



Report of Finding and Sanction

Respondent	Mr Paul Wynell-Sutherland
Case reference	2024/0798/D5
Inn of Court	Inner Temple (October,2000)
Status at hearing	Registered
Hearing date/s	12 June 2026
Tribunal Type	5 Person Tribunal

Tribunal members

Chair	HHJ Martyn Zeidman KC
Barrister member	Aaminah Khan
Barrister member	Justine Davidge
Lay member	Hannah Patchett
Lay member	Clara Cheetham

Representatives

Bar Standards Board	Winston Jacob
Respondent	Janice Brennan

Outcome

Findings	All charges admitted.
Sanction	Disbarment.
Costs	N/A

1. In accordance with an appointment made by the President of the Council of the Inns of Court contained in a Convening Order dated 27 May 2026, The Tribunal sat on 12 June 2026 to hear and determine 5 charges of professional misconduct contrary to the Code of Conduct of the Bar of England and Wales against Mr Paul Wynell-Sutherland, barrister of the Honourable Society of Inner Temple.

Charges

2. The following charges were admitted.

Charge 1

Statement of Offence

Professional misconduct, contrary to Core Duty 5 of the Bar Standards Board Handbook (versions 4.0 and 4.1).

Particulars of Offence

Paul Wynell-Sutherland, a dual capacity barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 26 June 2019, he:

drove a motor vehicle on a road after consuming so much alcohol that the proportion of it in his breath was 116 microgrammes per 100 millilitres of breath, which exceeded the prescribed limit of 35 microgrammes of alcohol per 100 millilitres of breath; and he failed to stop the vehicle on being required to do so by a constable in uniform.

For this conduct, on 25 July 2019, he was convicted of offences under sections 5(1)(a) and 163(3) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

Charge 2

Statement of Offence

Professional misconduct contrary to rC65.2 of the Bar Standards Board Handbook (versions 4.1 to 4.8).

Particulars of Offence

Paul Wynell-Sutherland failed to report promptly to the Bar Standards Board that on 25 July 2019 he had been convicted of the offences detailed in Charge 1.

Charge 3

Statement of Offence

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

Particulars of Offence

Paul Wynell-Sutherland, a dual capacity barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in him or in the profession, in that, on 8 March 2023, he:

drove a motor vehicle on a road while disqualified from holding or obtaining a driving licence; and when suspected of having driven a motor vehicle on a road and/or having been in charge of a motor vehicle on a road whilst unfit through drink and having been required to provide a specimen of breath for analysis failed without reasonable excuse to do so.

For this conduct, on 26 February 2024, he was convicted of offences under sections 7(6) and 103(1)(b) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

Charge 4

Statement of Offence

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

Particulars of Offence

Paul Wynell-Sutherland, a dual capacity barrister, behaved in a way which was likely to diminish the trust and confidence which the public places in him or in the profession, in that: on 13 May 2023, he drove a motor vehicle on a road while disqualified from holding or obtaining a driving licence; and on 14 May 2023, when suspected of having driven a vehicle and having been required to provide a specimen or specimens of breath for analysis failed without reasonable excuse to do so.

For this conduct, on 26 February 2024, he was convicted of offences under sections 7(6) and 103(1)(b) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

Charge 5

Statement of Offence

Professional misconduct contrary to rC65.2 of the Bar Standards Board Handbook (versions 4.7 and 4.8).

Particulars of Offence

Paul Wynell-Sutherland failed to report promptly to the Bar Standards Board that on 26 February 2024 he had been convicted of the offences detailed in Charges 3 and 4.

Parties Present and Representation

3. The Respondent was present and was represented by Ms Janice Brennan. The Bar Standards Board ("BSB") was represented by Mr Winston Jacob.

Pleas

4. Mr Wynell-Sutherland admitted all five charges.

Reasons for Decision

Findings of misconduct

5. At the start of the hearing the five charges of misconduct faced by the Respondent were put to him. He admitted each of them. As such, the Panel found each of the charges proved in accordance with rE193 of the Enforcement Regulations.
6. The Panel then heard submissions from the Applicant and the Respondents as to, and went onto consider, the appropriate sanction in this matter.

Sanction

7. Any offence involving drink driving or failing to provide a specimen of breath for analysis is to be taken seriously, likewise driving whilst disqualified.
8. Here we are dealing with serious repeat offending that spans over a 4-year period.
9. There are three separate occasions of wrong-doing involving the commission of six criminal offences.
10. 26th June 2019: Drink driving and failing to stop when requested to do so by a police constable in uniform. Memorandum of Conviction in Bundle at B1-B2.
11. 8th March 2023: Driving a car whilst disqualified and failing to provide a specimen for analysis at the police station. The Respondent provided a roadside breath test which was positive but then failed to provide an evidential sample of breath while in custody. Memorandum of Conviction in Bundle at B9.
12. 13th May 2023: Driving a car whilst disqualified and on 14th May 2023 failed to provide a specimen of breath to the police when suspected of having driven a car. Memorandum of Conviction in Bundle at B3.
13. In terms of sentence for these offences the Respondent received community orders and periods of disqualification.

14. In addition, the Respondent failed to report promptly to the Bar Standards Board the offences that are the subject of Charges 1, 3 and 4, as set out in Charges 2 and 5.
15. As noted above, the Respondent has admitted each of the allegations of misconduct brought by the Bar Standards Board and has produced a number of medical reports and many character witnesses.
16. Those matters will all need to be taken into account, but we begin by reminding ourselves as set out in page 4 of the Sanctions Guide of the purposes of sanctions.
17. It is to:-

[i] Protect the public and consumers of legal services

[ii] Maintain public confidence and trust in the profession and the enforcement system

[iii] Maintain and promote high standards of behaviour and performance at the Bar

[iv] Act as a deterrent to the individual barrister or regulated entity, as well as the wider profession, from engaging in the misconduct subject to sanction.

18. In determining sanction, the Panel followed the methodology set out at page 11 of the Sanctions Guidance.

Appropriate Misconduct Group

19. The first step is to identify the appropriate applicable Misconduct Group for the misconduct.
20. Group E deals with criminal convictions (p49 of the Sanction Guide) and Group L with Obligations to the Regulator.

Assessing seriousness

21. We, first, need under the heading of culpability to consider 'the seriousness of the offence leading to the conviction' (Group E culpability factors).
22. In our view drink driving, failing to provide a specimen and driving whilst disqualified are all serious offences. This was accepted by the Respondent. Secondly, in terms of harm we need to consider a number of factors which we think relevant to this case:
 - 'The number of people directly affected by the offence' (Group E harm factors).
23. Fortunately, no death or injury resulted from the driving even though we know that in 2019 the Respondent was very greatly over the limit. Likewise, no other road user was affected by the fact that the Respondent was driving whilst disqualified (and therefore uninsured).
 - As set out in Annex 2 (Page 75 of the Sanction Guide), we should consider not only actual harm but also 'the risk of harm where no actual harm occurred'
24. It is clear that to drive with excess alcohol and when one is disqualified represents a very high degree of risk to other road users.
 - 'The impact on the public confidence in the legal profession' (page 75 of the Sanction Guide).
25. Similarly, the impact on the public confidence in the legal profession is severe. Members of the public would be highly concerned that this type of offending could be done repeatedly by a barrister.

Indicative sanction range

26. Considering the seriousness of the offences combined, and the potential harm that could have been caused to others, as well as the harm caused to the profession by the Respondents actions means that this matter reaches the Upper range of seriousness for Group E matters.

Aggravating and mitigating factors

Aggravation

27. We need to bear in mind that this is not a one- off offence. There is (as set out in the Aggravating Features of the Guide (p50) 'a history of such behaviour.'
28. We accept entirely that we must apply the principle of totality and the guidance on this at page 55 of the Sanctions Guide.
29. It means that we do not determine the position for one offence and then multiply it by the number of offences.
30. That said, there is no doubt that to commit a number of offences (especially on separate occasions) is an aggravating feature and must be reflected in the sanction imposed.
31. In relation to the offence on 8 March 2023, a further aggravating feature is that the police report reveals that the Respondent initially gave false details to the attending officers.
32. A final, further feature of the misconduct is that the Respondent 'failed to report the convictions promptly', as set out in Charges 2 and 5 and by his own admission.
33. If we regard this as an aggravating feature, specifically of Charge 1, where there was a 4-year gap between the conviction and the matter coming to the attention of the Bar Standards Board, then we must ensure that there is no double counting when we come to the separate charges based on non-reporting.

Mitigation

34. The application of the appropriate sanction necessarily requires a careful consideration of the available mitigation and that includes (as set out in the Guide) 'evidence of rehabilitation or associated treatment.'

Mitigation Concerning the Offences Themselves:

35. *26th June 2019: Drink driving and failing to stop when requested to do so by a police constable in uniform. Memorandum of Conviction in Bundle at B1-B2*
36. We are not given any information as to why the Respondent was driving in this very intoxicated state or why he failed to stop when requested to do so. The mitigation put forward as to his stressful personal circumstances at the time is not in of itself mitigation of the offence, but rather personal mitigation, which will be addressed separately.
37. *8th March 2023: Driving a car whilst disqualified and failing to provide a specimen for analysis at the police station. The Respondent provided a roadside breath test which was positive but then failed to provide an evidential sample of breath while in custody. Memorandum of Conviction in Bundle at B9*
38. The context of the Respondent's medical history and his condition at the time has been set out for us, which is likewise a matter to be addressed as personal mitigation.
39. It has been submitted in mitigation that on this occasion the Respondent believed that he was no longer disqualified.

40. It is said that he did an on-line course which would have had the effect of reducing the length of the disqualification from four years to three years, such that he would not have been disqualified on the day in question.
41. We have heard from his counsel that there was a problem with the internet at the time he was completing the course and that although the course was properly completed the records did not record this fact.
42. No evidence has been adduced in support of this point.
43. We asked in the hearing whether there is evidence that the Respondent was registered for the course, or that he was a participant in it, or that he paid the sum required to attend the course.
44. Although we are troubled by these omissions, we have considered it right to give the Respondent the benefit of the doubt, and we will sentence on the basis of his account.
45. *13th May 2023 Driving a car whilst disqualified and on 14th May 2023 failed to provide a specimen of breath to the police when suspected of having driven a car. Memorandum of Conviction in Bundle at B3.*
46. On this matter, the Respondent says that he was just moving his mother's car as she was unable to do so. We do not know the details surrounding this event, but accept the assertion.
47. However, it seems to us that at this stage that he must have known full well that he was still subject to the previous disqualification, given the second set of offences for which he was arrested only a number of weeks earlier.
48. In addition, we think that both instances of failing to provide a specimen and driving whilst disqualified would have been subsequent to the course that he said he had (in substance) completed online, thus indicating that the message of any on line training had been insufficient to avoid the repeat offending.

Offences of non-reporting to the Bar Standards Board:

49. The Respondent through his counsel has explained that:
 - in respect of the 2019 offences, he did not believe he was under any duty to report the offending, as an unregistered barrister without a practising certificate; and
 - in respect of the 2023 offending, he genuinely believed that the police report to the BSB was sufficient to comply with his obligation.
50. However, these matters are ones of strict liability and have already been taken into account when considering the seriousness of the misconduct alleged overall by the Bar Standards Board, as set out above.
51. Taking the case as a whole, including consideration of the aggravating and mitigating factors applicable to the Respondent's misconduct, we remain satisfied that the matters fall well within Upper range of seriousness for Group E matters. This yields an indicative sanction range from suspension to disbarment

Other Matters Raised in Mitigation:

52. Although it would have been hard to challenge any of the charges brought by the BSB, nevertheless the Respondent has the credit of indicating in advance his admission in respect of all matters. This links with much evidence from him in relation to remorse. He cannot put the clock back, but we accept that he regrets greatly the way in which he has behaved. He is contrite.

53. One of the reasons why the Respondent wishes to remain a barrister is to work in places like the citizen's advice bureau. We accept that he has in the past done a great deal of pro bono work and he would wish to continue to do so in the future.
54. In the course of reading the papers we have appreciated that at an earlier stage in his life the Respondent has had serious family and personal difficulties, which were extant during all of his periods of offending and which we do not intend to repeat in this ruling. We do however appreciate the huge strains that he has experienced going back as far as his time in the Navy.
55. We have carefully kept in mind the backdrop of the medical episode suffered by the Respondent in 2022 and its likely effect on him and his cognitive abilities. This is relevant to the later periods of offending, in 2023, but not the earlier convictions, in 2019.
56. We have studied letters from the Respondent's General Practitioner, Dr Sarah Armstrong of the University Health Service. In particular letters of 16th February 2023 (Bundle page B94) and 5th March 2025 (Bundle page B99), which set out his significant medical difficulties and history. She provides a very useful summary and reminds us that:
57. 'All in all the cumulation of events has taken a very significant physical and mental toll on (the Respondent) and all aspects of his daily life.'
58. The Consultant Neurologist Dr Weir (at B95) in his note of 8th November 2022 gives us a neurological insight into the Respondent's medical condition and Simon Black the Senior Occupational Therapist (at B102), in his letter of 19th June 2025) discusses matters further. We have all read these reports with care and sympathy and of course accept their contents.
59. There then follows in the defence bundle impressive character evidence.
60. Mathew Evans (B103) has known the Respondent for around 8 years and regards the Respondent very highly for the reasons that he sets out.
61. Michelle Nardone, the Deputy Head of Malvern College (B105) tells us that the Respondent 'embodies a strong work ethic meticulous attention to detail and an unwavering commitment to ethical principles. In a further report dated 1st June 2026 she writes in her capacity as a 'long standing friend and a professional colleague'. In her third paragraph she summarises the medical difficulties experienced by the Respondent and then goes on to discuss his pro bono work. She tells us that she would trust the Respondent 'implicitly' and believes that 'he can continue to be a credit to the Bar.'
62. Ms Tracey Aquino (B109) who has taught the Respondent and has known him for over two decades summarises the Respondent's feelings over the present matters. 'He is deeply remorseful about his past actions and has made sincere efforts to move forward with his life.'
63. In a final document we have the reference of a retired Senior Circuit Judge who has known the Respondent since he was a pupil barrister and appeals to us to see the offences in context and to deal with the Respondent 'humanely'.

Our Conclusion:

64. We take all these matters of mitigation into account and of course in terms of his health we wish Mr Paul Wynnell - Sutherland well.

65. But the multiplicity of these offences and the serious nature of them, means that he has fallen very much below the standard required of a barrister, which he acknowledges.
66. We also consider that the risk of a recurrence of the type of behaviour which has brought discredit on the barristers' profession must be guarded against.
67. It is our unanimous view, that to satisfy all of the purposes of imposing sanctions, and specifically in order to protect the public and to maintain public confidence and trust in the profession and the enforcement system, the only realistic option is to order a disbarment. In our view, this is what the public would expect to happen where a barrister has behaved in the way that the Respondent did.
68. It follows that we order that the Respondent be ordered to be disbarred.

Costs

69. In the circumstances, and considering the Respondent's means statement as provided, no order is made as to costs.

Immediate Order of suspension

70. In light of the fact that the Respondent has been disbarred, the Panel agrees with the Bar Standards Board's submission that it would be appropriate (under rE227) for Mr Wynell-Sutherland to be suspended from practice immediately today pending the appeal period against his disbarment, otherwise he would be able to practise as he holds a practising certificate, and it would not be in the public interest for him to do so.
71. The Treasurer of the Honourable Society of Inner Temple is requested to take action on this report in accordance with rE239 of the Disciplinary Tribunal Regulations 2017.

Dated: 19th June 2026.

**HHJ Martyn Zeidman KC
Chairman of the Tribunal**