

HEARING

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

In the matter of: Ms Hajira Rehnaz

Heard on: Wednesday, 19 March 2025

Location: Remotely via Microsoft Teams

Committee: Mr Maurice Cohen (Chair)
Mr George Wood (Accountant)
Mr Nigel Pilkington (Lay)

Legal Adviser: Ms Giovanna Palmiero

Persons present

and capacity: Mr Richard Ive (Case Presenter on behalf of ACCA)
Miss Nicole Boateng (Hearings Officer)

Summary: Disqualified from examinations of the Association in
accordance with Regulation 13(7)(c).

No application for readmission to be considered for a
period of 12 months from the effective date of this order in
accordance with Regulation 13(12).

Costs: £6,400.00

INTRODUCTION

1. The Disciplinary Committee (“the Committee”) convened to hear allegations of misconduct against Ms Hajira Rehnaz (Ms Rehnaz).

2. Mr Richard Ive (Mr Ive) presented the case on behalf of ACCA.
3. Ms Rehnaz did not attend and was not represented.
4. The Committee had confirmed that it was not aware of any conflicts of interest in relation to the case.
5. In accordance with Regulation 11(1)(a) of the Chartered Certificate Accountants' Complaints and Disciplinary Regulations 2014 (the Regulations), the hearing was conducted in public.
6. The hearing was conducted remotely via Microsoft Teams.
7. The Committee was provided with, and considered in advance, the following documents:
 - (i) A Report & Hearing Bundle with pages numbered 1-64;
 - (ii) A Service Bundle numbered with pages numbered 1-23.
 - (iii) Cost Schedules were provided to the Committee at the sanction stage.

PRELIMINARY APPLICATIONS

SERVICE OF PAPERS

8. The Committee was informed that Ms Rehnaz had been served with a notice of today's hearing, together with the necessary papers via electronic mail on 19 February 2025.
9. The Committee was satisfied that notice had been sent to Ms Rehnaz's registered email address in accordance with Regulation 22 of the 2014 Regulations as amended. The Committee noted that the email had been delivered successfully. Regulation 22(8) stipulates that, when a notice has

been sent by email, it is deemed to have been served on the day it was sent. Accordingly, the Committee was satisfied that Ms Rehnaz had been given 28 days' notice with the necessary information required in accordance with Regulation 10.

10. The Committee decided that Ms Rehnaz had been properly served with Notice of Proceedings.

PROCEEDING IN ABSENCE

11. The Committee was informed that the ACCA Hearings Officer (HO) had emailed Ms Rehnaz on 10 March 2025, to request her confirmation as to whether she would be attending at the hearing.
12. On 11 March 2025 Ms Rehnaz responded via email stating:

“Dear ACCA Team,

I hope this email finds you well.

I wanted to inform you that I will be unavailable on the scheduled date due to [Private]

Regarding my FMA exam, I sincerely regret my mistake. I acknowledge that I was found with a formula sheet, but I want to clarify that it was not intentional—I mistakenly carried it with me. The invigilator confiscated the sheet within the first two minutes, but at that moment, I went into shock, realizing the gravity of my mistake.

This incident left me extremely anxious, and as a result, I was unable to perform well in my exam. I assure you that I had no intention of violating the rules, and I deeply regret this oversight.

I kindly request your understanding and forgiveness regarding this matter, and I truly appreciate your time and consideration.

*Best regards,
Hajira Rehnaz*

13. On 13 March 2025 the Hearings Officer emailed Ms Rehnaz in response to her email, asking her to clarify whether she wished for the proceedings to be adjourned or to proceed in her absence. There was no response to this email, so the Hearings Officer called Ms Rehnaz on 17 March 2025. This call did not ring and there was no facility to provide a voice message.
14. The Committee considered that ACCA had taken reasonable steps to encourage Ms Rehnaz to attend the hearing. The Committee was satisfied that the emails had been sent to the email address on ACCA's register and that there was a record of the emails having been delivered successfully. The Committee noted that Ms Rehnaz had been given sufficient notice of the hearing and notified that if she did not attend then the Committee could proceed in her absence. The Committee concluded, on the balance of probabilities, that Ms Rehnaz was aware of today's hearing, had voluntarily absented herself from the hearing.
15. The Committee was also satisfied that taking the seriousness of the allegations into account, it was in the public interest to proceed expeditiously. The Committee did not consider that any benefit would be obtained by adjourning the hearing and in any event no such application was made by Ms Rehnaz who had failed to engage with the process. It was appropriate and proportionate in the circumstances to proceed in Ms Rehnaz absence.

ALLEGATIONS

16. Ms Hajira Rehnaz, a student of the Association of Chartered Certified Accountants ('ACCA'):
 1. During an FMA examination held on 17 April 2023:
 - (a) Was in possession of unauthorised material, namely a piece of paper which included handwritten formulas on it (the 'Unauthorised Material'), contrary to Examination Regulation 4;

(b) Used, or attempted to use, the Unauthorised Material to gain an unfair advantage in the exam.

2. The conduct described in Allegation 1 was:

(a) Dishonest, in that Ms Rehnaz intended to gain an unfair advantage in her exam attempt; or in the alternative;

(b) Demonstrates a failure to act with integrity.

3. By reason of her conduct, Ms Rehnaz is:

(a) Guilty of misconduct pursuant to bye-law 8(a)(i), or in the alternative.

(b) Liable to disciplinary action pursuant to bye-law 8(a)(iii), in respect of Allegation 1(a) only.

BRIEF BACKGROUND

17. Ms Rehnaz first registered as an ACCA student on 20 April 2022. Ms Rehnaz attended [Private] exam centre on 17 April 2023 in order to sit the FMA examination. The exam commenced at 11am and was due to last for 3 hours.

18. All candidates for ACCA examinations are made aware of the Examination Regulations as follows:

- Before an examination, all candidates receive an attendance docket which contains the ACCA examination guidelines and regulations.
- Before an examination starts, the Supervisor's announcements draw candidates' attention to the regulations and guidelines outlined in the attendance docket. In particular, Regulation 4 warns candidates that they are not permitted to use or attempt to use unauthorised materials in the examination.

19. The Exam Centre Supervisor Person A, states in their SCRS 1B form, completed on the day of the exam that when the Exam Invigilator was taking attendance and checking ID, they noticed a piece of paper with writing on it in between Ms Rehnaz's scrap paper provided to her for the exam. The Invigilator took the unauthorised material away from the student who resisted a little saying "*it is just a formula sheet*" and let her complete her examination.
20. A statement was obtained from Person A detailing their role.
21. On the day of the examination, Ms Rehnaz completed an SCRS 2B form and admitted that she was in possession of unauthorised material during the exam. She went on to state that she took it into the exam under the mistaken belief that a formula sheet would not be provided but forgot to give it back when one was provided. She further stated:

"I am ashamed of what I did, it was my duty to give that material to the supervisors when I found my own formula sheet. I am really ashamed of that. Kindly forgive me for my act. I really messed it up. I am really very sorry. Please forgive me it is a matter of my future".
22. A copy of the unauthorised material consists of a sheet of paper with written contents on it, is in the bundle of evidence. The original unauthorised material has been retained by ACCA.
23. The Examiner Person B confirmed that the material is relevant to the syllabus and this examination. They concluded that the contents of the sheet in the picture would have given the student an advantage in the FMA exam.
24. On 21 August 2023 ACCA requested Ms Rehnaz's comments regarding the incident in question.
25. Ms Rehnaz replied on 22 August 2023 and stated:

“Dear Concern,

It is to state that, after understanding the gravity of the situation, I deeply apologize for the mistake that was committed on my end. Sir! Basically, the document that was found in my possession during the exam of FMA on the said date and time was a formula sheet slip, like the same that is provided to all students officially by the CBE team during the examination. I mistakenly carried it along inside the exam room.

Please consider my excuse for the mistake as it was not any kind of cheating material that I could have used to falsely or illegally qualify the exam for the said subject. Hoping for your kindness to deal with this matter keeping in view that the document found in my possession was not cheating material.

Thank you

Hajira Rehnaz”.

26. Given Ms Rehnaz’s response, further clarification was sought from the exams team as to whether the material found in possession of the student is the same as the material which would be provided by the exam centre for the purposes of the exam.
27. The team responded and confirmed that though a small number of the formulae shown on the handwritten sheet were provided on the formula sheet/tables which candidates received in the exam, the handwritten sheet contains more detailed information which is not given on the formula sheet provided.
28. On 23 January 2024 the examiner’s further comments were put to Ms Rehnaz for comment.
29. Ms Rehnaz responded on 26 January 2024 and stated:

“Dear Concern,

I want to admit that taking the handwritten formula sheet in the examination room on the day of examination was a grave mistake committed at my end and

I apologise for the same unconditionally. Furthermore, I want to add that the additional information that is provided with some of the formulae in the handwritten formula sheet contains no such information so as to help out in the examination for FMA specifically. Please consider my apology as I request you to unhold my result for the FMA as I need to pursue the ACCA Examination in the March 2024 attempt for which the deadline for fee submission is 29th January 2024”.

30. A copy of the formulas provided by ACCA to the student for the exam is in the bundle of evidence.
31. In January 2019 ACCA introduced a declaration in the student registration forms containing a strict liability clause whereby students could be removed administratively. Ms Rehnaz signed the registration form which states:

‘I understand that if my application for registration and/or exemption(s) is found to have been based on false document(s), ACCA may treat my registration as null and void and I may be administratively removed from ACCA's register. I accept that if I am removed for this reason, I will not be entitled to a refund of any registration and/or exemption fee(s). Further, I understand that any new application for registration will need to be considered by ACCA's admissions and licensing Committee’. (sic)

32. Ms Rehnaz was removed from ACCA membership on 11 December 2024.

ACCA SUBMSIONS

33. It is submitted that the allegations referred to above are capable of proof by reference to the factual summary above and the documents in the bundle of documents.

Misconduct:

34. Bye-law 8(a)(i), 8(c), 8(d) refer to misconduct and *Roylance v General Medical Council* [2001] 1 AC 311 says:

“Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a ... practitioner in the particular circumstances.”

35. It is submitted that in attempting and/ or using unauthorised material, which is relevant to the examination, in order to gain an unfair advantage is behaviour which amounts to misconduct under Bye-law 8(a)(i). Misconduct is a matter for the Disciplinary Committee's professional judgment. However, given the admissions, the likely dishonesty finding and the context of professional examinations (and the potential impact on the public in the future), ACCA submits that misconduct is very likely to be found by a Committee.

Dishonesty:

36. In *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 the following comment was made on dishonesty:

‘When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual’s knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.’

Integrity:

37. In *Wingate and Evans v The Solicitors Regulation Authority* [2018] EWCA Civ 366, the Court of Appeal addressed what was required in a professional disciplinary context by the standard of integrity. At paras 95-97, Jackson LJ expressed the matter in a way that applied to regulated professions generally and said this:

“95. *Let me now turn to integrity. As a matter of common parlance and as a matter of law, integrity is a broader concept than honesty...*

96. *Integrity is a more nebulous concept than honesty. Hence it is less easy to define, as a number of judges have noted.*

97. *In professional codes of conduct, the term “integrity” is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members. The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards.”*

38. It is submitted that Ms Rehnaz has breached Examination Regulation 4 by being in possession of unauthorised materials in an examination. It is submitted that her purpose for so doing was to use the unauthorised materials in order to gain an advantage over other students and not permitted by the Exam Regulations. Regulation 6(a) reverses the evidential burden of proof on Ms Rehnaz, where certain conditions are established, to prove that she did not intend to use the unauthorised materials to gain an unfair advantage in the examination. ACCA submits that it is a compelling and proper inference to draw that Ms Rehnaz intended to use the material found in her possession during the exam. Regulation 6(a) is engaged in this case because the unauthorised materials have been found to be relevant to the exam syllabus.

39. Ms Rehnaz has not discharged that burden. The explanation offered as to why the unauthorised material was in her possession is unconvincing.

40. Once a student is found in possession of unauthorised materials it will be assumed that they intended to use the unauthorised material to gain an unfair

advantage in the exam. Ms Rehnaz was found in possession of a piece of paper with written formulas that are evidently related to the syllabus thus exam Regulation 6(a) is engaged. Obtaining an unfair advantage in these circumstances is dishonest.

41. It is submitted that, in the alternative to dishonesty, Ms Rehnaz has breached the Fundamental Principle of Integrity in relation to above. Ms Rehnaz has at the very least, failed in her duty to be “*straightforward and honest.*”
42. It is submitted that seeking and/ or intending to cheat in a professional exam is dishonest by the standards of ordinary decent people. Judged by that standard, it is submitted that Ms Rehnaz’s conduct was clearly dishonest.

Liability to disciplinary action:

43. The conduct alleged amounts to a breach of the Examination Regulations.
44. Further, Ms Rehnaz has admitted to possessing the unauthorised material in the examination of 17 April 2023. If the Committee is not persuaded that this matter amounts to misconduct, ACCA submit that Ms Rehnaz is still liable to disciplinary action because she has breached a regulation.
45. It is submitted that by either using or attempting to use unauthorised materials, Ms Rehnaz has breached Examination Regulations 4 and as such is liable to disciplinary action pursuant to Bye-law 8(a)(iii).

Agreed Facts

46. Ms Rehnaz has admitted to possessing unauthorised materials during the examination.

DECISION ON FACTS AND REASONS

47. The Committee considered ACCA's bundle of evidence and the written representations which were supplemented by Mr Ive orally. The Committee considered the legal advice from the Legal Adviser, which it accepted.
48. The Committee was aware that the burden of proving the facts was on ACCA. Ms Rehnaz did not have to prove anything, and the allegations could only be found proved if the Committee was satisfied on the balance of probabilities. The Committee had been advised specifically by the Legal Advisor in relation to the reverse burden of proof created under Examination Regulation 6(a), and to balance this with the presumption of innocence. The standard of proof on this reverse burden was also on a balance of probabilities.
49. The Committee were aware that Ms Rehnaz did not sign any agreement on 11 December 2024 to be administratively removed from the student register. The Committee did not make any inference of guilt or admission to the allegations in relation to this agreement.

Allegations 1 (a) & (b)

50. The issues for the Committee to determine in respect of these allegations was, firstly whether Ms Rehnaz was in possession of unauthorised material during her exam on 17 April 2023 and secondly was this in order to gain an unfair advantage.
51. In reaching its findings of fact in respect of Allegation 1(a) and 1(b), the Committee had considered carefully, and accepted, the evidence of the following witnesses Person A and Person B. The Committee had also considered the content of the documents provided by ACCA in support of its case.
52. The Committee had reference to the correspondence from Ms Rehnaz in the bundle of evidence and could infer from this, her admission to being in possession of the unauthorised material during her examination.

53. With this in mind, the Committee had to determine whether Ms Rehnaz had this unauthorised material in order to gain an unfair advantage in her exam held on 17 April 2023.
54. The Committee were aware of Examination Regulation 6(a):
- “6. (a) If you breach exam regulation 4 and the ‘unauthorised materials’ are relevant to the syllabus being examined; it will be assumed that you intended to use them 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.”*
55. The Committee noted that Ms Rehnaz denied having this unauthorised material to gain an unfair advantage and submitted that the material only contained the formulae that she would have been permitted to have in any event, which was provided by ACCA.
56. The evidence produced by ACCA showed that the handwritten unauthorised material, contained more information than was on the permitted formula sheet and that this may have assisted Ms Rehnaz with the exam.
57. The onus was therefore upon Ms Rehnaz to show that she *“did not intend to use the unauthorised materials to gain an unfair advantage in the exam.”* The Committee noted that Ms Rehnaz had not provided any information during correspondence on this point.
58. The Committee considered Ms Rehnaz’s argument that possession of the unauthorised material was an inadvertent mistake, was unconvincing and she would have been well aware of the exam regulations and the reasons why she could not have this item. Her attempt to “smuggle” the piece of paper-into the exam was clear from the evidence of Person A.
59. The Committee concluded that due to the fact that the unauthorised material contained more information than contained on the official formula sheet, and that Ms Rehnaz had not rebutted the reverse burden of proof upon her, on a balance of probabilities, the Committee concluded that the unauthorised

material would have assisted her undertaking the exam and therefore gain an unfair advantage.

60. In relation to Allegations 1(a) and 1(b) the Committee was satisfied that there was sufficient evidence on a balance of probabilities for these allegations to be found proved.

Allegation 2 (a) & (b) Dishonesty and Integrity

61. The Committee relied upon its findings of fact under Allegation 1(a) and 1(b) above in assisting with the determination of dishonesty.
62. The Committee noted that following the Supreme Court decision in *Ivey v Genting Casinos* [2017] UKSC 67 in applying the test for dishonesty the Committee first had to determine Ms Rehnaz's actual knowledge or belief and then determine whether her acts or omission were, on the balance of probabilities, dishonest by the standards of ordinary decent people.
63. In reaching its decision in respect of this allegation, the Committee applied the first part of the test for dishonesty. In relation to Allegation 1(a) and 1(b), the Committee determined that if Ms Rehnaz knew she was in possession of unauthorised material and it was to gain an unfair advantage in the exam, then she must have known that what she was doing was wrong and dishonest.
64. The Committee was also satisfied that, by the standards of ordinary decent people, such conduct would be viewed as being dishonest.
65. The Committee therefore found Allegation 2(a), proved on the balance of probabilities.
66. On the basis that Allegations 2(b) was pleaded in the alternative to Allegation 2(a) the Committee made no finding in respect of that allegations as it was not necessary for the Committee to consider Allegation 2(b) which was alleged in the alternative.

Allegation 3 (a) & (b) Misconduct

67. In relation to Allegation 3(a), the Committee applied the test for misconduct, as per the case of *Roylance v General Medical Council* [2001] 1 AC 311, in which it was decided that “*Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a ... practitioner in the particular circumstances.*”.
68. The Committee had found that Ms Rehnaz’s behaviour had been dishonest. Her actions were serious and fundamentally fell short of the standards required of a professional person. The Committee was therefore satisfied that she was guilty of misconduct. Such conduct fell far below the standards expected of an accountant student member of ACCA and could properly be described as deplorable. In the Committee's judgement, it brought discredit to Ms Rehnaz, the Association and the accountancy profession.
69. The Committee therefore found that the matters set out in Allegation 1(a), 1(b), and 2(a) amounted to misconduct, and that Ms Rehnaz was liable to disciplinary action through her misconduct.
70. Having found Allegation 3(a) proved it was not necessary for the Committee to consider Allegation 3(b), which was alleged in the alternative.

SANCTIONS AND REASONS

71. In reaching its decision on sanction, the Committee considered the oral submissions made by Mr Ive on behalf of ACCA. Mr Ive made no submission as to the actual sanction but referred to the Guidance for Disciplinary Sanctions (GDS) and in particular the summary of the general principles. He confirmed that Ms Rehnaz had no other known previous disciplinary findings.
72. The Committee were advised of its powers under Regulation 13(7) of the Regulations when dealing with former registered students. Ms Rehnaz was no longer registered as a student member with ACCA.

73. The Committee noted its powers on sanction were those set out in Regulation 13(7). It had regard to ACCA's Guidance for Disciplinary Sanctions and bore in mind that sanctions are not designed to be punitive and that any sanction must be proportionate. It accepted the advice of the Legal Adviser.
74. The Committee considered that the conduct in this case was very serious. The Committee had regard to Section F of the GDS. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. Being honest is a fundamental requirement of any accountant and Ms Rehnaz had been found to be dishonest.
75. The Committee assessed the aggravating and mitigating features:

Aggravating features:

- Potential for harm if Ms Rehnaz had obtained membership by dishonesty.

Mitigating features:

- There were no previous findings against Ms Rehnaz.
 - Ms Rehnaz engaged with the investigation to a limited extent.
 - Partial admissions made.
 - Limited insight of her wrongdoing.
76. Given the Committee's view of the seriousness of Ms Rehnaz's conduct, it was satisfied that the sanctions of No Further Action, Admonishment and Reprimand were insufficient to highlight to the profession, and the public the gravity of the proven misconduct. In considering a Severe Reprimand, the Committee noted that a majority of the factors listed in the guidance were not present and, in particular, there was no evidence of genuine insight or remorse, and the Committee was concerned about the risk of repetition.
77. The Committee determined that if Ms Rehnaz was still a student member, the Committee would have made a determination to remove her from student register, taking into account the guidance in the GDS, with specific regard to

Section E2 of the GDS on the finding of dishonesty and the seriousness of such a finding on a professional. The public are entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics, even if they are still a student member. The reputation of ACCA and the accountancy profession is built upon the public being able to rely on a student to undertake their examinations honestly.

78. However, due to the fact that Ms Rehnaz was no longer on the student register, the Committee referred to its powers under Regulation 13(7). The Committee was satisfied that Ms Rehnaz's conduct was fundamentally incompatible with being able to re-register as a student member and under Regulation 13(7)(c) of the Regulations, disqualified Ms Rehnaz from undertaking such examinations of ACCA.
79. Under Regulation 13(11) the Committee made an order that any application for re-admission to the student register by Ms Rehnaz be referred to the Admissions and Licensing Committee.
80. Under Regulation 13(12) the Committee determined that re-admission is not to be considered for a period of 12 months to mark the seriousness to the profession and the public.

EFFECTIVE DATE OF ORDER

81. In light of its decision and reasons, the Committee decided it was not in the interests of the public to order that the disqualification to have immediate effect. The Committee was of the view that there was no risk to the public.

COSTS AND REASONS

82. ACCA applied for costs in the sum of £7067.50. The Committee was provided with a Schedule of Costs. The Committee was satisfied that the costs claimed were appropriate and reasonable, but there should be a reduction due to the fact that the hearing took less time than estimated.

83. Despite being given the opportunity to do so, Ms Rehnaz did not provide any details of her means or provide any representations about the costs requested by ACCA. There was, therefore, no evidential basis upon which the Committee could make any reduction on this ground.
84. The Committee had in mind the principle that members against whom an allegation has been proven should pay the reasonable and proportionate cost of ACCA in bringing the case. This was because the majority of members should not be required to subsidise the minority who, through their own failings have found themselves subject to disciplinary proceedings.
85. In light of the above, the Committee made an order for costs against Ms Rehnaz in the sum of £ £6,400.00

Mr Maurice Cohen
Chair
13 March 2025