

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Ms Alishba Bhatti
Heard on:	Friday, 14 February 2025 & Tuesday, 29 April 2025
Location:	Remote via Microsoft Teams
Committee:	Mr Martin Winter (Chair) Ms Susan Gallone (Accountant) Mr Nigel Pilkington (Lay)
Legal Adviser:	Mr Robin Havard (Legal Adviser)
Persons present and capacity:	Ms Lucie Danti (ACCA Case Presenter) Miss Sofia Tumburi (Hearings Officer on 14 February 2025) Miss Mary Okunowo (Hearings Officer on 29 April 2025) Miss Ceegay Verley (ACCA witness on 14 February 2025)
Summary:	Allegations 1, 2, 3(b) & 4(a) proved.
Sanction:	Severe Reprimand.
Costs:	£4,000

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PRELIMINARY APPLICATIONS

SERVICE OF PAPERS

1. The Committee had considered the following documents: a hearing bundle (pages 1 to 83); a video recording of the exam session on 02 October 2023; a Tabled Additional bundle (pages 1 to 5); a Tabled Additional (2) bundle (pages 1 to 7), and a service bundle (pages 1 to 28). The Committee had also considered legal advice which it had accepted.
2. The Committee had read the letter dated 17 January 2024 containing the Notice of Proceedings, sent on the same day by ACCA by email to Ms Bhatti. It had noted the subsequent emails sent to Ms Bhatti with the necessary link and password to enable Ms Bhatti to gain access to the letter and the documents relating to this hearing.
3. The Committee was satisfied that such emails had been sent to her 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. The emails and the documents to which Ms Bhatti had access also contained the necessary information in accordance with CDR10.
4. Consequently, the Committee decided that there had been effective service of proceedings on Ms Bhatti in accordance with CDR.

PROCEEDING IN ABSENCE ON 14 FEBRUARY 2025

5. On 24 January 2024, in the absence of any response from Ms Bhatti to the email of 17 January 2024, ACCA sent an email to Ms Bhatti at the registered email address asking her to indicate whether she intended to attend the hearing or whether she was content for the hearing to proceed in her absence. The email reminded her of the date of hearing and of her ability to join the hearing either by telephone or video link. It also asked her whether she would need the assistance of an interpreter, informing her that the cost of the interpreter would be met by ACCA. The email had been delivered successfully. There was no response.

6. On 31 January 2025, ACCA attempted to call Ms Bhatti, using the phone number registered with ACCA but there was an automated message stating that the number was not valid. ACCA tried to call Ms Bhatti on a number obtained from a different database, but the same message was received.
7. On 31 January 2025, ACCA sent a further email to Ms Bhatti, informing her of the attempts that had been made to call her. It also reminded her of the date of hearing and asking her to confirm that, if she did not attend, she was content for the hearing to proceed in her absence. Again, she was informed of her ability to attend by phone or video and that, on request, ACCA would make the necessary arrangements for an interpreter to attend to assist her in the course of the hearing. She was also asked to send to ACCA any documents on which she wished to rely. There was no response.
8. On 06 February 2025, ACCA sent an email to Ms Bhatti, confirming that an additional document had been uploaded to her sharepoint, namely Tabled Additional bundle, confirming that ACCA would be relying on the document at the forthcoming hearing.
9. On 07 February 2025, ACCA attempted to call Ms Bhatti on the number registered with ACCA, but the same automated message was received.
10. On 07 February 2025, ACCA sent a further email to Ms Bhatti, reminding her of the date of hearing and her ability to join by phone or video, together with access to an interpreter. ACCA asked Ms Bhatti to respond to confirm that she would be in attendance but there had been no response.
11. On 12 February 2025, ACCA sent an email to Ms Bhatti, confirming that an additional document had been uploaded to her sharepoint, namely Tabled Additional (2) bundle, confirming that ACCA would be relying on the document at the forthcoming hearing.
12. On 13 February 2025, ACCA sent an email to Ms Bhatti which referred to the date of hearing and contained a link enabling Ms Bhatti to join via Microsoft Teams.
13. Ms Bhatti failed to respond and had failed to appear at the hearing.

14. The Committee was satisfied that ACCA had done all that it could reasonably be expected to do to engage Ms Bhatti in the hearing. The Committee concluded, on the balance of probabilities, that Ms Bhatti was aware of the hearing taking place today, but that she had no intention of participating in the hearing, nor had she requested an adjournment. In reaching this conclusion, the Committee noted that all emails sent to her had been delivered successfully. Furthermore, the email address to which the emails had been sent was the same address as the one used by Ms Bhatti when corresponding with ACCA in January, February and March 2024.
15. The Committee concluded that Ms Bhatti had voluntarily absented herself from the hearing, which she could have joined by telephone or video link. She had therefore waived her right to attend.
16. 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, no such application had been made.
17. Finally, the Committee considered that it was in a position to reach proper findings of fact on the evidence presented to it by ACCA.
18. The Committee ordered that the hearing should proceed in the absence of Ms Bhatti. It did so, making it clear that if, at any stage, Ms Bhatti did join the hearing, the Committee would ensure that Ms Bhatti was provided with an opportunity to engage with the process.

PROCEEDING IN ABSENCE ON 29 APRIL 2025

19. The hearing having been adjourned part-heard, ACCA wrote to Ms Bhatti on 27 March 2025 informing her that the hearing would resume on 29 April 2025. The letter was attached to an email and the Committee noted that it had been delivered successfully. Ms Bhatti was also provided with the link to enable her to join the hearing by video.
20. In the letter, apart from informing Ms Bhatti of the new date and time, it stated as follows:

21. *“Please note that your attendance and participation at the hearing will assist the Disciplinary Committee in understanding your case and a failure to attend therefore has the potential to seriously prejudice your position”*
22. In the absence of any reply, ACCA wrote again by email on 11 April 2025, informing her of the date and time of the hearing and whether she required the assistance of an interpreter which would be provided at ACCA’s expense.
23. There was no reply, and similar emails were sent to Ms Bhatti on 15 and 22 April 2025 but, again, Ms Bhatti did not respond.
24. Finally, on 28 April 2025, ACCA sent an email to Ms Bhatti with the date and time of hearing together with a link enabling her to join but Ms Bhatti had failed to attend.
25. The Committee was satisfied that the emails had been sent to Ms Bhatti’s registered email address.
26. In the circumstances, and, for the same reasons as those given at the commencement of the hearing, the Committee decided to proceed.

ADMISSION OF LATE EVIDENCE

27. On 12 February 2025, ACCA served on Ms Bhatti a statement from a Case Progression Officer within ACCA’s Adjudications Team, Ms Ceegay Verley, together with exhibits. This evidence had been provided to the Committee in advance of the hearing and Ms Danti had applied for it to be allowed into evidence.
28. The purpose of the statement was to help the Committee understand the way in which video footage of remote examinations is stored and how the investigation team has access to two types of video footage. It also explains why screenshots exhibited to the letter to Ms Bhatti dated 29 January 2024 had been redacted.
29. The Committee decided that, whilst service of the evidence was very late, it may assist the Committee in understanding the basis on which ACCA was

relying on the screenshots exhibited to the letter of 29 January 2024 and the video footage disclosed.

30. The Committee allowed the statement into evidence on the understanding that, if necessary, Miss Verley would be available to answer any questions in respect of her witness statement.
31. As for any prejudice to Ms Bhatti, the Committee believed that it was important that it was as informed as possible regarding the evidence on which ACCA relied, and it may prove helpful in testing the basis on which the allegations were being made.
32. In any event, based on the level of engagement from Ms Bhatti since proceedings were issued, the Committee concluded that there would be no advantage to be gained by adjourning the matter as the chances of Ms Bhatti engaging in the process in the future had already been assessed as extremely low, hence the decision to proceed with the hearing in her absence.

ALLEGATIONS

1. On 02 October 2023, during a remotely invigilated FFA - Financial Accounting exam session, Ms Bhatti caused or permitted a third party to be present with her in the same room where she sat her exam contrary to Examination Regulation 20.
2. In the course of ACCA's investigation regarding allegation 1 above, Miss Bhatti confirmed by email on 29 January 2024 that a third party was not present in the room when she sat her FFA - Financial Accounting exam but subsequently in an email sent by her to the case officer on 30 January 2024 and in a phone discussion with the case officer on 21 March 2024, she confirmed that her brother was in the exam room with her for '...2-3 minutes...'.
 3. By reason of the matters referred to in allegation 2 Ms Bhatti was
 - a) Dishonest in that by her email of 29 January 2024 Ms Bhatti attempted to mislead ACCA regarding whether a third party was present in the same room where she was sitting her exam;

b) In the alternative such conduct demonstrates a lack of integrity

4. By reason of her conduct, Ms Bhatti is:

a) Guilty of misconduct pursuant to bye-law 8(a)(i) or in the alternative,

b) In respect of allegation 1 only, liable to disciplinary action pursuant to bye-law 8(a)(iii)

DECISION ON FACTS, ALLEGATIONS AND REASONS

33. In reaching its findings in respect of the allegations, the Committee relied upon: a hearing bundle (pages 1 to 83); a video recording of the exam session on 2 October 2023; a Tabled Additional's bundle (pages 1 to 5); a Tabled Additional's (2) bundle (pages 1 to 7), a transcript of the hearing on 14 February 2025 (pages 1 to 51); a service bundle for the hearing on 14 February 2025 (pages 1 to 28) and a service bundle for the hearing on 29 April 2025 (pages 1 to 15). The Committee had taken account of the submissions of Ms Danti. The Committee heard evidence from Ms Ceegay Verley, a Case Progression Officer within ACCA's Adjudications Team. It had taken account of the responses provided by Ms Bhatti in the course of the investigation. Finally, the Committee listened to legal advice, which it accepted.

Allegation 1

34. On 22 November 2021, ACCA registered Ms Bhatti as a student.

35. As such, she is, and was at the material time, bound by the Association's bye-laws and regulations, including the Examination Regulations and Examination Guidelines.

36. On 02 October 2023, Ms Bhatti sat her FFA - Financial Accounting examination (the "Exam"). As part of the exams booking process, and immediately before the commencement of the exam, Ms Bhatti agreed to ACCA's terms and conditions on sitting exams remotely. This included the Information Sheet for On-demand CBE Students sitting exams at home (the Student Information

Sheet) which contains the Examination Regulations and Guidelines and CBE announcements.

37. Examination Regulation 20 in force at the time Ms Bhatti took the exam on 02 October 2023 was as follows:
38. *“20. If you are taking a Remotely Invigilated Exam, only you and no one else is permitted in the room in which you are sitting your exam. This includes from the time that you log into the remote proctoring platform until 5 minutes after the time that you submit your exam, or your exam is terminated (whether by you or anyone or anything else).”*
39. In her email of 29 January 2024, Ms Bhatti confirmed that she had read the Examination Regulations and Guidelines before she sat the exam.
40. In reaching its findings, the Committee had approached allegation 1 on the basis that there were two occasions, “Event 1” and “Event 2”, when a third party, described subsequently by Ms Bhatti as her brother, was in the room in which Ms Bhatti sat her exam. Event 1 relates to the circumstances which gave rise to the report from the Proctor. Event 2 relates to the time towards the very end of the exam when Ms Bhatti submitted her exam answers and received the result.

Event 1

41. The Committee had considered the screen shots taken from the video footage, the responses provided by Ms Bhatti and a person described by Ms Bhatti as her brother, the written evidence contained in the witness statement of Ms Ceegay Verley dated 11 February 2025, and the oral evidence she gave to the Committee on 14 February 2025.
42. During the exam session the Proctor (online invigilator) noted a number of concerning behaviours which, after Ms Bhatti’s exam was ended, were reported to ACCA. The Proctor’s incident report states:

“During this session, the test taker was out of camera view while the exam was in progress. This behavior occurred at 00:46:56, 01:02:22, and 01:09:39 of the first video session recording. Based on the proctor’s observations and

ProctorU's experience with cases of a similar nature, there is a possibility that the academic integrity of this exam has been breached."

43. On 29 January 2024, the Investigation Department asked Ms Bhatti a series of questions, requiring her to respond to the issues of concern, which went beyond the matters raised by the Proctor. They included reference to Ms Bhatti having conversations with a third party who appeared to be in the room with her. Ms Bhatti was asked to confirm if anyone was with her in the room during the exam.

44. On 29 January 2024, Ms Bhatti provided ACCA with a written response. In answer to the particular enquiries regarding whether there was anyone else in the room, she denied that there had been, stating:

"no one."

"there was no one at the room. maybe somebody outside the home."

45. In an email dated 29 January 2024, ACCA stated:

"I have asked our administration team to send you a copy of your exam footage. Once you have watched it and read the chronology of events at the end of my letter, you will be in a better position to respond to the questions 2 of my inquiries."

46. Later on 29 January 2024, ACCA sent to Ms Bhatti a video recording. However, the video recording related to Event 2 as opposed to Event 1.

47. On 30 January 2024, Ms Bhatti provided a further response regarding the presence of a third party in the room:

48. *"As I told you, there was a electricity problem in our house, so my younger brother came to check the issue, then he gone."*

49. ACCA sought further clarification from Ms Bhatti regarding the third party in the exam room and the object he was holding. Ms Bhatti provided a response to include the following:

“He was came for only 2 to 3 mints coz he check my laptop's charging and then he go.”

“He was came just for laptop then he was go nothing else as i told you my electricity problem if u have any doubt please reconduct paper but sorry to say [REDACTED].”

“Yes mobile was held my brother her was not taking picture of screen her was just checking laptops charging with the help of phone”.

50. As stated, the Committee had not been shown the first video session recording on which Event 1 was based.
51. Ms Verley explained that attempts had been made to obtain the video of this part of the exam, but this had proved unsuccessful. Ms Verley stated that, in the course of its investigation, the investigation team had been provided with two types of video footage.
 - a. Type 1 - the “screen recording” shows what can be seen on the student screen. On screen recordings the exam questions are visible as well as the student’s responses. The screen recording is sometimes combined, i.e. half of the screen showing what the student can see on their screen and the other half showing the student’s face and upper body whilst they are sitting the exam.
 - b. Type 2 - the “student video” showing the student's face and upper body whilst they are sitting their exam.
52. ACCA’s Report and Disciplinary bundle contains screenshots of the screen recording. The screenshots were taken by the investigator of the screen recording. The screenshots have been redacted by the investigator to secure the integrity of ACCA’s exam questions. The screen recording has not been disclosed in order to protect the integrity of ACCA’s exam questions.
53. The timestamps referred to in the investigation report refer to timestamps on the screen recording.
54. Based on the investigation report, it was alleged that:

- (i) At 00:35:51, there was the sound of a door which can be heard to which Ms Bhatti did not react. However, the incident report states that,
 - (ii) At 00:38:43, an object appears to the left of the frame and Ms Bhatti acknowledges it before looking towards the screen. It is suggested that a third party is in the room which is at a time after the exam has commenced. The object disappears at 00:38:46.
 - (iii) At 00:39:00 an object appears at the bottom left of the screen and disappears after a few seconds.
 - (iv) Between 00:40:49 and 00:44:58, the Incident Report refers to Ms Bhatti's screen showing "Battery Low" and the voice of a third party can be heard. When Ms Bhatti appears on the camera, it shows her sitting in darkness with only the screen to illuminate her face. There are then other incidents when Ms Bhatti is handed a lamp and then voices can be heard, and the power appears to go on and off intermittently. The exam connection is disrupted, and Ms Bhatti can be heard speaking with a male person in the room.
55. Whilst the Committee was concerned that Ms Bhatti may not have had the opportunity to consider the evidence of Ms Verley due to it being served very late, it was satisfied that there was evidence of a third party being present in the room at the time shown on the screen shots.
56. The Committee also found that there was evidence to suggest that Ms Bhatti had been experiencing connectivity problems. She had been allowed by the Proctor to leave the room to obtain a charger and then Ms Bhatti had provided written responses, albeit after initially denying that anyone else was in the room, to indicate that she had sought assistance from her brother, also described as her cousin, to resolve the connection problems.
57. Ms Verley confirmed that, in the interview conducted by phone, to which reference is made below, Ms Bhatti was not interrogated about her problems with connectivity, a powercut, or electrical issues but Ms Verley accepted that Ms Bhatti had notified the Proctor of those issues.

58. However, based on the screenshots and also Ms Bhatti's responses, the Committee found that Ms Bhatti had permitted a third party to be present with her in the same room when she sat her exam on 02 October 2023.

Event 2

59. The Committee had then considered the video evidence with which it had been provided, and which covered the latter stages of the exam. Whilst the report, and the allegations, were initially based on the screen shots taken from a video of the earlier part of the exam which the Committee had not seen i.e. Event 1, in her closing submissions, Miss Danti focussed on what can be observed in the video the Committee had been able to watch.

60. Furthermore, Ms Verley stated in her evidence, and the Committee found, that, based on her analysis of the data, Ms Bhatti had submitted her answers to the exam at 1:17:14.

61. At 1:17:25, the screen changes, telling Ms Bhatti to wait.

62. At 1:17:33, the results are then displayed, indicating that Ms Bhatti has passed, and her reaction is plain to see.

63. Ms Verley confirmed that the length of time between submission of the exam answers, and the result is within 30 seconds to a minute.

64. The video comes to an end at 1:19:20 and it would have been Ms Bhatti who stopped the video.

65. In relation to this second episode, the Committee was satisfied that the video showed that, in a period which included Ms Bhatti submitting her answers to the end of the recording, there was a third party in the room.

66. On the basis of these findings of fact, the Committee was satisfied that a person was in the room during the time in which Ms Bhatti was taking the exam.

67. Consequently, the Committee found allegation 1 proved.

Allegation 2

68. The Committee relied on its findings under allegation 1 and was satisfied that, in her initial response to ACCA dated 29 January 2024, which related to Event 1, Ms Bhatti had denied that anyone was in the room with her.
69. In her subsequent responses, both written and oral, commencing with her email on the following day on 30 January 2024, Ms Bhatti accepted that her brother was in the room with her for two to three minutes during the exam.
70. Consequently, the Committee found the facts of allegation 2 proved.

Allegation 3(a)

71. This allegation only relates to Event 1.
72. In reaching its decision, the Committee had applied the test for dishonesty in these proceedings as prescribed by the Supreme Court in the case of *Ivey v Genting Casinos t/a Crockfords [2017] UKSC 67*. Taking account of its findings and the basis on which the allegation was presented, the Committee had also taken account of the guidance provided in *R v Lucas [1981] Q.B. 720*.
73. The Committee relied on its findings of fact set out at paragraphs 34 to 70 above.
74. When asked why she initially stated that there was no one in the exam room with her, Ms Bhatti responded on 01 March 2024 stating, *“When i was doing my exam there were no one in my room ,and the noise you may heard that is outside my room and as i already told you there was an electricity problem ,and i was scared at that time if laptop's charging gone due to electricity problem so my exam will stuck that why my younger brother came to check laptop's charging nothing else if you have any doubt so please Acca again conduct my exam but [REDACTED] thank you”*
75. On 21 March 2024, ACCA held a conversation with Ms Bhatti over the phone with the assistance of an interpreter. Whilst taking account of what had been said in the course of that phone conversation, for the following reasons, the

Committee approached its reliance on the remarks made by Ms Bhatti with caution:

- (i) This was a conversation which took place over the phone as opposed to face-to-face;
- (ii) There was no recording of the call and therefore no official transcript had been provided of the conversation, although Ms Bhatti stated subsequently that she considered the notes that had been prepared to be accurate;
- (iii) The interpreter was someone who was an employee of ACCA. Whilst not criticising in any way the person who had acted as interpreter, if Ms Bhatti had attended this hearing and indicated that she needed an interpreter, no doubt an independent interpreter would have been provided;
- (iv) This had to be borne in mind when assessing the extent to which the Committee was able to rely on the nature of the responses provided by Ms Bhatti. In particular, the Committee was satisfied that, when Ms Bhatti was providing her responses, she would not have had in her mind the test for dishonesty in the case of *Ivey v Genting Casinos* referred to above.

76. In any event, Ms Bhatti, whilst accepting that she had initially misled ACCA in her response because she was scared, corrected herself within less than 24 hours as soon as she responded to the subsequent email from ACCA.

77. Ms Bhatti also maintained that the reason her brother was present in the room regarding Event 1, was due to problems with her laptop and the need for a charger; this was verified by her brother when ACCA spoke to him on 22 March 2024. He stated that he only came into the room to check her battery level and when he noticed it was almost out, he passed her the charger and left. He added that he was just holding his phone and thinks Ms Bhatti assumed he was using it as a light but that was not the case.

78. The Committee found that Ms Bhatti had known that her initial response to ACCA regarding the presence of a third party in the room was incorrect. However, taking into account all of the circumstances, particularly the correction of her account within a matter of hours, the fact that she was scared,

and the circumstances in which her brother was in the room, the Committee considered that, on the balance of probabilities, by the standards of ordinary decent people, Ms Bhatti was not dishonest.

79. The Committee did not find allegation 3(a) proved.

Allegation 3(b)

80. The Committee relied on its findings above. Based on the same conclusions, the Committee was satisfied that, in providing an incorrect response to ACCA's initial enquiry, Ms Bhatti had failed to live up to the standards expected of an accountant and had failed to adhere to the ethical standards of her profession, having acknowledged that she was familiar with the requirements of the Examination Regulations before she sat the exam.
81. On this basis, the Committee decided that Ms Bhatti had failed to act with integrity and found allegation 3(b) proved.

Allegation 4(a)

82. Taken together, the Committee concluded that its findings in respect of allegations 1, 2 and 3(b) regarding Ms Bhatti's conduct during and following the examination, was such that she was guilty of misconduct. The Committee was concerned that such behaviour risked compromising the integrity of the examination process and she had fallen short of the standards expected of a student member of ACCA. In the Committee's judgement, it brought discredit to Ms Bhatti, the Association and the accountancy profession.
83. Therefore, the Committee found allegation 4(a) proved.

Allegation 4(b)

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

SANCTION AND REASONS

85. 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 Ms Danti, and legal advice from the Legal Adviser which it accepted.
86. 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.
87. 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.
88. The Committee had found Ms Bhatti to have acted improperly during the course of an exam and that her behaviour at the outset of ACCA's investigation was unacceptable, both of which the Committee considered to be serious.
89. The Committee considered whether any mitigating or aggravating factors featured in this case.
90. The Committee accepted that there were no previous findings against Ms Bhatti. However, the Committee took into consideration the fact that, at the time the exam took place, Ms Bhatti had only been a student member since 22 November 2021 i.e. a little under two years before she sat the exam.
91. The Committee had no information regarding the personal circumstances of Ms Bhatti, nor had it been provided with any testimonials or references as to Ms Bhatti's character. Indeed, whilst Ms Bhatti had responded to ACCA in the course of its investigation, there had been no engagement by Ms Bhatti in the course of the proceedings.
92. Ms Bhatti's responses had suggested a level of insight into the seriousness of her misconduct, and there was some evidence of contrition in what she had to say during the investigation. The Committee also took into consideration the

fact that the involvement of her brother related to technical issues she was experiencing in the course of the exam.

93. 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.
94. The Committee then considered whether a severe reprimand would be an appropriate sanction.
95. The Committee was satisfied that there was no evidence that the behaviour giving rise to the finding of misconduct was continuing, nor was there evidence that her conduct had caused direct or indirect harm.
96. As stated, the Committee considered that Ms Bhatti had shown a level of insight and remorse, and she had a previously good record. Ms Bhatti had also cooperated during the investigation to the extent that, after the first response, she had provided prompt and open responses to the questions put to her, both in writing and participating in an interview over the phone.
97. The Committee concluded that the appropriate, proportionate and sufficient sanction was to order that Ms Bhatti shall be severely reprimanded.

COSTS AND REASONS

98. The Committee had been provided with a simple costs schedule (page 1) and a detailed costs schedule (pages 1 and 2) relating to ACCA's claim for costs.
99. The Committee concluded that ACCA was entitled to be awarded costs against Ms Bhatti, certain of the allegations having been found proved. The amount of costs for which ACCA applied was £14,908.
100. Ms Bhatti had not provided ACCA with any evidence of her means. The Committee was satisfied that, in the correspondence sent to her, Ms Bhatti had been warned at the outset of the importance of providing details of her financial circumstances and of ACCA's intention to apply for costs.

101. In the absence of any information from Ms Bhatti, the Committee approached its assessment on the basis that she was able to pay any amount of costs awarded against her.
102. However, the Committee took into consideration the fact that the most serious allegation of dishonesty had not been proved. It was also felt to be disproportionate to require Ms Bhatti to pay the entirety of the costs of the investigatory and disciplinary process. Indeed, the evidence of Ms Verley had been served extremely late, and it was then necessary for her to provide oral evidence which was a significant factor in causing the hearing having to be adjourned part-heard. Finally, the hearing today had taken less time than estimated.
103. 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 £4,000.00.

EFFECTIVE DATE OF ORDER

104. The Committee confirmed that this order shall take effect at the expiry of the period allowed for an appeal in accordance with the Appeal Regulations.

Mr Martin Winter
Chair
29 April 2025