The Bar Tribunals & Adjudication Service

The Council of the Inns of Court

Report of Finding and Sanction

Case Reference: 2022/0184/D5

Mr Mohammad Tayyab Khan

The Director-General of the Bar Standards Board

The Chair of the Bar Standards Board

The Treasurer of the Honourable Society of: Lincoln's Inn, 1972.

Disciplinary Tribunal

Mr Mohammad Tayyab Khan

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 03 October 2025, I, HH Mark Rogers, sat as Chairman of a Disciplinary Tribunal on 20-21 October 2025 and 8 June 2026 to hear and determine 12 charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Mr Mohammad Tayyab Khan, barrister of the Honourable Society of Lincoln's Inn.

Panel Members

2. The other members of the Tribunal were:

   Lakshmi Ramakrishnan (Lay Member)

   Helen Norris (Lay Member)

   Hylton Armstrong (Barrister Member)

   Peter Causton (Barrister Member)

Charges

The following charges were denied.

Charge 1

Statement of Offence

Professional misconduct contrary to Core Duty 5 and/or Conduct Rule 8 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession and/or behaved in a way which could reasonably be seen by the public to undermine his integrity, in that, on 1 June 2022, he knowingly assisted and/or enabled Soophia Khan ("Ms Khan") to breach an injunction order made by the High Court on 11 November 2021 in claim number BL-2021-001519 ("the November Order"). He did so by appearing as an advocate in a hearing in the Coroner's Court for Pembrokeshire and Carmarthenshire ("the Coroner's Court"), taking instructions from Ms Khan, and providing her responses to the Coroner. He thereby assisted or enabled her to exercise a right of audience when he knew or ought to have known that her practising certificate was suspended and she was not an exempt person in relation to that reserved legal activity.

Charge 2

Statement of Offence

Professional misconduct contrary to Core Duty 3 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to act with integrity, in that, on 1 June 2022, he knowingly assisted and/or enabled Ms Khan to breach the November Order. He did so by appearing as an advocate in a hearing in the Coroner's Court, taking instructions from Ms Khan, and providing her responses to the Coroner. He thereby assisted or enabled her to exercise a right of audience when he knew or ought to have known that her practising certificate was suspended and she was not an exempt person in relation to that reserved legal activity.

Charge 3

Statement of Offence

Professional misconduct contrary to Core Duty 5 and/or Conduct Rule 8 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession and/or behaved in a way which could reasonably be seen by the public to undermine his integrity, in that, on 1 June 2022, he knowingly assisted or permitted one or more Defendants subject to injunction orders made by the High Court on 7 September 2021 and 21 September 2021 in claim number BL-2021-001519 ("the September Orders") to breach those orders. Mr Khan did so by appearing as an advocate at a hearing in the Coroner's Court and in doing so having access to papers which the Orders had required the Defendants to produce or deliver up to the SRA's appointed agent.

Charge 4

Statement of Offence

Professional misconduct contrary to Core Duty 3 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to act with integrity, in that, on 1 June 2022, he knowingly assisted or permitted one or more Defendants subject to the September Orders to breach those orders. Mr Khan did so by appearing as an advocate at a hearing in the Coroner's Court and in doing so having access to papers which the Orders had required the Defendants to produce or deliver up to the SRA's appointed agent.

Charge 5

Statement of Offence

Professional misconduct contrary to Core Duty 1 and/or Conduct Rule 3.3 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to take reasonable steps to avoid wasting the court's time, in that, on 1 June 2022, while acting as an advocate representing an interested person during a hearing before the Coroner's Court, he repeatedly answered questions from the Coroner by reading out replies supplied to him by Ms Khan, which conduct the Coroner found to be "*completely unworkable*" and a process that was "*disjointed, time consuming and would be disruptive to the efficient working of the inquest*".

Charge 6

Statement of Offence

Professional misconduct contrary to Core Duty 5 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 1 June 2022, while acting as an advocate representing an interested person during a hearing before the Coroner's Court, he repeatedly answered questions from the Coroner by reading out replies supplied to him by Ms Khan, which conduct the Coroner found to be "*completely unworkable*" and a process that was "*disjointed, time consuming and would be disruptive to the efficient working of the inquest*".

Charge 7

Statement of Offence

Professional misconduct contrary to Core Duty 5 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 31 October 2022, he knowingly assisted or permitted one or more Defendants subject to injunction orders made by the High Court on 7 September 2021, 21 September 2021 and 27 April 2022 in claim number BL-2021-001519 ("the Injunction Orders") to breach those orders. Mr Khan did so by appearing as an advocate at a hearing in the Coroner's Court and in doing so having access to papers which the Injunction Orders had required the Defendants to produce or deliver up to the SRA's appointed agent.

Charge 8

Statement of Offence

Professional misconduct contrary to Core Duty 3 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to act with integrity, in that, on 31 October 2022, he knowingly assisted or permitted one or more Defendants subject to the Injunction Orders to breach those orders. Mr Khan did so by appearing as an advocate at a hearing in the Coroner's Court and in doing so having access to papers which the Injunction Orders had required the Defendants to produce or deliver up to the SRA's appointed agent.

Charge 9

Statement of Offence

Professional misconduct contrary to Core Duty 1 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, wasted the court's time, in that, on 31 October 2022, during an inquest before the Coroner's Court, he made an application to the Coroner to vary a ruling made by the Coroner on 1 June 2022 ("the Ruling"), in which the Coroner had refused to permit Ms Khan to examine witnesses at the inquest. Mr Khan applied for the Ruling to be varied to permit Ms Khan so to examine witnesses. Mr Khan made the application in circumstances where there had been no relevant change in circumstances that would justify the Coroner reconsidering the Ruling and where the Coroner had made clear to him on 1 June 2022 that the inquest had to proceed in October 2022 irrespective of any difficulties with legal representation.

Charge 10

Statement of Offence

Professional misconduct contrary to Core Duty 5 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 31 October 2022, during an inquest before the Coroner's Court, he made an application to the Coroner to vary the Ruling, in which the Coroner had refused to permit Ms Khan to examine witnesses at the inquest. Mr Khan applied for the Ruling to be varied to permit Ms Khan so to examine witnesses. Mr Khan made the application in circumstances where there had been no relevant change in circumstances that would justify the Coroner reconsidering the Ruling and where the Coroner had made clear to him on 1 June 2022 that the inquest had to proceed in October 2022 irrespective of any difficulties with legal representation.

Charge 11

Statement of Offence

Professional misconduct contrary to Core Duty 3 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to act with integrity, in that, on 31 October 2022, during an inquest before the Coroner's Court, when answering questions from the Coroner about the

capacity in which he was representing an interested person, he told the Coroner that "*the records kept by the Bar Council show that I am employed by the Just for the Public for many, many years*". This statement was inaccurate, as the Bar Council's records showed that Mr Khan had supplied it with information to show that he had been employed by Just for Public Ltd since 10 August 2021.

Charge 12

Statement of Offence

Professional misconduct contrary to Core Duties 1 and 5 of the Bar Standards Board Handbook (version 4.6)

Particulars of Offence

Mohammad Khan, a barrister, failed to observe his duty to the court in the administration of justice and/or behaved in a way that was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 31 October 2022, during an inquest before the Coroner's Court, when answering questions from the Coroner about the capacity in which he was representing an interested person, he told the Coroner that "*the records kept by the Bar Council show that I am employed by the Just for the Public formany, many years*". This statement was inaccurate, as the Bar Council's records showed that Mr Khan had supplied it with information to show that he had been employed by Just for Public Ltd since 10 August 2021.

Parties Present and Representation

1. The Respondent was present and was not represented. The Bar Standards Board ("BSB") was represented by Mr Winston Jacob.

Preliminary Matters

2. The Respondent made an application to admit two witness statements and his witness statement which were served late. The Tribunal considered these as two separate applications and as a matter of discretion, deemed these documents admissible.
3. The Tribunal directed that Mr Khan's witness statement stand as his evidence in chief.

Pleas

4. Mr Khan denied all twelve charges.

Evidence

5. Ms Stephanie Bute-Fleming provided a witness statement and gave live, oral evidence upon which she was cross-examined.
6. Mr Khan provided a witness statement and gave live, oral evidence upon which he was cross-examined.

No Case to Answer Application

7. The Respondent made an application of *No Case to Answer* in respect of all twelve charges. This application was opposed by the BSB. The Tribunal heard and considered both parties' submissions on this application. The application was unsuccessful and thus the hearing proceeded in the normal course of events.

Findings

8. This is an unusual and complex case. Mr Khan is 80 years of age and a very senior member of the Bar. He is deeply proud of his profession and he finds it very painful to appear before us in a disciplinary context. There are a number of poignant elements to this case.
9. He faces the twelve individual charges set out above but they fall into convenient groups with a certain amount of overlap. They all arise from a course of events which unfolded in the summer and autumn of 2022.
10. To understand the background, it is necessary briefly to set out the involvement of Mr Khan's daughter Ms Soophia Khan, also known as Sophie. She was previously a solicitor and had her own firm, Sophie Khan & Co. She also worked through an organisation called Just for Public Ltd, also known as Just for Public Law (hereafter collectively "JfP").
11. In August 2021 the Solicitors Regulation Authority (SRA) intervened in Ms Khan's firm and her practising certificate was suspended. She was subject to the solicitors' disciplinary process and was ultimately removed from the Roll. These events were very contentious and gave rise to litigation between the SRA and Ms Khan, her firm and JfP. A series of Orders including prohibitory and mandatory injunctions were made by a series of Judges of the Chancery Division. Many of the papers arising in the course of that litigation are included in the bundles for this hearing. The Orders speak for themselves. The essential elements for us are that Ms Khan was not allowed to conduct litigation as a solicitor or appear in Court and that papers relating to previous matters conducted by her or her organisations were

required to be delivered up. This all became somewhat notorious and played out in the public domain. The end result was that Ms Khan served periods in prison having been found to be in breach of Orders and thus in contempt of Court.

12. It is to be emphasised that Mr Khan was not involved in Ms Khan's disciplinary process and was not a party to any of the High Court proceedings. We do find, however, not least because Mr Khan accepted as much, that he was well aware of his daughter's situation throughout this period.
13. One case in which Ms Khan had previously been involved was the inquest into the death of Spencer Beynon. She had received instructions from a family member of the deceased, effectively to represent the interests of the whole family at the inquest. The Coroner had conducted the first inquest with a jury in October 2021 but the jury had failed to reach a verdict. The Coroner directed a fresh inquest to take place in 2022.
14. None of the charges before us relates to matters arising in the first inquest although we have quite a lot of material relating to it. Clearly it postdates Ms Khan's suspension but it is clear that both she and Mr Khan attended the first inquest to represent the family.
15. The charges before us relate to two hearings in the second inquest. On 1 June 2022 the Coroner, obviously sitting alone, conducted a pre-inquest review, in other words a directions or case management hearing. The hearing on 31 October 2022 was the commencement of the inquest itself. We are concerned with the preliminary matters raised by the Coroner rather than the factual substance of the inquest itself.
16. We have been provided with a very large amount of documentary material, spread across three bundles (one provided by Mr Khan himself) and a significant number of free-standing documents. Mr Jacob and Mr Khan have furnished skeleton arguments/position statements and we have been given access to a number of authorities, as well as the judgments specifically relating to Ms Khan. We have available to us the latest version of the BSB Handbook and have specifically reminded ourselves as to the relevant Core Duties and Conduct Rules.
17. From time to time, we have made procedural and/or case management rulings (accompanied by short oral reasons delivered by the Chair). Mainly they relate to the admission of documents filed late. Without reciting the previous rulings, our approach in general was to admit the documents, either because they were admissible anyway or as a

matter of discretion. We felt it was important to see the full picture and that the admission of documents was fair to Mr Khan and involved no significant prejudice to the BSB.

18. Prior to the hearing Mr Khan had given notice that he would be submitting he had no case to answer in respect of any of the charges. He provided a detailed skeleton argument in support, to which he spoke at length. Rather than dealing with it as a preliminary matter, as he had anticipated, we indicated that we would deal with it in the conventional way at the conclusion of the BSB's case. Accordingly, Mr Jacob opened the case, took us through much of the documentary material and called his single live witness, Stephanie Bute-Fleming. Additionally, he took us through the transcripts of the various proceedings before the Coroner and played to us audio recordings of key passages, most particularly in relation to 1 June 2022.
19. Mr Khan made his submission that there was no case to answer. He spoke at length in addition to referring to his document. His submissions were wide ranging and went far beyond the scope of the narrow issue of no case to answer and sought to engage with the detailed merits of the charges, including seeking to refute the disputed allegations. We gave our ex tempore ruling, through the Chair, unanimously rejecting the submission of no case to answer. The ruling appears in the transcript of of day 1 of this hearing if reference to it is required. With respect to Mr Khan the application was hopeless. As we explained, there was clear and apparently credible evidence supportive of the charges on the papers and in Mr Jacob's presentation that warranted further investigation, making a summary dismissal of the charges wholly inappropriate. Accordingly, the hearing proceeded.
20. Mr Khan was sworn, gave his live evidence and was cross examined. He referred to a number of documents but called no witnesses. He was accompanied throughout most of the hearing by his daughter but she did not give evidence orally or on paper. In fairness to Mr Khan we will take account of all that he said whether on oath or as part of his submissions as if it all comprised his evidence.
21. We remind ourselves as to the proper approach to be taken in respect of our task in this Tribunal. Where a fact is disputed and a finding is required, the onus of proving that fact is on the person or institution making the assertion. In this case that is invariably the BSB. The standard of proof required is the civil standard, namely the balance of probabilities. Similarly, an individual charge will only be regarded as proven if the BSB has persuaded us

on the balance of probabilities that any necessary facts have been proven and the relevant Core Duty or Conduct Rule has been breached so as to amount to a qualifying example of misconduct. We take account of all of the evidence and material presented but remind ourselves to identify what evidence is documentary or hearsay and thus untested. We take account of the views expressed from time to time by the Coroner on key issues, as appear from the transcripts and rulings, but remind ourselves that we do not delegate the fact-finding task to him and must make our own independent evaluations on all the evidence available to us. We remind ourselves that whatever reprehensible behaviour is attributable to Ms Khan is not automatically a taint on Mr Khan. Before finding him complicit in her misbehaviour we must be satisfied that the evidence justifies such a conclusion. We remind ourselves that no onus falls upon Mr Khan to provide a contrary case. In fact, on many issues, he does advance his own positive case and that must be given careful consideration as must his denials. Even if we are unpersuaded by the contrary case that does not absolve the BSB from responsibility to discharge the onus of proof upon it if all or any of the charges are or is to succeed. To the extent that we reject any element of Mr Khan's evidence and find that he lied, that is not the end of the matter and not of itself alone evidence of guilt. We must apply the well known *Lucas* criteria to any such situation. There is clear overlap within the charges but we remind ourselves of the absolute need to be satisfied in respect of any particular charge individually before finding it proved. Finally, and importantly, we assume Mr Khan has had a long and unblemished career at the Bar. In those circumstances, we give ourselves the full conventional two-pronged good character direction in respect of his evidence, namely in respect of credibility and propensity.

22. To understand our decisions, we feel it is necessary to record our overall impression of Mr Khan's evidence. Unfortunately, on the whole it was unfavourable. We begin, unusually, with his body language. The Tribunal room is not small but is not as large as a typical Courtroom. The participants sit quite close to each other. Notwithstanding our encouragement to Mr Khan to remain seated, he chose to stand and at times walked about the room in a somewhat intimidating manner. He spoke loudly at times and banged his desk for emphasis. When presenting submissions he seemed calm and measured. However, when answering questions from Mr Jacob he was at times dismissive of his questions, even to the point of refusing to answer some questions on the grounds, as he saw it, of

irrelevance. When he did engage with the questioning, he was at times inconsistent in his answers or evasive. We have received a transcript of the hearing before us before providing our decisions and reasons and it is clear from that how unsatisfactory many of his replies were. His approach was dogmatic and unyielding even, we find, in the face of clear and objective evidence. Overall, we find his evidence in many respects unreliable and unsatisfactory. We have to say, however, in relation to certain specific points, to which reference will be made later, and notwithstanding the good character direction, it is evident that he was at times not completely open and was evasive. It follows that we treat his evidence as a whole with caution.

23. We find that Mr Khan is fiercely loyal to his daughter. He seems unwilling or unable to accept her obvious wrongdoing, as found by others, and holds the wholly unrealistic belief that in time she will be entirely vindicated. We find that this loyalty and consequent complete loss of objectivity have contributed substantially to his own behaviour in this matter and to his evidence before us.

24. The evidence of Ms Bute-Fleming we accept without hesitation. She is a records assistant at the Bar Council and began in that role in about 2017. She gave what was essentially formal evidence about the records relating to Mr Khan. She could not comment from her own knowledge of matters preceding her employment. There appears to be no record of contact between Mr Khan and the Bar Council in or about 2011 in relation to his assertion that he notified the Bar Council at that time of his volunteering role at JfP. Although cross examined on this by Mr Khan, Ms Bute-Fleming could not help. To the extent that he appeared critical of her evidence we reject that. What is clear and we so find is that the Bar Council's records show that Mr Khan's employment with JfP began on 10 August 2021, just days before his daughter's practising certificate was suspended. We regard the close coincidence of dates as critically important and significant. 10 August 2021 is also the date on which the assets of Ms Khan's firm appear to have been transferred to JfP. Mr Khan does not dispute the date of his employment.

25. Although Charges 1, 2, 5 and 6 engage different Core Duties and Conduct Rules, they all arise from the same factual context and may be conveniently considered together. Obviously different considerations arise in respect of the specific allegations of professional misconduct and we have given individual consideration to each. The matters arise from the

pre-inquest review of 1 June 2022. We have the transcripts, the Coroner's ruling and the audio record. Essentially, they speak for themselves. Mr Khan attended and purported to be the legal representative and advocate for the family of the deceased. Ms Khan also attended and sat close by, as is clear from the context and the Coroner's remarks. It is unnecessary to refer in these findings to specific passages in the transcript. We listened carefully to the whole recording which is therefore part of the evidence before us and would be available in the public domain if required. The Coroner was well aware of her situation in respect of the SRA and the associated High Court Orders and understandably proceeded with great caution.

26. The hearing, we find, was a most unusual one. It is punctuated by a number of pauses of significant length. We find that during those pauses Mr Khan was speaking to his daughter. That was the view of the Coroner but it is abundantly clear to us also. It does not seem to us that Mr Khan was experienced in Coronial law, whereas Ms Khan apparently was. What was happening, we find, was that Mr Khan allowed himself to be a mouthpiece for Ms Khan's answers and submissions. He was not in any real sense acting as an advocate but was facilitating Ms Khan's attempts to do so. He did this, we find, as a method of seeking to circumvent the prohibitions placed upon her by her suspension as a solicitor and the ancillary orders and injunctions made.
27. We reject Mr Khan's case and his specific evidence that the difficulty apparent from the transcript was a result of a malfunctioning of his hearing aid. He told us that the height of the room and the acoustics meant that his hearing aid did not work and that he was effectively deaf throughout the hearing. He told us that the pauses were when he clarified with his daughter what had been said before giving his own response.
28. We accept without hesitation that Mr Khan suffers with hearing loss. He wore a hearing aid at the Tribunal and during the hearing unnecessarily removed it in an attempt to convey his difficulties. However, we find that his hearing loss and/or any problem with his hearing aid played a very limited part in the circumstances which unfolded before the Coroner. Apart from the clear impression we gleaned from the transcript and recording, two other matters particularly influence our reasoning. It is apparent from the recording that there were occasions when Mr Khan obviously did hear what was said as his responses were instantaneous. When challenged on that, Mr Khan said that the hearing aid must have been

functioning intermittently. That we find implausible, not least because it is inconsistent with the generality of his evidence that he heard nothing throughout the hearing. Secondly, there was no mention at all of the problem by Mr Khan at the time. He tells us that he did not want to embarrass himself or his clients. We find this unlikely as an explanation and reject it. We also reject Mr Khan's suggestion that the Coroner should have adjourned the hearing and invited him into chambers for a private discussion. That would not only be unusual but wholly inappropriate given the sensitivity of the inquest itself. We find therefore that Mr Khan's evidence in relation to these charges is not only incredible but highly unlikely.

29. Mr Khan offered other explanations to support his case. He said that Ms Khan was only ever there to provide him with advice on "law and procedure". We are surprised by this. If, as he asserts, he was there as the competent and exclusive representative of the family, it is unthinkable that he would not be equipped to deal with the essentials. He further suggested that there was no need to facilitate Ms Khan as alleged as the proceedings in the Coroner's Court are not covered by the SRA and High Court Orders. The apparent basis for this claim is that a Coroner's Court is not a "Court" as such. This argument is wholly without legal merit. We accept Mr Jacob's submissions on this point. The definition of "Court" in s207 of the Legal Services Act 2007 is not exhaustive. The absence of the Coroner's Court as an express reference is of no consequence. It most clearly is a Court and so the orders and injunctions made in respect of Ms Khan were apposite to proceedings in the Coroner's Court.

30. Mr Khan's prolonged concentration upon the effect of Rule 19(1) of the Coroners Rules 2013 also does not assist him. Indeed, we find it is something of a red herring. The Rule permits a Coroner in his or her discretion to allow anyone to examine witnesses at an inquest. It is not a grant of a right of audience to a lawyer but a permissive power to allow a lay person to represent a party. The hearing in question was a pre-inquest review and so no witness was to be called. Thus, the Rule did not affect Mr or Ms Khan at that stage. It is true that the Coroner gave a specific ruling refusing to exercise his discretion in Ms Khan's favour with the consequence that she would not be permitted to examine witnesses at the forthcoming inquest but that takes the matter no further. We do note, however, the fervent desire to have Ms Khan involved, which we find curious if Mr Khan was, as he said, the fully

instructed independent advocate for the family. It seems to us to support the proposition that Mr Khan was effectively Ms Khan's cover rather than an advocate in his own right.

31. We have reviewed the Core Duties covered in each of the charges under consideration separately and are satisfied in respect of each that the BSB has shown on the balance of probabilities that Mr Khan has committed professional misconduct as alleged. Our decisions in respect of each of these charges have been reached by a majority of 4 to 1.

32. Charges 3, 4, 7 and 8 allege unauthorised use of embargoed papers during the hearings on 1 June and 31 October 2022. It is clear from extraneous evidence that the papers in the possession of Ms Khan prior to her suspension should have been handed over to the SRA but were not. They included papers from the earlier inquest. As a matter of fact, the nominal client from the deceased's family changed between inquests and so legitimately a new file would have been created by JfP. We are satisfied that the Coroner provided a new bundle of witness statements which inevitably would exactly or substantially replicate those earlier in possession of Ms Khan. There is no direct evidence of Mr Khan seeking out papers in the wrongful possession of Ms Khan and no evidence of her handing them over. There are suspicions in the mind of the BSB and we can understand them but there is no useful evidence. The one piece of material from which Mr Jacob says we can draw an inference of unlawful possession is the reference by Mr Khan in his documents to the Coroner to an affidavit of Gareth Shaw of 23 November 2016. That was not a document provided in the fresh bundle from the Coroner. So, Mr Jacob submits, the only sensible inference is prior possession which must mean it is included in the embargoed documents. We acknowledge the logic of Mr Jacob's argument and can see how it gives rise to legitimate suspicion. However, we are unable to exclude potentially innocent explanations and, in the end, do not find on the balance of probabilities that professional misconduct in relation to any of the four charges is made out. Mr Jacob was critical of Mr Khan for not calling witnesses who he said could have dealt with this definitively. That would be, in our view, tantamount to a reversal of the burden of proof which is not permissible. These charges are dismissed.

33. Charges 9 and 10 relate to the Coroner's Rule 19(1) ruling, referred to at paragraph 23 above. For reasons already set out, we reject as untrue Mr Khan's case that he was unable to hear what occurred on 1 June 2022. We are satisfied that he heard and was aware that the Coroner refused to give Ms Khan permission to examine witnesses at the forthcoming

inquest. We also reject as confused and incredible Mr Khan's inconsistent account of whether, even on his own case, he discussed what happened afterwards with his daughter. The renewed application made on 31 October 2022 was on the same basis and with no change of circumstances. We reject Mr Khan's account that he did not know he was renewing a point already decided. We also reject his alternative proposition that it was, in any event, a different application in substance. That said, we are not satisfied that the renewal of the application amounts to professional misconduct in respect of the Core Duties engaged. It was clearly an unmeritorious application and demonstrated poor professional judgement, but we are not prepared to go beyond that. It is perhaps noteworthy that the Coroner entertained the renewed application patiently and carefully, asking other counsel for their submissions, even though it is clear he felt the matter had already been determined. Accordingly, we dismiss these charges.

34. Charges 11 and 12 arise out of a specific comment made on 31 October 2022 by Mr Khan at the inquest. It is transcribed at B06-3 in our Charges Bundle. The key passage is "*But the records kept by the Bar Council show that I am employed by the Just for the Public* (sic) *for many, many years.".* As explained in paragraph 17 above, whether or not Mr Khan began volunteering with JfP in 2011, the evidence is clear, and he accepts it, that his employment only commenced in August 2021. We are satisfied and find that "employment" is a well understood and clear English word both to the general public and to a lawyer. It refers to a formal and specific contract of service and is plainly different in kind to volunteering. We are also satisfied, as a matter of common sense, that employment for just over one year is not the same as employment for many, many years and is plainly misleading. Mr Khan in his evidence appeared to concede as much. That in our view was realistic.

35. Mr Khan sought to explain his comment as an innocent use of loose language with no intention to mislead. We reject his explanation. The context is crucial. The transcript shows that this comment arose in the course of close questioning by the Coroner as to Mr Khan's exact status. He wished to know exactly what role Mr Khan had in JfP and asked him about capacity and status. This clearly called for precision and we find Mr Khan's quoted response to be misleading. It appears to satisfy the Coroner as he immediately moves on to another point. Given the sensitivities around the roles of Mr Khan, Ms Khan and JfP this choice of words in the circumstances amounts, we find, to professional misconduct in relational to

the specific Core Duties engaged in the separate charges. We also have very much in mind in our assessment of integrity the guidance to be found in *SRA v Wingate* [2018] EWCA Civ 366 and, in particular, the words of Jackson LJ in paragraph 100 where he highlights the importance of a professional person being scrupulous about accuracy. We unanimously find each of the charges proved.

36. In summary, charges 1,2,5,6,11 and 12 are proved. Other charges are dismissed.

Adjourned part heard

37. On 21 October 2026 the Tribunal Adjourned the hearing part heard and met to consider the findings in private on 8 December 2025.
38. The Tribunal's findings were handed down in January 2026.
39. The hearing resumed in person on 8 June 2026.
40. The Tribunal considered a preliminary application to adjourn the hearing on 8 June 2026.

Adjournment application decision

41. This is the unanimous decision the of the Tribunal members in relation to the preliminary application made by Mr Khan.
42. Today, 8 June 2026, is listed for the determination of the question of sanction.
43. In relation to the disciplinary charges brought against Mr Khan, the evidence was heard in October 2025. Our decision was promulgated in January 2026. It is a matter of great regret that there has been a considerable period of delay and it is absolutely of the essence, it seems to us, to move the matter forward as efficiently as possible in accordance with the overall considerations of justice.
44. There were originally 12 charges on the charges sheet. Six of them were proved. Mr Khan, as is his right without any permission filter, has issued an appeal against the liability findings and that the appeal in due course will be heard in the Administrative Court. As a result of essentially diary issues, it has taken a long time to convene today's hearing.
45. The appeal was issued in the High Court as soon as February 2026 and it is perhaps quite surprising that here we are in early June and that appeal has made no substantive progress. What has happened, no doubt with the impending hearing today, is that, my Lord, Mr Justice Bourne dealt with an independent application for a stay of the sanctions hearing issued by Mr Khan. The BSB of course is the respondent to that appeal.

46. We have seen the appeal documents and the application for stay.
47. My Lord, Mr Justice Bourne refused the application for a stay and adjourned a separate application for the admission of fresh evidence on the appeal. What his Lordship said is that there is no good reason to stay the sanction hearing which is due to take place on Monday, the 8th of June, and a stay will only cause more delay overall.
48. He also said that rE241 of the BSB's Disciplinary Tribunals Regulation does not mean that a sanction hearing cannot proceed. rE241 & 242 read together are concerned primarily with the implementation of sanctions and therefore do not bar the disciplinary tribunal from deciding on sanction as the regulations show an appeal, is liable to be directed against the tribunals finding and/or sanction. It therefore makes practical sense for sanction to be decided so that if the regulated person wishes to appeal against the sanction as well as the finding, those matters can be dealt with together.
49. That is a powerful indication at High Court level as to the progress of the appeal. What Mr Khan says correctly, of course, is, in principle, that that does not deter or should not deter us from making an independent judgment on the application that he brings to adjourn today's hearing and to impose in effect, a stay on further proceedings pending the outcome of the appeal itself.
50. Mr Khan's case is that in respect of each of the six charges of the 12 that we found proved we were wrong. He says that they were wrong in any event, but that his case is improved at appeal level as a result of three individual cases decided in the spring of this year in the Court of Appeal. We won't lengthen this interim judgement by reciting them in full. They are all there in paragraphs 4, 5 and 6 of his skeleton argument.
51. In the very shortest terms, he says that we were wrong to find that he assisted his daughter in breach of an injunction made against her because there was no formal finding of breach by the coroner or in independent contempt proceedings. He said that there are no independent proceedings initiated by the coroner and therefore we were not permitted to form our own view of those matters and to make factual findings accordingly.
52. Separately, in relation to charges 11 and 12, he says our findings exceeded the extent of the BSB's pleaded case, which relied upon an allegation of inaccuracy rather than misleading.
53. With due respect to Mr Khan, whose document is full, and his oral submissions were lengthy, we are not persuaded that he has an appeal which is unarguable to the contrary and is so

strong in its terms that we should grasp the nettle now, recognise our own mistakes, and effectively put a brake on all matters.

54. We are not persuaded, notwithstanding his reference to those authorities, that the ratios of those decisions are what he says they are or that they have immediate and determinative impact upon our case, which effectively turns upon our key findings of fact.
55. He also says although he did not advance this fully in his oral submissions, that we failed to take account of relevant evidence in relation to his hearing loss. That submission is quite contrary to our findings which were promulgated in that we accepted the fact of his hearing loss, which is documented in the medical report before us. Our finding, unfortunately for him, was that his conduct was outwith any difficulties or any significant difficulties caused by his hearing loss but was a device of his and his daughters to circumvent her difficulties. Therefore, we are not persuaded that this case has overwhelming merit in terms of the potential appeal that would justify that.
56. There are other reasons as well. Some are practical, some are substantive. As to the practicalities, we can do no better than adopt the words of Mr Justice Bourne. It is plainly more convenient to deal with it this way.
57. It is plainly cost effective and in the end it will probably expedite the matters, particularly if, in the event, Mr Khan wishes to appeal against any sanctions which hereafter we impose. He said notwithstanding the strength of his appeal, that it would be unfair to do so because it would affect his reputation and inhibit him in his practise.
58. The point that we put to him in argument, was that the reputational damage is probably done by the findings themselves rather than sanction, and we adhere to that proposition. He was unable to give detail as to the implications. He tells us it would impact upon him as a barrister in private practice from his own chambers in Leicester and as to his either employment or volunteering role, the matter is still not entirely clear, in Just for Public Limited.
59. He did not give us any financial information. He did not give us any data as to the degree of interaction with clients or solicitors that he has. He simply made, if we may respectfully say so, a rather bland overarching submission that it would do him reputational damage.
60. We are not able to accept that that is so. It is almost always the case that the position is unfortunate if there is a pending appeal, but the regulations make provision for that in any

event, and Mr Jacob, in his skeleton specifically draws attention to the implications of sanctions, where is an extant appeal and we agree with that. Overwhelmingly, the justice of the case requires us to proceed today. There will be no additional harm caused to any party. The High Court will, subject to its lists, no doubt go on to deal with this matter at the earliest possible opportunity and then Mr Khan will be able to deploy the very extensive legal and other arguments that he sought to persuade us with today.For all those reasons, the preliminary application to adjourn is refused and we will therefore proceed to deal with the issue of sanction in relation to the six matters.

Sanction and Reasons

61. We start by reminding ourselves of the Core duties which are to be found in Part 2 of the current version of the BSB Handbook. Those engaged in this case, although not in the order that they appear in the charges, are as follows: Core Duty 1, you must observe your duty to the court in the administration of justice; Core Duty 3, you must act with honesty and with integrity; and Core Duty 5, you must not behave in a way which is likely to diminish the trust and confidence which the public places in you or in the profession.
62. Also referred to in the documents, and also to be found in further paragraphs of the Handbook, are core responsibilities 3.3 and 8, which supplement the Core Duties. We remind ourselves that only six of the initial 12 charges were proved, they being charges 1, 2, 5, 6, 11 and 12, and so we have put out of our mind the matters relating to the unproven charges.
63. As it happens, the charges fall into three convenient groups: charges 1 and 2 together, charges 5 and 6 together, and charges 11 and 12 together. We will deal with the matter accordingly. We propose, albeit that we have a discretion, to follow the six-stage process set out in the guidance in order to provide consistency and authority in the sanctioning process.
64. In terms of the material, of course, we have all of the material that we have had before us throughout the case. In particular, we are taking account of the skeleton argument filed by Mr Jacob on behalf of the BSB, the oral submissions made by Mr Khan today, together with the material in his written documentation, albeit that was focused very much more on the merits of the case and his preliminary application today. He has not filed any

documentation specifically in relation to personal mitigation, either in terms of himself or his financial position, or any other matters.

65. We, of course, bear in mind his seniority, both in terms of chronological age and his seniority in terms of call at the English Bar. We take full account of his very long and successful practice at the Bar. We of course bear very much in mind that there are no previous findings of misconduct brought by the Bar or any other regulatory body, or any other sanction made against him in any other circumstance.
66. We also bear very much in mind the fact of his hearing disability, which is obviously a very unfortunate thing for him at his age, and we are aware from other documentation that it has to be managed by hearing aids and that is a sensitive process, but we reiterate, without necessarily going into the findings that were made and promulgated in January, that although it is a matter of sympathy from the Tribunal and a factor we take into account in mitigation, it had no part in the findings made against him to the extent that it provided him with a defence to any of the relevant charges.

Charges 1 & 2

67. Turning then to the individual matters, and taking charges 1 and 2 together, we categorise this as falling most conveniently into misconduct group G in the BTAS Sanctions Guidance Version 6 (2022) booklet. Category G deals with the administration of justice. This group is intended to cover a barrister's general duties to the court and misconduct that impacts on the course of any proceedings, including witness handling.
68. We regard these two charges, taken together, as the most serious elements of misconduct in this case. They engage Core Duties 5 and 3 and core responsibility 8. In terms of culpability, the conduct described in our findings was, we find, a pre-planned course of conduct. It was very serious in the context of the individual inquest and in the wider sense of the potential damage to the administration of justice foreseeably.
69. Albeit he acted in combination with his daughter, Ms Khan, he was plainly equally responsible and in control of events. The particular culpability is that this course of conduct was designed, we find, to circumvent the clear directions of the High Court in relation to the disciplinary process affecting Miss Khan and behaviour of this sort is to be regarded as highly culpable because of its potential to undermine public confidence.

70. The harm, mercifully, was very limited. It caused the coroner a great deal of inconvenience and additional work, and no doubt added to the strain upon him in conducting a high-profile inquest, but there is no evidence that it went beyond that.
71. The indicative sanction range engaged in this case was the middle range, represented by significant culpability and limited, and we would add moderate, harm. That middle range indicates a high-level fine to suspension of less than 12 months.
72. The aggravating features in this case, being careful to avoid overlap or double counting with matters covered by culpability, is that, sadly, then and even now, Mr Khan appears to have no insight at all into the nature of his misconduct or, perhaps equally importantly, the implications of his misconduct. He was not in any way contrite or remorseful and, indeed, is adamant that he has done nothing wrong. It is an aggravating feature flowing from that that there seems to us to be a risk of repetition of that conduct. A further aggravating feature arises from his very seniority at the Bar. Putting it simply, he should, from his experience, have known better than to act as he did.
73. In terms of mitigation, and rather as a balance to the last point, there is his seniority because that ties in with his unblemished record beforehand. A particular matter of mitigation is the very unusual circumstances and, undoubtedly, we find, the family loyalty that was the beginning of this. There is nothing to suggest that, but for the misdemeanours, if that is not too mild a word, of Ms Khan, would any of this have arisen.
74. We regard this as very serious and, albeit placing it in the middle range, we think it is to the top of that range and arguably just beyond it. Our unanimous sanction would therefore be a period of suspension from practice for 12 months.

Charges 5 & 6

75. Charges 5 and 6 engage Core Duties 1 and 5 and core responsibility 3.3. Again, the indicative misconduct group is G, the administration of justice. In terms of culpability, many of the same points that I have mentioned at some length in relation to charges 1 and 2 apply with equal force although not precisely in the same terms, because the objective in relation to charges 5 and 6 was not, in terms, to circumvent the directions of the High Court in relation to the sanctions imposed upon Ms Khan, although of course, that remained a serious factor in the background, and culpability is still made out to a high degree.

76. Again, as before, the harm in relation to this was mercifully relatively limited, probably only giving the coroner a certain amount of inconvenience and additional work to undertake in managing the complexities of the inquest. The aggravating features and mitigating features are, in our judgment, the same as arise in relation to charges 1 and 2.
77. We find that this also falls within the middle range of indicative sentences, but given that the culpability is a little lower and the circumstances are rather different, we feel that it falls lower down in the bracket, not at the top of the bracket, but at a level that would, in our unanimous view, indicate a sanction of six months' suspension from practice.

Charges 11 & 12

78. In relation to charges 11 and 12, they engage Core Duties 3, 1 and 5. The indicative misconduct groups are principally F, misleading the court, although there is obviously an overlap with G, the administration of justice. Group F begins with the description that this group '*covers all forms of misleading, whether in relation to the court or an individual, and whether in relation to legal proceedings or otherwise. It is intended to cover misleading statements or behaviours which fall short of dishonesty or have not been charged as dishonesty*.'
79. The culpability in relation to the matters in question are firstly the nature and extent of the inaccurate statement made by Mr Khan to the coroner which arose not spontaneously, but after a series of questions from the coroner, which we find to have been precise and probing, calling for an exact and careful answer.
80. The culpability also in play is his motivation, because we are satisfied that he uttered the sentence that we have recorded in order to convince the coroner of the position and so preserve Mr Khan's position in the inquest. Equally, his choice of words, and in particular the phrase "*many, many"* in context, was to provide a false level of reassurance as to the accuracy of his statement.
81. We find that the statement he made, was made deliberately rather than recklessly (although one member of the panel would have been persuaded to say that it was reckless, the majority found that it was deliberate). In terms of harm, that was again, happily, limited in these circumstances. It obviously persuaded the coroner, but nothing further flowed from that.

82. The sanction range under guideline F again has three categories, and we are satisfied again that this falls within the middle range: moderate culpability together with limited harm. We do accept, particularly given the very limited nature of the harm, that it falls towards the lower end of the bracket.
83. In terms of aggravating features, there were no easy cross-checks for the coroner to make, and so the statement was, in effect, designed in that way. There has been no attempt by Mr Khan, notwithstanding what we see as the plainest of evidence, to show contrition or to correct the record.
84. In terms of mitigation, they are the same points as have been mentioned before. In addition, we accept that this, on its face, is an isolated breach of this core duty. Weighing up the factors against and for, therefore, the indicative sanction that we come to in relation to these two charges would be one of three months' suspension.
85. We then have to step back because there are six matters to consider. I have already indicated the BSB's general points of mitigation and, to be fair to Mr Khan, he really rested his speech in mitigation on the points that had been identified by the BSB. He did not point to any particular matters in his personal life or personal circumstances, although he emphasised earlier today the potential for reputational damage to him.
86. He also indicated, a bit late in the day but to clarify matters, that in reality he does not practise at the independent Bar now, having accepted no instructions in that regard for some time, and that his role with Just for Public Limited is very limited indeed, probably extending only to some minor matters of advice from time to time.

Totalilty

87. So we need to look at all of those factors in addition. The totality exercise, of course, requires us to say whether, because there are six charges rather than one, there are reasons to look at the overall conduct and to see whether it is more serious as a result.
88. There are, we accept, credible arguments to make charges 11 and 12 consecutive to the others because they arise from different circumstances on a different occasion and really give rise to a different element of misconduct. But we have stepped back, having regard to all of the features in the case for and against, and our unanimous concluded view is that the total sanction for the most serious matters under charges 1 and 2 represents, as we

have indicated, an adequate and proportionate response to the totality argument and accordingly to the overall justice of he case.

89. We therefore propose to impose the sanctions as we have mentioned them in an indicative sense in reading out this ruling. The fact of the matter is that the total sanction will therefore be 12 months' suspension from practice, all of the matters to run concurrent with each other: charges 1 and 2, 12 months; charges 5 and 6, six months; and charges 11 and 12, three months, all periods of suspension from practice, so the total sanction is 12 months suspension.

Costs

90. The Tribunal awarded costs of £6960.00 to the BSB and dismissed Mr Khan's cross application for costs.

Dated: 10 June 2026

HH Mark Rogers

Chairman of the Tribunal