

**HEARING**

**ADMISSIONS AND LICENSING COMMITTEE OF THE  
ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS**

**REASONS FOR DECISION**

**In the matter of:** Miss Saffia Ali Haider

**Heard on:** Friday 26 January 2024

**Location:** Held remotely, via MS Teams

**Committee:** Mr Andrew Popat CBE (Chair)  
Ms Wanda Rossiter (Accountant)  
Ms Samantha Lipkowska (Lay)

**Legal Adviser:** Mr Richard Ferry-Swainson

**Persons present  
and capacity:** Miss Elaine Skittrell (Case Presenter)  
Ms Lauren Clayton (Hearings Officer)

**Summary:** Application for readmission allowed

**INTRODUCTION**

1. The Admissions and Licensing Committee (“the Committee”) convened to consider an application by Miss Haider for re-admission to ACCA’s student register. Miss Skittrell appeared on behalf of ACCA. Miss Haider attended and represented herself.

**APPLICATION/BRIEF BACKGROUND**

2. Miss Haider was on ACCA's student register until removed on 04 February 2022, as a result of the findings of the Disciplinary Committee in respect of the following proved allegation:

*Miss Saffia Ali Haider on 30 November 2020, during an FBT Business and Technology Examination, a remotely invigilated exam:*

*1. Engaged in improper conduct designed to assist her in her exam attempt in that she caused or permitted a third party to be:*

*i. Present;*

*ii. To communicate with her during all or part of the exam.*

*2. In respect of Miss Haider's conduct referred to in paragraph 1 she:*

*(a) Failed to comply with instructions issued by ACCA personnel, as per the "Information Sheet for On-Demand CBE Students sitting exams at home" in that she caused or permitted a third party to be present in the Exam room and thereby failed to ensure she was in a room with no-one else around her, contrary to Examination Regulation 2; and/or*

*(b) Was in breach of Examination Regulation 10; and/or*

*(c) Was in breach of Examination Regulation 16 in that further she communicated with that third party.*

*3. Further, Miss Haider's conduct as referred to in paragraphs 1 and 2 above was:*

*i. Dishonest, in that Miss Haider sought to obtain an unfair advantage in the examination by obtaining assistance from a third party;*

*4. By reason of her conduct, Miss Haider is:*

*(a) Guilty of misconduct pursuant to bye-law 8(a)(i), in respect of any or all of the matters set out at allegations 1 - 3 above;*

3. Miss Haider first joined ACCA's student register on 18 December 2018.
4. On 30 November 2020, Miss Haider sat her FBT Business and Technology examination remotely. As a student, Miss Haider was bound by ACCA's by-laws and Regulations, including the Examination Regulations and the requirements set out in the 'Information Sheet for On-Demand CBE Students sitting exams at home.' The Remote Invigilator, the 'ProctorU' asked Miss Haider to "*acknowledge that you have read and understood the "Information Sheet for On-Demand CBE Students sitting exams at home" and "the 'On-Demand CBE Announcements' sent to you prior to the exam..."*". The ProctorU asked Miss Haider to "*type 'I agree' into the chat box if you agree to these exam rules.*" Miss Haider typed "*i agree*".
5. The Remote Invigilator recorded in the Incident Report that a third party could be heard whispering and assisting Miss Haider during the exam.
6. An investigation was commenced which involved obtaining documents and video footage relating to the Exam.
7. At the Disciplinary Committee hearing on 21 and 22 December 2021, 10 January 2022 and 04 February 2022, Miss Haider denied the assertion that there was somebody else in the room and said she was alone. The Committee did not believe her and found the above matters proved. In reaching its decision on sanction the Committee said:

*"The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. The dishonest behaviour was serious. Trust and honesty are fundamental requirements of any professional. Dishonesty by a member of the accountancy profession undermines its reputation and public confidence in it.*

*The aggravating factors the Committee identified were:*

- *The behaviour involved dishonesty which was a pre-planned course of conduct;*
- *The serious impact on the reputation of the profession;*

- *There was no evidence of insight into the seriousness of the conduct;*
- *There were no expressions of regret or apology.*

*The only mitigating factor the Committee identified was:*

- *A previous good character with no disciplinary record*

*The Committee noted that Miss Haider stated that she highly valued her ACCA student membership and wanted to be allowed to continue her exams. However, given the Committee's view of the seriousness of her conduct, 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.*

*The Committee reminded itself that it was dealing with a case of dishonesty and had specific regard to Section E2 of the Guidance in relation to dishonesty and was mindful of the case law to the effect that dishonesty lies at the top of the spectrum of misconduct. The Committee determined that Miss Haider's behaviour was fundamentally incompatible with her remaining on the student register of ACCA and considered that the only appropriate and proportionate sanction was that she be removed from the student register."*

8. Miss Haider was not ordered to pay any costs to ACCA in respect of the case due to her limited means.
9. Miss Haider was unable to make any application for readmission for a minimum period of 12 months, in accordance with Regulation 14(2) of ACCA's Membership Regulations.
10. Miss Haider's registration was administratively ceased following the Disciplinary Committee Hearing's decision on 04 February 2022.
11. On 28 February 2022, Miss Haider made an application to Appeal the Disciplinary Committee Decision.

12. On 14 April 2022, the Chair refused the application for permission to appeal. Miss Haider was suspended from ACCA student membership for a minimum period of 12 months, and could not submit her application for readmission until after 14 April 2023-
13. On 12 May 2023, Miss Haider submitted an application for readmission to ACCA's student register, along with references. In her application, Miss Haider explained the circumstances which led to her removal from the student register. She stated *"the committee members announced their decision that the allegations are proved just based on whispers that they heard in video footage."*
14. When asked why she believes that in similar circumstances in the future the conduct would not be repeated and/or she will not commit a similar breach of ACCA rules, Miss Haider stated: *"I respect ACCA and its rules and so I accept full responsibility for my academic performance and assure ACCA that such events would never occur again. If I encountered similar circumstances, I will immediately ensure that whatever happened last time does not reoccur. I will be hoping for consideration, PLEASE give me a chance to be readmitted."*
15. When asked why she should be readmitted as a student, Miss Haider stated: *"I feel like to be readmitted into ACCA as a student because qualifying for ACCA is my dream and passion."*
16. Further in her application Miss Haider stated: *"I know the benefits of ACCA qualification and sincerely wish to continue my education here. If readmitted, I will give my best and absolute effort to my studies."*
17. Miss Haider has indicated that she is currently [private]. In her application she stated: *"[private]"* in respect of her current work circumstances.
18. Miss Haider provided references from Company A in Peshawar, dated 03 May 2023. Person A, the Principal, states they have been associated with Miss Haider since June 2021, describing Miss Haider as an *"intelligent, hardworking and industrious student. Her potentials and abilities as a student as well as a human being are remarkable. She is expected to rise very high in her profession under supervision of teachers. She is very cultured, cheerful and mature person. Besides this she is upright and bears a strong moral character."*

19. Miss Haider provided a second reference, again from Company A in Peshawar, dated 03 May 2023, from Person B, Faculty Member/Coordinator. Person B states Miss Haider *“is intelligent and hardworking student with ambition to learn new things. She is well known to all teachers as regular & punctual student. She is active in her class and always co-operative to her fellows. During the academic activities she has proven her abilities well above the average and has shown a high level of commitment for the tasks assigned to her.”*
20. Neither referee indicated that they were aware of the disciplinary findings against Miss Haider and that she had been removed from the student register for cheating in an exam.

#### **ACCA’S POSITION ON THE APPLICATION**

21. Miss Skittrell said that it was for Miss Haider to satisfy the Committee as to her general character and suitability to be on the student register.
22. In her oral and written submissions, Miss Skittrell detailed the following.
23. The Disciplinary Committee found that Miss Haider did communicate with a third-party i.e. someone other than the exam supervisors or a Proctor during the exam and that this formed the basis of her choices during the exam.
24. The Disciplinary Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. The dishonest behaviour was serious. Trust and honesty are fundamental requirements of any professional. Dishonesty by a member of the accountancy profession undermines its reputation and public confidence in it.
25. The allegations, as proven against Miss Haider, were particularly serious, involving behaviour that was dishonest, demonstrating a disregard for ACCA’s examination process and the integrity of the profession.
26. Miss Haider was found to have acted dishonestly. Cheating in an exam is one of the most serious breaches of professional behaviour that a student can commit. Therefore, a finding of dishonesty, that is directly related to the

student's registration, is behaviour that is fundamentally incompatible with being an ACCA member and is capable of undermining the trust the public have in the profession.

27. In circumstances where dishonesty is concerned, and as cited in Bolton v Law Society [1994] 1 WLR 512, 519, the then Master of the Rolls Sir Thomas Bingham said, "the reputation of the profession is more important than the fortunes of the member. Membership of a profession brings many benefits, but that is a part of the price."
28. There is considerable importance in the public knowing that, save for in the most exceptional circumstances, they are dealing with members and potential members of a profession who have never been guilty of any dishonesty at all. Therefore, in cases of behavioural misconduct such as dishonesty, public confidence will be a stronger factor in weighing any decision with regard to readmission. If allowing an individual to return to the register can undermine the public's trust in the profession, readmission is unlikely to meet the overarching objective.
29. It is ACCA's position that based on the finding of dishonesty, readmission in these circumstances is not compatible with ACCA's overarching objectives of upholding the reputation and confidence in the profession and protecting the public.
30. Further, in cases where dishonesty is concerned (as referenced in Bolton v Law Society, *ibid*) less weight should be given to insight and references. It was held that a professional's personal mitigation will count for significantly less in these cases, in contrast to other contexts, because of the imperative need to uphold and maintain public confidence in the profession:

*"...On applying for restoration after striking off, all these points may be made, and the former solicitor may also be able to point to real efforts made to reestablish himself and redeem his reputation. All these matters are relevant and should be considered. But none of them touches the essential issue, which is the need to maintain among members of the public a well-founded confidence that any solicitor whom they instruct will be a person of unquestionable integrity, probity and trustworthiness. Thus it can never be an*

*objection to an order of suspension in an appropriate case that the solicitor may be unable to re-establish his practice when the period of suspension is past. If that proves, or appears likely to be, so the consequence for the individual and his family may be deeply unfortunate and unintended. But it does not make suspension the wrong order if it is otherwise right. The reputation of the profession is more important than the fortunes of any individual member. Membership of a profession brings many benefits, but that is a part of the price.”*

31. Although Miss Haider has been sanctioned for her misconduct, she has demonstrated limited insight into the seriousness of her conduct and has not shown adequate reflection on her actions. Miss Haider has demonstrated little evidence of having taken any rehabilitative steps since the Disciplinary Hearing.
32. Therefore, it is ACCA’s position, said Miss Skittrell, that Miss Haider has not demonstrated that she has been sufficiently rehabilitated to no longer be considered a risk to the public and uphold the integrity of the accounting profession if she once again becomes an ACCA student.
33. She added that the burden is on Miss Haider to establish that she meets the eligibility requirements for membership in accordance with regulation 9 of the Membership Regulations, which requires an individual to “[satisfy]...the Admissions and Licensing Committee as to his general character and suitability.”
34. Taking all the above into account, Miss Haider has not, Miss Skittrell submitted, discharged that burden. Therefore, ACCA opposed the application for Miss Haider’s readmission to ACCA’s student register.

#### **THE APPLICANT’S EVIDENCE**

35. Miss Haider made oral submissions to the Committee, saying:

*“I appreciate this opportunity to speak with you today. I am here to openly acknowledge a grave mistake I made three years ago. I deeply regret my decision to engage in cheating during my examination. This action was not*



*only a violation of the ACCA's standards but also a betrayal of the values I hold dear.*

*Over the past three years, I've had ample time to reflect on my actions and their consequences. This period has been one of significant personal growth for me. I've taken several steps to better myself.*

*The suspension of my account has had a considerable impact on my life. My education and career aspirations have been on hold, deeply affecting not just me but also my family.[private], this delay in my education has been particularly challenging for us.*

*Despite these difficulties, I remain committed to my goal of becoming an ACCA-certified. I assure you that, if given a second chance, I will uphold the highest standards of ethics and professionalism. My past mistake does not define who I am or who I aspire to be.*

*I understand the concerns regarding the reputation of the ACCA, and I assure you that such an incident will never occur again. I have implemented strict personal measures to ensure my adherence to academic integrity.*

*I respectfully request that the committee consider granting me a second chance. Everyone deserves the opportunity to learn from their mistakes, and I am earnestly seeking the chance to prove that I have changed. I am fully prepared to bear any conditions or additional scrutiny that the committee may deem necessary as part of this second chance.*

*Finally, I would like to leave you with a thought. This decision not only impacts my professional journey but also the broader message of hope, redemption, and the belief in the power of second chances. I sincerely hope you will consider my request favourably.*

*Everyone in this world makes mistakes, whether it was out of fear or because I was too immature at that time I don't know but have changed in three years and guarantee it will never happen again. I just need a second chance, I deserve it."*

36. In answer to a Committee question, Miss Haider said she wants to return to taking her ACCA exams as that is all she wished for. She said she has taken some time in teaching students in her village.
37. In answer to questions from the Legal Adviser, Miss Haider said she accepted the findings of the Disciplinary Committee that there had been another person in the room when she was taking her exam. She also accepted that the person provided her answers which she used in her exam and that such behaviour was dishonest.
38. When asked about the impact of her behaviour, Miss Haider said she recognised the negative impact of her behaviour and that it undermines the trust that the public place in ACCA by students and the public. She said she was genuinely sorry for this.

#### **ORDERS AND REASONS**

39. The Committee considered with care the application by Miss Haider. It took into account the contents of the documents provided, the evidence given by Miss Haider and the submissions made. The Committee also took into account the fact that English is not Miss Haider's first language. The Committee accepted the advice of the Legal Advisor and took into account the Guidance for Regulatory Orders.
40. The Committee also took into account that the burden of satisfying the Committee as to her general character and suitability rested with Miss Haider. She was removed from the student register because she cheated in an exam. Honesty and integrity go to the heart of what it means to be a professional accountant and member of ACCA. Unsurprisingly, the Disciplinary Committee found her behaviour to be incompatible with being on ACCA's student register. Crucial to her rehabilitation, therefore, was for her to demonstrate insight into her dishonest behaviour, to acknowledge that she had acted dishonestly and to satisfy the Committee that she would not do so again.
41. In her grounds of appeal, Miss Haider had said that, *"The committee failed to send the video for forensic audit of any sort to prove presence of third party. Entire decision was made on basis of voice in the background. It was very much*

*possible that whisper heard were from outside the room since room was not sound proof. To my surprise committee never referred the video to any forensic team.”*

42. She added that in her view the Committee decision had been *“harsh and unlawful.”* She said, *“there was no forensic evidence that she had committed any misconduct so how could the Committee reach any conclusion.”* Her application to appeal was rejected as being without merit.

43. In her application for readmission, Miss Haider highlighted that the Committee announced its decision that the allegations were proved *“just based on whispers that they heard in video footage but in actuality there was no one they could see in the video.”* She went on to say, *“I respect ACCA and its rules and so I accept full responsibility for my academic performance and assure ACCA that such events would never occur again. If I encountered similar circumstances, I will immediately ensure that whatever happened last time does not reoccur.”*

44. However, in her oral submissions Miss Haider said:

*“I am here to openly acknowledge a grave mistake I made three years ago. I deeply regret my decision to engage in cheating during my examination. This action was not only a violation of the ACCA's standards but also a betrayal of the values I hold dear.[sic]”*

45. She told the Committee that she accepted she had cheated as proved and she accepted it was dishonest behaviour. She also acknowledged the negative impact of her behaviour on the profession and the public.

46. The Committee considered it was a significant step for Miss Haider to come before the Committee and to admit the matters alleged. It was important that she was now demonstrating insight into the impact of her behaviour. The Committee considered her apology and remorse to be completely genuine. Although some of her reflection was on the devastating impact her behaviour had on her life, she also recognises the impact of her behaviour upon the

- profession, other students and the wider public. Importantly she shows insight by admitting she was cheating and that her behaviour was indefensible.
47. In the Committee's view, Miss Haider made a grave decision to cheat in an exam and has paid the consequences for that bad decision and learnt a salutary lesson. She has reflected upon her behaviour and assured the Committee it would never happen again and asked for a second chance.
  48. The Committee decided to give her that second chance. The Committee noted that she was very young and, by her own admission, had been immature when taking that exam and taking the decision to cheat. She now shows genuine insight into her dishonesty, has demonstrated genuine remorse, apologised for her behaviour and satisfied the Committee that it was most unlikely she would cheat in any future exam or behave dishonestly.
  49. In all the circumstances, the Committee was satisfied that Miss Haider had succeeded in discharging the burden of satisfying the Committee as to her general character and suitability to be readmitted to the Register.
  50. Accordingly, the Committee decided to allow the application to be readmitted to the student register.

**Mr Andrew Popat CBE**  
**Chair**  
**26 January 2024**