

APPLICATION ON PAPERS

CONSENT ORDERS CHAIR OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Mr Anthony Mee
Considered on:	Wednesday, 12 January 2022
Chair:	Ms Carolyn Tetlow
Legal Adviser:	Mr Iain Ross
Outcome	Draft Consent Order approved.

INTRODUCTION

1. This matter has been referred to the Chair of the Complaints and Disciplinary Committee for them to determine on the basis of the evidence before them whether to approve or reject the draft Consent Order.
2. The Chair had a case bundle numbered pages 1-91 and a service bundle numbered pages 1-7 containing an email dated 06 January 2022, informing Mr Mee that the draft Consent Order would be considered by the Chair on 12 January 2022.

RELEVANT FACTS / PROVISIONAL AGREEMENT

3. Mr Mee became a student member of ACCA on 15 March 2018 and an affiliate member of ACCA on 18 January 2021.
4. By a Consent Order signed on 20 December 2021, Mr Mee admitted the

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following allegations:

Allegation 1:

Pursuant to byelaw 8(a)(ix), Mr Mee is liable to disciplinary action by virtue of his conviction for:-

- i. As a holder of a public office wilfully neglected to perform his duty/ wilfully misconducted himself;
- ii. Perverting the course of justice,

on 21 July 2011 by the Crown Court at Warrington and received a custodial sentence of 6 months concurrent for both.

Allegation 2

- a) Mr Mee failed to promptly bring to the attention of ACCA that he may have become liable to disciplinary action by reason of his conviction in breach of byelaw 10(b);
- b) That Mr Mee shall be reprimanded and liable to pay costs to ACCA in the sum of £792.00.

DECISION

5. The powers available to the Chair are to:
 - (a) approve the draft Consent Order, in which case the findings on the allegations and the orders contained in it become formal findings and orders (CDR 8(11) and 8(14));
 - (b) reject the draft consent order, which they may only do if they are of the view that the admitted breaches would more likely than not result in exclusion from membership (CDR 8(12));
 - (c) recommend amendments to the draft Consent Order, if satisfied it is appropriate to deal with the complaint by way of consent but wish the terms of the draft order to be amended (CDR 8(13)).

6. The Chair had regard to ACCA's Guidance for Consent Orders. Having carefully considered all of the material before them, the Chair was satisfied that the matter had properly been investigated by ACCA. The Chair was further satisfied that Mr Mee had properly and willingly admitted all of the allegations and had complied with ACCA's directions and the advice provided to him by ACCA.
7. In considering whether a Reprimand was the appropriate sanction, the Chair noted that ACCA's Guidance for Disciplinary Sanctions (Guidance) had been considered and particularly the key principles which includes the following:
 - Protection of members of the public;
 - Maintenance of public confidence in the profession and in ACCA; and
 - Declaring and upholding proper standards of conduct and performance.
8. Another key principle is that of proportionality, that is, balancing the member's own interests against the public interest. Further the aggravating and mitigating features of the case have been considered.
9. ACCA accept, and the Chair agreed, that during the period of Mr Mee's misconduct, he had been [Private]. It is also accepted that, since the offence occurred, Mr Mee has taken steps to ensure that it will not happen again. He has been open and honest about all of the circumstances leading to his conviction, including with his employers and colleagues, who have provided favourable references. Although Mr Mee had not, as he should have done, declared his conviction on his application for student membership in 2018, he did so as soon as he became aware of that requirement. The conviction became a "spent conviction" in 2014.
10. The Chair noted that ACCA had considered all of the available sanctions and had concluded that a reprimand was the appropriate and proportionate sanction in this case.
11. Taking into account all of the above factors, the Chair agreed that a reprimand was a proportionate sanction which sufficiently dealt with the public protection and public policy considerations.

ORDER

12. The Chair made the following order:

The draft Consent Order is approved.

Ms Carolyn Tetlow
Chair
12 January 2022