



HEARING

**DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED
CERTIFIED ACCOUNTANTS****REASONS FOR DECISION**

In the matter of: Mr Naveed Hussain

Heard on: Friday, 13 June 2025

Location: Remotely via Microsoft Teams

Committee: Ms Ilana Tessler (Chair)
Mr Ryan Moore (Accountant)
Mr Mark Mills (Lay)

Legal Adviser: Miss Juliet Gibbon (Legal Adviser)

**Persons present
and capacity:** Ms Michelle Terry (ACCA Case Presenter)
Miss Mary Okunowo (Hearings Officer)

Summary Allegations 1, 2 and 3 (I) and 3 (II), 4(a), 4(b), 4(c), 4(d) and 5(I)
(misconduct) found proved.

Sanction: Removed from the student register with immediate effect.

Costs: Mr Hussain to pay a contribution towards ACCA's costs in the sum
of £7,000.00.

PRELIMINARY

1. The Disciplinary Committee (“the Committee”) convened to hear allegations of misconduct against Mr Naveed Hussain. The hearing was conducted remotely through Microsoft Teams. The Committee had a bundle of papers numbered pages 1-141 together with a service bundle, numbered pages 1 to 24. At the second stage of the hearing the Committee was provided with a detailed and a simple schedule of costs.
2. Ms Michelle Terry represented ACCA. Mr Hussain did not attend the hearing and was not represented.

SERVICE AND PROCEEDING IN ABSENCE

3. The notice of hearing, containing all the requisite information about the hearing, was sent by email on 14 May 2025 to Mr Hussain’s registered email address. The Committee had sight of a notification confirming delivery to Mr Hussain’s email address.
4. The Committee was satisfied that the requirements of Regulations 10(1) and 22(1) of The Chartered Certified Accountants’ Complaints and Disciplinary Regulations 2014, as amended (‘the Regulations’) as to service had been complied with.
5. The Committee was satisfied that the notice of hearing had been sent to Mr Hussain’s registered email address, being the email address that he had previously notified to ACCA and the email that he had used to communicate with ACCA on 07 and 14 March 2024 and on 17 May 2024.
6. The Committee accepted the advice of the Legal Adviser who advised that the onus was on Mr Hussain to inform ACCA of any change in his personal details. The Committee was referred to the case of *General Medical Council v Adeogba* [2016] EWCA Civ 162 in which the Court of Appeal stated that the responsibility of the regulator was very simple, ‘*it is to communicate with the practitioner at the address he had provided; neither more nor less. It is the practitioner’s obligation to ensure that the address is up to date*’.

7. In all the circumstances the Committee was satisfied that notice had been effected in accordance with Regulations 10 and 22 of the Regulations.
8. Having satisfied itself that service had been effected in accordance with the Regulations, the Committee went on to consider whether to proceed in the absence of Mr Hussain.
9. The Committee bore in mind that whilst it had a discretion to conduct a hearing in the absence of the relevant person, it should exercise that discretion with the utmost care and caution. The Committee paid due regard to the factors set out in the cases of *Hayward & Others* [2001] 3 WLR 125 and *R v Jones* [2002] UKHL 5.
10. The Committee noted that the Hearings Officer had sent emails to Mr Hussain asking if he would be attending the hearing on 28 May 2025 and on 05, 09 and 11 June 2025 but he had not responded to any of them. Further, the Hearings Officer had attempted to telephone Mr Hussain on 11 June 2025 but without success. It took into account that there had been no correspondence from Mr Hussain since 17 May 2024 when he had sent an email to ACCA requesting a copy of his exam history transcript.
11. The Committee was satisfied that all reasonable attempts have been made to secure Mr Hussain's attendance/participation at the hearing. It noted that he had not asked for an adjournment. The Committee was satisfied that Mr Hussain had voluntarily waived his right to attend. Further, the Committee was mindful that there is a public interest in dealing with regulatory matters expeditiously.
12. In all the circumstances the Committee determined that it was in the public interest to proceed with the hearing in the absence of Mr Hussain.

AMENDMENT TO ALLEGATIONS

13. Ms Terry made an application to amend the allegations so that they read more clearly. She submitted that the stem of Allegation 3 should read: 'Mr Hussain's conduct:'. Allegation 3(I) should read: 'In respect of Allegation 1 was dishonest ...' and 3(II) should read that 'In respect of Allegation 2 was dishonest ...'. Ms Terry also invited the panel to replace the words 'or in the alternative' in Allegation 3(I) with the words 'and/or' and to replace the word

'resists' with the word 're-sits' in both Allegations 3(I) and 3(II). She submitted that the proposed amendments did not alter the substance of the charge and would not prejudice Mr Hussain.

14. The Committee was of the view that the proposed amendments were simply to correct the wording of the allegations and a typographical error, the Committee concluded that there would be no prejudice to Mr Hussain in the allegations being amended. The Committee therefore allowed the proposed amendments.

AMENDED ALLEGATIONS

Mr Naveed Hussain, an ACCA student in relation to his remote invigilated FA2 – Maintaining Financial Records Exam on 09 March 2021:

1. Used, or caused or permitted a third party to use, an unauthorised item to take one or more photographs of his computer screen and exam content, contrary to Exam Regulation 5(a).
2. Shared, or caused or permitted a third party to share, one or more photographs referred to in Allegation 1 above with one or more people, contrary to Examination Regulations 12 and 14.
3. Mr Hussain's conduct:
 - I. In respect of Allegation 1 was dishonest in that he took, or caused or permitted a third party to take, one or more photographs of exam questions from his FA2 exam attempt in order to obtain an unfair advantage in a future exam attempts / re-sits and/or to assist other students in sitting the same exam, and/or:
 - II. In respect of Allegation 2 was dishonest in that he shared, or caused or permitted a third party to share, one or more photographs of exam questions from his FA2 exam attempt in order to obtain an unfair advantage in a future exam attempts / re-sits and/or to assist other students in sitting the same exam, or in the alternative to 3(I) and 3(II):

- III. Such conduct demonstrates a failure to act with integrity.
4. Contrary to Regulation 3(1) of the Complaints and Disciplinary Regulations 2014 (as amended), Mr Hussain failed to co-operate with the investigation of a complaint, in that he did not respond to any or all of ACCA's correspondence sent on:
- a. 17 May 2024
 - b. 12 June 2024
 - c. 15 July 2024
 - d. 30 July 2024
5. By reason of the above, Mr Naveed Hussain is:
- I. Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of the conduct referred to above or, in the alternative
 - II. Liable to disciplinary action pursuant to bye-law 8(iii) (in respect of allegations 1, 2 and 4).

BACKGROUND

15. Mr Hussain registered as a student of ACCA on 11 December 2020. He is, therefore, bound by ACCA's Bye-laws and Regulations, including the Examination Regulations.
16. On 21 December 2023, ACCA received a whistle blower referral enclosing 32 photographs of exam content from the remote invigilated FA2 - Maintaining Financial Records exam ("the exam") that Mr Hussain sat on 09 March 2021. Mr Hussain's student identification number was fully visible in 11 of the photographs and his unique student registration number of the student was partially visible in a further 3 of the photographs. The photographs were analysed by ACCA's Exam Production Team and were confirmed as being exam questions from Mr Hussain's exam attempt at the FA2 exam on 09 March 2021.

17. On 07 March 2024, ACCA's Computer Based Exams ("CBE") Team contacted Mr Hussain by email to notify him that a referral had been made to ACCA's Professional Conduct Department regarding his conduct during his FA2 exam on 09 March 2021. Mr Hussain responded to the email by return and sent a subsequent email to ACCA on 14 March 2024 stating: *'Kindly sir respond me as soon as possible it has been one week ago you still didn't respond me that why you have suspend my account'*.
18. An ACCA Investigations Officer ("IO") wrote to Mr Hussain at his registered email address on 17 May 2024 requesting him to provide his comments and observations on the matter by 31 May 2024. Mr Hussain was informed of his duty to co-operate with ACCA's investigation in accordance with Regulation 3(1).
19. No response was received from Mr Hussain in relation to the investigation, but he did send an email to ACCA on 17 May 2024 requesting a copy of his examination history/transcript, which was sent to him at his registered address in Australia the same day.
20. A first chaser letter was sent by email to Mr Hussain on 12 June 2024 requesting him to provide a response to the letter of 17 May 2024 by 19 June 2024. Mr Hussain was again informed of his duty to co-operate with the investigation but there was no response from Mr Hussain.
21. A second chaser letter was sent by email to Mr Hussain on 15 July 2024 informing him that if he did not provide a satisfactory response to the previous correspondence by 22 July 2024 an allegation under Regulation 3(1) would be raised against him. Mr Hussain, however, failed to respond.
22. A final chaser letter was sent to Mr Hussain on 30 July 2024 informing him that an allegation under Regulation 3(1) would be raised against him. He was invited to remedy his failure to co-operate by providing a response to ACCA's letter of 17 May 2024. Mr Hussain, however, did not respond.
23. On 20 August 2024 the Investigating Officer attempted to call Mr Hussain on his registered telephone number, but the call was not answered.

24. ACCA wrote to Mr Hussain by email on 04 September 2024 enclosing a copy of a report of disciplinary allegations which was to be sent to an independent assessor for review on 21 September 2024. He was invited to submit any comments or concerns that he wished to bring to the assessor's attention by that date. On 14 October 2024 ACCA sent Mr Hussain a letter informing him of the assessor's decision to refer the disciplinary allegations to a hearing. Mr Hussain was invited to complete and return a case management form by 04 November 2024, but he failed to do so.
25. The Case Progression Officer wrote to Mr Hussain by email on 26 February 2025 asking him to confirm if he proposed to attend the disciplinary hearing but again there was no response. Further, the Hearings Officer sent a number of emails to Mr Hussain to ascertain if he would be attending the hearing, but he did not respond.

SUBMISSIONS ON FACTS AND MISCONDUCT

26. Ms Terry took the Committee through the background of the case. She reminded the Committee that Mr Hussain would have agreed that he had read and understood the Examination Regulations prior to sitting the exam.
27. Ms Terry submitted that Mr Hussain had breached Examination Regulation 5 by either having an unauthorised item with him in the exam room which he had used to take one or more photographs of exam content on his computer screen or by causing or permitting a third party to do so. She further submitted that Mr Hussain was also in breach of Examination Regulations 12 and 14 because he had either shared the photographs with one or more person or had caused or permitted a third party to do so.
28. Ms Terry informed the Committee that the reason ACCA was concerned about the sharing of photographs containing exam content was because it may give future exam candidates an unfair advantage in the exam. She explained that ACCA uses a bank of questions and these will be used over and over in multiple exams. If a candidate has early access to the questions that may be in the exam, then they will have an advantage over a student without such access. She submitted that if such a student continues their ACCA journey, they would be able to apply for membership and avail themselves of the privileges and rights of

membership which will have been obtained on a false basis and without being properly qualified, which could have serious implications for members of the public.

29. Ms Terry submitted that Mr Hussain's actions in relation to the breaches of the Examination Regulations were dishonest in that he had breached the regulations in order to gain an unfair advantage in a future exam attempt/re-sit and/or to assist other students in sitting the same exam, or in the alternative his conduct demonstrated a failure to act with integrity.
30. In respect of Allegation 4a-d, Ms Terry referred the Committee to the relevant correspondence sent by email to Mr Hussain by ACCA. She also referred it to the confirmation of delivery for each email and the evidence showing that each of the emails had been opened. She reminded the Committee that each of the letters reminded Mr Hussain of his duty to co-operate in accordance with Regulation 3(1), but he had not responded to any of ACCA's correspondence in respect of the investigation. Ms Terry submitted that, in failing to respond to the correspondence sent to him by ACCA, Mr Hussain had breached Regulation 3(1) of the Regulations, that provides:

'(1) Duty to co-operate

- a. Every relevant person is under a duty to co-operate with any investigating officer and any assessor in relation to the consideration and investigation of any complaint.
 - b. The duty to co-operate includes providing promptly such information, books, papers or records as the investigating officer or assessor may from time to time require.
 - c. A failure or partial failure to co-operate fully with the consideration or investigation of a complaint shall constitute a breach of these regulations and may render the relevant person liable to disciplinary action'.
31. Ms Terry further submitted that the failure of a student to co-operate with their professional body was a very serious matter, demonstrating a lack of professional responsibility and a complete disregard for ACCA's regulatory process. She also submitted that Mr Hussain had an obligation to co-operate with his professional body and to engage with it when a complaint was raised. She submitted that such cooperation is fundamental to ACCA, as his regulator, being able to discharge its obligations of ensuring protection and upholding the reputation of the profession.

32. Ms Terry submitted that it is more likely than not that Mr Hussain knew what he did was wrong, but he did it anyway. She reminded the Committee that as a student he is still held to the high standards of a professional accountant, perhaps more so as he was at the start of his ACCA journey. Ms Terry submitted that Mr Hussain's breaches of Examination Regulations 5, 12 and 14 together with his failure to co-operate with the ACCA investigation against him fell far short of the standards expected of him. She further submitted that his conduct had brought discredit to him, the Association and the accountancy profession. Ms Terry submitted that Mr Hussain's conduct both individually and collectively amounted to misconduct, as defined by bye-law 8(c).

DECISION ON FACTS AND MISCONDUCT

33. The Committee carefully considered all the documentary evidence before it, which included a witness statement made by an Exam Production Technician at ACCA and the photographs that had been sent to ACCA by the whistle blower which were redacted so as not to show the exam content.
34. The Committee took into account the oral submissions made by Ms Terry and it accepted the advice of the Legal Adviser. It bore in mind that the burden of proving the allegations in dispute rests with ACCA and that the standard of proof is the balance of probabilities.
35. The Committee noted that as part of the exam set-up Mr Hussain had agreed to abide by the Examination Regulations.

Allegation 1 – proved

36. The Committee noted Examination Regulation 5(a) that: *'... You are also not permitted to use in your examination room an electronic communication device, camera, any item with smart technology functionality or mobile phones ... these are regarded as 'unauthorised items' and are taken into the examination room at the candidate's own risk ...'*
37. The Committee determined, on the evidence before it, that Mr Hussain had breached Examination Regulation 5a by having a device with a camera in the exam room which he, or a third party, had used to take photographs of the exam content of the FA2 exam that he

sat on 09 March 2021. Under Regulation 5(a) a camera and a mobile phone are regarded as 'unauthorised items'. The fact of the photographs having been taken which, clearly related to the exam sat by Mr Hussain, was in itself clear and compelling evidence of the Examination Regulation having been breached. Mr Hussain had failed to provide ACCA with any explanation as to why he had a camera with him at his exam desk. The Committee therefore found Allegation 1 proved on the balance of probabilities.

Allegation 2 – proved

38. The Committee noted that Examination Regulation 12 provides: *'If you are taking a computer-based exam you are not permitted to copy exam content in any manner, or take photograph/s of your screen'*.
39. The Committee was satisfied that photographs of the exam content of Mr Hussain's F2A exam attempt on 09 March 2021 had been taken by Mr Hussain. It had seen redacted copies of the photographs. It noted that in eleven of the photographs Mr Hussain's student identification number was clearly visible and in a further three photographs his unique student registration number was partially visible. The Committee was satisfied that the photographs were of exam content that was on Mr Hussain's computer-screen during his F2A exam attempt on 09 March 2021 and must have been taken by Mr Hussain, or a third party, on that day.
40. The Committee also took into account Examination Regulation 14 that provides: *'You must not copy, photograph or reproduce in any manner exam questions. You are also strictly prohibited from distributing or seeking to exploit for commercial gain unauthorised copies of exam questions'*. It was satisfied that there were a number of photographs of exam content from Mr Hussain's F2A exam attempt on 09 March 2021 in circulation as these had been provided to ACCA by a whistle blower.
41. The Committee was satisfied, on the balance of probabilities, that on the evidence before it, including photographs of the exam content, Mr Hussain had failed to comply with Examination Regulations 12 and 14. The Committee therefore found Allegation 2 proved on the balance of probabilities.

Allegations 3(I) and 3(II) - proved

42. The Committee next considered whether the conduct found proved in Allegation 1 and Allegation 2 was dishonest, applying the test set out by the Supreme Court in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67.
43. The Committee noted Examination Regulation 6(b) that provides: '*If you breach exam regulation 5, it will be assumed that you intended to use the 'unauthorised items' to gain an unfair advantage in the exam. In any subsequent disciplinary proceedings, you will have to prove that you did not intend to use the unauthorised materials to gain an unfair advantage in the exam*'.
44. The Committee found Allegation 1 proved as a result of Mr Hussain's breach of Examination Regulation 5a. Mr Hussain has failed to provide ACCA with any explanation as to why he had a device capable of taking photographs with him at his exam desk and he had not, therefore, discharged the reverse burden of proof in relation to his breach of Examination Regulation 5a. The Committee therefore found that he intended to gain an unfair advantage in the exam.
45. The Committee was satisfied that Mr Hussain's conduct in taking photographs in a professional exam in order to gain an unfair advantage in that exam and/or allow others to gain such an advantage in future F2A exams was clearly dishonest in accordance with the test set out in *Ivey*.
46. In relation to Allegation 2, the Committee was satisfied that by sharing the photographs Mr Hussain must have either intended to gain an unfair advantage in a future attempt at the F2A exam or he intended for other students to gain an unfair advantage in the F2A exam. The Committee was satisfied that such conduct was dishonest in accordance with the test for dishonesty set out in *Ivey*.
47. The Committee was therefore satisfied on the balance of probabilities that Mr Hussain's conduct as set out in both Allegation 1 and Allegation 2 was dishonest.

48. Having found Allegation 3(I) and Allegation 3(II) proved, the Committee did not go on to consider Allegation 3(III), which was pleaded in the alternative.

Allegations 4a, 4b, 4c and 4d - proved

49. The Committee was satisfied on the evidence before it that ACCA had written to Mr Hussain on four occasions, being 17 May 2024, 12 June 2024, 15 July 2024 and 30 July 2024, asking him to respond to the complaint made against him. It was further satisfied that each of the emails had been successfully delivered to Mr Hussain's email address and opened. In each email Mr Hussain had been reminded by ACCA of his duty to co-operate with the investigation in accordance with Regulation 3(1) of the Regulations. Mr Hussain, however, had not responded to any of ACCA's correspondence relating to the investigation. The Committee, therefore, found Allegations 4a, 4b, 4c and 4d proved on the balance of probabilities.

Allegation 5(I) – (misconduct) proved

50. The Committee next considered whether the facts found proved in relation to Allegations 1, 2, 3 and 4 amounted to misconduct.
51. The Committee noted Mr Hussain's dishonest conduct during his exam attempt on 09 March 2021. He had used an 'unauthorised item', a camera, in the exam room to take photographs of the exam content on his computer screen and the photographs were subsequently shared with others. The Committee considered that such conduct in a professional examination undermined ACCA's examination process, the reputation of the profession and ACCA as the regulator.
52. The Committee also determined that Mr Hussain's conduct, in failing to co-operate with the investigation of the complaint made against him, fell far below the standards expected of a student of ACCA. In the Committee's determination, Mr Hussain's dishonest conduct during his F2A exam attempt on 09 March 2021 and his failure to co-operate with the investigation undermined the integrity of ACCA's investigatory process and had brought discredit to Mr Hussain, the Association and the accountancy profession.

53. The Committee determined that Mr Hussain's conduct in breaching Examination Regulations 5a, 12 and 14 and his failure to co-operate during ACCA's investigation was very serious and individually and collectively amounted to misconduct.

Allegation 5(II) – Not Considered

54. The Committee, having found Allegation 5(I) proved, did not go on to consider the alternative charge set out in Allegation 5(II).

SUBMISSIONS ON SANCTION AND COSTS

55. The Committee was informed that Mr Hussain had no previous findings recorded against him.
56. Ms Terry referred the Committee to ACCA's 'Guidance for Disciplinary Sanctions' and, in particular, section E2 which provides guidance on dishonesty cases. She submitted that the appropriate and proportionate sanction in this case was a matter for the judgement of the Committee.
57. In respect of costs, Ms Terry referred the Committee to the detailed and simple costs schedules. She informed the Committee that Mr Hussain had not returned a Statement of Financial Means. She submitted that ACCA claimed costs in the sum of £7,513 but suggested that the Committee may wish to reduce the costs claimed by ACCA as the hearing had taken less than the time allowed for in the schedules.

SANCTION AND REASONS

58. In reaching its decision on sanction, the Committee considered Regulation 13(4) in determining what, if any, sanction to impose on Mr Hussain. It took into account the submissions made by Ms Terry and it referred to the Guidance for Disciplinary Sanctions issued by ACCA (updated 14 February 2024). The Committee had in mind the fact that the purpose of a sanction was not to punish Mr Hussain, but to protect the public, maintain public confidence in the profession and maintain proper standards of conduct, and that any

sanction it imposed must be proportionate. The Committee accepted the advice of the Legal Adviser.

59. When considering what, if any, sanction to impose the Committee gave careful consideration to the aggravating and mitigating features of the case.
60. The Committee considered that the only mitigating feature in the case was that Mr Hussain had no previous disciplinary findings recorded against him. It noted, however, that he had only been a registered student of ACCA since 11 December 2020 and the F2A exam was on 09 March 2021.
61. The Committee considered that the misconduct involved the following aggravating features:
 - a. This was premeditated dishonest conduct on Mr Hussain's part that involved a degree of planning in order to gain an unfair advantage in an ACCA professional exam and/or to allow future exam candidates to obtain an unfair advantage in a professional exam.
 - b. Mr Hussain's dishonest conduct had the potential to place members of the public at risk of harm as he and/or other ACCA students, could have gone on to falsely achieve membership of ACCA when they were not properly qualified to act as a professional accountant.
 - c. Mr Hussain's breaches of the Examination Regulations had the potential to undermine public trust in ACCA's exam process.
 - d. Mr Hussain's failure to co-operate with ACCA's investigation had the potential to undermine ACCA's investigatory process.
 - e. Mr Hussain had demonstrated no insight into his dishonest conduct and his failure to cooperate with ACCA's investigation.
 - f. Mr Hussain had demonstrated no remorse for his dishonest conduct and his failure to cooperate with ACCA's investigation.

62. The Committee went on to consider what, if any, was the appropriate and proportionate sanction to impose in this case. It did not think it appropriate, or in the public interest, to take no further action or to order an admonishment in a case where a student of ACCA had deliberately breached the Examination Regulations during a professional exam attempt and had subsequently failed to co-operate with ACCA's investigation.
63. The Committee then considered whether to reprimand Mr Hussain. The guidance indicates that a reprimand would be appropriate in cases where the misconduct is of a minor nature; there appears to be no continuing risk to the public and there has been sufficient evidence of an individual's understanding; together with genuine insight into the misconduct found proved. Mr Hussain has provided no evidence of insight into his misconduct, and, in the Committee's view, the misconduct was not of a minor nature. Accordingly, the Committee concluded that a reprimand would not adequately reflect the seriousness of the conduct in this case.
64. The Committee next considered whether a severe reprimand would be a sufficient and proportionate sanction or whether removal from the student register was required. The guidance indicates that a severe reprimand would usually be applied in situations where the conduct is of a serious nature but where there are particular circumstances of the case, or mitigation advanced, which satisfies the Committee that there is no continuing risk to the public and there is evidence of the individual's understanding and appreciation of the conduct found proved. The guidance suggests that this sanction may be appropriate where most of the following factors are present:
- a. The misconduct was not intentional and no longer continuing.
 - b. Evidence that the conduct would not have caused direct or indirect harm.
 - c. Insight into failings.
 - d. Genuine expression of regret/apologies.
 - e. Previous good record.
 - f. No repetition of failure/conduct since the matters alleged.
 - g. Rehabilitative/corrective steps taken to cure the conduct and ensure future errors do not occur.
 - h. Relevant and appropriate references.
 - i. Co-operation during the investigation stage.

65. The Committee took into account that Mr Hussain's dishonest conduct had been deliberate and intentional, he had failed to co-operate with ACCA's investigation and there was no evidence of any insight into his failings or any remorse. It also noted that the only applicable factors were that Mr Hussain has a previous good disciplinary record and there was no evidence before the Committee that the conduct had been repeated.
66. The Committee concluded that a severe reprimand would not be an appropriate or sufficient sanction to protect the public.
67. The Committee was mindful that the sanction of removal from the student register was the most serious sanction that could be imposed. The Committee took into account the guidance that this sanction was likely to be appropriate when the behaviour of the student was fundamentally incompatible with being a registered student of ACCA. The Committee was satisfied that Mr Hussain's deliberate conduct in having a camera in the exam room with him that he had used to take photographs of exam content which had been shared with others had reached that high threshold. Mr Hussain had not co-operated with ACCA's investigation and there was no mitigation before the Committee to warrant anything other than removal from the student register.
68. For the above reasons, the Committee concluded that the appropriate and proportionate sanction was removal from the student register. The Committee directed that it was in the interests of the public that the order should have immediate effect.
69. The Committee did not deem it necessary to extend the minimum 12-month period before which Mr Hussain is able to reapply for admission as a student member.

DECISION ON COSTS AND REASONS

70. The Committee was provided with two schedules of costs. It noted that Mr Hussain had not provided a completed Statement of Financial Position. ACCA applied for costs in the sum of £7,513.00 in respect of the investigation against Mr Hussain and the hearing.

71. The Committee had no information from Mr Hussain about his current financial circumstances.
72. The Committee was satisfied that the costs sought by ACCA were appropriate and had been reasonably incurred. It determined that it did not have any information about Mr Hussain's current financial means and, in the absence of such, it inferred that he is able to meet an order for costs in the sum claimed.
73. The Committee applied the principle that the majority of those paying ACCA's fees should not be required to subsidise the minority who, through their own misconduct, have found themselves subject to disciplinary proceedings. It considered there was no reason for this to be disapplied: Mr Hussain had been found guilty of misconduct and all the allegations made against him had been found proved.
74. The Committee did, however, consider that the costs claimed should be reduced to reflect the fact that the hearing had taken less time than accounted for in the two schedules of costs.
75. The Committee determined that, in all the circumstances, it would be fair and proportionate to order Mr Hussain to pay a contribution towards ACCA's costs in the sum of £7,000.00.

ORDER

- i. Mr Naveed Hussain shall be removed from ACCA's student register with immediate effect.
- ii. Mr Naveed Hussain shall pay a contribution towards ACCA's costs in the sum of £7,000.
- iii. The Interim Suspension Order imposed on 05 July 2024 is revoked.

EFFECTIVE DATE OF ORDER

76. The Committee determined that in the interests of the public the sanction of removal from the student register should take effect immediately in accordance with Regulation 20(1)(b) of the Regulations.

77. In accordance with Regulation 20(2) the order for Mr Hussain to pay a contribution towards ACCA's costs in the sum of £7,000.00 shall have immediate effect.

Ms Ilana Tessler
Chair
13 June 2025