

## HEARING

### DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

#### REASONS FOR DECISION

**In the matter of:** Mrs Amina Ali

**Heard on:** Thursday, 28 August 2025, Tuesday, 4 November 2025 &  
Friday, 13 February 2026

**Location:** Remote via Microsoft Teams

**Committee:** Mr Martin Winter (Chair)  
Mr George Wood (Accountant)  
Mrs Alison Sansome (Lay)

**Legal Adviser:** Mr Robin Havard

#### Persons present

**and capacity:** Mr Mazharul Mustafa (ACCA Case Presenter)  
Ms Anna Packowska (Hearings Officer)  
Mr Vincent Perera (ACCA Staff) (on 28 August 2025)  
Mrs Amina Ali (Student Member) (on 28 August 2025 & 4  
November 2025)

**Summary** Allegations 1, 2, 3, 4(a) & (b), and 5(i) proved.  
Sanction - Removal from student register. No costs order.

#### ACCA



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## **PRELIMINARY APPLICATIONS**

### **APPLICATION ON 28 AUGUST 2025 FOR PART OF THE HEARING TO BE HELD IN PRIVATE**

1. The Committee had considered the following documents: a Hearing Bundle (pages 1 to 100); a Tabled Additional Bundle 1 (pages 1 to 4); a Bundle of documents containing [PRIVATE] evidence relating to Mrs Ali (pages 1 to 32), and a Service Bundle (pages 1 to 21). The Committee had listened carefully to the submissions made by Mr Mustafa and also considered legal advice, which it had accepted.
2. In the various responses provided by Mrs Ali, references are made to issues relating to her [PRIVATE] life. Mrs Ali made an application that, during those parts of the hearing when her [PRIVATE] life are considered, the hearing should be held in private.
3. Mr Mustafa confirmed that he would not object to Mrs Ali's application as such topics were ordinarily considered to be private and were exceptions to the presumption that regulatory hearings should be held in public.
4. The Committee had listened to Mrs Ali's application and the submissions from Mr Mustafa, together with legal advice which it accepted. It was satisfied that those parts of the hearing during which reference was made either to Mrs Ali's [PRIVATE] life should be heard in private.
5. Such an order was in the interests of justice and the Committee was also satisfied that such an order would not prejudice a fair hearing.

**APPLICATION ON 13 FEBRUARY 2026 FOR HEARING TO PROCEED IN  
MRS ALI'S ABSENCE**

**SERVICE**

6. The hearing on 28 August 2025 was originally adjourned to 4 November 2025. For the reasons set out in the Committee's decision of 4 November 2025, it was necessary for the hearing to be adjourned again until today.
7. Mrs Ali had not attended the hearing today.
8. In terms of service of proceedings in advance of the original date of hearing on 28 August 2025, the Committee was satisfied that the Notice of Proceedings sent to Mrs Ali on 30 July 2025 was compliant with regulations 10 and 22 of the Complaints and Disciplinary Regulations 2014 as amended ("CDR"). Furthermore, Mrs Ali duly attended the hearing on 28 August 2025.
9. With regard to service of notice of today's hearing, the Committee was satisfied that it had complied with CDR10(8)(d).
10. In support of that finding, Mr Mustafa had referred to a Service & Correspondence bundle (1) (pages 1 to 13). In that bundle was an email to Mrs Ali dated 6 November 2025 informing her of today's hearing.
11. There was a further email dated 20 January 2026 informing Mrs Ali of the hearing date and also attaching a link to the transcripts of the hearings on 28 August 2025 and 4 November 2025.
12. The Committee noted that both emails had been delivered successfully.
13. On 12 February 2026, ACCA spoke with Mrs Ali who confirmed that she would be in attendance at the hearing today.

14. ACCA confirmed the telephone conversation in an email of 12 February 2026 which again contained a link to the transcripts of the previous dates.
15. In a separate email, ACCA sent Mrs Ali a link to enable her to join the hearing today.
16. The Committee was satisfied that ACCA had complied with CDR10(8(d) and that there had been effective service.

#### **PROCEED IN ABSENCE**

17. Despite stating in her email of 12 February 2026 that she would be in attendance at the hearing, Mrs Ali was not present.
18. Indeed, the Committee noted that, later on 12 February 2026, ACCA had received two further emails from Mrs Ali. In the first email, Mrs Ali had attached a letter in which she made various admissions and apologised to the Committee for her conduct. She also indicated that she would not be able to attend in person or remotely.
19. On receipt of that email and letter, ACCA sent an email to Mrs Ali to her registered email address asking her if she intended to attend today's hearing.
20. In a response, Mrs Ali stated that she would not be attending.
21. Whilst Mrs Ali had made reference in her letter to certain [PRIVATE], she had not provided any [PRIVATE] evidence to support a finding that she was not [PRIVATE] to participate in the hearing.
22. Furthermore, in her letter, Mrs Ali had stated as follows:

*"I will appreciate and accept the panel's decision. I kindly request that this long-awaited case be concluded, considering my response and the evidence provided to date. I fully accept all allegations and remain deeply remorseful."*

23. The Committee concluded, on the balance of probabilities, that, even though Mrs Ali had attended on the previous two hearing dates, she had voluntarily absented herself at today's hearing.
24. The Committee was also satisfied that, taking account of the seriousness of the allegations, it was in the public interest to proceed. The Committee did not consider that any benefit would be derived in adjourning the hearing and no such application had been made.
25. Finally, the Committee was satisfied that it was in a position to reach proper findings of fact on the written and oral evidence presented to it by ACCA and the written responses provided by Mrs Ali together with the oral evidence she provided on 28 August 2025.
26. The Committee ordered that the hearing should proceed in the absence of Mrs Ali.

## **ALLEGATIONS**

On 3 June 2024, Mrs Amina Ali, an ACCA student, in relation to a remotely invigilated Audit and Assurance ('AA') exam:

1. Failed to adhere to ACCA's Examination Guidelines and/or the proctor's instructions by failing to keep her mobile phone out of arm's reach, contrary to Exam Regulation 1 and Exam Regulation 2;
2. Attempted to deceive the exam proctor by giving false or misleading information in that when asked to put her phone away, she stated that she was not using it, when that was not the case, contrary to Exam Regulation 3;
3. Used an unauthorised item with a camera, namely a mobile phone, during the examination attempt, contrary to Examination Regulation 5(a) and therefore intended to gain an unfair advantage within the meaning of Exam

Regulation 6(b).

4. Any or all of Mrs Amina Ali's conduct in respect of allegations 1 - 3 above:
  - a. Was dishonest in that she untruthfully stated to the exam proctor that she was not using her mobile phone during her examination attempt, when that was not the case;
  - b. Was dishonest in that she used the said unauthorised item to gain an unfair advantage for herself or others in the exam and/or a future exam, or in the alternative
  - c. Demonstrates a failure to act with integrity.
5. By reason of the above, Mrs Amina Ali is:
  - i. Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of any or all of the conduct referred to above; or, in the alternative,
  - ii. Liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of allegations 1 – 3 only.

## **DECISION ON FACTS, ALLEGATIONS AND REASONS**

### **Allegation 1**

27. This allegation was admitted by Mrs Ali and the Committee therefore found it proved.
28. By way of further background, the Committee made the following additional findings of fact.
29. Mrs Ali first registered as an ACCA student on 3 April 2014. As a registered student, she is, and was at the material time, bound by ACCA's Bye-laws,

Regulations and Code of Ethics and Conduct, including ACCA's Exam Regulations and Guidelines.

30. On 3 June 2024, Mrs Ali sat an ACCA remotely invigilated Audit and Assurance examination. This was Mrs Ali's fifth attempt at this examination. The examination was terminated prematurely on the basis that the proctor observed Mrs Ali using an unauthorised device, namely her mobile phone.
31. On 25 June 2024, ACCA's Exams department received a complaint referral alleging that Mrs Ali appeared to be using her mobile phone during her remotely invigilated Audit and Assurance examination attempt on 3 June 2024.
32. The Committee concluded that the following outline provided by the Investigations Officer of what they had observed in respect of Mrs Ali's conduct during the exam was an accurate summary.
  - (a) Between 01:48 - 07:55, Mrs Ali completed the check-in with the proctor. Mrs Ali was reminded to put her mobile phone out of arm's reach.
  - (b) The Committee was satisfied that the summary provided by ACCA of the occasions Mrs Ali appeared distracted and looked off-screen was accurate.
  - (c) At around 18:17 – 18:20, Mrs Ali could be seen holding her mobile phone up to the computer screen.
  - (d) At around 19:08 – 19:15, Mrs Ali could be seen holding her mobile phone up to the computer screen horizontally.
  - (e) At around 19:16 – 20:00, Mrs Ali can be seen looking down at her mobile phone which reappears in frame at 19:49.
  - (f) From around 22:55, Mrs Ali responded to the proctor via the chat box. Mrs Ali is asked by the proctor to put her phone away, to which she responded, *'I am not using phone,' 'its on my bed'*. The proctor then asks via the chat

box to see her workspace. At 23:10, Mrs Ali adjusts her camera and says, '*can you see it?*' and complies with the proctor's request to see her work space. Mrs Ali was allowed to continue her exam and appeared to close the chat box window at around 25:30. However, at 25:35, Mrs Ali appeared distracted again and was observed looking down. The mobile phone reappeared at 26:06 and 26:10 – 26:15.

(g) At around 29:30, Mrs Ali appears to be responding to a message from the proctor which read, '*I must call you urgently, please pick up your phone*'. Mrs Ali typed in the chat box that she had not received a call. She was observed picking up something from behind her. However, the proctor continued to talk via the chat box and asks for a 360 view of her room. From 31:32 – 35:00, Mrs Ali complied with the requests of the proctor and a phone could be seen on her bed at the time.

(h) From around 35:02, Mrs Ali was allowed to continue her exam. However, she continued to appear distracted and was observed looking down.

(i) At around 41:50, Mrs Ali was contacted by the proctor via the chat box and informed that the system has detected that she was using a mobile phone. At around 41:52, Mrs Ali held her hands up and said '*look, my hands are clean*', or words to that effect. She was informed via the chat box that her exam would be terminated. Mrs Ali typed '*why you will end my exam*', '*I didn't use phone*' and '*my phone is on my bed*'. The examination was terminated, and the video footage cuts out at 43:25.

## **Allegation 2**

33. This allegation was denied.

## **ACCA's case**

34. Mr Mustafa provided a summary of the evidence on which ACCA relied to establish that Mrs Ali attempted to deceive the exam proctor by providing false

or misleading information, namely that she was not using her mobile phone during the exam.

35. In doing so, Mr Mustafa requested Mr Perera to provide assistance in showing to the Committee the relevant sections of the video evidence.

36. Mr Mustafa maintained that Mrs Ali gave the proctor false information in that she said she was not using her phone during the course of the exam whereas she was. Mr Mustafa stated that this was established by reference to the video.

37. It was submitted that the sequence of events as shown on the video and in the chat log was as follows:

38. 18.17 to 18.21 and 19.08 to 20.00, Mrs Ali can be seen, holding her mobile phone.

39. In the course of the exam, via chat box, the proctor asked Mrs Ali to put her phone away and she replied, *"i am not using my phone"* saying, *"its on my bed"*.

40. Subsequent to this exchange, between 26.06 and 26.15, Mrs Ali could be seen using her phone.

41. The following exchange then took place with the proctor on the chat box:

*"06-03-24, 10:18:59 - (proctor): You are using phone.system has detected*

*06-03-24, 10:19:35 Amina Ali: i don't have phone you are keep saying*

*06-03-24, 10:19:50 – (proctor): for this reason i will end your exam, if you have any questions please contact ACCA*

*06-03-24, 10:20:12 Amina Ali: why you will end my exam*

*06-03-24, 10:20:23 Amina Ali: i didn't use phone*

06-03-24, 10:20:58 Amina Ali: my phone is on bed”

42. In addition, Mrs Ali stated verbally, *“look my hands are clean”*
43. Mr Mustafa suggested it was evident from that sequence that Mrs Ali misled the proctor. Clearly she was using her phone and denied it to the proctor. Mrs Ali then used her phone again, and again she denied it.
44. On this basis, Mr Mustafa invited the Committee to find allegation 2 proved.

### **Mrs Ali’s case**

45. The Committee had read the written responses provided by Mrs Ali in the course of ACCA’s investigation. This included her response to ACCA’s letter of 1 July 2024, her emails of 16 and 23 September 2024, her responses attached to her email of 15 October 2024 and her email of 24 June 2025. The Committee had also read her responses set out in the Case Management Form (“CMF”).
46. Finally, the Committee had listened to Mrs Ali when she gave evidence on 28 August 2025.
47. Mrs Ali maintained that, whilst she had admitted to using her phone during the course of the exam, the reason for doing so was not to cheat or gain an unfair advantage, but rather to enable her to sit the exam whilst endeavouring to control the effects of her [PRIVATE].
48. Indeed, Mrs Ali provided information relating to her [PRIVATE] and stated that, in both 2022 and 2024, she had taken exams when in [PRIVATE]. Mrs Ali assumed that ACCA would have been aware of her [PRIVATE], having sent a letter providing an outline of them.
49. Mrs Ali stated that [PRIVATE] meant that her [PRIVATE]. She was using her phone to [PRIVATE] because of “[PRIVATE] *I did not know what I was doing*”.

50. [PRIVATE] this was the reason she was using her phone.
51. [PRIVATE] Mrs Ali stated that she contacted ACCA to cancel her exam. However, there was a language barrier and they stated it was not possible for her to cancel the exam. [PRIVATE].
52. Mrs Ali said that she was holding her phone and, when her arms got tired, the proctor thought she was taking pictures which was not the case.
53. Mrs Ali was not looking at the screen as she was completely [PRIVATE]. That was the situation on the day.
54. Mrs Ali said that she had explained all of this in her written responses. [PRIVATE].
55. In answer to questions from Mr Mustafa, Mrs Ali accepted that she did have a mobile within arm's reach during the exam. However, at the time she spoke to the proctor, she was having a [PRIVATE] and it was not her intention to mislead the proctor.
56. Mrs Ali accepted that she did say to the proctor that she was not using a phone. That was not correct as she was using a phone but not for exam purposes. [PRIVATE].
57. Mrs Ali maintained that she was using her phone to [PRIVATE]. However, Mrs Ali accepted that she was in control to the extent that she could use her phone to [PRIVATE].
58. Mrs Ali admitted that initially she denied the allegation of using her phone but she had subsequently changed her position and accepted using the phone.
59. On the day of the exam and in her communications with the proctor, Mrs Ali did not disclose [PRIVATE]. She had assumed that the proctor was aware of

[PRIVATE] as she had called ACCA to cancel her exam and they said they could not cancel at the last moment.

60. When trying to cancel the exam, she had made a call to general customer services. She had not made any reference to this call as she had changed her phone. Mrs Ali did not mention this call to the proctor either, as ACCA told her that the proctor's role was simply to monitor the exam.
61. [PRIVATE]
62. Mrs Ali accepted that, before she sat the exam, she had read the Exam Regulations. She accepted that she knew that she was not permitted to use a mobile in the exam and that, if she was caught using a mobile, it would be assumed she was using it to cheat but she denied doing so.
63. Mrs Ali confirmed that she had one phone which was on her desk; the other phone on the bed was possibly from [PRIVATE] which was some distance away and was different to the one she had been holding.
64. [PRIVATE]
65. Mrs Ali indicated that she was using [PRIVATE] whilst giving evidence. [PRIVATE].
66. [PRIVATE]
67. [PRIVATE]
68. [PRIVATE]
69. When the proctor asked her to pan around the room, Mrs Ali stated the phone was on the desk. She showed both sides of the desk but could not remember whether she could see the phone or not. She could not offer an explanation why it was not shown. She could not really remember what happened but could

see that she was challenged. She accepted that she said she did not use a mobile but now accepted that she did. Again, Mrs Ali indicated that [PRIVATE].

70. In response to the letter from ACCA dated 1 July 2024, [PRIVATE]. When she received the letter, her recollection of what happened on 3 June 2024 was [PRIVATE] and she could not remember [PRIVATE] when she sent the response.
71. Mrs Ali said that the response could have been written when [PRIVATE]. It was a surprise to Mrs Ali to see that letter in the bundle and she could not recall when she wrote this letter. [PRIVATE].

### **Committee's findings in respect of allegation 2**

72. In reaching its findings in respect of allegation 2, the Committee relied upon the email correspondence and documents contained in ACCA's bundle. It had also viewed the video footage from the video taken on 3 June 2024. The Committee had taken account of the submissions of Mr Mustafa and had listened to the evidence given by Mrs Ali, as well as the responses she had provided in her correspondence in July, September and October 2024 and in the Case Management Form ("CMF"). The Committee had been provided with legal advice, which it accepted.
73. The Committee relied on its findings of fact in respect of allegation 1 above.
74. The Committee kept in mind that the burden of proving the allegation rested with ACCA and the standard of proof to be applied was the civil standard, namely on the balance of probabilities.
75. Of particular relevance to this allegation was Exam Regulation 3 which, for the sake of completeness, is set out below:

*"3. You must not give false or misleading information to the exam supervisor(s), invigilator(s), remote invigilator(s), proctor(s) or any ACCA personnel"*

76. On 25 June 2024, ACCA's Exams department received a complaint-referral alleging that Mrs Ali appeared to be using her mobile phone during her remotely invigilated Audit and Assurance examination attempt on 3 June 2024.
77. Mrs Ali had accepted that she had informed the proctor on two separate occasions that she was not using a phone. The Committee was satisfied that the video evidence showed that she did use a phone on several separate occasions in the course of the exam on 3 June 2024. Subsequently, in an email of 23 September 2024, and in the course of her evidence, Mrs Ali accepted that this was the case.
78. Consequently, the issue to be determined by the Committee was whether, when she stated to the proctor that she was not using a phone, she had done so in an attempt to deceive the proctor.
79. [PRIVATE]
80. [PRIVATE]. Such a process may take minutes but can take considerably longer.
81. Having considered the evidence, the Committee did not find Mrs Ali's explanation credible for the following reasons.
82. It only became clear later in her oral evidence that there were two phones in the room with Mrs Ali. There was one that she was using at the desk, the other on the bed.
83. In the course of the exam, Mrs Ali said to the proctor, "*i am not using my phone*" saying, "*its on my bed*". This was a clear response and more than a mere denial. It was also not true, and the Committee found that Mrs Ali knew that this was not true as she subsequently admitted that the phone on the bed belonged to someone else.

84. Furthermore, in an initial response to ACCA's letter of 1 July 2024, i.e. four weeks after the exam, Mrs Ali said,

*"I assured [them] that I was not using my phone and even showed [them] a 3D view of my exam room multiple times, including views from the left, right, front, and back. I demonstrated clearly that my phone was far away from my desk, placed on my bed, which is more than an arm's length away from where I was sitting."*

85. Mrs Ali stated in the same response, *"My phone was indeed far from my desk and not used at any point during the examination"* which must again be a reference to the phone which can be seen on the bed which Mrs Ali later accepted did not belong to her and was not the phone she was using in the exam.

86. [PRIVATE]. However, the Committee found that such an explanation was implausible. No evidence had been provided to support [PRIVATE].

87. The Committee concluded that Mrs Ali persisted in her denial of using a phone during the exam even when asked to confirm her account four weeks later.

88. On 9 September 2024, Mrs Ali was formally notified of ACCA's investigation and asked to provide further information on the complaints made against her by 23 September 2024.

89. On 16 September 2024, Mrs Ali contacted ACCA's Exams department via email and, as part of her response, she stated the following:

*"I would like to categorically state that I did not engage in any cheating or misconduct during the exam. I understand the importance of maintaining the integrity of the examination process and assure you that I adhered to all exam rules and regulations."*

90. Consequently, as of 16 September 2024, Mrs Ali had still failed to admit that she had used a phone in the course of her exam.
91. On 16 September 2024, ACCA replied asking Mrs Ali to provide a full response to its email of 9 September 2024.
92. It was only on 24 September 2024 that Mrs Ali admitted to using a phone, [PRIVATE]. She stated as follows:

*“I acknowledge that I did not fully comply with the examination guidelines, as my mobile was within my reach during the exam. However, I want to emphasis and bring into your attention that this was not my intension it all happened unintentionally. [PRIVATE]. Which has affected my ability to follow the guidelines as closely as I should have followed. In that moment, I did not consciously realised the implications of having the phone nearby me, I deeply regret and apologies this oversight as I was in extreme stress due to exams, I was unbale [sic] to think. ... I admit that I used my mobile phone during the examination; however, it was not for the purpose of cheating or gaining an unfair advantage. [PRIVATE].”*

93. In the course of the exam, the proctor stated that she wished Mrs Ali to carry out a pan of her room and her desk. The Committee found that Mrs Ali knew that the reason for the proctor’s request was to determine whether Mrs Ali was using her phone. Despite Mrs Ali subsequently accepting that she had used a phone, it was not detected when she showed the proctor the area in which she was working. The Committee found that Mrs Ali’s behaviour when carrying out a pan of her room and her desk was a deliberate attempt to mislead the proctor into believing that she was not using a phone in the course of the exam.
94. The Committee found that if, as Mrs Ali maintained, she had to use her phone in order for her to take advantage of the [PRIVATE] to enable her to continue, she should, and could, have simply informed the proctor. However, she did not do so and, instead, denied on two occasions during the exam that she was using her phone.

95. The chat log illustrated Mrs Ali's attempts to provide the proctor with false and misleading information.
96. The Committee noted that Mrs Ali suggested that, during the course of the hearing on 28 August 2025, [PRIVATE]. However, the Committee considered that Mrs Ali had been able to participate in the hearing without any apparent difficulty and had answered all questions put to her promptly and coherently. It may well be the case that sitting an exam may have [PRIVATE]. It was also very well recognised that having to participate in a disciplinary hearing of this sort can be a very stressful experience. However, there was no indication that Mrs Ali was unable to follow the hearing and as stated, she was able to answer questions put to her by Mr Mustafa and the Committee.
97. The Committee did not find Mrs Ali's evidence credible that the reason for holding the phone up to the screen of her laptop was because of her arms becoming tired.
98. Finally, whilst the Committee was satisfied that Mrs Ali is, and was at the material time [PRIVATE].
99. For all these reasons, the Committee was satisfied, on the balance of probabilities, that, on 4 June 2024, Mrs Ali deliberately attempted to mislead the proctor by giving them false and misleading information in denying that she was using her phone.
100. Consequently, the Committee found allegation 2 proved.

### **Allegation 3**

101. Of particular relevance to this allegation are Exam Regulations 5(a) and 6(b).

*"5(a) The use of dictionaries, electronic devices, and/or translators of any kind is not permitted during the exam by you or any other person. You must not have on or at your desk a calculator which can store or display text. Further, the use*

*of any electronic communication device, camera, smart watch, or any other item with photographic, recording or smart technology functionality, including mobile phones, is not permitted by you or any other person (unless the exam is being conducted remotely in which case the mobile phone must only be used only in accordance with ACCA's Exam Guidelines). Such items are regarded as 'unauthorised items' and are taken into the examination room at the candidate's own risk."*

*"6(b) If you breach exam regulation 5(a) and/or 5(b) or permit another person to act contrary to those exam regulations, it will be assumed that you, and/or the other person, intended to use the 'unauthorised items' to gain an unfair advantage for you or others in the exam and/or a future exam. In any subsequent disciplinary proceedings, you will have to prove that you, and/or the other person, did not intend to use the 'unauthorised items' to gain an unfair advantage for you, or others, in the exam and/or a future exam."*

102. The Committee relied on its findings of fact in relation to allegations 1 and 2.
103. Even on Mrs Ali's version of events, the Committee would find this allegation proved. [PRIVATE] it meant that Mrs Ali was gaining an unfair advantage over other students who were not seeking [PRIVATE].
104. However, on the basis of its findings, the Committee was not satisfied that this was the reason for Mrs Ali accessing her mobile during the exam.
105. Within her response of 23 September 2024, Mrs Ali accepted that she had used her mobile phone and, in turn, failed to comply with the examination guidelines. However, Mrs Ali stated the following:

*"Furthermore, [PRIVATE], especially in high-pressure [sic] situations like exams.*

*During the exam, [PRIVATE], and my judgment was extremely affected [PRIVATE], leading to the unintended use of my mobile phone.*

*I fully accept that this was a violation of the exam rules and regulations, and I deeply regret my actions, but I hope you can understand that my intent was never to compromise the integrity of the exam.”*

106. In response to ACCA's enquiries as to why Mrs Ali was using her mobile phone, she explained that she was *'using [her] mobile phone out of [PRIVATE], not for any exam-related purpose'*. Mrs Ali also explained that she *'picked up [her] phone without thinking clearly'* and reiterated that she *'was not using the phone to access any exam-related information or to cheat'*.
107. Mrs Ali accepted that she had informed the proctor that she was not using her mobile phone, but wished to clarify that she did not intend to mislead anyone as a result of this. [PRIVATE].
108. However, in that response, Mrs Ali did not describe why she needed to have her phone with her.
109. It was only in her response of 15 October 2024 that, for the first time, Mrs Ali changed her account by making reference to the [PRIVATE]. This was over four months after the exam and following a number of exchanges with ACCA regarding her conduct.
110. Furthermore, on considering the evidence, the Committee was not satisfied that Mrs Ali's conduct during the exam as illustrated on the video was consistent with using the phone to access [PRIVATE].
111. Mrs Ali had been observed looking at her phone on multiple occasions. The Committee also noted that she was seen holding up her phone pointed towards her computer screen. On the balance of probabilities, the Committee concluded that the more likely explanation was to enable Mrs Ali to take an image of the screen as opposed to accessing an app.
112. Mrs Ali's explanation that she was only using a phone to access a [PRIVATE] was inconsistent with her constant denial of having a phone in her possession

at all. It was also inconsistent with her attempts to mislead the proctor and ACCA in its subsequent investigation into believing that the phone on the bed was the only phone to which she had access, which she knew to be untrue.

113. The Committee was satisfied that, whilst Mrs Ali [PRIVATE] this did not explain her behaviour when she took the exam on 3 June 2024. The Committee found that Mrs Ali intentionally used her mobile phone and did so for reasons which were not connected to her [PRIVATE].

114. In the circumstances, the Committee concluded that Mrs Ali had not established, on balance of probabilities, that she did not intend to use the mobile phone to gain an unfair advantage in the exam and/or future exam.

115. On this basis, the Committee found allegation 3 proved.

#### **Allegation 4(a)**

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

117. The Committee relied on its findings of fact in respect of allegation 2 above.

118. Mrs Ali had accepted that, in advance of the exam, she was aware of the Exam Regulations and the guidance. She was aware that use of a mobile phone was prohibited.

119. Notwithstanding that, Mrs Ali had used a phone and then endeavoured to persuade the proctor on more than one occasion that her phone was out of arms' reach on the bed which she knew to be untrue.

120. By the standards of ordinary decent people, such behaviour was dishonest.

121. Consequently, the Committee found allegation 4(a) proved.

#### **Allegation 4(b)**

122. The Committee relied on its findings in respect of allegation 3 above.
123. The Committee was satisfied that the video evidence showed Mrs Ali making constant access to her phone. She was observed holding her mobile phone with the camera pointing towards the screen of her laptop. The Committee inferred from this evidence that Mrs Ali was making unauthorised use of her mobile phone. It found, on the balance of probabilities, that she was taking an image of her laptop screen or taking a video. This represented a clear breach of Exam Regulation 5(a).
124. As stated above, in accordance with Exam Regulation 6(b), the Committee was entitled to assume that Mrs Ali intended to gain an unfair advantage for herself or others in the exam and/or future exam, bearing in mind that this was the fifth occasion on which Mrs Ali had attempted this particular exam.
125. For the reasons outlined, the Committee had rejected Mrs Ali's suggestion that she had been using her phone to access a [PRIVATE] her during the exam.
126. On this basis, the Committee was satisfied that, by the standards of ordinary decent people, such conduct was dishonest.
127. Consequently, the Committee found allegation 4(b) proved.

#### **Allegation 4(c)**

128. On the basis that this allegation was pleaded in the alternative to allegations 4(a) and (b), the Committee made no finding in respect of it.

#### **Allegation 5(i)**

129. Taking account of its findings in respect of Mrs Ali's conduct during the examination, and its finding of dishonesty, the Committee was satisfied that she

was guilty of misconduct. The Committee was concerned that such behaviour risked compromising the integrity of the examination process. In the Committee's judgement, it brought discredit to Mrs Ali, the Association and the accountancy profession.

130. Therefore, the Committee found allegation 5(i) proved.

#### **Allegation 5(ii)**

131. On the basis that this allegation was pleaded in the alternative to allegation 5(i), the Committee made no finding in respect of it.

#### **SANCTION AND REASONS**

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

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

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

135. The Committee had found Mrs Ali to have acted improperly during the course of an exam and, furthermore, she had then attempted to mislead the proctor, both of which the Committee considered to be very serious.

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

137. The Committee accepted that there were no previous findings against Mrs Ali. Whilst under an obligation to do so, the Committee also gave some credit to Mrs Ali for participating in the investigation and, until today, the hearing, to include giving evidence on 28 August 2025.
138. Whilst the Committee had discounted its relevance in terms of presenting Mrs Ali with a defence, [PRIVATE].
139. The Committee found such serious misconduct to be aggravated in the following ways.
140. Whilst Mrs Ali had eventually admitted her behaviour during the exam, this was after some months of delay and denial, and only after ACCA had provided her with its evidence. The Committee was not satisfied that Mrs Ali had shown sufficient evidence of insight and contrition. The Committee also considered it was very serious that Mrs Ali had knowingly suggested that the phone on the bed was hers and that this was the only phone to which she had access. This suggested a level of planning and pre-meditation.
141. Mrs Ali's conduct represented an abuse of the trust placed in her by ACCA to conduct herself properly in a remotely-invigilated exam.
142. The Committee found that Mrs Ali's behaviour during and after the exam had an adverse impact in that it undermined the integrity of the exam process.
143. On the basis of its findings, the Committee concluded that neither an admonishment nor a reprimand would represent a sufficient and proportionate outcome. Neither sanction would adequately reflect the seriousness of the Committee's findings, nor protect the public.
144. The Committee then considered whether a severe reprimand would be an appropriate sanction. Again, taking account of the seriousness of its findings, and reflecting on the criteria suggested in the Guidance, the Committee did not consider that a severe reprimand would be sufficient or proportionate. Indeed,

the Guidance suggests that such a sanction may be appropriate when there is evidence of an individual's understanding and appreciation of the conduct found proved. The Committee was not satisfied that Mrs Ali really appreciated the seriousness of her conduct.

145. The whole purpose of the Exam Regulations is to maintain the integrity of the process and thereby maintain the reputation of ACCA and protect the public.
146. Mrs Ali's conduct during the exam represented conduct which was fundamentally incompatible with being a student member of ACCA. Her level of denial and her failure to show full insight or contrition for her conduct, led the Committee to conclude that, currently, there was no guarantee that Mrs Ali would behave in a manner expected of a member of ACCA.
147. The Committee had considered whether there were any reasons which were so exceptional or remarkable that it would not be necessary to remove Mrs Ali as a student member of ACCA but could find none.
148. The Committee concluded that the only appropriate, proportionate and sufficient sanction was to order that Mrs Ali shall be removed from the student register.

#### **COSTS AND REASONS**

149. The Committee had been provided with a simple costs schedule (pages 1 to 3) and a detailed costs schedule (pages 1 to 3) relating to ACCA's claim for costs.
150. The amount of costs for which ACCA applied was £15,866.
151. The Committee concluded that ACCA was entitled to claim an award of costs against Mrs Ali, all allegations having been found proved.

152. However, the Committee noted that the claim was for ACCA's costs incurred prior to, and during, each of the three days this matter had been listed for a hearing.
153. The Committee considered that the claim relating to the investigation, and the preparation for, and attendance at, the first day of hearing on 28 August 2025 to be reasonable.
154. However, the hearing on 28 August 2025 had to be adjourned for unavoidable reasons, namely the unexpected [PRIVATE] of one of the Committee members.
155. As for the hearing on 4 November 2025, this had to be adjourned as an incomplete transcript had been provided to Mrs Ali.
156. The Committee bore in mind that this case had been listed for one day. Mrs Ali was not responsible for the first day having to go short, nor was she in any way responsible for the adjournment of the hearing on 4 November 2025. It would therefore be unjust to expect Mrs Ali to have to pay the costs of the hearing on 4 November 2025 and 13 February 2026.
157. When considering ACCA's claim for costs in respect of the lead up to, and attendance at, the hearing on 28 August 2025, the Committee had taken into consideration Mrs Ali's means.
158. In advance of the hearing on 28 August 2025, Mrs Ali had provided a statement of her financial circumstances. [PRIVATE] Although Mrs Ali had not provided any documentation in support [PRIVATE].
159. At the hearing today, further enquiries were made of Mrs Ali to find out her current financial circumstances. [PRIVATE].
160. [PRIVATE]

161. On balance, the Committee accepted Mrs Ali's description of her current financial and personal circumstances and considered them [PRIVATE].
162. In the circumstances, the Committee was not satisfied that Mrs Ali [PRIVATE] and therefore made no award in favour of ACCA.

#### **EFFECTIVE DATE OF ORDER**

163. The Committee had considered whether the order should have immediate effect. It had no information at all regarding Mrs Ali's intentions with regard to future employment or any wish on her part to take further exams. It concluded that, in the absence of such information, she represented an ongoing risk to the public. It therefore concluded it was in the interests of the public to make an order which takes effect immediately.
164. The Committee ordered that the interim order of 31 October 2024 shall be rescinded.

**Mr Martin Winter**  
**Chair**  
**13 February 2026**