

# DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

## REASONS FOR DECISION

**In the matter of:** Mr Ahmad Raza

**Heard on:** Wednesday, 03 November 2021

**Location:** Remotely via ACCA Offices, The Adelphi, 1-11 John Adam Street, London, WC2N 6AU using Microsoft Teams

**Committee:** HH Suzan Matthews QC (Chair)  
Mr Martin Davis (Accountant)  
Mr Garrett O'Reilly (Lay)

**Legal Adviser:** Mr Robin Havard (Legal Adviser)

**Persons present  
and capacity:** Mr Benjamin Jowett (ACCA Case Presenter)  
Ms Nikita Apostol (Hearings Officer)

**Observers:** None

**Summary** Exclusion from membership

**Costs:** £6,000

### ACCA



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## **PRELIMINARY APPLICATIONS**

### **CONSTITUTION OF THE COMMITTEE**

1. The Chair of the Committee, Ms Matthews, and Mr Davis had both been members of the Committee which, in January 2021, had considered the allegations against Mr A and which led to the exclusion of Mr A from membership of ACCA. The decision in relation to those proceedings appears in the bundle of documents on which ACCA relied in the case against Mr Raza.
2. Having considered the matter very carefully and received legal advice and taking account of the specific nature of the allegations faced by Mr Raza, Ms Matthews and Mr Davis did not consider that there was a requirement for them to recuse themselves from hearing the case. Ms Matthews and Mr Davies were satisfied that they could make findings of fact, and reach decisions in respect of the allegations, in a manner that ensured that Mr Raza received a fair hearing.
3. Applying the test in *Porter v Magill* [2001] UKHL 67, Ms Matthews and Mr Davis were satisfied that a fair-minded and informed observer, having considered the facts, would not conclude that there was a real possibility of bias, either actual or perceived. However, both members of the Committee would keep the matter under close review throughout the hearing and, if either member considered that the situation had changed, she or he would not hesitate to raise the issue at that stage.

### **SERVICE OF PAPERS**

4. The Committee had considered the following documents: a hearing bundle (pages 1 to 256), a Tabled Additional (1) bundle (pages 1 to 7), a Tabled Additional (2) bundle (pages 1 to 18), and a service bundle (pages 1 to 30). The Committee had also considered legal advice, which it had accepted.

5. The Committee had read the letter dated 6 October 2021 sent from ACCA by email to Mr Raza and had noted the subsequent emails sent to Mr Raza with the necessary link and password to enable Mr Raza to gain access to the letter and the documents relating to this hearing. The Committee was satisfied that such emails had been sent to his registered email address in accordance with regulation 22 of the Complaints and Disciplinary Regulations 2014 as amended ("CDR"). The Committee had noted that the emails had been delivered successfully.
6. The emails and the documents to which Mr Raza had access also contained the necessary information in accordance with CDR10. Consequently, the Committee decided that Mr Raza had been properly served with the proceedings.

#### **PROCEEDING IN ABSENCE**

7. On 7 October 2021, Mr Raza sent an email to ACCA stating, *"I am happy for the committee to proceed even in my absence as I would be working on 3<sup>rd</sup> of November as its hard for me to take day off"*.
8. On 8 October 2021, ACCA sent an email to Mr Raza indicating that it was prepared to try and rearrange the time of the hearing to accommodate Mr Raza and referred him to the adjournment policy in case he wished to make such an application.
9. On 11 October 2021, Mr Raza wrote to say that he was still not sure if he could attend the hearing and re-affirmed that he was prepared for the hearing to proceed in his absence. He confirmed he did not wish to apply for an adjournment.
10. On 12 October 2021, ACCA wrote to Mr Raza acknowledging that Mr Raza was prepared for the hearing to take place in his absence but that ACCA would send him the Microsoft Teams link in any event, and would check again prior to the hearing to find out if Mr Raza was able to attend.

11. On 20 October 2021, ACCA wrote again to Mr Raza asking him to update ACCA with regard to his intentions in respect of his attendance at the hearing.
12. On 24 October 2021, Mr Raza stated that, due to his work commitments, he would only be able to confirm his availability a day or two before the hearing.
13. On 26 October 2021, ACCA sent to Mr Raza an updated bundle to rectify a simple pagination error.
14. On 1 November 2021, ACCA sent to Mr Raza the link enabling him to join the hearing via Microsoft Teams. In the same email, ACCA again asked Mr Raza whether he intended to attend.
15. On 2 November 2021, ACCA spoke with Mr Raza on the phone. Mr Raza confirmed that he would not be attending the hearing due to his workload but he was content for the hearing to proceed in his absence. Later that day, Mr Raza confirmed his intentions in an email, saying, *"I am happy for the committee to proceed as I cannot attend hearing due to work reasons."*
16. Finally, in the case management form returned to ACCA by Mr Raza, he confirmed that he would not be attending and consented to the hearing proceeding in his absence.
17. The Committee concluded that ACCA had done everything possible to enable Mr Raza to attend the hearing. Taking account of this email from Mr Raza, the Committee concluded that Mr Raza had voluntarily absented himself from the hearing, which he could have joined by telephone or video link at a time more convenient to himself. The Committee considered that he had sufficient time to arrange to take a day off work if he really wished to participate at the hearing. He had therefore waived his right to attend.
18. 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 as

stated, Mr Raza had consented to the hearing proceeding in his absence. Finally, the Committee considered that it was in a position to reach proper findings of fact on the written evidence presented to it by ACCA, to include the written responses provided by Mr Raza.

19. The Committee ordered that the hearing should proceed in the absence of Mr Raza.

### **ALLEGATIONS**

Mr Ahmad Raza, at all material times an ACCA affiliate

1. Submitted or caused to be submitted to ACCA on or about 15 May 2018 an ACCA Practical Experience training record which purported to confirm:
  - a. his Practical Experience Supervisor in respect of his practical experience training in the period 5 February 2015 to 22 April 2018 was Mr A when Mr A did not and or could not supervise his practical experience training in accordance with ACCA's requirements as set out and published in ACCA's PER Guidance (the Guidance).
  - b. he had achieved the performance objectives 3, 4, 5, 7 and 18
2. Mr Raza's conduct in respect of the matters described in allegation 1 above was:-
  - a. In respect of allegation 1a, dishonest, in that Mr Raza sought to confirm his supervisor did and could supervise his practical experience training in accordance with ACCA's requirements which he knew to be untrue.
  - b. In respect of allegation 1b dishonest, in that Mr Raza knew he had not achieved performance objectives 3, 4, 5, 7 and 18 he claimed as described in corresponding performance objective statements or at all.

- c. In the alternative, any or all of the conduct referred to in paragraph 1 above demonstrates a failure to be straightforward and honest and accordingly is contrary to the Fundamental Principle of Integrity, as applicable in 2018.
3. In the further alternative to allegations 2a and 2b above, such conduct was reckless in that it was in wilful disregard of ACCA's Guidance to ensure (i) a Practical Experience Supervisor met the specified requirements in terms of qualification and supervision of the trainee and or (ii) that performance objectives 3, 4, 5, 7 and 18 had been achieved as set out in the corresponding objective statements or at all.
4. By reason of his conduct, Mr Raza is guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 3 above.

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

### **Allegations 1a and 1b**

20. Mr Raza registered as an ACCA student on 7 February 2009 and he sat his final examination in December 2014. On 18 May 2018, he became a member.
21. Regulation 3(a) of ACCA's Membership Regulations provides that an ACCA trainee cannot become a member of ACCA until they have completed three years of approved work experience, in accordance with ACCA's Practical Experience Requirement ("PER").
22. The Committee had considered the evidence of ACCA's Professional Team Manager, Mr Stephen Baillie, set out in his statement dated 15 April 2021. The content of his statement had not been challenged by Mr Raza, and the Committee made the following findings of fact.

23. The following abbreviations have been used:

PER – Practical Experience Requirement;

PES – Practical Experience Supervisor;

PO – Performance Objective.

24. The requirements in respect of procedural validation of the completion of a trainee's three years' approved work experience was as follows:

- a) ACCA's PER is based on the International Federation of Accountants (IFAC) International Education Standard 5, PER. ACCA's PER develops the professional knowledge and values, ethics and behaviours needed to become a professionally qualified accountant.
- b) ACCA's PER has three components. As at 2012, and therefore at the time that Mr Raza claimed to have started his work experience in 2014, trainees must achieve 13 POs. In 2016, this was revised to nine, made up of five "Essential" and any four "Technical" POs. This can be attained by gaining the experience required to achieve the necessary elements for each PO and complete a personal statement for each PO, which are signed off by the trainee's practical experience supervisor (PES), formerly known as a workplace mentor. Trainees must complete 36 months experience in one or more accounting or finance-related roles which are verified by their PES. Trainees must regularly record their PER progress in the online "MyExperience" recording tool, which is accessed via ACCA's online portal "myACCA".
- c) A trainee's personal statement for each PO must be a 200-500 word concise explanation of how they have achieved the PO. Trainees must provide examples of tasks they have been involved with to illustrate their personal statement. Trainees' statements must be unique to their own work experience.

- d) It is a trainee's responsibility to find a PES who must be a qualified accountant recognised by law in the trainee's country and or a member of an IFAC body with knowledge of the trainee's work. A PES will therefore usually be a trainee's line manager, or the person to whom the trainee reports on projects or activities. A PES cannot sign off experience that a trainee has not been able to demonstrate to them in the workplace. If a PES is not a trainee's line manager, then the PES may consult with the trainee's line manager, who would act as the trainee's mentor, to validate their experience.
  - e) Trainees must enter their PES's details into the "MyExperience" recording tool and send their PES an invitation to register as their PES. Trainees cannot submit anything to their PES until the PES is registered. The PES can only register if he or she is a qualified accountant. It is the trainee's responsibility to ensure that his PES is qualified to act as a PES.
  - f) Guidance about ACCA's PER including trainees' responsibilities and the necessary qualifications of a PES and their role, is, and was throughout the material time, published on ACCA's website.
25. On or about 15 May 2018 Mr Raza submitted to ACCA his PER and 9 POs, approved by Mr A, stating that he had worked at Ahsan & Ahsan Co of Lahore, Pakistan from 5 February 2015 to 22 April 2018 and been supervised in that job by Mr A. However, Mr A only became a member on 23 September 2016.
26. As stated, on 18 May 2018 Mr Raza became a member of ACCA.
27. On 1 February 2020 Mr Raza stated to an ACCA investigations officer that he had:

*"... worked in Ahsan & Ahsan Co from May 2015 to April 2018 and from there I met with [Mr A]. He was working with Ahsan and Ahsan on some projects with other managers but was not the full-time employee of my firm. He would come 3-5 days in my firm. I got acquainted to him as He was a ACCA member and*

*was friendly in nature and he assisted most of the trainees. As I told you at the start about the ICAP issues, I was at that time working off record and couldn't get any manager in my firm for PER supervision because of ongoing issues and as I was about to complete my 36 months required period, and after completing this period I was planning to move out from Pakistan, as there was no future growth. I asked [Mr A] to assist and supervise me for PER as he was also the ACCA member and he agreed to this."*

*"... Once he agreed to be my supervisor, we normally sit once or twice a week. As he knew my work that I was doing in Ahsan & Ahsan Co. He also confirmed with my seniors about my work. Once we sat for PER discussion on weekly basis I showed him my work relevant to PER even the past assignments as due to confidentiality I couldn't share data to him."*

*"... As [Mr A] was not my line manager there is no email interaction between us. And at that time I was using the company's laptop. I normally used to text messages or phone calls to [Mr A] for PER. He reviewed my work on my laptop also there is no official letter or reports that I shared with him as I was working off record due to the conflict going on between ICAP and other bodies. As now I have moved out of Pakistan for better career I couldn't get meeting proof to you now as I am using new device. Because of this reason I have no documentary proof with me."*

*"... As I stated at start there was no contractual agreement for ACCA affiliates at that time as firms were hesitant to employ other bodies affiliate. We were merely given small amount as stipend at that time. I still remember it was 5,000 per month which is just about £35 at that time. In addition to that we were given sometimes travel reimbursement in cash which did not count much due to this minimal amount we never received any pay slips."*

*"... I mainly followed the ACCA guidelines which was available on website. After logging on every time, I selected the PER which I was about to complete, I recorded everything which I learned relevant to specific objective and submitted that for approval."*

*"... While writing objectives I sometimes had help from colleagues and [Mr A] as well that helped me a lot. Also, I took a look on samples that were on internet just to had some idea and I extracted some from there after which I wrote PER."*

28. *"... Mostly [Mr. A] at that time provided assistance to fill the PER, He helped a lot to explaining different matters."*(sic)

29. The ACCA requested Mr Raza to provide evidence of his employment in Ahsan & Ahsan Co. He was also asked to explain why his PO3, PO4, PO5, PO7 and PO18 statements were effectively the same as the statements of other trainees who had claimed to be supervised by Mr A.

30. On 7 April 2021, Mr Raza replied as follows:

*"I tried contacting [Mr A], my PER supervisor, for any documentary proof but he was out of reach. Its hard for me to contact him as I have left country. As I have already told you, I worked off records because that time there was ban on ACCA students/affiliates to work in audit firms and many of the small scale firms started to misuse ACCA students. Most of us had no option but to work without properly employed. While working I contacted [Mr A] to be my PER supervisor and also sometimes I had asked for some help for PO's statements from him I'm really sorry that I could not get any documentary proof as its been almost 3 years and laptop was also provided by my firm which I had to give that back to them."*

31. Whilst Mr Raza indicated that he, *"asked for some help for PO's statements from him....."*, it was clear that Mr Raza's statements for PO3, PO4, PO5, PO7 and PO18 are identical, or virtually identical to the statements of other trainees who also asserted to have been employed at Ahsan & Ahsan and supervised by Mr A.

32. For example, the following was the PO statement for Mr Raza in respect of PO3:

*"During my professional experience, at initial stages, I assisted my business development managers with the parameters to deeply understand the industry in which business was operating, the main activities of business, weaknesses, possible threats and strengths. Also, all of these aspects were required in comparison of company competitors. All of my research work was based on internet findings only from trusted and authentic websites, newspapers, published books, company accounts and of course short interviews from management officials and colleagues. Using my knowledge grasped during business planning papers, I applied PESTEL and SWAT analyses in order to highlight business strengths, weaknesses, advantages and threats along with other external forces affecting the business operations at individual levels and on industry as a whole. A number of company weaknesses were highlighted in comparison to current market competitors which were thus defined via flow chart diagrams using power point and trend analysis using Microsoft excel and other office tools. Meetings were organized for better communication of our current issues and their possible solutions were welcomed. There remained some of the internal problems such as communication gaps, one way directions, no feedback practice etc, which caused ineffectiveness and inefficiencies in achievement of targets. All of the above issues were analysed and new changes in design and processes were proposed with their possible affects and achievement of targets along with their feasibility and acceptability."*

33. The Committee had considered the PO3 statements of five other trainees, trainees G, K, AA, L, and NN, four of them purported to be trainees at Ahsan & Ahsan, and found them to be almost, or completely, identical.
34. As a further example, the following was the PO statement for Mr Raza in respect of PO4:

*"For this purpose, I had to deeply analyze the control systems placed within the company and also whether they were effectively fulfilling the purpose or not. For this I consulted the company codes of governance and policies manual. Having a thorough understanding, I applied a number of tests of controls placed such as entering the wrong data into systems and checking for its denial to enter verifying*

*the documentation for authorization from correct designated person, accessing my user ID from other systems and checking for its permissions protocols etc. After applying a series of tests on controls, a bunch of weaknesses were identified in internal control systems of company with wide possibilities of fraud and other fraudulent activities. All of the findings were presented over slides using Microsoft power point to senior managers recording their feedbacks with majority agreeing to the findings of case. Possible effects of such loose ends were estimated and results turned out to be materialistic upon company's financials. Issues presented to higher management remained the core discussion area for a couple of days ending eventually with new control policies emerging with resolved issued and mitigated risk factors. All of the new implementations were described to company officials along with importance of ethics and their significant impact on society were delivered by the company CEO during self-grooming secessions."*

35. The words of Mr Raza's PO4 statement were the same as those used by nine other trainees, seven of whom were purported to be trainees at Ahsan & Ahsan.
36. The words of Mr Raza's PO5 statement were the same as those used by twenty two other trainees, three of whom were purported to be trainees at Ahsan & Ahsan.
37. The words of Mr Raza's PO7 statement were the same as those used by twenty one other trainees, four of whom were purported to be trainees at Ahsan & Ahsan.
38. Finally, the words of Mr Raza's PO18 statement were the same as those used by four other trainees, two of whom were purported to be trainees at Ahsan & Ahsan.
39. The Committee noted that grammatically and typographically, the statements were effectively the same.
40. On 29 January 2021 ACCA's Disciplinary Committee found that Mr A, who did not become a member of ACCA until 23 September 2016 and who could not therefore have been a PES before 23 September 2016, had:

- approved the POs and/or supporting statements of 52 ACCA trainees, including Mr Raza's, when Mr A had no reasonable basis for believing they had been achieved and/or were true
  - falsely represented to ACCA that he had supervised the work experience of 52 ACCA trainees, including Mr Raza, in accordance with ACCA's PER
  - improperly assisted 52 ACCA trainees, including Mr Raza, in completing their supporting statements as evidence of their achievements of their ACCA Practical Experience performance objectives
  - improperly participated in, or been otherwise connected with, an arrangement to assist 52 ACCA trainees to draft and/or approve their supporting statements as evidence of their achievement of their ACCA Practical Experience performance objectives, when those trainees were unable or unwilling to properly obtain verification from a supervisor that they had met ACCA's Practical Experience Requirements.
41. In respect of allegation 1a, as stated, the Committee found that Mr A did not become an ACCA member until 23 September 2016. Therefore, the Committee found that he could not have acted as Mr Raza's supervisor for approximately 18 months of the period when Mr Raza purported to undergo practical experience training whilst purportedly working for Ahsan & Ahsan in the period 5 February 2015 to 22 April 2018.
42. Indeed, the Committee found, on the balance of probabilities, that the firm of Ahsan & Ahsan had never existed. The enquiries undertaken by ACCA revealed a website, but it was not an official website with links to enable a visitor to the site to find out anything about the firm, the work it undertook, or the personnel who worked at the firm. Indeed, the website stated that it was, "unverified". ACCA's enquiries did not reveal any official evidence of the existence of the firm, let alone a firm with the resource and capability to retain 15 trainees, many of whom purported to be undertaking their work experience during periods which overlapped.

43. Even had the firm existed, the Committee had found that Mr Raza had never worked for the firm. Mr Raza confirmed that the amount he was paid was paid in cash; he had no payslips, and he did not have a contract of employment. Mr Raza was unable to inform ACCA of the address of the firm, the names of any of the personnel who worked there, to include other trainees and those who would have managed his work, the name of any of the firm's clients, nor the sort of work being undertaken.
44. There was no evidence of any contact between Mr Raza and Mr A. In the absence of any evidence whatsoever, the Committee rejected Mr Raza's evidence of the level of contact he maintained with Mr A regarding supervision of his work. The Committee found that there was no such contact. If there was any such contact, and for the avoidance of doubt, the Committee did not accept that there was, it can only have taken place towards the end of the three-year period of work experience. Indeed, this was supported by the remarks made by Mr Raza himself in his email of 1 February 2020, when he stated:
- "I was at that time working off record and couldn't get any manager in my firm for PER supervision because of ongoing issues and as I was about to complete my 36 months required period, and after completing this period I was planning to moveout from Pakistan, as there was no future growth. I asked Mr. Ahmed to assist and supervise me for PER as he was also the ACCA member and he agreed to this."*
45. The Committee was satisfied, on the balance of probabilities, that Mr Raza knew that Mr A was not qualified to act as his PES.
46. Furthermore, the Committee found that Mr A did not supervise Mr Raza's practical experience.
47. There was no contemporaneous documentary evidence of Mr A having supervised Mr Raza's practical training. The Committee took into consideration that Mr Raza submitted his PO statements to Mr A some time after he finished his purported employment with Ahsan & Ahsan. The PO statements should

have been submitted at the conclusion of the practical training had it taken place. Mr A had also approved the POs the day after they were submitted to him, which suggested that he paid little regard to their content.

48. On this basis, the Committee found the facts of allegation 1a proved.
49. With regard to the statements submitted by Mr Raza in respect of PO3, PO4, PO5, PO7 and PO18, the Committee noted that it was a stipulation of ACCA's PER that the words in the statements must be unique to the trainee who had undertaken the practical training. The Committee found that the words used by Mr Raza were not his own and that he had effectively adopted the words which had been provided to him in a form of template by Mr A. This was a clear abuse of the process of validation and no weight could be placed on the description of the experiences gained as suggested in the statements.
50. The Committee repeated its findings at paragraphs 31 to 39 above.
51. The Committee had not found Mr Raza's explanations contained in his email of 1 February 2020 and 7 April 2021, and his assertion that he only had, "*some help*" in preparing the statements, to be remotely credible.
52. On this basis, the Committee found the facts of allegation 1b proved.

### **Allegations 2a and 2b**

53. The Committee relied upon its findings of fact under allegations 1a and 1b above.
54. The Committee had found that Mr Raza knew that Mr A had not supervised his practical training and he knew that Mr Raza was not qualified to supervise his practical experience.
55. The Committee had also found that Mr Raza had failed to write the statements in support of PO3, PO4, PO5, PO7 and PO18 in his own words. He had simply

adopted words used by others and therefore there was no guarantee whatsoever that the description would match in any way the practical experience of Mr Raza.

56. The Committee was satisfied that, by the standards of honest decent people, such conduct would be considered to be dishonest.

57. Consequently, the Committee found allegations 2a and 2b proved.

#### **Allegation 2c**

58. On the basis that this allegation was pleaded in the alternative to allegation 2a and 2b, the Committee made no finding in respect of it.

#### **Allegations 3a and b**

59. On the basis that this allegation was pleaded in the alternative to allegation 2a and 2b, the Committee made no finding in respect of it.

#### **Allegation 4**

60. Taking account of its findings that Mr Raza had acted dishonestly, the Committee was satisfied that he was guilty of misconduct in that such conduct could properly be described as deplorable. In the Committee's judgement, it brought discredit to Mr Raza, the Association and the accountancy profession.

61. The Committee found allegation 4 proved.

#### **SANCTION AND REASONS**

62. 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 legal advice from the Legal Adviser, which it accepted.

63. 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.
64. 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.
65. The Committee considered whether any mitigating or aggravating factors featured in this case.
66. The Committee accepted that there were no previous findings against Mr Raza.
67. The Committee had little information regarding the personal circumstances of Mr Raza and noted that Mr Raza had not provided the Committee with any testimonials or references as to his character.
68. However, the Committee noted that Mr Raza had engaged with the process to the extent that he had corresponded with ACCA with regard to the allegations. He had also indicated that he accepted the facts of allegation 1. He had also accepted allegation 2 to the extent that he had acted recklessly. He had also admitted misconduct. To that extent, he had shown a level of insight.
69. As for aggravating features, on the basis of the Committee's findings, it had been established that Mr Raza's behaviour had been dishonest. The steps Mr Raza had taken involved a level of determination and premeditation. This was not an isolated incident. The course of conduct extended over a period of time and represented significant and repeated acts of deceit. The Committee was entirely satisfied that his behaviour would undermine confidence in the profession and put at risk the reputation of ACCA.
70. The Committee concluded that neither an admonishment nor a reprimand would adequately reflect the seriousness of the Committee's findings.

71. The Committee then considered whether a severe reprimand would be an appropriate sanction. Again, taking account of the seriousness of its findings, the Committee did not consider that a severe reprimand would be sufficient or proportionate.
72. Mr Raza had been found to have acted dishonestly in his conduct. The Committee was also concerned that, based on its findings, the objective of his dishonest conduct was to gain an unfair advantage over those who had approached their practical training in an honest way. He may have become a member when he was not competent to do so. Therefore, this was conduct on Mr Raza's part which could have led to him achieving a level of success to which he was not entitled, and which was not merited. In this way, he could present a risk to the public. It was also conduct which was fundamentally incompatible with being a member of ACCA. It was also dishonest conduct.
73. The Committee had considered whether there were any reasons which were so exceptional or remarkable that it would not be necessary to exclude Mr Raza from membership of ACCA but could find none.
74. The Committee concluded that the only appropriate, proportionate and sufficient sanction was to order that Mr Raza shall be excluded from membership of ACCA.

### **COSTS AND REASONS**

75. The Committee had been provided with a detailed costs schedule (pages 1 to 3) relating to ACCA's claim for costs.
76. The Committee concluded that ACCA was entitled to be awarded costs against Mr Raza, all allegations, including dishonesty, having been found proved. The amount of costs for which ACCA applied was £8,453.00. Taking account of the complexity of the case, the Committee did not consider that the claim was unreasonable, although the actual time taken at the hearing was less than the estimated time.

77. Mr Raza had provided ACCA with details of his means in his emails of 7 and 11 October 2021 and certain documentary evidence in support. From the information provided, it was clear that Mr Raza was possibly a person of limited means.
78. The Committee had taken into consideration the information provided by Mr Raza.
79. In all the circumstances, and in exercising its discretion, the Committee considered that it was reasonable and proportionate to award costs to ACCA in the reduced sum of £6,000.00.

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

80. Taking into account all the circumstances, the Committee decided that it was in the interests of the public for this order to take immediate effect.
81. The Committee ordered that the interim order in respect of Mr Raza shall be rescinded.

**HH Suzan Matthews QC**  
**Chair**  
**3 November 2021**