

Determination by Consent Decision

Name of regulated person and call date

Emmanuel Akanji Oduntan
Called to the Bar in October 2002

Case Reference

2025/3646/DC

Charges

Charge 1

Statement of Offence

Professional Misconduct contrary to paragraph 301 (a) (iii) in the 8th edition of the Code of Conduct of the Bar Standards Board of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, behaved in a way which is likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute, in that on 10 June 2004 Mr Oduntan appeared before Highbury Corner Magistrates and was convicted under S5(1) of the Road Traffic Act 1998, for driving a motor vehicle with excess alcohol on 6 June 2004.

Charge 2

Statement of Offence

Professional Misconduct contrary to paragraph 905(b) in the 8th Edition of the Code of Conduct of the Bar of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, failed to report promptly to the Bar Standards Board that he had been convicted of a criminal offence 10 June 2004 despite being under an obligation to do so.

Charge 3

Statement of Offence

Professional Misconduct contrary to paragraph 301 (a) (iii) in the 8th edition of the Code of Conduct of the Bar Standards Board of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, behaved in a way which is likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute, in that on 21 December 2006 Mr Oduntan appeared before Mid-South Essex Magistrates and was convicted under S5(1) of the Road Traffic Act 1998, for driving a motor vehicle with excess alcohol on 3 December 2006.

Charge 4

Statement of Offence

Professional Misconduct contrary to paragraph 905(b) in the 8th Edition of the Code of Conduct of the Bar of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, failed to report promptly to the Bar Standards Board that he had been convicted of a criminal offence 21 December 2006 despite being under an obligation to do so.

Charge 5

Statement of Offence

Professional Misconduct contrary to paragraph 301 (a) (iii) in the 8th edition of the Code of Conduct of the Bar Standards Board of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, behaved in a way which is likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession into disrepute, in that on 15 February 2010 Mr Oduntan appeared before Camberwell Green Magistrates and was convicted under S5(1) of the Road Traffic Act 1998, for driving a motor vehicle with excess alcohol on 13 February 2010.

Charge 6

Statement of Offence

Professional Misconduct contrary to paragraph 905(b) in the 8th Edition of the Code of Conduct of the Bar of England and Wales.

Particulars of Offence

Mr Emmanuel Akanji Oduntan, an unregistered barrister, failed to report promptly to the Bar Standards Board that he had been convicted of a criminal offence 15 February 2010 despite being under an obligation to do so.

Referral to DBC Procedure from IDB (8 April 2026)

This case was referred to the DBC procedure following an IDB Decision on the 8 April 2026.

Statement of Facts

Mr Emmanuel Akanji Oduntan is an unregistered barrister who was called to the Bar on 9 October 2002.

On 15 February 2010, Mr Oduntan appeared before Camberwell Green Magistrates' Court and was convicted of driving a motor vehicle with excess alcohol contrary to section 5(1) of the Road Traffic Act 1988, in respect of an offence committed on 13 February 2010. This conviction was not reported to the BSB at the time.

Mr Oduntan self-reported the 2010 conviction to the BSB on 24 November 2025.

During the course of the BSB's investigation, Mr Oduntan's Disclosure Certificate was obtained and reviewed. The certificate disclosed two further drink driving convictions, recorded in 2004 and 2006 respectively. Neither conviction had been reported to the BSB.

The BSB wrote to Mr Oduntan on 5 February 2026 seeking clarification in respect of the 2004 and 2006 convictions. Mr Oduntan responded on the same date, confirming that neither conviction had been reported to the BSB.

Previous disciplinary findings

Mr Oduntan has no previous disciplinary findings

Decision of the IDP

Charges found proved:

Reasons for the decision on why charges are proved/ not proved

Sanction

In deciding the appropriate sanction through the DBC procedure, the Panel had regard to the Bar Tribunals & Adjudication Service (BTAS) Sanctions Guidance (the Guidance) (January 2022) and in particular considered that B's conduct fell within the following misconduct groups:

E: Criminal Convictions

L: Obligations to the Regulator

The Panel considered that, of the two areas, the section concerning criminal convictions was the more serious.

In determining the appropriate sanction to be imposed, the Panel assessed the culpability and harm factors set out in the Guidance including Annex 2.

Culpability Factors

- The misconduct was reckless
- Three offences were involved
- The misconduct in relation to Charge 5 arose out of a collision with another vehicle
- The respondent had full control of the situation.

Harm Factors

- No harm had been caused to any individual
- Harm was reasonably foreseeable
- Possible action by the regulator was delayed by 15 years
- There was likely to be an impact on public confidence in the profession.

Aggravating Factors

- A history of offending
- A lack of insight into the seriousness of the behaviour.

Mitigating Factors

- There was evidence of remorse
- The respondent had according to him abstained from alcohol and taken steps to address the issue –
- The respondent was now making a contribution to the community
- 16 years had passed without further incident
- The respondent had co-operated with the BSB's investigations.

Having regard to the guidance the Panel felt that this could be said to fall within the lower end of Culpability and the lower end of Harm. This means that the possible range/starting point is likely to be low to medium level fine.

Fine

The Panel considered that a fine was proportionate and in the public interest to reflect the seriousness of B's conduct. In addition, whilst not intending to be punitive, this would send a clear message to the profession and the public that this type of conduct by a Barrister is not acceptable.

The Panel considered paragraph 6.16 of the BTAS Guidance which stated that a low-level fine can go 'Up to £5,000'. Having considered the nature and gravity of the misconduct (set out above), the Panel initially determined that a fine of £5,000 should be imposed on B in the light of the multiple convictions and the lengthy failure to inform the BSB.

The Panel went on to consider the mitigation outlined by B and the information about his financial circumstances. It decided that the fine should be reduced to £2500.