. From there onwards they want to distinguish themselves and would not use the word solicitor, instead, they use the word lawyer.

### France

French is a beautiful and influential language. In order to sound pompous, some lawyers use the word attorney or advocate

### **The origin and original meanings**

**Solicitor or solicit:** ask for or try to obtain (something) from someone. In our context, it is to do something in law for someone in return for money.

**Lawyer:** someone who practices law in return for money.

**Attorney:** to take your place or do something on your behalf

**Advocate:** someone who supports your case and will do it on your behalf

The following has the same meaning it, just that it came from different countries just like food: pizza came from Italy, noodle came from China, and tacos came from Mexico. They are all food.

### **What are their duties?**

Conveyancer (an English-England term). It is a person who specialises in the handling of the legal process with anything that relates to land. That is the process of transfer of title deeds.

Lawyer, solicitor, attorney and advocate are your jack of all trades in law. Examples, they would practise: mergers & acquisition law, drug and medical device law, International human rights law, women and the law, anti-terrorism and criminal enforcement, Islamic Law, law of the sea and environment law, just to name a few.

Barristers, SC and QC

They belong to the Bar Association

A bar here is refers to the partition in the court room. In the court room, there is a physical partition where there is the spectator area and the legal representative area.

The Barrister, SC and QC are a specialist that would work predominately in the court. Their speciality is to argue and to convince the judge and juries.

SC stands for Senior Counsel. SC are the most skilled and senior members of the Bar Association.

QC stands for Queens Counsel. They are equivalent to an SC. The QC titles were no longer given after 1992. Once an upon a time, we have KC (King's Counsel).

### **Conveyancing history in brief**

- ❖ 1290 Conveyancing started in England
- ❖ 1857 Robert Torrens, the layman from South Australia started the modern conveyancing system we have today
- ❖ 1790s conveyancing work started in NSW without any legal recognition
- ❖ 1847 conveyancers were formally recognised
- ❖ 1933 the last conveyancing licensed were issued and by 1967, there were no more conveyancers
- ❖ 1989 In NSW, conveyancers were revived.
- ❖ 1992 Conveyancing as a profession was formally recognised by the act of Parliament.

Which one should you choose to do your work?

Before you can decide which one you must understand what are their specialities. That is like cooking for example; you need to know the function of what a knife, a spoon and a frying pan do. If you do not, you will have a hell of a time in cooking.

If you drive a vehicle, you need to know when to use a sedan, a truck, a bus and a tank. They all have their own unique functions. Now, you wouldn't drive a bus to pick up your girlfriend, would you?

If there was a fire, which would you call, an ambulance, a policeman or the fire brigade?

Similarly, if you have a concern with the animal law or sports law, which one would, you approach?

If you buy a property, which one of the above would you engage?

You need to approach the one that specialises and know their work thoroughly.

Note: QC do not do conveyancing.



Should I see a doctor or a dentist?