Think Ahead ACCA

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Mr Zhuo Ran Li**
Heard on:	**Wednesday, 10 September 2025**
Location:	**Remotely via MS Teams**
Committee:	**HH Suzan Matthews KC (Chair)** **Mr Ryan Moore (Accountant)** **Professor Roger Woods (Lay)**
Legal Adviser:	**Mr Alastair McFarlane**
Persons present and capacity:	**Ms Michelle Terry (ACCA Case Presenter)** **Miss Mary Okunowo (Hearings Officer)**
Summary:	**Exclusion from Membership with immediate effect.**
Costs:	**Awarded in favour of ACCA in the sum of £6,000.00**

1. ACCA was represented by Ms Terry. Mr Li did not attend and was not represented. The Committee had before it a bundle of papers, numbered pages 1 – 230, an Additionals bundle, numbered pages 1-9, and a service bundle numbered pages 1-21.

SERVICE

2. Having considered the service bundle, the Committee was satisfied that notice of the hearing was served on Mr Li in accordance with the Complaints and Disciplinary Regulations 2014 ("CDR").

PROCEEDING IN ABSENCE

3. The Committee noted the submissions of Ms Terry and accepted the advice of the Legal Adviser.

4. The Committee reminded itself that the discretion to proceed in absence must be exercised with the utmost care and caution.

5. The Committee noted that following the service of the Notice of Hearing on 12 August 2025, the Hearings Officer sent chasing emails to Mr Li's e-mail address on 01 and 04 September 2025 in attempts to ascertain if Mr Li would be attending. She telephoned him on his ACCA registered telephone number on 08 September 2025 on two occasions, but the phone disconnected and there was no opportunity to leave a voicemail.

6. The Committee was mindful of the observations of Sir Brian Leveson in *Adeogba v. General Medical Council [2016] EWCA Civ 162* as to the burden on all professionals subject to a regulatory regime to engage with the regulator both in relation to the investigation and the ultimate resolution of allegations made against them. The Committee noted that Mr Li has not responded to any attempts to contact him and has not engaged with this case at any stage. The Committee specifically considered the issue of fairness to Mr Li of proceeding in his absence, but also fairness to ACCA and the wider public interest in the expeditious discharge of the Committee's function. The Committee was satisfied that Mr Li had voluntarily waived his right to attend the hearing. The Committee was not persuaded that any adjournment was likely to secure his attendance at a future date. The allegations were serious, and, if proven, involved a risk to the public.

7. The Committee was satisfied that Mr Li has been given every opportunity to engage and participate in the proceedings and has decided not to do so.

Accordingly, in all the circumstances the Committee was satisfied that it was in the public interest to proceed in the absence of Mr Li.

ALLEGATIONS

Zhuo Ran Li, at all material times an ACCA member,

1. Failed to co-operate with ACCA's Investigating Officer in breach of Complaints and Disciplinary Regulation 3(1) in that he failed to respond fully or at all to any or all of ACCA's correspondence dated,

    a) 24 June 2024
    b) 15 July 2024
    c) 23 July 2024
    d) 03 December 2024

2. By reason of his conduct, Zhuo Ran Li is:

    a) Guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all the matters set out at 1 above; or in the alternative;

    b) Liable to disciplinary action pursuant to bye-law 8(a)(iii).

BACKGROUND

8. Mr Li became an ACCA Affiliate on 12 April 2021 and a Member on 13 May 2021.

9. This case concerns Mr Li's alleged non-responses to an ACCA investigation into his supervision of an ACCA trainee (Person A) and whether this amounted to a failure to co-operate by Mr Li.

10. ACCA has had a series of cases involving trainees obtaining membership using false information in their Practical Experience Training Record and not having been properly supervised in accordance with ACCA regulations.

11. An investigation had been raised into one of these trainees - a Person A. Mr Li was recorded as their non-qualified line manager and separately as their IFAC

qualified external supervisor. The attempts by ACCA to communicate with Mr Li were in respect of his purported supervision of Person A in an attempt to ascertain the veracity of that supervision.

12. As an ACCA member Mr Li would have been permitted to supervise Person A in relation to approving their time records and their performance objectives in their practical experience training.

13. Before a complaint was opened against Mr Li, ACCA's Investigating Officer emailed Mr Li at his registered email on 29 February 2024, requesting that he respond to questions about his apparent supervision of Person A. Mr Li did not respond to this email.

14. ACCA's Investigating Officer therefore emailed Mr Li on 08 May 2024 reminding him that his response remained outstanding. He was advised if he did not respond ACCA would open a complaint against him which would be referred to the investigations team. Mr Li again did not respond. Both emails were sent to Mr Li's ACCA registered email address, being the same email address, he used when registering as supervisor for Person A.

15. Given Mr Li's failure to respond, the matter was opened as a complaint and referred to ACCA's investigations Team. A member of that team sent an encrypted email to Mr Li on 24 June 2024 which set out the complaint and requested Mr Li respond to a number of questions by 08 July 2024.

16. As Mr Li did not respond by the deadline of 08 July, a further encrypted email was sent on 15 July 2024 (the first reminder) with a copy of the email of 24 June 2024. In the covering email, Mr Li was reminded of his obligation to co-operate and respond to the questions in the email and to do so by 22 July 2024.

17. Shortly after this encrypted email was sent, an Outlook email was sent to Mr Li on the same day asking him to check if he had received the encrypted email and if not to let ACCA know. A delivery receipt confirmed the email was delivered successfully.

18. No response was received to this first reminder and therefore a second reminder email was sent to Mr Li on 23 July 2024 with a copy of the email attached to the

initial email. In the covering email Mr Li was again reminded of his obligation to co-operate by responding to the questions by 30 July 2024 and that if he failed to do so ACCA would raise an allegation of failure to co-operate against him.

19. Also, on 23 July 2024 an encrypted email was sent, an Outlook email was sent to Mr Li asking him to check if he had received the encrypted email and if not to let ACCA know. A delivery receipt confirmed the email was delivered successfully.

20. All the above encrypted emails were sent through ACCA's Case management system. On this system a 'clasped hand' icon appears next to the email if the email has been opened. The date and time the email was opened is revealed by hovering the mouse cursor over the icon. A screenshot has been taken showing that the initial email, the second reminder email and the final email were opened. The screenshots recording these dates and times are as follows which indicate all these emails were opened on 04 December 2024 (being the day after the final email) and within a few minutes of each other.

21. ACCA's Investigations Officer attempted to telephone Mr Li on his ACCA registered telephone number on 10 December 2024. However, an automated message stated the number was no longer operative. Further, on 06 December 2024 ACCA's China office sent a mobile message to Mr Li stating that ACCA had sent a password protected message to his registered email on 03 December 2024 requiring a response and that he should immediately email ACCA.

ACCA SUBMISSIONS

Allegation 1 - Failure To Co-operate

22. In terms of the correspondence referred to in Allegation 1, being emails dated 24 June, 15 July, 23 July and 03 December 2024, no response was received from Mr Li. ACCA submitted that there was a duty to respond to this correspondence that applied to Mr Li by virtue of the obligation set out in Regulation 3(1) of the Complaints and Disciplinary Regulations.

23. Based on this evidence, ACCA therefore submitted that, it is more likely than not, the four emails dated 24 June, 15 July, 23 July and 03 December came to Mr

Li's attention and in choosing not to respond to any of these emails, Mr Li made a conscious decision not to co-operate with ACCA's investigation.

Allegation 2 – Misconduct / Liability to Disciplinary Action

24. ACCA submitted that Mr Li's conduct by his failure to co-operate was sufficiently serious to reach the threshold for misconduct. The alternative to failing to co-operate was liability to disciplinary action.

25. ACCA reminded the Committee that it acts in the public interest by ensuring its students, affiliates and members uphold proper standards, thereby maintaining public confidence in the accountancy profession. It is submitted the failure by Mr Li to co-operate with this investigation has undermined ACCA's ability to act in the public interest, preventing a full investigation into Person A, who made a successful application for membership.

MR LI'SUBMISSIONS

26. Mr Li has not responded to ACCA at all.

DECISION ON ALLEGATIONS AND REASONS

27. The Committee accepted the advice of the Legal Adviser. The standard of proof to be applied throughout was the ordinary civil standard of proof, namely the balance of probabilities.

28. The Committee heard that there had been no previous findings against Mr Li and accepted that it was relevant to put his good character into the balance in his favour.

DECISION ON FACTS

29. The Committee noted the submissions of Ms Terry for ACCA. It reminded itself that the burden of proof was on ACCA alone and that Mr Li's absence added nothing to ACCA's case.

1. Failed to co-operate with ACCA's Investigating Officer in breach of Complaints and Disciplinary Regulation 3(1) in that he failed to respond fully or at all to any or all of ACCA's correspondence dated,

a) 24 June 2024

b) 15 July 2024

c) 23 July 2024

d) 03 December 2024

30. The Committee was satisfied that under Regulation 3(1) of the Complaints and Disciplinary Regulations 2014, there was an obligation on Mr Li to co-operate fully with ACCA in the investigation of any complaint. It considered that numerous and various attempts were made by ACCA to contact Mr Li. However, Mr Li made no response to ACCA's correspondence requesting his cooperation on 24 June 2024, 15 July 2024, 23 July 2024 and 03 December 2024. It was satisfied that Mr Li had a duty to respond and that his lack of response amounted to a breach of the duty on him and was therefore a failure. There has been no engagement or any explanation from Mr Li at all. There was no information before the Committee or any basis for it to conclude that there has been any problem with ACCA's system or that on the balance of probabilities that Mr Li did not receive the correspondence. For the avoidance of doubt, the Committee noted that all emails had been opened on 04 December 2024 and, on the balance of probabilities, found that this was by Mr Li. It considered that Mr Li had decided not to respond. Accordingly, the Committee was satisfied that Allegation 1 was proved.

2. By reason of his conduct, Mr Li is:

a) Guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all the matters set out at 1 above; or in the alternative;

b) Liable to disciplinary action pursuant to bye-law 8(a)(iii).

31. The Committee next asked itself whether Mr Li was guilty of misconduct.

32. The Committee had regard to the definition of misconduct in Bye-law 8(c) and the assistance provided by the case law on misconduct. The Committee was satisfied that Mr Li's duty to co-operate with his regulator is an important one, both to enable the regulator to properly and fairly discharge its regulatory function and to uphold public confidence in the regulatory system. It was satisfied that Mr Li's actions brought discredit on him, the Association and the accountancy profession. For these reasons the Committee was satisfied that Mr Li's failure to co-operate was sufficiently serious to amount to misconduct.

33. Given the Committee's judgment that the failure amounted to misconduct, the Committee did not need to consider the alternative of liability to disciplinary action.

SANCTIONS AND REASONS

34. The Committee noted its powers on sanction were those set out in Regulation 13(1). 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 took account of Ms Terry's submissions.

35. The Committee accepted the advice of the Legal Adviser.

36. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. Failure to co-operate with the regulator was serious as it frustrated the regulator from discharging its duty.

37. The aggravating factors the Committee identified were:

- The non-co-operation was deliberate and repeated conduct
- Prolonged period of misconduct
- The serious impact on the reputation of the profession and a risk of harm to the public
- No evidence of insight or remorse

38. The only mitigating factor the Committee identified was:

- A previous good character with no disciplinary record

39. Given the Committee's view of the seriousness of the misconduct, it was satisfied that the sanctions of No Further Action, Admonishment, Reprimand and Severe 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. It also considered the factors listed at C5 of the Guidance that may justify exclusion. The Committee noted that among other factors, those that were present here included the potential to adversely affect clients or members of the public. Mr Li had failed to co-operate with his regulator, which was a fundamental obligation on any professional.

40. The Committee was satisfied that his non-co-operation was fundamentally incompatible with Mr Li remaining on the register of ACCA and considered that the only appropriate and proportionate sanction was that he be excluded from membership.

COSTS AND REASONS

41. ACCA claimed costs of £6,277.50 and provided a detailed schedule of costs. The Committee noted Mr Li has not provided a statement of means. The Committee decided that it was appropriate to award costs to ACCA in this case and considered that the sum claimed by them was a reasonable one in relation to the work undertaken but made a reduction as the hearing lasted less time than anticipated. ACCA is entitled to its costs. Accordingly, the Committee considered that the sum of £6,000 was appropriate and proportionate. It ordered that Mr Li pay ACCA’s costs in the amount of £6,000.

EFFECTIVE DATE OF ORDER

42. The Committee was satisfied that in this case an immediate order was necessary in the interests of the public given the seriousness of the misconduct and the potential risk to the public of a member remaining on the register, even for the next 28 days (or for any appeal period).

HH Suzan Matthews KC
Chair
10 September 2025