Think Ahead

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Ms Aisha Hussain**
Heard on:	**Thursday, 14 August 2025**
Location:	**Remotely via Microsoft Teams**
Committee:	**HH Suzan Matthews KC (Chair)** **Ms Andrea White (Accountant)** **Mr Nigel Pilkington (Lay)**
Legal Adviser:	**Mr Robin Havard**
Persons present and capacity:	**Mr Mazharul Mustafa (ACCA Case Presenter)** **Miss Sofia Tumburi (Hearings Officer)**
Observers:	**Revelyn Fairbrother (ACCA Staff)**
Summary	**Allegations 1(a) & 2 proved.**
Sanction:	**Severe Reprimand**
Costs:	**£800**

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PRELIMINARY APPLICATIONS

APPLICATION FOR PART OF THE HEARING TO BE HELD IN PRIVATE

1. In the Case Management Form ("CMF"), Ms Hussain had indicated that she may refer to issues relating to [PRIVATE] and that she would wish such matters to be considered by the Committee in private. Ms Hussain repeated her request at the outset of the hearing.

2. Mr Mustafa confirmed that he would not object to Ms Hussain's application as such topics were ordinarily considered to be private and exceptions to the presumption that regulatory hearings should be held in public.

3. The Committee had listened to Ms Hussain's application and the submissions from Mr Mustafa, together with legal advice which it accepted. It was satisfied that those parts of the hearing during which reference was made either to Ms Hussain's [PRIVATE] should be heard in private.

4. Such an order was in the interests of justice and would ensure that the private lives [PRIVATE] of Ms Hussain herself with regard to any evidence relating to [PRIVATE] were protected. The Committee was also satisfied that such an order would not prejudice a fair hearing.

ALLEGATIONS

Ms Aisha Hussain, an ACCA student:

1. On 16 October 2023, Ms Aisha Hussain submitted or caused to be submitted to her employer, Employer A, a false ACCA exam result notification email ("the Email") dated 16 October 2023.

a. Ms Hussain's above conduct was dishonest in that she knew the Email was false because she had edited it herself and she knew she had not attained a pass mark of 52 for her ACCA Performance Management exam; or in the alternative

b. Ms Hussain's conduct demonstrates a failure to act with

integrity.

2. By reason of any or all of the conduct in Allegation 1, Ms Hussain is guilty of misconduct pursuant to Bye-law 8(a)(i).).

DECISION ON FACTS, ALLEGATIONS AND REASONS

ALLEGATION 1(A)

5. This Allegation was not admitted.

6. In reaching its findings in respect of Allegation 1, the Committee relied upon a Hearing Bundle (pages 1 to 85) and a Service Bundle (pages 1 to 26). The Committee had listened to the submissions of Mr Mustafa and the evidence provided by Ms Hussain. The Committee also took into account legal advice, which it accepted.

7. The Committee kept in mind that the burden of proving the allegation rested with ACCA and the standard of proof to be applied was the civil standard, namely on the balance of probabilities.

ACCA'S CASE

8. On 19 July 2022, Ms Hussain became an ACCA registered student.

9. In September 2023, Ms Hussain sat her Performance Management exam ("the exam") as part of her ongoing ACCA qualification.

10. At 12.01am on 16 October 2023, Ms Hussain received an official ACCA exam result notification email regarding her Performance Management exam. The email stated that Ms Hussain had failed the exam, receiving a score of 41 out of 100.

11. At 06.42am on 16 October 2023, Ms Hussain forwarded an edited version of the results email ("the Email") to her colleague in the [PRIVATE] team. Before forwarding the Email, Ms Hussain altered the result from 41 to 52, changing the outcome from a fail to a pass.

12. On 17 October 2023, Ms Hussain's colleague in the [PRIVATE] team responded to the Email, saying "*Congratulations on passing your PM resit exam, that's great news!".* Ms Hussain was encouraged to enrol in the next module and Ms Hussain replied confirming that she would.

13. On 12 March 2024, Ms Hussain attended an internal disciplinary hearing conducted by her employer, Employer A. During this hearing, Ms Hussain admitted to falsifying the Email. As a result, Ms Hussain was found to have committed gross misconduct and summarily dismissed from her role.

14. On 13 March 2024, Ms Hussain received an email from Employer A confirming the outcome of the previous day's disciplinary hearing. The email stated Ms Hussain had admitted *"the deliberate act of falsifying exam results*" which amounted to fraud, and this was given as the reason for her termination.

15. On 18 March 2024, Ms Hussain appealed the outcome of her work disciplinary hearing. In her appeal letter, Ms Hussain outlined various mitigating factors.

16. On 14 May 2024, Ms Hussain's appeal hearing took place but the appeal was not successful. Ms Hussain was notified of the outcome on 21 May 2024.

17. On 21 May 2024, Ms Hussain reported herself to ACCA via an email to ACCA's Exam Integrity mailbox. In her email, Ms Hussain advised she had been dismissed from her job for falsifying exam results, and she provided ACCA with several accompanying documents.

18. On 25 October 2024, the case was assigned to a Senior Investigations Officer ("the SIO").

19. On 12 December 2024, the SIO wrote to Ms Hussain for the first time confirming that an ACCA investigation was taking place. The SIO also asked Ms Hussain a series of questions relating to the investigation.

20. On 16 December 2024, Ms Hussain responded to the SIO. In her response, Ms Hussain confirmed that she had falsified the Email. Ms Hussain also outlined a series of mitigating factors.

21. On 22 January 2025, the SIO wrote to Ms Hussain for a second time requesting additional information.

22. On 26 January 2025, Ms Hussain responded to the SIO and provided the information that had been requested.

23. On 05 February 2025, the SIO wrote to Ms Hussain for a third time requesting additional information.

24. On 07 February 2025, Ms Hussain responded to the SIO. In her response, Ms Hussain once again confirmed that she had falsified the Email, changing her result from 41 to 52. Ms Hussain also provided a copy of the Email which she had edited and forwarded to her colleagues.

25. Mr Mustafa submitted that, on the basis of the account provided by Ms Hussain:

    (i) On receiving the results Email from ACCA, she knew that she had not passed the exam;

    (ii) She had admitted falsifying the results Email sent to her by ACCA by changing the mark from the correct mark, which meant that she had failed the exam, to a higher mark which purported to show that she had passed the exam;

    (iii) When she submitted the results Email which she had altered to her employer, she knew that she was submitting a false document.

26. Mr Mustafa invited the Committee to find that the only reason for doing so was to deceive her employer into believing that she had passed her exam when she knew that this was untrue, and that, by the standards of ordinary decent people, such conduct was dishonest.

MS HUSSAIN'S CASE

27. In considering the account provided by Ms Hussain, the Committee listened to her oral evidence. It had read the responses she had provided to her employers

in the course of its investigation and the subsequent disciplinary and appeal hearings. It had also read the responses provided to ACCA in the course of its investigation, particularly the statement sent to ACCA on 26 April 2025.

28. Ms Hussain had waited some four years to obtain a place on her employer's [PRIVATE]. She had been delighted to be awarded a place on [PRIVATE] and it also meant that her studies would be funded. By way of clarification, Ms Hussain explained that her first attempt at an ACCA exam would be funded by her employer. If she failed that exam, then she would be responsible for paying for any attempt to resit the exam. It would also jeopardise her place on [PRIVATE].

29. Ms Hussain stated that, in the months leading up to her falsification of the results Email and sending it to her employer in October 2023, there were a number of personal issues which had clouded her judgement and caused her to act out of character. Ms Hussain maintained that she had not been intentionally dishonest, rather the cumulative effect of her circumstances had led her to act in an untypical way without thinking through the impact or consequences of her actions.

30. The Committee listened carefully in private to the personal challenges outlined by Ms Hussain. It accepted Ms Hussain's account which included reference to [PRIVATE] in the months leading up to October 2023.

31. [PRIVATE].

32. [PRIVATE].

33. [PRIVATE].

34. [PRIVATE].

35. [PRIVATE].

36. [PRIVATE].

37. Throughout this period, Ms Hussain was working full-time and, with all the other pressures on her as outlined above, she found it impossible to prepare properly for ACCA's exams.

38. As a result, she requested of her employer whether it might be possible to defer her exams for a period, having told them the pressure she was under and the problems she was experiencing. However, her employer indicated that this would not be possible. She was told that her options were to either sit the exam or to withdraw from [PRIVATE]. She did not wish to drop out after waiting so long to get on [PRIVATE] and therefore went ahead with the exam. It was a resit, having failed the exam in March 2023, and therefore she was funding the exam herself.

39. Ms Hussain accepted that:

    (i) On receiving the results Email from ACCA on 16 October 2023 at 12.01a.m., she knew that she had not passed the exam;

    (ii) She had admitted falsifying the results Email sent to her by ACCA by changing the mark from the correct mark, which meant that she had failed the exam, to a higher mark which purported to show that she had passed the exam;

    (iii) When she submitted the results Email which she had altered to her employer later on the morning of 16 October 2023 at 6.41a.m., she knew that she was submitting a false document.

40. However, as stated above, she maintained that there were a number of personal issues which had caused her to act out of character and which had clouded her judgement. Further, she had not slept and had been worrying about the consequences of failing her exam. Due to the cumulative effect of such circumstances, she had not been intentionally dishonest.

THE COMMITTEE'S ANALYSIS AND REASONS FOR ITS DECISION

41. In reaching its decision on whether Ms Hussain had acted dishonestly, it had relied on the test for dishonesty as prescribed by the Supreme Court in the case of *Ivey v Genting Casinos t/a Crockfords* [2017] UKSC 67.

42. The Committee had taken full account of the factors outlined in Ms Hussain's written and oral evidence. It had considerable sympathy for Ms Hussain. However, it was satisfied that, based on her own admission:

    (i) On receiving the results Email from ACCA on 16 October 2023 at 12.01 a.m., she knew from that moment that she had not passed the exam;

    (ii) She had admitted falsifying the results Email sent to her by ACCA by changing the mark from the correct mark, which meant that she had failed the exam, to a higher mark which purported to show that she had passed the exam;

    (iii) When she submitted the results Email which she had altered to her employer later on the morning of 16 October 2023, she knew that she was submitting a false document.

43. The Committee was also satisfied that the purpose of her deliberately falsifying her exam results in a communication with her employer was in an attempt to mislead her employer into believing that she had passed an exam which she had, in fact, failed.

44. Whilst it may be the case that Ms Hussain was under very considerable pressure at the time, the Committee did not accept that it meant that Ms Hussain did not appreciate what she had done, or that what she had done was wrong.

45. The Committee found that, by the standards of ordinary decent people, such conduct was dishonest.

46. Consequently, the Committee found Allegation 1(a) proved.

ALLEGATION 1(B)

47. On the basis that this Allegation was pleaded in the alternative to Allegation 1(a), the Committee made no finding in respect of it.

ALLEGATION 2

48. Taking account of its findings in respect of Allegation 1(a), the Committee found that, in dishonestly altering a document she had received from ACCA and then submitting a falsified document to her employer, Ms Hussain's conduct had fallen far short of what would be expected of an ACCA student member and was serious enough to amount to misconduct.

49. In the Committee's judgement, it brought discredit to Ms Hussain, the Association and the accountancy profession

50. Therefore, the Committee found Allegation 2 proved.

SANCTION AND REASONS

51. The Committee considered what sanction, if any, to impose, taking into account all it had read in the bundle of documents, ACCA's Guidance for Disciplinary Sanctions, and the principle of proportionality. It had also listened to the submissions of Mr Mustafa and Ms Hussain, and taken account of legal advice from the Legal Adviser which it accepted.

52. The Committee considered the available sanctions in increasing order of severity having decided that it was not appropriate to conclude the case with no order.

53. The Committee was mindful of the fact that its role was not to be punitive and that the purpose of any sanction was to protect members of the public, maintain public confidence in the profession and in ACCA, and to declare and uphold proper standards of conduct and performance.

54. The Committee had found Ms Hussain to have acted dishonestly by falsifying a document produced by ACCA. The Committee considered such misconduct to be very serious.

55. The Committee considered whether any mitigating or aggravating factors featured in this case.

56. The Committee found such serious misconduct to be aggravated in the following ways.

57. This was a deliberate act which would have required a level of planning. Falsifying an official document from ACCA suggested some sophistication and it was for her personal benefit in order to stay on [PRIVATE]. It also represented a breach of trust in that it is ACCA's expectation that all of its members, to include student members, will do the right thing even in difficult circumstances.

58. As for mitigating factors, the Committee accepted that there were no previous findings against Ms Hussain.

59. The Committee considered that the issues outlined above in the [PRIVATE] sections of this decision represented matters which were relevant to its deliberations regarding sanction. It was evident that this event took place during a period of Ms Hussain's life when she had to confront many difficult and highly stressful personal challenges.

60. The Committee noted that Ms Hussain had self-reported her conduct to her employers which led to her dismissal. She had also self-reported her conduct to ACCA which had led to an investigation and her appearance before this Committee; she had fully cooperated with the investigation. Whilst she had denied the allegation of dishonesty, Ms Hussain had always admitted the facts on which such an allegation was based and that it amounted to a lack of integrity.

61. In doing so, the Committee was satisfied that Ms Hussain had shown insight into her wrongdoing and she had shown genuine remorse, not only apologising for her conduct in her written representations but also in her evidence to the Committee.

62. The Committee also took account of Ms Hussain's evidence that, since this event took place, she was receiving support on how to deal with stressful situations in the future.

63. Finally, Ms Hussain had produced two testimonials, both of which the Committee found to be relevant and supportive. The testimonial from her current employer confirmed that Ms Hussain had informed them of the reason for her dismissal from her previous employer. Her current employer confirmed that Ms Hussain had a high level of responsibility for the financial management of the organisation, organising the setting and monitoring of budgets, and overseeing invoicing, payments and contracts.

64. The reference includes the following:

"Since starting work with us Aisha has proved herself to be a hardworking, reliable and is valued member of our team" (sic),

and

"In my work with Aisha I have found her to be trustworthy and honest. She has worked at all times with integrity and implemented her role following all appropriate procedures".

65. Taking account of all the circumstances, the Committee found that her dishonest conduct was out of character and the risk of repetition of such behaviour was extremely low.

66. On the basis of its findings, the Committee concluded that neither an admonishment nor a reprimand would represent a sufficient and proportionate outcome. Neither sanction would adequately reflect the seriousness of the Committee's findings.

67. The Committee then considered whether a severe reprimand would be an appropriate, proportionate and sufficient sanction or whether, as a result of its finding that Ms Hussain had acted dishonestly, it was necessary to impose the most severe sanction of removal from the student register.

68. When considering the criteria stipulated for a severe reprimand, the Committee was satisfied that there was evidence of Ms Hussain's understanding and appreciation of the conduct found proved. It was accepted that the misconduct was intentional. However, there was evidence that the conduct would not have caused direct or indirect harm. As stated, Ms Hussain had shown insight and genuine remorse and had a previous good record. There had been no repetition of such behaviour and it was an isolated incident. She had taken corrective steps in seeking support to ensure that such behaviour would not reoccur.

69. Ms Hussain had produced relevant and appropriate testimonials and she had cooperated throughout the investigation, having self-reported her conduct to ACCA.

70. Nevertheless, the Committee had reflected very carefully on the Guidance, and, in particular, sections B2, E, and F. It had noted the guidance taken from *Bolton v The Law Society* and the words of Lord Bingham, when he said, *"the reputation of a profession as a whole is more important than the fortunes of an individual member of that profession",* and that personal mitigation may have less effect in regulatory proceedings than in other jurisdictions as a consequence.

71. The Committee also acknowledged that, in a case of dishonesty, exclusion or removal from the student register would ordinarily follow. However, the Guidance encourages the Committee to still consider all possible sanctions in every case. It recommends that all of the factors outlined in that section should be borne in mind when considering whether the mitigation presented to it was so remarkable or exceptional that it warranted anything less than removal from the student register.

72. The Committee had taken a step back and looked at all of the circumstances of this case. It did not in any way underestimate the seriousness of Ms Hussain's conduct. However, it had been persuaded that this was one of those rare cases where the mitigating factors were exceptional. Ms Hussain had experienced a period in her life which could be considered exceptional in terms of the challenges and difficulties that she had to confront and overcome. At an inordinately difficult time, she had, on this one occasion, acted improperly and

dishonestly and she had accepted full responsibility for what she had done. Whilst such conduct was totally unacceptable, the surrounding circumstances were such that the Committee did not consider it meant that Ms Hussain was a person who was fundamentally unsuited to being a student member of ACCA.

73. The Committee concluded that the appropriate, proportionate and sufficient sanction was to order that Ms Hussain shall be severely reprimanded.

COSTS AND REASONS

74. The Committee had been provided with a simple costs schedule (page 1) and a detailed costs schedule (pages 1 and 2) relating to ACCA's claim for costs. Ms Hussain had also provided the Committee with a Statement of her financial position.

75. The Committee concluded that ACCA was entitled to be awarded costs against Ms Hussain, all allegations having been found proved. The amount of costs for which ACCA applied was £8,369.00. The Committee did not consider that the claim was unreasonable and the estimated time in relation to today’s hearing had been realistic.

76. Ms Hussain had provided ACCA with information relating to her means. She had not provided any supporting documentation. It was understood that Ms Hussain had asked whether she needed to provide any further information but had not received a response. On the basis of the information Ms Hussain had provided, the Committee was satisfied that her financial circumstances were [PRIVATE].

77. In all the circumstances, and in exercising its discretion, the Committee considered that it was reasonable and proportionate to award costs to ACCA in the reduced sum of £800.00.

EFFECTIVE DATE OF ORDER

78. This order shall take effect at the expiry of the period allowed for an appeal in accordance with the Appeal Regulations.

HH Suzan Matthews KC
Chair
14 August 2025