

IN THE MATTER OF TOKUNBO OKUNOLA, solicitor

- AND -

IN THE MATTER OF THE SOLICITORS ACT 1974

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Mr A H Isaacs (in the chair)  
Mr W M Hartley  
Lady Maxwell Hyslop

Date of Hearing: 24th February 2004

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## FINDINGS

of the Solicitors Disciplinary Tribunal  
Constituted under the Solicitors Act 1974

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An application was duly made on behalf of the Office for the Supervision of Solicitors (the OSS) by Hilary Susan Morris, solicitor employed at the OSS, Victoria Court, 8 Dormer Place, Leamington Spa, Warwickshire CV32 5AE on 10th September 2003 that Tokunbo Okunola a solicitor of HM Prison, Belmarsh, Western Way, London SE28 0EB (prisoner number EO3118) might be required to answer the allegations contained in the statement which accompanied the application and that such order might be made as the Tribunal should think right.

The allegation was that the Respondent had been guilty of conduct unbefitting a solicitor in the following particulars:-

- (i) By virtue of his conviction at the Central Criminal Court on 17th July 2003 for attempted murder for which he was sentenced to life imprisonment.
- (ii) By virtue of the revocation of his Licence from a life imprisonment sentence imposed in 1977.

The application was heard at the Court Room, 3rd Floor, Gate House, 1 Farringdon Street, London EC4M 7NS on 24th February 2004 when Hilary Susan Morris appeared as the Applicant and the Respondent did not appear and was not represented.

The evidence before the Tribunal included a Certificate of Conviction. A letter had been addressed to the Tribunal without formal instructions by Messrs Radcliffe le Brasseur dated 6th November 2003 in which it was said that the facts could not be disputed but it was not admitted that the Respondent had been guilty of conduct unbecoming a solicitor.

**At the conclusion of the hearing the Tribunal made the following Order:-**

The Tribunal order that the Respondent, Tokunbo Okunola of HM Prison Belmarsh, Western Way, London, SE28 0EB solicitor, be struck off the Roll of Solicitors and they further order that he do pay the costs of and incidental to this application and enquiry fixed in the sum of £822.71.

**The facts are set out in paragraphs 1 to 4 hereunder:-**

1. The Respondent was born in 1959. He was admitted as a solicitor in 1996.
2. The Respondent made application to be enrolled as a student of the Law Society in November 1988. In his application he admitted that he had a conviction for murder following which he had been sentenced to life in prison. He had served eight years of that sentence and was released in 1985 and remained on licence for life. The Council of the Law Society allowed his application to be admitted as a student in May of 1991 and he was admitted to the Roll on 1st May 1996.
3. On 22nd July 2002 the Respondent was arrested on suspicion of committing arson with intent to endanger life and of attempted murder of his former wife. He was recalled to prison and his licence revoked.
4. On 16th July 2003 the Respondent was found guilty of attempted murder at the Central Criminal Court at the Old Bailey and on 17th July 2003 he was sentenced to a term of life imprisonment for this offence. A copy of the Certificate of Conviction was before the Tribunal.

**The Submissions of the Applicant**

5. To be convicted of a criminal offence of such a serious nature did amount to conduct unbecoming a solicitor.
6. The Tribunal was invited to consider the sentencing remarks of His Honour Judge Forrester in the Central Criminal Court and in particular when he said:-

“In my view you present an immediate and grave danger to the public and you are likely to remain such a danger for an indeterminate length of time. In these circumstances I would be failing in my duty were I to pass any sentence other

than life imprisonment, which is the sentence of this court to run concurrently with the existing sentence.

I have to fix a period of time before your case can even come before the Parole Board for consideration. Had I passed a determinate sentence in this case for the crime of attempted murder with that previous conviction for murder, the determinate sentence would have been one of 20 years. In law, I am required to halve that period and deduct a period of time, which is a year, during which you have been in custody. That period of time is one of nine years before your case can even be considered.

I trust that my sentencing remarks and my view as to the danger you pose will be placed before anyone who at any time in the future may be considering the question of your release, because you have previously been released on life sentence.”

### **The decision of the Tribunal**

7. The Tribunal finds the allegation to have been substantiated. A conviction for the serious offence of attempted murder on the part of a solicitor amounts to serious misconduct. It also seriously and adversely affects the good reputation of the solicitors' profession. As the Respondent was admitted to the Roll after his previous conviction, the Tribunal has not taken the earlier conviction into account. The Tribunal ordered that the Respondent be struck off the Roll of Solicitors and further ordered that he should pay the Applicant's costs.

Dated this 19th day of March 2004  
On behalf of the Tribunal

A H Isaacs  
Chairman