

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Ms Xuli Zhang

Heard on: Friday, 23 May 2025

Location: Remotely via Microsoft Teams

Committee: Mr Andrew Gell (Chair)
Dr David Horne (Accountant)
Ms Deborah Fajoye (Lay)

Legal Adviser: Miss Judith Chrystie

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

Summary: Removal from the affiliate register with immediate effect

Costs: Cost awarded to ACCA in the sum of £6,200.

SERVICE OF PAPERS

1. Ms Zhang was neither present nor represented.

ACCA



+44 (0)20 7059 5000



info@accaglobal.com



www.accaglobal.com



The Adelphi 1/11 John Adam Street London WC2N 6AU United Kingdom

2. The Committee considered the Service Bundle with pages numbered 1-20 in order to determine whether the Notice of the Hearing ('the Notice') dated 24 April 2025 had been served in accordance with the provisions of the Complaints and Disciplinary Regulations 2014 (as amended) ('the Regulations').
3. The Committee reviewed the mode, the timeframe and the detailed content of the Notice and determined that it complied with the requirements of the Regulations. The Committee was satisfied that there had been effective service.

PROCEEDING IN ABSENCE

4. The Committee considered whether it should proceed in Ms Zhang's absence and recognised that it could only do so with the utmost care and caution.
5. The Committee identified that the Notice had been emailed to Ms Zhang on 24 April 2025, together with a separate email containing the password to access the secure link. ACCA used the same email address as that recorded on Ms Zhang's ACCA record – this was the same email that Ms Zhang had used to correspond with ACCA during the investigation stages. In addition, ACCA had attempted to call Ms Zhang on the number she had registered with ACCA to discuss the hearing on 20 and 22 May 2025. On each occasion, the call rang out and there was no opportunity to leave a voicemail message. ACCA sent follow up emails after each attempted call.
6. The Committee's Service Bundle contained copies of delivery receipts for each email sent by ACCA to Ms Zhang about the hearing. These confirmed that delivery of each email was complete. The Committee was satisfied that the correspondence from ACCA were being delivered to the email address on her record, but that Ms Zhang had chosen not to respond.
7. In this regard, the Committee noted that although Ms Zhang had originally engaged with ACCA's investigations, in emails dated 19 November 2024 and 2 December 2024, Ms Zhang expressed a wish not to respond to any further communications. The email dated 2 December 2024 was in response to notification from ACCA that the allegations against her would be referred to a disciplinary hearing. In that final email she said:

*“This is the last letter from me, I think I should tell you...
I am sorry I will not respond the letter from now.”*

8. In addition to this letter, Ms Zhang had returned the Case Management Form in which she expressly stated that she did not intend to attend the disciplinary hearing nor be represented. Ms Zhang had also confirmed that she consented to the Disciplinary Committee dealing with the case in her absence.
9. The Committee was therefore satisfied that Ms Zhang had been provided with an opportunity to participate in today’s hearing remotely and had made an active decision not to do so. The Committee considered that there would be no purpose in adjourning the hearing: Ms Zhang had not applied for an adjournment, had said she did not wish to engage further nor attend the hearing, and had consented to the Committee proceeding in her absence. The Committee considered it was therefore extremely unlikely that Ms Zhang would choose to attend a future hearing date. The Committee recognised that it had the benefit of Ms Zhang’s written responses, which it would take into account in considering the allegations but concluded that Ms Zhang had voluntarily waived her right to attend.
10. In addition, the Committee recognised the public interest in regulatory proceedings being considered and concluded expeditiously. The allegations involving Ms Zhang were serious – including an allegation of dishonesty.
11. In all the circumstances, the Committee determined that it was fair and just to proceed in Ms Zhang’s absence in accordance with its discretionary power at Regulation 10(7) of the Regulations and that a fair hearing could take place in her absence.

PRELIMINARY ARGUMENTS

12. The Committee identified that the allegations set out in the Case Management Form sent to Ms Zhang were not identically worded to those set out in the report that accompanied the Notice under Reg 10 of the Regulations.
13. The Case Presenter submitted that the nature of the allegations in the contained Case Management Form was the same as those served with the

Notice and set out in the Committee's Report; the changes were not additional allegations. The Case Presenter advised that she could rely on the allegations set out in the Report as the Case Management Form was designed to assist in the management of the hearing and gain an understanding of the case of the person facing the hearing rather than being a formal document.

14. The Committee accepted that the allegations sent to Ms Zhang in the Case Management Form were - by virtue of the provisions set out in Regulation 9(1)(b) of the Regulations – to be regarded as being in draft form only and were open to being amended by ACCA without permission provided changes could be made without unfairness or prejudice to Ms Zhang and that they were served on her as soon as practicable.
15. The Committee recognised that the Notice of Hearing sent under Regulation 10 of the Regulations was required to set out the allegations to be considered by a disciplinary committee and that the Notice served on Ms Zhang specifically referenced that the allegations set out at pages 3 and 4 of the Committee's Report would be considered at the hearing. The Committee was, therefore, satisfied that Ms Zhang had been properly informed of the allegations to be determined by the Committee. Further, the Committee considered the extent of the difference between the allegations contained in the Case Management Form and those in the Committee Report. It concluded that both sets of allegations were substantially the same; there was no significant difference. As such the Committee was satisfied that there was no unfairness or prejudice to Ms Zhang and that it could fairly and properly consider the allegations set out in the Notice.
16. In addition, the Committee observed that proceeding with the case was in the public interest but also likely to be in Ms Zhang's interest. In this regard the Committee identified that in her email dated 2 December 2024, Ms Zhang had expressed concern about the complexity of the matter and the length of time the process was taking and referenced that she felt, [Private] and wanted, [Private].
17. Finally, the Committee determined that it would not take into account the admissions made by Ms Zhang in the Case Management Form in determining whether the allegations were found proved. Whilst the allegations in the Form

were, in essence, the same as those accompanying the Notice, it recognised that Ms Zhang had not provided a formal written response to the Notice. The Committee considered that to be scrupulously fair to Ms Zhang it would not regard the admissions within the Form as proof of the allegations for the purposes of Regulation 12(3)(c) - this provision enabled the Chair to declare those facts found proved when any allegation (or any part of an allegation) have been admitted. The Committee advised that it would, however, consider whether the admissions amounted to mitigation on behalf of Ms Zhang should it reach the point of sanction.

ALLEGATIONS

18. The Committee's papers were as follows:

- a. Disciplinary Committee Report and Bundle with page numbers 1-249.
- b. Separate Bundle with page numbers 1-79.
- c. Additional Bundle with page numbers 1-25.
- d. Service Bundle with page numbers 1-20.

19. The Committee considered the allegations set out below.

Xuli Zhang ('Ms Zhang'), at all material times an ACCA trainee:

- 1) On or about 2 January 2023 in relation to her ACCA Practical Experience Training Record caused or permitted a third party
 - a) To register Person A as her practical experience supervisor and further,
 - b) To approve in Person A's name 52 months of qualifying experience and further,
 - c) To approve in Person A's name her performance objectives.
- 2) Whether by herself or through a third party applied for membership to ACCA on or about 2 January 2023 and in doing so purported to confirm in relation to her ACCA Practical Experience training record she had achieved the following Performance Objectives:

- Performance Objective 1: Ethics and professionalism
- Performance Objective 2: Stakeholder relationship management
- Performance Objective 3: Strategy and innovation
- Performance Objective 4: Governance, risk and control
- Performance Objective 5: Leadership and management
- Performance Objective 6: Record and process transactions and events
- Performance Objective 7: Prepare external financial reports
- Performance Objective 9: Evaluate investment and financing decisions
- Performance Objective 13: Plan and control performance

- 3) Ms Zhang's conduct in respect of the matters described above was: -
- a) In relation to Allegation 1a), dishonest in that Ms Zhang knew her supervisor, Person A, had been falsely registered as her practical experience supervisor.
 - b) In relation to Allegation 1b), dishonest in that Ms Zhang knew her supervisor, Person A, had not approved her qualifying experience.
 - c) In relation to Allegation 1c), dishonest in that Ms Zhang knew Person A had not approved her nine performance objectives.
 - d) In relation to Allegation 2, dishonest in that Ms Zhang knew she had not achieved all or any of the performance objectives as described in the corresponding performance objective statements or at all.
 - e) In the alternative, any or all of the conduct referred to in Allegations 1 and 2 above demonstrates a failure to act with Integrity.
- 4) In the further alternative any or all of the conduct referred to in Allegations 1 and 2 above was reckless in that:

- a) Ms Zhang failed to ensure that her Practical Experience training Record was approved in all material respects by her practical experience supervisor.
 - b) Ms Zhang paid no or insufficient regard to ACCA's requirements to ensure that the statements corresponding with the performance objectives referred to in Allegation 2 accurately set out how each objective had been met.
- 5) By reason of her conduct, Ms Zhang is guilty of misconduct pursuant to ACCA byelaw 8(a)(i) in respect of any or all the matters set out at 1 to 4 above.

BACKGROUND

Membership Regulations and Practical Experience Requirement

20. To be eligible for membership in accordance with the Chartered Certified Accountants' Membership Regulations 2014 ('Membership Regulations'), an individual must have:
- a. Passed or obtained exemptions from the ACCA Qualification examinations; and then, having become an affiliate (or 'ACCA trainee').
 - b. Completed at least 36 months' approved experience in accordance with ACCA's Practical Experience Requirement (PER); and
 - c. Satisfactorily completed the Ethics and Professional Skills module; and
 - d. Satisfied the Admissions and Licensing Committee as to the individual's general character and suitability.
21. The Committee's papers provided evidence setting out further details of ACCA's PER. The requirement sets out the professional knowledge and values, ethics and behaviours that ACCA specified were needed to become a professionally qualified Accountant together with the process to be followed. The bundle included material publicly available about ACCA's PER including

trainees' responsibilities and the need for, and role of, a Practical Experience Supervisor (PES).

Background

22. In 2023, ACCA discovered that 91 ACCA trainees ('the cohort') had registered PESs who shared one of three email addresses even though the names of the supervisors recorded in the PER submitted by the trainees were different. Ms Zhang was one of these trainees. ACCA initiated an investigation.

ACCA's Case

23. Ms Zhang was admitted as an affiliate on 25 July 2015. She applied to become a member on 2 January 2023; this application was on hold pending the outcome of the disciplinary proceedings.
24. Ms Zhang's PER training record stated that she was employed by a single firm, ('the Firm') in the role of Tax Consultant from 1 September 2018 to 1 January 2023 and claimed:
- a) 52 months of relevant practical experience (which represented the period of his employment with the Firm),
 - b) a named individual, Person A, was her PES;
 - c) that the PES was an '*IFAC qualified line manager*';
 - d) that the PES's email address was Email1@qq.com.
25. In respect of Ms Zhang's PER training record, ACCA identified that the email address Email1@qq.com was shared with ten other supervisors.
26. ACCA relied on evidence of:
- a) Karen Watson, Senior Administrator in ACCA's Member Support Team whose statement dated 20 October 2022 set out the process for gaining and applying for ACCA membership; and

- b) Linda Calder, Professional Development Manager with ACCA's Professional Development Team whose evidence was set out in witness statements dated 21 May 2024 and 08 August 2024. In her statements, Ms Calder identified that her role involves the implementation and monitoring of ACCA's PER, including managing the online recording tool for ACCA trainees.
27. Through her statements, Ms Calder provided evidence that in order to become an ACCA member, a trainee needed to complete Performance Objectives (POs) as part of their supervised work experience which they would add to their PER. She also stated as follows.
- a) Trainees must achieve nine POs - five 'Essential' and any four 'Technical' POs.
 - b) ACCA recommended that the Technical POs are aligned to their work (to meet business objectives and POs concurrently);
 - c) Trainees must gain the experience required to achieve the necessary elements, standard of work and level of competence for each PO and to highlight the values and attitudes ACCA trainees are expected to possess and demonstrate as trainee accountants;
 - d) Trainees must complete 36 months experience in relevant accounting or finance-related role/s, which is supervised and approved by their PES;
 - e) A personal statement must be completed for each PO which summarises in 200-500 words how the trainee has achieved the PO. The statement should explain what they did, provide an example of a task, describe the skills gained and reflect on what they have learned;
 - f) Trainees should not use a precedent or template; the statement should be unique to them and their own experience. ACCA's published guidance – for example guidance from 2019 specifies:

'Your situation and experience are unique to you, so we do not expect to see duplicated wording, whether from statement to statement, or from other trainees. If such duplication occurs, then it may be referred to ACCA's Disciplinary Committee.'

- g) The PES must be a qualified accountant recognised by law in the trainee's country and/or a member of an International Federation of Accountants (IFAC) body who has knowledge of the trainee's work;
 - h) The PES must supervise the trainee. The PES will usually be a trainee's line manager;
 - i) Trainees cannot submit anything to their PES until the PES is registered;
 - j) Trainees must enter their PES's details into the 'MyExperience' recording tool and send their PES an invitation to register as their PES; and
 - k) Guidance was available online in China in English - trainees would have completed their ACCA exams in English and would therefore have a reasonable understanding of English.
28. Ms Calder's statement also identified that most of the supervisors for the cohort uploaded what they claimed was their CICPA membership registration card. However, despite different membership numbers being recorded on each supervisor's registration, the vast majority uploaded the same registration card with the same membership number, which did not match with any of the CICPA membership numbers provided by the supervisors. Ms Calder also exhibited the uploaded CICPA membership registration card and noted that the name and the photo were pixelated and therefore unidentifiable.
29. ACCA also relied on evidence that ACCA's Customer Services Team in China emailed ACCA trainees inviting them to regular live webinars by ACCA staff, which would provide information about the PER process and an opportunity to ask questions. A list of the webinars during the period 14 December 2016 to 27 August 2022 was provided to the Committee.

30. In addition, the Committee was informed that WeChat Groups with ACCA staff were available to allow questions to be raised, including about the PER process, and relevant articles about the ACCA membership process uploaded to a WeChat platform.
31. The Committee's bundles contained copies of Ms Zhang's PER and copies of other trainees' statements. This allowed for direct comparison. Further, ACCA had prepared tables to show that Ms Zhang's PO statements were either identical or significantly similar to other PO statements which had been submitted at an earlier date by another trainee or trainees in the cohort.
32. ACCA submitted:
 - a) All nine of Ms Zhang's PO statements were the same as many other trainees, all of which pre-dated hers, suggesting at the very least, she had not achieved the objectives in the way claimed or possibly at all.
 - b) The email address of her purported supervisor was shared with other differently named supervisors.
 - c) The CICPA membership number on the PER record submitted for Ms Zhang was different to the number on the CICPA membership card uploaded by Ms Zhang's purported supervisor and did not match with any CICPA membership number.
 - d) The CICPA membership card uploaded by Ms Zhang's purported supervisor had been used by many purported supervisors using a common email address.
33. ACCA submitted that the responses provided by Ms Zhang in writing – see below – demonstrated she knowingly submitted information that was false or allowed it to be submitted on her behalf, namely:
 - a) She said she engaged a third party whose name she claimed she did not know and where she could not provide evidence about the details of their communication - despite engaging in a financial transaction and passing on sensitive information in the form of her ACCA login and password.

- b) She claimed that the third party registered in the name of her line manager and then uploaded template PO statements to Ms Zhang's PER training record, which had not been written by Ms Zhang as required as was clearly set out in the Guidance provided to trainees in China in both English and Chinese.
 - c) The third party, in the name of Ms Zhang's Line Manager, then approved both Ms Zhang's time and POs in her PER training record.
 - d) Her role at the Firm was part-time but her PER training record stated that she was employed 35 hours a week (which ACCA considers full time work) – ACCA described this as an aggravating factor.
34. ACCA accepted that it was possible the third party engaged by Ms Zhang applied for membership on her behalf.
35. ACCA argued that Ms Zhang was dishonest on the basis that she sought to take a short cut to membership and wanted ACCA to rely on information that she knew was false as a route to gaining membership. ACCA submitted that:
- a) There was extensive advice about how an ACCA trainee must complete their PER training record, so it was not credible that Ms Zhang was not aware that:
 - i. Her named supervisor had to complete her PER training record
 - ii. The statements supporting her POs had to be written by her and describe the experience she had gained.
 - b) Ms Zhang made claims in her ACCA membership application that she knew to be untrue, namely that:
 - i. Her supervisor had approved her time/ experience in her PER training record,

- ii. She had achieved the POs having gained the experience as described in the statements.
36. In the alternative, ACCA argued that Ms Zhang lacked integrity or was reckless in that she paid no or insufficient regard to the fact that her PO statements should truthfully and accurately set out, how the relevant objective had been met.
37. ACCA submitted that Ms Zhang's conduct was misconduct – it was an attempt to subvert the PER process and to undermine public confidence in ACCA's membership qualification process, which brought the Association and accountancy profession into disrepute.

Ms Zhang's response

38. In response to ACCA's correspondence, Ms Zhang stated that:
- ... a third party replaced me to apply the membership status. I am so sorry about it , you can cancel my member of ACCA and I will continue to be a ACCA affiliate. or you can tell me what should I do.*
39. On 3 April 2024, Ms Zhang sent in a further response to ACCA in which she repeated that she used a third party and was sorry. She stated that she:
- had been a full-time university teacher since 2004,
 - taught tax, including the ACCA's TX (taxation) exam,
 - used to work part time in the Firm as a tax consultant and was line managed by Person A who was a CPA of China,
 - had been a non-practising CPA of China since 2009,
 - had completed continuing education every year.
40. Ms Zhang said that she had told this information – which she said was true - to the third person but she accepted that the other work to apply for ACCA membership was completed by the third party. Ms Zhang apologised again and suggested:

“... you can cancel my member of ACCA and I will continue to be an ACCA affiliate or any other punishment, you can tell me which supporting material should I attached or what else should I do.”

41. Following a request from ACCA for further information, on 10 May 2024, Ms Zhang advised as below.

- a) She used a third party to apply for membership. She had missed the option to apply for membership through the university route as a college teacher and had been advised by those who had become ACCA members that the PO process was more complicated.
- b) When she searched the internet for a template for reference, she found that there were agents to help apply for membership.
- c) She did not have an email, telephone number or a postal address for the agent as all contact was through Taobao (online shopping platform).
- d) She shared her ACCA login and password with the third party so they could help her with the whole process.
- e) She thought that the reason why all her PO statements were identical or significantly similar to other ACCA trainees was because the third party wrote POs for the other people.
- f) Her work for the Firm was part-time with no fixed hours and was mainly consulting about tax policy over the 'phone. She had told the third party she had worked part-time for the Firm as a tax consultant. The agent had said that it was OK to use the Firm to apply for membership. He recorded the time of work, the nature and specific content of the work [and recorded that she had worked 35 hours and 100% of the work was relevant to her training].

42. On 19 May 2024 Ms Zhang responded to further questions from ACCA as follows:

- a) The understanding ACCA had set out of her actions was, '*completely right*' namely that:
 - i) she had found a third party, whose name she did not know, on the Taobao platform to complete her PER training record,
 - ii) the third party logged in using her log in details to upload template PO statements into her PER training record.
 - iii) the third party, in the name of her actual supervisor, then approved both her time / experience and all the POs in her PER training record.
 - b) None of the PO statements in her PER training record were written by her.
 - c) Her actual supervisor, Person A, did not approve any part of her PER training record.
 - d) Her main job was teaching. She, '*...didn't have many jobs in [the Firm] sometimes there may only be a consultation in a few weeks, and the time is not fixed,*' because, '*all the application work was handled by the agent. I considered it may be easy to apply for membership, so let him use the company rather than the college.*'
 - e) She had not told the third party how many hours she worked as a consultant for the Firm.
43. Ms Zhang provided a screenshot of the order with the third party and a photo of her a letter of appointment as a tax consultant by the Firm (she did not have evidence of her employment in the form of an employment contract, wage slips and correspondence relating to her employment.)
44. On 19 November 2024, Ms Zhang returned a completed Case Management Form. In the form she admitted each of the allegations, including those that had been alleged in the alternative. ACCA emailed Ms Zhang on 27 November 2024 to advise that she had admitted to her behaviour being dishonest, lacking

integrity and reckless – which were charged in the alternative. Ms Zhang responded on 2 December 2024. This was her final communication with ACCA. It said:

“I’m sorry , I didn’t open this letter use the password. I declare I exit ACCA, and I will not open the letter from ACCA.

First, It’s my wrong , but I think I have told the fact clearly, I wait a result from ACCA by ACCA’s rule and I can accept it. But I never thought it took so long time and it is so complicated. I felt troubled and stressed. I felt nervous when I receive or write back the letter from or to ACCA, I want to be normal and calm. So I decided I will not be a member or affiliate of ACCA . I give up all the right of ACCA. We can never waste time on this thing.

This is the last letter from me, I think I should tell you .

Due to language reasons, what I have expressed may not be accurate enough, I hope you can understand.

I apologize for all the work this thing has caused and I am sorry I will not respond the letter from now.”

DECISION ON FACTS/ALLEGATIONS AND REASONS

Allegation 1

45. The Committee considered Allegations 1(a)-(c) individually and found each sub-allegation proved on both the evidence relied upon by ACCA and through the correspondence received from Ms Zhang in which she had explained what had happened. Ms Zhang accepted that a third party, whom she claimed to have found through an internet search, had used her ACCA login and password to complete her PER and to do so registered her PES, approved her qualifying experience (claiming 52 months verified experience, which was not a true reflection of her working time) and uploaded the POs that the third party had written and then approved her performance objectives as her supervisor.

46. In addition, the Committee was satisfied that ACCA's evidence proved the allegations. There was clear, credible and reliable evidence presented by ACCA that an email address purportedly to be that of Person A was shared with other differently named supervisors notwithstanding the fact that it would not be usual for a PES to supervise more than a very small number of trainees. Further, the Committee accepted that the CICPA membership number on the PER record submitted on Ms Zhang's PER was different to the number on the CICPA membership card uploaded by Ms Zhang's purported supervisor and did not match with any membership CICPA number.

Allegation 2

47. The Committee found Allegation 2 proved. It accepted the detailed comparisons provided by ACCA that demonstrated Ms Zhang's PO statements were identical or substantially similar to the PO statements of other trainees, other than in a small number of minor respects. It accepted ACCA's evidence that Ms Zhang's PO statements were not first in time. As a consequence, it was satisfied that Ms Zhang's PO statements did not set out experience that she had genuinely gained and were not unique to her – as expected by the PER process. The Committee noted the submissions from the Case Presenter that the only purpose of the PER process was for obtaining membership through verification of a trainee's own experience.
48. In addition, Ms Zhang had accepted and explained that she did not write the PO statements, and these had been written by the third-party agent for the purpose of applying for ACCA membership for her. She accepted that the statements were copied from other trainees by this third party.

Allegation 3

49. The Committee considered the allegations regarding Ms Zhang's state of mind and, in particular, the Allegations 3(a)-(d) that she was dishonest. The Committee considered each of the sub-allegations separately and applied the two-part test for dishonesty set out in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 to determine whether Ms Zhang was dishonest. The Committee found Allegations 3(a)-(d) proved.

50. It found that Ms Zhang had acted dishonestly in that she knew her supervisor, Person A, had been falsely registered as her PES; she knew her line manager, Person A, had not approved her qualifying experience; she knew Person A had not approved her nine PO statements and she knew she had not achieved all or any of the PO as set out in the statements or at all.
51. In reaching its decisions, the Committee first sought to ascertain the actual state of Ms Zhang's knowledge or belief as to the facts. The Committee considered that the material published by ACCA made it clear what was expected of ACCA trainees in the PER process and of ACCA's requirements for the practical experience, particularly the nature of the supervision and verification required. It was in this context that the Committee found, based on the evidence and Ms Zhang's explanation, that she knew the PES had been falsely registered using a third party she had found on the internet whom she had knowingly commissioned to apply to membership for her. Ms Zhang described that she thought allowing a third party to handle the membership process would assist as, *'it may be easy to apply for membership'*. The Committee considered that Ms Zhang plainly knew that the third party was not her supervisor and that she clearly knew from the ACCA guidance material that the supervisor had to be able to supervise her workplace experience.
52. By knowingly commissioning an agent to use her log in and password, Ms Zhang would have known that individual could not approve the length of her experience (which was falsely declared as full-time experience when it was part-time only) and could not approve the PO statements. The agent had not worked with her, not supervised her and had no knowledge of her work; Ms Zhang would plainly understand that the third party could not approve her experience or her PO statements in accordance with the PER requirements.
53. Finally, the Committee was satisfied that Ms Zhang would have known the PO statements could not reflect her own experience – she commissioned the third party to write the statements for her. She was clearly trying to gain an advantage that she had not earned by actively and knowingly facilitating a third party to write PO statements that were false. Ms Zhang must have known that the text of each of the nine PO statements was not original drafting and did not relate to experience that she had genuinely gained.

54. The Committee considered it was plain that the ordinary, decent person would regard Ms Zhang's conduct as dishonest: she deliberately and intentionally planned for an untrue formal training record to be submitted to her regulator for the sole purpose of gaining membership; Ms Zhang attempted to short-cut the process.
55. Having found Allegation 3(a)-(d) proved, the Committee did not go on to consider Allegation 3(e), which was pleaded in the alternative.

Allegation 4

56. Having found Allegation 3(a)-(d) proved, the Committee did not go on to consider Allegation 4, which was pleaded in the further alternative.

Allegation 5

57. The Committee found Allegation 5 proved.
58. The Committee judged that collectively and separately the allegations it had found proved amounted to a significant falling short of the standards expected of a member of the accountancy profession. The Committee regarded Ms Zhang's actions and omissions as being deplorable in nature. Ms Zhang has been deliberately dishonest in the way she had tried to secure ACCA membership. She had planned to circumvent and shortcut the system to gain an advantage for herself. The Committee considered Ms Zhang's conduct clearly brought the profession into disrepute. It was dishonest behaviour that placed the public at risk (she could have relied on ACCA membership without the proper, verified and validated experienced) and would have impacted on the confidence the public and other members of the profession could have in ACCA's membership scheme.
59. The Committee had no doubt that her actions constituted serious misconduct.

SANCTION AND REASONS

60. The Committee had regard to the Guidance for Disciplinary Sanctions ('the Guidance').

61. The Committee was advised that Ms Zhang had no previous disciplinary history.
62. The Committee considered that there was no evidence that Ms Zhang had any real insight into the consequences of her actions and the unethical nature of her planned efforts to shortcut to membership. Further, although Ms Zhang had offered expressions of remorse, the Committee did not consider that these were genuine or that they demonstrated she recognised the impact of her wrongdoing; the apologies were brief and superficial in nature. Further, although the Committee acknowledged that Ms Zhang had engaged with the investigation, it recognised that she was under an obligation to do so and therefore gave her cooperation limited weight.
63. The Committee considered that Ms Zhang engaged in a deliberate and planned course of dishonest conduct for personal gain. Ms Zhang attempted to gain ACCA membership through falsehood and dishonesty and without the requisite practical experience. Ms Zhang tried to shortcut the proper process and in doing so exposed the public to harm and damaged the reputation of the profession and its regulation.
64. The Committee considered that it would be wholly insufficient to impose no order or to conclude the matter with an admonishment, a reprimand, or a severe reprimand. None of these orders would provide the necessary restrictions on practice needed to protect the public interest in the matter. By actively commissioning a third party to submit an entirely false record of her purported practical training experience, Ms Zhang tried to dishonestly circumvent and bypass the eligibility requirements set out in the membership process.
65. In addition, the Committee recognised paragraph E2 of the Guidance for Disciplinary Sanctions stated that the public is entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics. The Committee considered that none of these sanctions would properly recognise the seriousness of Ms Zhang's planned deliberate and dishonest intentions, nor would they be sufficient to reflect the potential for harm or damage to public confidence. Further, Ms Zhang had not provided evidence to show she had insight, genuine remorse and understanding of the impact of her

conduct, which was driven by her wish to gain an advantage unfairly and deceive her regulator as to the extent of her experience. The Committee concluded that the behaviour was fundamentally incompatible with being an accountant and remaining an affiliate of ACCA.

66. The Committee, therefore, ordered that Ms Zhang's name should be removed from the register of affiliates. It considered, but does not order, any extension of the timeframe before Ms Zhang can apply for readmission - recognising that any application will be considered by the Admissions and Licensing Committee and that Ms Zhang will be expected to demonstrate, among other matters, that she has remediated her dishonest conduct and had the necessary genuine experience to meet the requirements of the Membership Regulations.

EFFECTIVE DATE OF ORDER

67. The Committee determined that it was in the interest of the public for Ms Zhang to be removed from the affiliate register with immediate effect.
68. The Committee had found Ms Zhang was able to continue to use her ACCA affiliate status and the benefits that came with being a part-qualified ACCA accountant. The Committee considered that unless Ms Zhang was prevented from relying on her ACCA affiliate status with immediate effect, the public could be placed at risk and falsely reassured about her honesty and experience.

COSTS AND REASONS

69. The Committee had regard to the Guidance for Cost Orders.
70. ACCA claimed costs in the sum of £6833.50 set out in a Schedule of costs. The Committee considered that costs had been reasonably incurred but that the overall claim should be reduced to reflect the fact that the proceedings before the Disciplinary Committee had not lasted as long as estimated. As a consequence, both the Case Presenter and the Hearing Officer would spend less time in the hearing than anticipated resulting in a reduction of £600.
71. The Committee found no basis on which it should disapply 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. Ms Zhang had been found guilty of misconduct.

72. The Committee recognised that the Guidance for Cost Orders specified that it should take into account any relevant personal circumstances and financial means of an individual to pay costs. However, Ms Zhang had chosen not to supply any evidence regarding her personal or financial circumstances. Even though she had returned the Case Management Form, she had not completed the Statement of her Financial Position. On 27 November 2024, ACCA alerted Ms Zhang to the fact that the Statement had not been returned and specifically advised that, if the Committee had information about her financial means, it could take this into account when deciding what costs, if any, she was ordered to pay. No information or evidence was provided.
73. In the absence of any information about Ms Zhang's financial situation, the Committee was unable to determine whether any reduction for costs should be made to reflect Ms Zhang's ability to pay an order for costs awarded to ACCA. With no documentary evidence being received about the member's financial circumstances, and recognising the guidance set out in ACCA's guidance as to costs, the Committee inferred that the member was able to meet the costs as assessed by the Committee.
74. The Committee considered that it would be appropriate to make an order for costs and that it was reasonable and proportionate to impose a cost order that Ms Zhang pay ACCA's costs in the sum of £6200.00.

Mr Andrew Gell
Chair
23 May 2025