

# SOLICITORS DISCIPLINARY TRIBUNAL

IN THE MATTER OF THE SOLICITORS ACT 1974

Case No. 12853-2025

## **BETWEEN:**

HORACE OKEROGHENE ONOBRAKPEYA

Applicant

and

SOLICITORS REGULATION AUTHORITY LTD

Respondent

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Before:

Mr R Nicholas (in the chair)

Mrs M Cole

Mrs L McMahan-Hathway

Date of Hearing: 23 February 2026

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## **Appearances**

The Applicant appeared and represented himself.

Montu Miah, counsel in the employment of the Solicitors Regulation Authority Limited, The Cube, 199 Wharfside Street, Birmingham, B1 1RN, for the Respondent.

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**JUDGMENT  
FOR RESTORATION TO THE ROLL**

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## Executive Summary

1. The Applicant is a former solicitor having been admitted to the Roll in January 2000. On 29 May 2008, the Applicant worked as one of three partners of South Bank Solicitors at 213A Clapham Road, London SW9 0QH ("the Firm"). On 29 May 2008, the Applicant was struck from the Roll of Solicitors by Order of the Solicitors Disciplinary Tribunal ("the Tribunal") following a substantive hearing.
2. On 10 October 2007, a Forensic Investigation Officer of the Law Society ("the FIO") commenced an inspection of the Firm. A copy of the FIO's report dated 15 October 2007 was before the Tribunal. The FIO's inspection revealed a minimum cash shortage of £428,546 which arose following the Applicant's misuse of client funds in a conveyancing transaction. The FIO could only calculate a minimum cash shortage because of the absence of accurate records in the Firm. The FIO's report indicated that the cash shortage could be as high as £1.7 million.
3. The resultant disciplinary proceedings against the Applicant are detailed below.

## Substantive Disciplinary Proceedings in 2008

4. The Applicant appeared before the Tribunal on 29 May 2008. The Tribunal found proved the following allegations against the Applicant:
  1. *That he had been guilty of conduct unbecoming a solicitor in the following respects: -*
    - (a) *he had made false and misleading statements in proposals for professional indemnity insurance.*
    - (b) *contrary to Rule. 1(c) of the Solicitors' Practice Rules 1990 he failed to act in the best interests of his lender client by ensuring that he held sufficient funds to enable him to perfect the security before releasing the loan.*

*Further allegations against Mr Onobrakpeya were: -*

2. *That he breached the Solicitors' Accounts Rules 1998 in the following respects: -*
  - (a) *contrary to Rule 7 he failed to remedy breaches of the said Rules promptly upon discovery.*
  - (b) *contrary to Rule 22(5) he had withdrawn sums of money from client account in excess of the amount held for the client on whose behalf the withdrawal was made.*
  - (c) *contrary to Rule 32(1) had failed to keep accounting records properly written up.*
  - (d) *contrary to Rule 32(5) failed to keep accounting records to enable the current balance on client ledgers to be shown.*

- (e) *contrary to the requirements of Rule 32(7) had failed to carry out reconciliations of client account.*

*Further allegations against Mr Onobrakpeya were that: -*

3. *He acted in breach of Rule 22 of the Solicitors' Accounts Rules 1998 in that he drew money from client account in circumstances other than permitted by the said Rule and utilised the same for his own benefit or for the benefit of others. In so doing the Applicant had been guilty of conduct unbefitting a solicitor. It was further alleged that he had been dishonest.*
  4. *He sent a false and misleading letter to Richards Solicitors in the course of a conveyancing transaction and thereby had been guilty of conduct unbefitting a solicitor. It was further alleged that he had been dishonest.*
  5. *He failed to comply with an undertaking given by him in the course of his practise as a solicitor and had thereby been guilty of conduct unbefitting a solicitor. It was further alleged that he had been dishonest.*
  6. *He failed to keep books of account properly written up in accordance with Rule 32 of the Solicitors' Accounts Rules 1990”.*
5. The Applicant admitted allegations 1, 2, 4 and 6 but did not admit allegations 3 and 5 in relation to dishonesty.
  6. The Tribunal found that the Firm had acted for a client, Mr I, in the purchase of a property. The Applicant's partner told the FIO that the client file for this matter could not be located at the Firm and the relevant correspondence had been deleted from the Applicant's computer. There was no client ledger account as the relevant transactions had taken place in September 2007 and the Firm's accounts had not been written up since 31 August 2007. The seller's solicitors granted the FIO access to their file and during the investigation the Firm's secretary recovered some relevant correspondence from her computer. The recovered documents did not record their original date and were all dated 10 October 2007.
  7. The Tribunal found that the FIO established that the Applicant acted for Mr I in his purchase of a property for £3,950,000.00 with the assistance of a mortgage advance of £2,700,000.00 from the Lancashire Mortgage Corporation which was represented by Richards Solicitors.
  8. On 18 September 2007, the mortgage advance of £2,700,000.00 was received into the Firm's client bank account. On 19 September 2007, payments of £870,549.00 and £617,482.60 were made by telegraphic transfer from the client bank account with a reference to the client Mr I, payable to G Limited and WSF. The Applicant's partner said that the copy transfer instructions for these payments had not been kept in a folder as was the routine.
  9. The Tribunal found that on 20 September 2007, £50,000.00 was sent by telegraphic transfer to Fuglers Solicitors. This was the agreed reduced deposit on exchange of contracts which took place on 19 September 2007. Completion was fixed for

10 October 2007. On 26 September 2007, £1,000,000.00 was returned to Richards Solicitors.

10. The Tribunal found that on 28 September 2007, the Client Reserve Account held a credit balance of £1,289,447.72. The matter had not been completed. The FIO pointed out that allowing for the repayment of £1,000,000.00 to Richards Solicitors, a minimum of £428,546.53 should have been held in the client bank account on behalf of Mr I alone.
11. The Tribunal found that the Firm had written to Richards Solicitors and the letter bore the reference "HO." The letter stated "*We write to confirm that exchange and completion for the above property has taken place on 21<sup>st</sup> September 2007. SDLT application has been lodged*". If this letter was sent to Richards Solicitors, it was misleading as completion had not taken place. A copy of an additional letter to Richards Solicitors with the reference "HO" stated "*I apologise for the non-receipt of funds. I am requesting that your client give me till Friday 5<sup>th</sup> October to resolve this*".
12. The Tribunal found that there was a copy of a letter to Richards Solicitors from the Firm that stated "*We undertake to utilise the net proceeds for the purpose of completion, and if for any reason completion does not take place within 48 hours of funds being transmitted to you, to return the same (without deduction) via bank telegraphy to us or to our client, or as we may direct.*"
13. The Tribunal found that on 11 October 2007, the FIO received confirmation from Fuglers Solicitors that completion had not taken place on the contractual date of 10 October 2007, and they had served a notice to complete on the Firm. The Applicant's partner told the FIO that he was not in a position to replace the minimum cash shortage.
14. In the disciplinary proceedings The Applicant gave evidence that he was compelled to act under duress on 19 September 2007. The property transaction in which he acted for Mr I was a straightforward one. The client attended the Firm so that the Applicant could take him through the money laundering regulations. He then passed the file to a colleague to expedite. When the colleague informed him that the lender's conditions had been satisfied, he arranged for the funds to be released.
15. The Applicant stated that he had been approached by two men on 19 September 2007 who were aware of the mortgage advance from the lender and compelled him to make telegraphic transfers of some of that money to unknown bank accounts from his office. He claimed that the men said his daughter's life would be in danger if he did not follow their instructions. The Applicant gave evidence that he believed there was a genuine risk to his daughter's life. When he gave evidence, he did not have a clear recollection of these events.
16. The Tribunal found that the Applicant was not a credible witness as if he had been compelled to act under duress, he would have had a clear recollection of events. The Tribunal found that the Applicant's lack of recall of detail was implausible and all of the allegations were substantiated.

17. The Tribunal determined that in giving untrue information to prospective insurers, in transferring money held in connection with a mortgage advance to be applied towards the purchase of property and in writing a letter to confirm that completion of that transaction had taken place when it had not the Applicant's conduct was dishonest by the standards of reasonable and honest people. At the conclusion of the hearing, the Tribunal ordered that the Applicant be struck from the Roll of Solicitors. They further ordered that he should pay the costs of and incidental to the application.

### **Documents**

18. The Tribunal considered all of the documents in the case which included:
- The Applicant's Statement in support of his Application for Restoration to the Roll ("the Application") dated 1 October 2025.
  - The Applicant's Position Statement.
  - The Applicant's Skeleton Argument.
  - The Applicant's Exhibit containing documentary evidence including character references in support of the Application.
  - The SRA's Answer dated 12 November 2025.
  - The Applicant's Reply to the SRA's Answer dated 12 November 2025.
  - Law Society Gazette advert placed by the Applicant dated 31 October 2025.
  - The Voice advert placed by the Applicant dated December 2025.

### **Witnesses**

19. The written and oral evidence of witnesses is quoted or summarised in the findings below. The evidence referred to will be that which was relevant to the findings of the Tribunal, and to facts or issues in dispute between the parties. For the avoidance of doubt, the Tribunal read all of the documents in the case. The absence of any reference to particular evidence should not be taken as an indication that the Tribunal did not read, hear or consider that evidence.
20. The Applicant provided oral evidence during the hearing.

### **Preliminary Matters**

#### Application by the Respondent to make submissions on late service of evidence

21. The Respondent applied to address the Tribunal on the late filing and service of the Applicant's Position Statement and Skeleton Argument in support of the Application. He stated that he had read the documents and that he did not need any further time to consider their contents. However, the time spent on their consideration might have a costs implication for the Applicant.
22. The Respondent submitted that there were clear directions from the Tribunal with regards to procedure for an Application for Restoration to the Roll in the Guidance Note on Other Powers (7<sup>th</sup> Edition – February 2025) ("the Guidance Note"). A copy of the Guidance Note was included in the Case Bundle. The Respondent did not object to admittance of the documents filed late into evidence but stated that the way in which the Applicant had uploaded his evidence had been haphazard. The

Respondent advised the Tribunal that the main Case Bundle would be the predominant material on which both parties would rely.

23. The Applicant did not oppose the application. He accepted that the Position Statement and Skeleton Argument were filed late on 20 February 2026 after an Index to the Case Bundle had already been agreed with the Respondent. He apologised for late service and any inconvenience caused to the Tribunal and the Respondent.

#### The Tribunal's Decision

24. The Tribunal decided that it would allow the Position Statement and Skeleton Argument filed late by the Applicant to be admitted into evidence. Any costs implications would be considered by the Tribunal when costs were determined.

#### Application for the Applicant's submissions to be given under oath

25. The Respondent applied to address the Tribunal on whether the Applicant's submissions should be given under oath. The Respondent submitted that the Applicant had made submissions in his Opening but that he had also given evidence which should have been given under oath or affirmation.
26. The Applicant did not oppose the application and stated that he would present the rest of the Application under oath.

#### The Tribunal's Decision

27. The Tribunal determined that the Applicant should continue to present the Application under oath.

#### **Applicant Submissions and Evidence**

28. The Applicant accepted full responsibility for the misconduct that led to him being struck off. Although he had initially denied certain allegations at the time of the substantive disciplinary hearing, he fully accepted the Tribunal's findings. He clarified that he accepted that the Tribunal was correct in its findings and that the dishonesty found was a breach of the profession's high ethical standards. The Applicant acknowledged the damage he caused not only to the profession but also to the reputation of the Firm and his colleagues.
29. The Applicant submitted that he had reflected on his actions in the 18 years since he was struck from the Roll. He emphasised his remorse, describing the experience of being struck off as a humbling one. He expressed shame for having damaged the reputation of the legal profession and undermining public confidence in it. The Applicant acknowledged that his misconduct was unacceptable and emphasised his commitment to upholding the highest standards if restored to the Roll.
30. The Applicant submitted that he should be restored to the Roll so that he could be given the opportunity to make good the damage he caused to the legal profession through his misconduct. He emphasised that the Application included the conditions that he should not be permitted to deal with client money and that he should only

practise as a solicitor under supervision with a structured rehabilitation plan and training in place if restored to the Roll.

31. The Applicant submitted that the reason for his misconduct remained true in that he wanted to protect his daughter from harm. He accepted that he should not have put himself in a position allowing himself to be leveraged in such a way leading to his misconduct.
32. The Applicant relied on the information in his Position Statement. He further confirmed that he was successfully charged with a criminal offence and received a custodial sentence in 2010 after he was removed from the Roll. During his time in custody, he carefully considered his behaviour and mentored young people. He worked as a Samaritan in prison and also as a housing officer. He tried to pay for the damage he caused to the reputation of the legal profession.
33. The Applicant submitted that he understood the Tribunal's concern about his restoration to the Roll as dishonesty was an almost insurmountable obstacle. However, the Tribunal should consider the lengthy passage of time since his misconduct and determine that there was an opportunity for rehabilitation. The Applicant emphasised that he had become rehabilitated during this period of time to the point that there was no risk that he would undertake the misconduct again that resulted in his striking from the Roll in 2008. The conditions that he sought on his practising certificate would ensure that he could not be a signatory to any client account at a firm and that his work would always be supervised by a principal.
34. The Applicant continued to present the Application under oath. He emphasised that the Application provided for continuous supervision and that he would not be a signatory to the client account if he was restored to the Roll. He was 61 years old and he did not anticipate working past the age of 65. He did not intend to set up a law firm and requested the condition of supervision of a principal at all times. The Applicant asked the Tribunal to consider and judge him by his actions since 2008 when he was struck from the Roll. He stated that since that time he had not engaged in any dishonest behaviour.
35. The Applicant confirmed that his CV in the Case Bundle showed little evidence of legal work since 2008. The CV predominantly showed his experience as a concierge. He could not present himself as a solicitor after being struck from the Roll. The CV in the Case Bundle represented his non-legal work experience. He worked as a legal consultant between 2007 and 2010. There was an entry in his CV that stated that he was a legal consultant in 2026. The Applicant confirmed that he commenced the consultancy role in January 2026 which provided him with immigration work. He worked 20 to 25 hours a week for which he received a stipend if he prepared an immigration application for a client. When a client approached him, he prepared the application and the client took the application to a law firm to complete. He confirmed that his exposure to legal work since 2008 was limited.
36. The Applicant stated in the Application that he had yet to complete relevant continuing professional development and that training in professional ethics, accounts rules, AML, client care, and supervision was not applicable to his circumstances because he did not intend to undertake conveyancing work where he needed to be a

signatory to the client account. If the regulator required him to undertake training in these areas of practise, he would give an undertaking to complete this training. The Applicant's evidence was that he would not pose a risk to the public if restored to the Roll and could be involved in areas of conveyancing that involved looking at contracts, identification checks, residency checks and calculating stamp duty. He would be involved in paperwork only. He wanted to work on a freelance basis. He claimed to have a letter of employment. This letter was not included in the Case Bundle for consideration by the Tribunal.

37. The Applicant accepted that he received a criminal conviction in 2010. The criminal conviction was for fraud arising from the facts for which he was struck off by the Tribunal in 2008. The fraudulent transfer of funds was reported to Brixton Police Station, and the case was heard at Southwark Crown Court. The Applicant was immediately placed on remand. He was found guilty of fraud for which he received a prison sentence of 5 years. He was found guilty of abuse of public office for which he received a prison sentence of 1 year. A confiscation order of £1.00 was imposed by the court and paid off. The Applicant served a prison sentence of 5 years as the court considered the time spent on remand before he was convicted in January 2010. He was jailed between 2008 and 2013. He was released with restrictions including reporting to probation officers.
38. In response to criticism levelled by the Respondent for failing to mention the criminal conviction in the Application, the Applicant explained that there was no intention on his part to minimise or avoid. He explained that he omitted that detail as he had been informed by the Respondent in email correspondence that he did not need to provide details of the conviction as details were already in the public domain.
39. The Applicant emphasised that his character witnesses were aware of the decision of the Tribunal in 2008 and the criminal conviction and prison sentence. In respect of the costs awarded against the Applicant following the 2008 Tribunal proceedings, those costs were not recovered as he was made bankrupt in proceedings in November 2009. Following the Tribunal's Findings in 2008 the lenders in the property transaction wanted to recover the money that was lost. The Applicant lost his home in the bankruptcy proceedings.
40. The Applicant submitted that he viewed restoration to the Roll as a step towards full professional responsibility, subjecting himself once again to the high standards expected of solicitors and demonstrating his integrity to clients, colleagues and to the courts. In 2008 the Tribunal found that the Applicant did not benefit from the financial losses detailed in the allegations, but he accepted that the significant losses were his failures. He emphasised that accountability was at the heart of the Application. He referred to his significant rehabilitation and submitted that his clean record justified trust being placed in him again by the profession and the public.
41. The Applicant acknowledged that the SRA opposed the Application and submitted that the Application was founded on rehabilitation and current suitability for practice, without seeking to deny the seriousness of his past misconduct and its consequences. He submitted that he regretted his past misconduct but that the Application should be assessed on his current position and future prospects. He submitted that he met the standards of trustworthiness, integrity and probity required for restoration to the Roll.

He invited the Tribunal to have regard to the steps taken as part of his rehabilitation. The Applicant emphasised again that he remained willing to accept conditions and supervision as necessary upon any return to practise.

### **Respondent Submissions**

42. The Respondent opposed the Application citing the seriousness of the Applicant's original misconduct and the insufficiency of the evidence provided in support of his rehabilitation and future employment. He emphasised the Applicant's lack of insight into his misconduct.
43. In relation to the seriousness of the Applicant's underlying conduct, the Respondent submitted that he was struck off the Roll after a total of six allegations including two involving dishonesty which were all found proved by the Tribunal. The dishonesty took place over an extended period and involved premeditated and planned deception. The Guidance Note emphasised that such misconduct constituted an almost insurmountable obstacle to a successful application for restoration to the Roll. As a consequence of the serious nature of the Applicant's conduct, it was highly likely that if he was restored to the Roll, the reputation of the profession and public confidence in the provision of legal services would be seriously undermined.
44. The Respondent contended that the Applicant did not adequately demonstrate insight or sufficient reflection into the causes of the original misconduct. While the Applicant made general statements of acknowledgement of his misconduct and had expressed an understanding of the importance of trust in the profession, he still insisted that he was compelled to act as he did under duress. The original Tribunal found that his evidence as to the threat to his daughter was not credible.
45. It was asserted that the Applicant did not provide evidence to show his understanding of how he breached his professional duties and the impact of his conduct on his clients, colleagues, the profession, and public trust.
46. On rehabilitation, the Respondent addressed the Applicant's employment within the profession and his record of training and continuing professional development.
47. The Respondent referred to the Applicant's CV in the Case Bundle and asserted that there was no evidence of continuing professional development. The CV evidenced that since the Applicant was struck from the Roll he worked mostly as a concierge. There were three references to his work as a legal consultant. Between 2007 and 2010 he acted as an advocate dealing with housing, immigration, and civil litigation issues. Between 2010 and 2013 he provided advice in prison on housing issues. Since January 2026 he acted as an advocate dealing with housing, immigration, and civil litigation issues. The Respondent submitted that there was no insight into the Applicant's day-to-day conduct of this purported legal work and there was no evidence of supervision.
48. The Respondent referred to the positive references relied on by the Applicant in support of the Application from witnesses attesting to his character and professionalism. He noted that the character witnesses did not refer to his custodial

sentence and suggested this was because the Applicant had not informed them that he received a custodial sentence.

49. The Respondent invited the Tribunal to consider the impact upon the reputation of the profession and the trust the public places in the provision of legal services. When considering whether the Applicant should be restored to the Roll, regard should be had to the comments made by the Court in *Bolton v Law Society* [1994] 1 WLR 512, *Thobani v SRA* [2011] EWHC 3783 (Admin), *SRA v Simon Kaberry* [2012] EWHC 3883 (Admin) and *Ellis-Carr v SRA* [2014] EWHC 2411 (Admin).
50. In *Bolton*, Sir Thomas Bingham stated that “...to maintain this reputation and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied re-admission”.
51. The Tribunal was invited to consider whether restoration would affect the good name and reputation of the solicitors’ profession, whether it would be contrary to the interests of the public and whether there was any real prospect that the Applicant could be regarded as someone who was fit to be on the Roll.
52. The Respondent submitted that allowing restoration to the Roll in the Applicant’s case would affect the good name and reputation of the solicitors’ profession and that it would damage the public confidence in the provision of legal services. In view of the very serious findings made against him, which included findings of dishonesty, the public would not consider the Applicant to be a fit person to be on the Roll.
53. The Respondent respectfully submitted that in all the circumstances, the Applicant was not a suitable person to be re-admitted to the Roll, that this was not an exceptional case, and that the Application should be rejected.

#### The Tribunal’s Decision

54. The Tribunal referred to the Guidance Note which stated that an application for restoration to the Roll should be supported by a statement setting out:
  - Details of the original order of the Tribunal leading to strike off/removal.
  - Details of the applicant’s employment and training history since the Tribunal’s order.
  - Details of the applicant's intentions as to and any offers of employment within the legal profession in the event the application was successful.
55. The Tribunal noted that an application for restoration was not an appeal against the original decision to strike off the applicant. The Tribunal’s function when considering an application for restoration was to determine whether the applicant had established that they were a fit and proper person to have their name restored to the Roll.
56. The Tribunal, in considering the application paid significant regard to (amongst other things) the guidance provided by *Bolton* “... Only infrequently, particularly in recent years, has [the Tribunal] been willing to order the restoration to the Roll of a solicitor against whom serious dishonesty had been established, even after a passage of years, and even where the solicitor had made every effort to re-establish himself

*and redeem his reputation ... the most fundamental (purpose of sanction) of all: to maintain the reputation of the solicitors' profession as one in which every member, of whatever standing, may be trusted to the ends of the earth. To maintain this reputation and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied re-admission..."*

57. Additionally, the guidance provided by Lord Donaldson in Case No. 5 of 1987 (unreported): "*... however sympathetic one may be towards an individual member of either branch of the legal profession, if you fall very seriously below the standards of that profession and are expelled from it, there is a public interest in the profession itself in hardening its heart if any question arises of your rejoining it. Neither branch of the profession is short of people who have never fallen from grace. There is considerable public interest in the public as a whole being able to deal with members of those professions knowing that, save in the most exceptional circumstances, they can be sure that none of them have ever been guilty of any dishonesty at all...*".
58. The Tribunal also noted the principle promulgated in *Kaberry* that: "*... a finding of dishonesty by the Tribunal or a criminal conviction recorded against an applicant involving dishonesty can constitute an almost insurmountable obstacle to a successful application for restoration...*"
59. The Tribunal carefully considered the judgment from the substantive proceedings in 2008. The Tribunal also considered the oral evidence received from the Applicant, the documentary evidence filed by the parties and the submissions made in the course of the hearing.
60. The matters leading to the Applicant's removal from the Roll were of the utmost gravity in view of the proven allegations of dishonesty.
61. The Applicant's application for restoration to the Roll was made around 18 years after he had been struck from the Roll. He highlighted the effluxion of time since being removed from the Roll. The Tribunal determined that the Application was, therefore, not premature. The Tribunal noted that the Applicant accepted the 2008 findings of the Tribunal; produced supporting references; and was prepared to comply with restrictions on his practise to ensure safeguarding and to undertake further training if required if restored to the Roll.
62. The Tribunal noted that the Applicant had undertaken meaningful work in prison which was legalistic in nature and assisted his local community and church.
63. The Tribunal considered the character evidence relied upon by the Applicant. Although the evidence provided insight into the Applicant's integrity, aptitude and commitment to the profession, the Tribunal felt that the evidence was of limited weight regarding his rehabilitation as the referees had no direct or recent professional experience of working with him. The Tribunal noted that the Application would have benefitted from evidence from solicitors with recent experience of supervising and/or working closely with the Applicant.

64. The Tribunal determined that the lack of evidence of working satisfactorily within the legal profession for a considerable time in the lead up to the Application was a notable deficit. On the Applicant's own evidence, he failed to satisfy this requirement in the Application. The Tribunal noted that he did not provide any evidence of any offers of employment within the legal profession in the event the Application was successful. Evidence of prospective employers who were aware of the Applicant's earlier antecedents and were still willing to employ him was another requirement he failed to satisfy in the Application.
65. The Tribunal considered the Applicant's evidence of rehabilitation in light of his expressions of remorse regarding the circumstances that brought about the substantive six allegations. The Applicant stated in his oral evidence that he was involved in his local community including acting as a trustee at a charity and he was heavily involved with his local church. This was an important example of his giving back and assisting his community with his professional expertise. The Applicant did not submit any evidence of this work other than evidence contained in character references. The Tribunal noted that evidence of his work in the church and within his local community would have assisted the Application.
66. The Tribunal found that the Applicant had clearly taken positive steps towards rehabilitation however the weight that could be attached to this was impacted by his failure to support what had been said in evidence with supporting documentary material. It was noted that whilst the Applicant had been open and frank in his oral evidence regarding his history he failed to disclose in the Application and supporting documents the 6-year prison sentence imposed on him in 2010 for offences arising from the circumstances of his removal from the Roll. His failure to disclose his custodial sentence impacted on the accuracy of his submissions regarding his activities and work record in support of his arguments that he was rehabilitated and gained relevant work experience in the period between the strike off and the hearing of the Application.
67. The Tribunal were not convinced that the Applicant had overcome the reputational damage to the profession and breach of trust emanating from the misconduct which resulted in the strike off. Members of the public needed to know when they instructed solicitors that they were dealing with honest individuals in a profession that could be trusted.
68. The Applicant failed to file evidence of his participation in professional courses and training activities as part of his rehabilitation. The Tribunal found that this did not demonstrate a sustained commitment to maintaining and updating his knowledge and remaining abreast of developments in legal practice. The Applicant confirmed that he had no evidence of training activities in support of the Application. The Tribunal noted that the Application would have benefited from comprehensive supporting evidence regarding professional courses confirming his commitment to continuing professional development.
69. The Tribunal noted that no objections had been made in response to the publication of the advertisements.

70. The Tribunal was required to consider the Application on its merits and determine whether the public would be protected, whether the reputation of the profession within England and Wales would be upheld and whether public confidence in the regulatory process would be maintained in the event that the Applicant was granted restoration to the Roll.
71. The Applicant's misconduct included allegations of dishonesty that occurred over a period of time involving a variety of breaches that had been discovered by the FIO rather than through the Firm's compliance processes. Substantial monies were lost at the time of the misconduct, and all remain outstanding. The Applicant had not adduced any evidence concerning practical steps he had undertaken to address the specific areas of conduct that led to the strike off. Consequently, the Applicant faced a high bar in seeking restoration to the Roll.
72. In light of the Tribunal's findings regarding the absence of supporting evidence of the Applicant's rehabilitation, considered in the context of the seriousness of the misconduct that had been found proved at the substantive hearing, the Tribunal found that based on the evidence before the Tribunal, the high threshold for restoration to the Roll was not met.
73. The Tribunal judged the Application on its merits. It determined that it would undermine public confidence in the profession and the delivery of legal services if the Applicant was restored to the Roll. It concluded that it would not be in the public interest to restore the Applicant to the Roll of Solicitors. The Tribunal therefore REFUSED the Application.

### **Costs**

74. The Respondent applied for the Respondent's costs in defending the Application in the sum of £3,656.60 as particularised in the Respondent's Statement of Costs dated 13 February 2026. The Respondent asserted that the costs claimed were reasonable and proportionate to the Application.
75. The Applicant opposed the application for costs on the grounds that he was not a man of means. He emphasised that his work in the voluntary sector meant that he received a stipend rather than a fixed salary.

### **The Tribunal's Decision**

76. The Tribunal noted that the Applicant had not filed a Statement of Means pursuant to Rule 43(5) of the SDPR 2019. The Tribunal further noted that the Respondent duplicated the cost of '*working on documents*' in the sum of £910.00 in the Statement of Costs. The Tribunal granted the application for costs in the sum of £2,590.00.

### **Statement of Full Order**

77. The Tribunal ORDERED that the application of HORACE OKEROGHENE ONOBRAKPEYA for restoration to the Roll of Solicitors be REFUSED. It further Ordered that the Applicant do pay the costs of and incidental to the response to this application fixed in the sum of £2,590.00.

Dated this 6<sup>th</sup> day of March 2026  
On behalf of the Tribunal

*R. Nicholas*

R. Nicholas  
Chair