1. Robert Rennie – A Career Retrospective

Lord Bonomy

Electronic reference
I don’t think that it is just with the benefit of hindsight that I see the course of Robert’s career as having been plotted by the time he first graduated, still not yet twenty years of age. Like so many of his contemporaries from a modest or working class background, determined to make the most of the educational opportunities of the mid-1960s, he thrived in a student environment that in many ways resembled the school classroom. In his final undergraduate year, almost alone among his colleagues, he positively wallowed in conveyancing. It was a demanding class with five 9am lectures every week of each of the three terms. Every Friday of the first two terms Robert faced what for him was a challenging choice between indulging himself in another Jack Halliday master class or assuming his place between the posts as our football five-a-side goalkeeper. At the end of that year his rewards for making the correct choice and for his application to the study of conveyancing and its quirks and twists (he was even then its champion) were the McConnachie Bursary worth a staggering £300, the most valuable prize in the Law Faculty, an apprenticeship with Bishop, Milne, Boyd & Co., Jack Halliday’s firm, and a place as a doctoral student where he produced his thesis, “Floating Charges – a Treatise from the Standpoint of Scots Law.” Never judge a book by its cover, or indeed its title. Although that somewhat less than racy title would ensure that Robert’s learned and worthy efforts would never be debased by the hollow fame and fortune of a best-seller list, the work that the thesis reflected was fairly innovative in its time.
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His credentials were thus established from an early stage in his career. The gravitas that will feature later in this account was also in evidence even then, leavened of course as it is to this day, by a mischievous sense of satirical humour. As apprentices, four or five of us met from time to time to share recent experiences, usually starting the evening at the office of an apprentice colleague where Robert took the lead in sitting in the sacrosanct office chairs of each of the revered senior partners, mimicking them and dissecting their foibles along the lines of Mike Yarwood’s impersonations of Harold Wilson and Edward Heath. On one such occasion the sudden unexpected return to the office of one of those Gods, whose first names were known only where they appeared on the firm’s headed notepaper, was a close call. The relationship at that time between senior partners and young apprentices and assistants is neatly encapsulated in the practice of one of the senior partners at Bishop, Milne, Boyd & Co referring to the apprentices Robert, Ewan Kennedy and John Armit as “Mr Rennedy” and “Mr Remit.”

In his four years or so with Bishop, Milne, Boyd & Co, as apprentice and then assistant, Robert worked mainly for the partner with the biggest footprint in the firm, James Reid, who headed a conveyancing team consisting of an assistant (Robert), an apprentice, four typists and four Adler typewriters. This was a busy and productive unit of which Robert was a valued member; not only did his knowledge and experience of the complexities of conveyancing theory and practice expand, but his own particular aptitude and expertise came to be recognised by others in the firm who regarded him as one to turn to for advice in the absence of Professor Halliday. It was, therefore, a surprise to many when in 1972 Robert left Bishop, Milne, Boyd & Co. and headed for the heart of industrial Lanarkshire and the rapidly expanding firm of Ballantyne & Copland. That was the first of two occasions in his career when he would be head-hunted. Ballantyne & Copland was a domestic conveyancing powerhouse where the senior partner, Ian Livingstone, generated a high and growing volume of transactions which his long-standing partner, Hugh Warden, strove manfully to handle and complete. An assistant, John Watson, who was later to qualify as a solicitor and become a partner, handled wills and executries and some miscellaneous business, and I had arrived 18 months before to deal principally with the spin-off business of conveyancing clients, e.g. prosecutions, litigation in general and family problems, in order to provide an all-round service. But assistance was urgently required at the core of the
firm’s business, to handle the rapidly increasing volume of conveyancing transactions. Robert answered my call, and joined the firm in April of that year, before being assumed as a partner the following year. I remain of the view that acquisition compares favourably with the acquisition of Kenny Dalglish by Liverpool from Celtic. Robert would be a mainstay, ultimately *the* mainstay, of the firm for almost thirty years.

Those were the heady days of scale fees and little competition. The five fee earners worked long and intense hours which brought generous rewards to all. Although the routine Wimpey or Barratt house purchase or sale may not have provided the conveyancing challenge Robert had experienced in Glasgow, the tenements of Bellshill and the occasional rash undertaking given by others in the firm meant that his workload was rich in complexities, and he was often called upon as trouble-shooter, not to say fire-fighter.

The wicked sense of humour was never far away, even during arduous periods, of which there were many. It was the nature of a business like Ballantyne & Copland that some clients, both the rich and those of modest means, required the services of more than one solicitor. So it was that Miss W, Robert’s conveyancing client, brought her Alsatian to the office to demonstrate to me that it had been wrongly identified as the dog which had bitten a child in a play park. Robert and I occupied adjacent offices separated by a wooden partition, topped at a height of about twelve feet by glass. As the client persisted, in increasingly strident tones, with her contention that an Alsatian identification parade was the only fair way forward, Robert’s face, framed by hands flapping like pointed ears and with tongue out and panting, appeared at the glass atop the partition. Completing that consultation required reserves of concentration and determination that I did not believe I could summon.

The firm continued to grow rapidly. Soon there were seven partners with the addition of Jock Brown, who completed his apprenticeship with the firm and went on to be assistant and partner while pursuing a parallel career as a football broadcaster, and Tony Ireland who arrived as an assistant and was later assumed. Those two are, like Robert, still in practice. In the early 1980’s it was a formidable unit. At that time and in subsequent years there were other assistants, some of whom became partners. One assistant who went to the Bar is now a Senator of the College of Justice, Lady Stacey. Ballantyne & Copland was professional home to a number of talented and extremely hard-working individuals, all interesting characters
with wide-ranging interests. By 1982 there were eight offices. From every single one there were regular calls for advice to Robert as the fount of knowledge of conveyancing, and increasingly of inventive, practical and effective solutions to the novel problems that the transactions and title deeds of West Central Scotland contrived to throw up.

Then from 1983 onwards a combination of factors including the abolition of scale fees, the encouragement of advertisement and open competition among solicitors, and personal career choices led to some personnel changes and a reduction in the number of offices, including the hiving-off of the firm’s Hamilton office to two of the partners. Throughout these changes, and indeed throughout the remainder of his time at Ballantyne & Copland, Robert was the linchpin that secured the firm’s stability. He did that in a number of ways, including his ready availability and willingness to patiently and calmly consider and advise on the problems others in the firm had encountered, and his management of the financial affairs and business of the firm. He took on responsibilities that others were seen to avoid, largely, it has to be said, because they knew that he would handle them better. A good example is the role of partner responsible for staffing matters, which should have been shared around, but which he held more often than not, because not only did the staff warm to his personality, but he is also a good listener who treated and treats all with equal respect.

One role which he, surprisingly, was slow to master was that of advocate, by which I mean in-court litigator. Any who have enjoyed the privilege of observing his performance at student seminars, or experienced his wicked mimicry of the pompous, can be forgiven for viewing him as a frustrated actor, usually a reliable pointer to a natural aptitude for court advocacy. It is probably to the great benefit of Scots Law that Robert chose a different course. Having said that, it is only right to acknowledge that, on those occasions when he was summoned to action in court he willingly did his bit and did enjoy some major triumphs. His first recorded successful reparation outcome was on behalf of a second-year apprentice colleague at Bishop, Milne, Boyd & Co., Hector Cameron, who sustained a laceration through contact with the sharp ornamental spike of a wall lantern jutting out over the stairway from the Alpha Restaurant where they had enjoyed a good lunch. Robert led the case against the Stakis Organisation, owners of the restaurant, netting his colleague £50, which was just under 10% of the then second-year apprentice salary. To the great credit of the pursuer, his largesse briefly knew no bounds, and the damages were rapidly returned.
whence they came, but exclusively at the bar, the following Friday with the assistance of apprentices and assistants from far and wide, who had somehow got wind of the windfall.

Robert occasionally appeared before licensing boards on behalf of a variety of clients, from the enterprising Asian off-sales proprietor (remember that it was in Motherwell that cut-price alcohol was first introduced to the public by AA Brothers) to the Coral Organisation, for whom Ballantyne & Copland acted, from the days when Joe Coral himself and his sons Bernard and Nicholas managed a tightly run betting shop business and personally attended all the hearings until they grew to be a multi-million pound gambling empire extending to hundreds of shops and a number of casinos. However, his principal involvement with those clients remained the associated property acquisitions. Commercial transactions brought a welcome change from the principal diet of domestic conveyancing, and also the occasional invitation to a corporate entertainment event. The Coral Organisation held membership of the St Andrews Sporting Club (the sport then and to this day being boxing). The late 1970s were a golden age for Scottish boxing. Robert had the good fortune to be Coral’s guest on the night in January 1973 when Jim Watt met Ken Buchanan, two Scottish legends of the ring, to contest the British Lightweight Championship. The party had ring-side seats. As the boxers made their way into the ring, Robert remarked to Jim Clinton of Corals that Ken Buchanan did not look very tough to him, only to hear Clinton, who was by then fairly relaxed, call out to Ken Buchanan: “Hey, Ken. He (pointing to Robert) thinks you’re no’ very tough.” The trait of speaking his mind frankly and saying what he thinks, which has led to praise in Robert’s expert opinion practice, produced one of those anxious moments when time seemed to stand still. It was not clear whether Ken had heard anything over the general hubbub. As it was, Buchanan defeated Watt to take the title. As he left the ring, he smiled and waved a glove in the direction of the Coral party, bringing an end to a memorable, if latterly rather subdued, evening. Perhaps another close call.

Robert’s major adversarial triumph undoubtedly came in the protracted and convoluted battle (“war” is probably the more appropriate expression) in 1977 to secure the election of Jack Gillespie to the board of Glasgow Rangers FC. Following the failure to secure a position on the Board by negotiation, on two separate occasions a major assault was mounted at the Club AGM to persuade the undecided few shareholders necessary to tip
the balance in Gillespie’s favour to vote for him. The second attempt was a pure forensic triumph. At a number of earlier stages it had appeared that the necessary majority had committed themselves to supporting Gillespie only for some of those commitments to later turn out to be hollow. You can talk all you like before the game (and almost everyone with an interest in the sport seems to do so) but all that really matters is how the team play on the day, and how the shareholders actually vote at the meeting. Realising that, Robert advised his client that he would have to win the fight on the field of play, persuade the waverers on the floor of the AGM. So it was that a token number of shares in Rangers were somehow acquired by Robert for himself and one of Scotland’s premier senior counsel of the day, Philip Caplan QC. Both spoke at the meeting and both harnessed the inevitable emotional tension of the occasion. There was nevertheless something surreal about Philip Caplan’s final oratorical flourish commending Jack Gillespie’s election to provide a driving force to restore Rangers to “the place where they belong – among the elite of Europe.” The victory was secured. It was a far cry from the occasion some years earlier when he had been called into action unexpectedly as a late substitute for one of the court assistants. He strove manfully to persuade Sheriff Dickson to a point of view that the Sheriff did not find attractive. As matters went from bad to worse to terminal decline, the assistant suddenly appeared through the court door to the obvious gratitude of Robert, and also of the Sheriff who, addressing the assistant with a sigh of relief, said: “Your procurator seems to be in some difficulty.”

Over his years of teaching, no doubt with the benefit of having had his expert opinion challenged from time to time, he developed court-room skills to demonstrate to students in his professional negligence class the elements of negligence and the issues to be addressed by the professional witness. He became quite good and latterly seemed to take a particular pleasure in putting colleague expert witnesses like Donald Reid, who “guested” at his seminars, to the sword. Although it was no coincidence that the guest was occasionally one who had been of a different opinion in a recent case, the cross-examination was always conducted in the best possible taste.

Through the many changes of the 1980’s and the 1990’s when some partners and assistants moved on, assistants became partners, new blood was recruited and the senior partners retired, Robert remained steadfastly on the bridge – and in the engine-room – providing stability and maintaining
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the firm’s prominent place in Lanarkshire legal and community affairs. For twenty-five years he served in a very active capacity as Chair of the Board of the Lanarkshire Spastics Association, later incorporated into the Scottish Spastics Association and now part of Capability Scotland. Lanarkshire Spastics established and ran the Alexander Anderson Home and Braidwood House, two major undertakings. Over many years he contributed to the work of the local Hamilton Society of Solicitors by giving talks on subjects of current interest, and to the work of the Law Society of Scotland where he served as Convener of the Conveyancing Committee, part of the time as Chairman, on the Journal Committee and on a Complaints Committee and several other Sub-committees and Working Groups. At the Law Society his easy-going attitude made him a favourite of the staff.

His reputation as a conveyancer and chamber practitioner grew. He came to be held in the highest regard by the profession in general. His expositions of the law were accorded the greatest of respect by colleagues with whom he transacted business. His good humour and straightforward, open and relaxed approach to his dealings with professional colleagues have made for warm relationships and frank exchanges. Solicitors dealing with Robert have always felt able to make comments to him they would never dream of making to their more straight-laced colleagues. In one transaction where the potential seller was represented by a highly regarded Wishaw solicitor with a prominent position in the Church of Scotland and the Boys Brigade, and there had been negotiations over a small area required for access to land for a housing development, Robert’s client took route one, bypassing both solicitors, and struck a deal with the elderly and very frail seller. When her solicitor heard, he could not contain his outrage, phoning Robert instantly to recount the tale. As it happened the Ballantyne & Copland client had a prominent role in a different church, which led a rather defensive and off-guard Robert to assert that his client would not have done anything underhand because of his principles as a Christian. That provoked the instant, frank and withering retort: “Aye, a Christian of the worst sort – their text is St Matthew 25.35 – I was a stranger and ye took me in.”

Just how his stock had grown, in tandem with his experience gained from handling the myriad of intricate practical conveyancing problems that Lanarkshire spawns, was clearly demonstrated in 1994 by his appointment to the Chair of Conveyancing at the University of Glasgow once held by his mentor, Jack Halliday. To be appointed to that distinguished Chair from
practise in a provincial firm was a striking personal achievement. From an early stage in his new professional/academic career he took an increasing interest in professional negligence and developed honours courses in both commercial missives and professional negligence. However, more of his academic career later.

The University of Glasgow Chair was a part-time appointment which Robert combined with his practice at Ballantyne & Copland. Although the combination of study, research, teaching, and professional practice imposed a heavy load, Robert’s dedication to the business of Ballantyne & Copland never wavered. He did not seriously consider moving from Motherwell until in 2002 he was head-hunted for the second time.

A former partner of Ballantyne & Copland, Jock Brown, had spent some time as a consultant at Harper Macleod before changing his career path to become General Manager of Fergus McCann’s Celtic FC. He was aware that Harper MacLeod, as a fairly young, expanding firm, were keen to recruit an experienced practitioner to their team, and I suspect add gravitas to their line-up. Contact between the firm and universities was also seen as an important element of the business going forward. Jock acted as go-between. His suggestion to Lorne Crerar, Chair of Harper Macleod, that Robert would be the perfect fit was readily accepted. Ultimately Robert made the move, but not without a lot of heart-searching. He had literally given thirty years of service to Ballantyne & Copland. While there had been significant low moments, these had been vastly outnumbered by the many highs, and over time he had derived an enormous amount of pleasure from his interaction with clients, colleagues and staff. A substantial part of the prime of his professional career had been spent there. It had been his professional life. But the remarkable changes in the nature of the commercial and property transactions handled by solicitors over those thirty years had largely passed Lanarkshire by. The work of a medium-sized Glasgow firm presented a greater challenge worthy of Robert’s expertise and experience and more in keeping with the then current face of business in Scotland.

It was not lost on Harper Macleod that, in spite of raising the average age of partners by several points, Robert’s personality would enliven daily office life. In both his family life, enriched by a number of children and even more grandchildren, and in his academic life, Robert has always found great pleasure in the company of young people who warm to his youthful, almost childish, personality. He would inevitably fit in well with
the younger partners he was to join, and they would find him approachable and good-humoured.

The balance between Robert’s practice and his University work remained much as it had been latterly at Ballantyne & Copland, mornings at the University and afternoons in the office. The big change was in his office role. No longer was he part of a practice where the lawyers were generalists. No longer was he the core of the business, the senior partner, the partner most clients knew to be the main man and the one they wanted to see. He was one of a number of specialists with varying levels of experience, all, including Robert, handling transactions of the type in which they were very experienced. However, the path to his office door was soon well trodden, because all knew that there is no one better placed to advise on a property issue or an issue over professional practice or ethics, and that he would provide quick, open, honest and straight advice. It is precisely these qualities that have made him such a popular port of call for others in the profession facing professional or ethical dilemmas, and for conveyancers trying to unravel a legal fankle that has arisen in the midst of a transaction, occasionally a fankle for which the conveyancer is at least partly responsible. What they got, and continue to this day to get, is a non-judgmental reception, commercially pragmatic, fair and balanced advice, and a feeling of confidence in the solution provided. For those who may have erred, there is a sense of being made to feel at ease and being assisted through their period of anxiety and difficulty. What he provides is not simply the product of learning and experience; it also requires great wisdom and a pleasant personality.

In Harper Macleod, as at Ballantyne & Copland, significant intrusion into his time by those in the office seeking advice is such that he is conscious of its impact on his workload. Yet he readily makes himself available, particularly to younger colleagues, without outward sign of irritation. I suspect that he secretly enjoys being the one to whom they turn and being able to provide the advice they seek. His role as agony uncle led to his having responsibility for compliance added to his load at both firms. It is likely that Harper Macleod’s recent successful bid for appointment as one of the firms handling the business of the Scottish Legal Complaints Commission owes a lot to his inclusion in the team that would deal with the work.

For all the gravitas he has undoubtedly brought to Harper Macleod, there has never been a risk of Robert taking himself too seriously. He
would be the first to recognise his limitations, although that recognition has presented no barrier to his diverting occasionally into areas of work he does not generally handle. He was recently tempted into drafting a will for a client, but at least retained the good sense to pass it to the executry department to be checked. It perhaps sums up his place at Harper Macleod that the associate tasked with checking it felt no qualms about giving quick, open, honest, straight, fair and balanced advice that the best thing he could do was to shred it and redirect the client to the relevant department, advice he readily, if rather sheepishly, accepted.

The interface between Robert’s academic work and his professional practice is possibly best captured in the person of “Mrs McGlumpha” and occasionally her long-suffering spouse. Mrs McGlumpha is Robert’s fictional client deployed to add humanity to the arid scenarios that tend to feature in the average legal problem. She plays a similar role when Robert replies to the requests of colleagues for advice and guidance. Through reference to her he reminds practitioner and student alike that the problems addressed are not purely academic hypotheses but arise in the context of relations between and among people. For all his interest in property and conveyancing law theory, his thoughts and advice are always directed to, and illustrated by, the practical application of the law. A classic example can be found in his opinion on the question whether, where the title conditions required a thirteenth-floor two-bedroom flat to be used only as a family home, a real burden limiting the number of pets that might cause a nuisance which might be kept in the flat was enforceable. In particular could it be enforced to preclude the keeping of two dogs? After fifteen pages of closely reasoned discussion, riddled with widely sourced authority, Robert reached the conclusion that the dogs were part of the family. The keeping of two dogs in this case afforded company to the occupier.

A notable feature of Robert’s tenure at the University was the annual end-of-year dinners for honours students to which he invited a select band whom he dubbed “senior members of the profession.” Among the “senior members” were the Lord President, judges, sheriffs, senior partners of prominent firms, and a handful of professional indemnity insurers. I suspect that over the piece the “senior members” derived even more from these occasions than the students, but both groups left with a much better and more sympathetic appreciation of the other. The students saw the human side of those they might seek to emulate, while the senior members, who were not routinely involved in teaching, were able to enjoy rare contact with those about to embark on a career thirty or forty years on from their
own first tentative steps. All were able to discuss the concerns of graduates today about the future and the way ahead for them. As always the “Little Professor” deployed his talents as mimic and raconteur to embarrass each senior guest in an introduction highlighting notorious aspects of their lives and careers. Even the Lord President was not exempt.

For all that there is a forty-year long trail of very satisfied clients and a twenty-year long trail of admiring and very appreciative students, I think that Robert’s impact on our legal system will ultimately be defined by his writing and his contribution to law reform. I am not thinking of the volume and extent of his writing, which are in themselves remarkable, but the content. It falls broadly into two categories, textbooks and articles on the one hand, and expert opinions on the other. Inevitably the opinions are much more fact-specific than the textbooks, but both combine an outline of technical theory with advice (sometimes very inventive) on its practical application, in plain language that provides greater insight and understanding of the law for the practitioner and a clear answer to the problem posed (not always the one hoped for) for the client. The combination of the depth of his knowledge of the law with the width of his practical experience has led to his being invited to participate in many reviews and working parties on reform of various aspects of the law and characterised his contributions to law reform over the years. He was an obvious choice for inclusion on the various advisory committees formed by the Scottish Law Commission to address aspects of the abolition of feudal tenure in 2004 and its colossal impact on conveyancing and property law, including land registration, title conditions, tenements, long leases and the law relating to the seabed and foreshore. It was a source of some satisfaction to see his input translated into law.

In an article in *The Journal of the Law Society of Scotland* on 1 May 2003, “A Matter of Opinion”  in which he reflected upon almost 2000 opinions written during the first ten years of his tenure of the Chair of Conveyancing and highlighted recurring issues, he illustrated those features of his writing so well. After an introduction explaining changes in the nature of opinions sought since the days of Professor Halliday and the relentless increase in the demand for opinions on solicitor’s negligence, he addressed in a fairly general way the problems that tended to arise in three areas of law and practice by pointing to important but often misunderstood or misapplied legal rules, and drawing on his experience of practice and significant

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changes in practice over many years. This and countless articles in various journals are peppered with tips for practitioners born of the unfortunate experiences of their colleagues.

In addition to solo works, Robert has collaborated with others in the writing and editing of a number of publications. With his open personality and willingness to engage in debate, his involvement in any literary venture brings the best out in his collaborators. Those with whom he has worked regard his willingness to work with them as a compliment. Robert regards collaboration as a valuable stimulus to fresh thought and a good sounding-board for refining and fine-tuning his own contributions. Rather irreverently I have a picture in my mind of a meeting of Robert and other collaborators as resembling a session of a comedy script-writing team, with humour never far from the surface. He claims that, in spite of having collaborated successfully with Professors Douglas Cusine and Roddy Paisley of Aberdeen separately, he had declined a publisher’s invitation to work with them as a trio, because he could not remove from his mind the vision of the unfortunate acronym that would be attributed to work by Cusine, Rennie and Paisley. And he readily saw the funny side when the course which he devised for honours students and of which he was most proud, “Advanced Negligence,” was nicknamed “Complete Incompetence.”

For one who throughout his career has had to face the daily demands of his practice clients, and over the last twenty years has undertaken a quite distinct, constant commitment to the academic responsibilities of the Professor of Conveyancing, Robert’s literary output in the form of textbooks is remarkable. With Professor Douglas Cusine he produced a volume on *Missives* shortly before his appointment to the University. Other collaborations with Cusine have followed, on *The Requirements of Writing* in 1995 and on *Standard Securities* in 2002.

When Iain Talman was invited by the Scottish Universities Law Institute in the mid-1990’s to edit a second edition of Professor Halliday’s *Conveyancing Law and Practice*, Robert and Professor George Gretton of the University of Edinburgh were appointed supervising editors. In a generous acknowledgment of their help and support, Talman gave them particular thanks “for their patient and good-humoured industry in reading and making many useful comments on the entire text,” and went on to say that without their help he would not have felt able to publish the work.

With Donald G Rennie in 1998 Robert compiled the loose-leaf volume of *Scottish Conveyancing Legislation*, and in 2001 (edited and updated in
2011) with Alan K. Simpson a work that may turn out to be of increasing importance, *Minerals and the Law of Scotland*. A clear pointer to his versatility was his production with Professor Stewart Brymer in 2008 of *Conveyancing in the Electronic Age*. Those for which he must assume full responsibility are *Solicitors’ Negligence* (1997), *Land Tenure Reform* (2003), *Land Tenure in Scotland* (2004), *Land Tenure and Tenements Legislation* (2005, 3rd edition 2009), a volume of *Opinions on Professional Negligence in Conveyancing* (2004) and a collection of essays entitled *The Promised Land* (2008). There are also countless articles on a wide variety of issues in the property and professional negligence fields. However, this is a list that I suspect is far from complete. A new work on *Leases* in collaboration with a number of colleagues has recently been published, and in the absence of his academic commitment, which he will miss greatly, an outlet for the product of his fertile mind will have to be found. I am not alone in hoping that he will take on further academic writing.

Besides Robert’s academic works, there is unlikely to be any downturn in demand for his “short stories” or opinions, or his willingness to produce them, at least as long as he remains in practice. Since his appointment to the Chair of Conveyancing he has written a staggering 4000 opinions. He has always regarded being actively in practice as an important feature of his opinion practice. The changes in conveyancing and property law since he qualified in 1969 are extraordinary. Registration of title alone would make today’s practice unrecognisable to the 1969 practitioner. Add to that all the changes associated with the sweeping away of the feudal system as well as current developments, such as the move towards fully electronic processes for the transfer of land, and it can be seen why Robert’s career has been described as spanning the gap between two different worlds of practice. As a result the expert who is not currently in practice is exposed to challenges to the relevance of his experience and even to his expertise which are at the very least a distraction and can undermine his opinion. It is a tribute to Robert’s adaptability and resilience that he has not only taken it all in his stride but he also still retains his initial enthusiasm for his subject.

When I asked him to pick out a highlight of his career, it took little more than a moment or two of reflection to alight on *Sharp v Thomson* 1997 SC (HL) 66 in which his opinion that the delivery of a disposition of the flat effectively removed it from the “property and undertaking” subject to a

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floating charge granted by the company selling the flat was vindicated in the House of Lords after having found no support in the Court of Session. That vindication gave him particular satisfaction because floating charges were after all something of a speciality for Robert, being the subject of his PhD thesis, and because his had been a solitary voice and his opinion had been the subject of some fairly fierce criticism by academic colleagues.

For a court faced with competing persuasive expert opinions a central issue may be the degree of confidence engendered by the respective witnesses. Robert is now a fairly familiar face in our courts, especially the Court of Session, where his opinions tend to be highly regarded. So much so that in the reclaiming motion in Compugraphics International Limited v Nikolic 2011 SLT 955, which did not involve any expert but raised the issue of servitudes of support and overhang working in tandem to secure to a factory owner rights over pipework extending from the ground within his title onto that of his neighbour, Lady Paton presiding asked counsel at the outset: “Is this not a case for Professor Rennie?” Senior counsel on both sides did not disagree, but felt it was too late to change course. I hope that Robert, and his professional colleagues with an interest in this field, are not unhappy with the result. It is an area of our law that continues to give rise to problems that the experts are called upon to solve – see the article in The Journal of the Law Society of Scotland of 2 May 2003 referred to earlier.3 It seems that there will always be a demand for expert opinions on problems arising in connection with the transfer of title to heritable property and the conduct of transactions by solicitors.

Among the academic community in Glasgow and throughout the rest of Scotland Robert is held in high regard and indeed affection. That is shown by the award to him of the title “Emeritus Professor” which ensures that, in spite of retirement from his teaching responsibilities, he remains the only surviving Professor of Conveyancing in Scotland. He will be greatly missed by the University staff from whom I have received many tributes, and unwittingly by future students who will never know the Professor widely described by those he taught as “Legend.” He can reflect with pride on the contribution he has made to the law of conveyancing, property and professional negligence. But he can also look forward to a continuing steady demand for those opinions full of learning, wisdom and practicality.

3 R Rennie, “A Matter of Opinion” (n 1).