

## HEARING

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

#### REASONS FOR DECISION

<b>In the matter of:</b>	<b>Miss Wei Jia Zhang</b>
<b>Heard on:</b>	<b>Wednesday, 23 April 2025</b>
<b>Location:</b>	<b>Remotely via Microsoft Teams</b>
<b>Committee:</b>	<b>HH Suzan Matthews KC (Chair) Mr Abdul Samad (Accountant) Ms Yvonne Walsh (Lay)</b>
<b>Legal Adviser:</b>	<b>Miss Helen Gower</b>
<b>Persons present and capacity:</b>	<b>Mr Mazharul Mustafa (ACCA Case Presenter) Ms Nicole Boateng (Hearings Officer)</b>
<b>Summary</b>	<b>Allegations 1, 2, 3(a), (b), (c), (d), 5 proved Exclusion from membership with immediate effect</b>
<b>Costs:</b>	<b>£6,530</b>

#### INTRODUCTION

1. The Disciplinary Committee (“the Committee”) convened to consider allegations against Miss Wei Jia Zhang (‘Miss Zhang’). Miss Zhang was not present and was not represented. ACCA was represented by Mr Mustafa. The papers before the Committee consisted of a Main Bundle numbered 1-250, an Additional Bundle numbered 1-25, a Separate Bundle numbered 1-43, a Service Bundle numbered 1-19, and a two-page Memorandum and Agenda.

## **PRELIMINARY MATTERS**

### **SERVICE OF PAPERS**

2. The Committee first considered whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations 2014 ('the Regulations'). The Committee took into account the submissions made by Mr Mustafa on behalf of ACCA and it also took into account the advice of the Legal Adviser.
3. The Service Bundle included the Notice of Hearing dated 24 March 2025, thereby satisfying the 28-day notice requirement, which had been sent to Miss Zhang's email address as it appears on the ACCA register. The Notice included correct details about the time, date, and remote venue of the hearing, it also notified Miss Zhang of the option to attend the hearing by telephone or video-link, and to be represented if she wished. Additionally, the Notice provided details about applying for an adjournment and the Committee's power to proceed in her absence if considered appropriate. A delivery receipt dated 24 March 2025, confirming delivery of the Notice, was also provided.
4. The Committee also had sight of an email dated 15 April 2025 from ACCA's Hearings Officer to Miss Zhang. This e-mail followed up the Notice of Hearing. Within the body of this e-mail there was an erroneous reference to a hearing on 16 and 17 April 2025, but the subject matter of the e-mail and a telephone attendance note for the same date correctly referred to today's hearing date. In response to the Hearings Officer, Miss Zhang sent an e-mail dated 15 April 2025 stating, "*I confirm that I will not attend and be happy for the result, but I may appeal if necessary*". A hearings link was sent to Miss Zhang on 22 April 2025 to enable her to attend the hearing if she chose to do so.
5. The Committee, having considered the relevant documents, was satisfied that Notice had been served in compliance with the Regulations.

## PROCEEDING IN ABSENCE

6. Having concluded that proper notice had been served in accordance with the Regulations, the Committee went on to consider whether to exercise its discretion to proceed in the absence of Miss Zhang. The Committee noted that on 6 December 2024 Miss Zhang completed a Case Management Form in which she stated that she did not intend to attend the hearing or be represented, and she was content for the Committee to proceed with the hearing in her absence. On 12 December 2024 ACCA acknowledged receipt of the Case Management Form and reminded Miss Zhang that ACCA strongly encourages trainees subject to disciplinary proceedings to attend their disciplinary hearing so that the Committee can hear the explanation and ask any questions. Miss Zhang replied to this correspondence on 13 December 2024 stating that she was “*sure I won’t participate*”. Miss Zhang also confirmed that she would not attend the hearing in her recent e-mail dated 15 April 2025 stating, “*I confirm that I will not attend and be happy for the result, but I may appeal if necessary*”.
7. The Committee was of the view that Miss Zhang had voluntarily absented herself and that her attendance was unlikely to be secured by an adjournment. The Committee carefully balanced Miss Zhang’s interests against the wider public interest and concluded that it was in the interests of justice that the matter proceed expeditiously notwithstanding the absence of Miss Zhang.

## ALLEGATIONS

Miss Wei Jia Zhang (‘Miss Zhang’), at all material times an ACCA trainee,

1. On or about 26 May 2022 in relation to her ACCA Practical Experience Record caused or permitted a third party
  - a) To register Person A as her practical experience supervisor and further,
  - b) To approve in Person A’s name 36 months of qualifying experience and further,

c) To approve in Person A's name, all her performance objectives.

2. Whether by herself or through a third party applied for membership to ACCA on or about 27 May 2022 and in doing so purported to confirm in relation to her ACCA Practical Experience training record she had achieved all or any of the following Performance Objectives:

- Performance Objective 1: Ethics and professionalism
- Performance Objective 2: Stakeholder relationship management
- Performance Objective 3: Strategy, innovation and sustainable value creation
- Performance Objective 4: Governance, risk and control
- Performance Objective 5: Leadership and management
- Performance Objective 6: Record and process transactions and events
- Performance Objective 17: Tax planning and advice
- Performance Objective 21: Business advisory
- Performance Objective 22: Data analysis and decision support

3. Miss Zhang's conduct in respect of the matters described above was:

- a) In relation to Allegation 1a), dishonest, in that Miss Zhang knew her supervisor, Person A, had been falsely registered as her practical experience supervisor.
- b) In relation to Allegation 1b), dishonest in that Miss Zhang knew her supervisor, Person A, had not approved her qualifying experience.
- c) In relation to Allegation 1c), dishonest in that Miss Zhang knew Person A had not approved her nine performance objectives.
- d) In relation to Allegation 2, dishonest in that Miss Zhang knew she had not achieved all or any of the performance objectives as described in the corresponding performance objective statements or at all.

- e) In the alternative, any or all of the conduct referred to in Allegations 1 and 2 above demonstrates a failure to act with integrity.
- 4. In the further alternative any or all of the conduct referred to in Allegations 1 and 2 above was reckless in that:
  - a) Miss Zhang failed to ensure that her Practical Experience training Record was approved in all material respects by her practical experience supervisor.
  - b) Miss Zhang paid no or insufficient regard to ACCA's requirements to ensure that the statements corresponding with the performance objectives referred to in Allegation 2 accurately set out how each objective had been met.
- 5. By reason of her conduct, Miss Zhang is guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all of the matters set out at 1 to 4 above.

## **BRIEF BACKGROUND**

- 8. Miss Zhang was admitted as an affiliate member of ACCA on 14 October 2019. She was admitted as a full member on 9 June 2022 following an application for membership submitted on or about 27 May 2022.
- 9. Part of the requirement of becoming an ACCA member, in addition to passing the relevant exams, is the completion of practical experience. ACCA's practical experience requirement ('PER') is a key component of the ACCA qualification.
- 10. ACCA's PER is designed to develop the skills needed to become a professionally qualified Accountant. There are two components to the PER:
  - Completion of nine performance objectives ('POs'). Each PO includes a statement of 200 to 500 words, in which the trainee explains how they have achieved the objective. They should, therefore, be unique to that trainee. The PO must be signed off by a practical experience supervisor

('PES'), who must be a qualified Accountant recognised by law in the relevant country and/or a member of an IFAC body. They must have knowledge of the trainee's work in order to act as a PES. The PES is typically the trainee's Line Manager, though if their line manager is not suitably qualified, they can nominate an external supervisor provided the external supervisor has sufficient connection with the trainee's place of work.

- Completion of 36 months practical experience in accounting or finance related roles, verified by a PES. The period of practical experience may be verified by a non-IFAC qualified Line Manager.
11. Those undertaking the PER are known as trainees. The trainee's progress towards the PER is recorded in their PER Training Record. The Training Record is completed using an online tool called 'MyExperience' which is accessed via the student's MyACCA portal.
  12. In support of her application for membership, Miss Zhang submitted a PER Training Record to ACCA on or around 26 May 2022. This record stated that Miss Zhang obtained her experience of 36 months between 16 May 2019 to 20 May 2022 in the role of [PRIVATE] employed by Company B. The Supervisor details for Miss Zhang appear to confirm that Person A registered on 26 May 2022 as her 'IFAC qualified Line Manager'. Following a request from Miss Zhang, Person A appeared to approve Miss Zhang's time/experience and all her POs on 26 May 2022.
  13. Miss Zhang's application for membership was granted on 9 June 2022.
  14. During 2023 it came to the attention of ACCA's Professional Development Team that the practical experience supervisors registered to 91 ACCA trainees, shared one of three email addresses despite the names of such supervisors being different. It would not be expected for a supervisor to share an email address with any other supervisor or person.
  15. Further analysis of this cohort of 91 trainees revealed the following:

- Most of these trainees were registered with ACCA as resident in China.
  - Although each statement supporting a PO should be a description of a trainee's experience and therefore unique, many of such statements within this cohort of 91 trainees were the same.
  - Of these 91 trainees, the earliest date a supervisor with one of these three emails addresses is recorded as approving a trainee's PER training record was August 2021 with the latest date being March 2023.
16. A review was carried out by ACCA's Professional Development Team. It noted that Person A registered with one of the three common email addresses shared amongst this cohort of 91 cases. The registration details for Person A included what purports to be Person A's CICPA membership card. The membership number of this card has been uploaded by many supervisors who share one of the three common email addresses and is not the same as the membership number provided by Person A.
  17. The analysis of Miss Zhang's POs showed that one of her PO statements appeared to be first in time (PO3), although Miss Zhang has since admitted that all her PO statements were based on templates provided by a third party and eight of her PO statements were identical or significantly similar to the PO statements contained in the PER's of other ACCA trainees in the cohort.
  18. The matter was referred to ACCA's Investigations Team. A member of that team sent an email to Miss Zhang's registered email address on 28 March 2024. Attached to the email was a letter which set out the complaint and requested that Miss Zhang respond to a number of questions.
  19. Miss Zhang replied by e-mail on 12 April 2024, asking for an extension to the deadline to respond. ACCA granted a two-week extension, and Miss Zhang sent a written response dated 21 April 2024. She stated:

*"I am sorry for what happened. After receiving ACCA's email, I was also shocked. Looking back on my past experiences, I realized that I had been deceived.*

*Regarding questions 1, 2, 3, 4, 5, and 8, let me explain them together:*

*I can confirm that [Person A] is my direct supervisor who oversees my work. I can provide email screenshots for details. Please refer to attachments 1 and 2, which also include the company logo, which can prove that I work at [Company B]. Regarding question 4, I actually invited [them] to help me with the approval process in February 2022, but [they] encountered an issue during registration. [They were] unable to register and had multiple communications with ACCA, but [were] unable to resolve the issue. I can provide screenshots of [their] email communication with ACCA during registration. Please refer to attachments 3, 4, 5, and 6 for details. For this reason, we delayed registration until May, which is also the reason why I was deceived. I will explain in detail in the next question.*

*Regarding questions 6 and 7*

*After the registration failed, I searched online for the reason for the registration failure. I found a mentor on the internet, abbreviated as [Person D], who said [they are] a remote program mentor for ACCA, specifically responsible for solving membership application problems. I checked online and found that there is indeed a program called Remote Practical Experience Supervisor. Because I am working at an approved employer, [they] told me that I only need to submit a formatted PO to apply for exemption. Therefore, [they] gave me a complete set of POs and asked me to send my po to [them], this email is [e-mail X]. According to [them], this email is the dedicated email of the remote planning supervisor.*

*Due to [their] enthusiastic and professional behaviour during this process, without charging any fees, I trust [them] very much.*

*After receiving the email from ACCA, I was surprised and angry. I don't know why [Person D] framed me like this. In this incident, I was a victim and I don't*



*know what [their] purpose was, but I was really deceived. My work experience and superiors are both genuine, and I work at an approved employer. I can exempt my PO, and I have no motivation to deceive ACCA. But I did have negligence, which is also a serious mistake for me.*

*After I left [Company B], I am still [PRIVATE] due to the serious COVID-19 in [PRIVATE]. The ACCA investigation has put a lot of pressure on me. I hope the association can handle this matter as soon as possible, and I will fully cooperate with the association”.*

20. Miss Zhang provided documents which included e-mail correspondence between Person A and ACCA. This included an email from Person A dated 24 February 2022 which stated:

*“I have issue with login process. I am helping my colleague [Miss Zhang] complete her practical experience requirement and a new ACCA username with [PRIVATE] has been created, but cannot complete the new user – set password process. The message with “Error sending mail” popped up. cannot figure how to resolve this issue. We are asking to complete the PER soon as possible. Thanks” [sic]*

21. ACCA’s Customer Services Team has confirmed that, in error, no response was sent to Person A in relation to their enquiry.

22. ACCA sent Miss Zhang further questions on 24 July 2024 to which Miss Zhang responded as follows:

*“1) You state your supervisor encountered an issue trying to register with ACCA as supervisor and [they were] unable to do so despite ‘multiple communications with ACCA’. I have checked ACCA’s records and cannot find any communications from your supervisor. Please therefore provide copies of such communications or, if you do not have them, please obtain them from your supervisor and forward to me.*

*2) If you communicated with ACCA regarding the issue which prevented your supervisor from registering, please provide copies of those communications.*

3) *If you did not communicate with ACCA regarding the issue which prevented your supervisor from registering, please explain why.*

Response:

*“Questions 1-3 are about the same thing, I will answer them together. I sent you 6 attachments in my previous email, and the last 4 attachments are screenshots of the failed registration. This clearly indicates that you did not carefully review the email I sent you. It took me a long time to write this email, and you made me a little sad”*

*“4) You state in your response to me ‘After the registration failed, I searched online for the reason for the registration failure. I found a mentor on the internet, abbreviated as [Person D], who said [they are] a remote program mentor for ACCA, specifically responsible for solving membership application problems. I checked online and found that there is indeed a program called Remote Practical Experience Supervisor. Because I am working at an approved employer, [they] told me that I only need to submit a formatted PO to apply for exemption. Therefore, [they] gave me a complete set of POs and asked me to send my po to him, this email is [Email X]. According to [them], this email is the dedicated email of the remote planning supervisor.’*

*i) Please provide the full name of the mentor you refer to as [Person D]”*

Response:

*“i) I don’t know [their] name, [they] only says [they are] a remote program mentor. I usually call [them] mentor or teacher”*

*“ii) Please provide a copy of the online mentor’s website/marketing material”*

Response:

*“ii) I found [them] in a place called [Company C], but can’t contact [them] now”*

*“iii) You state ‘[they] told me that I only need to submit a formatted PO to apply for exemption. Therefore, [they] gave me a complete set of POs and asked me to send my po to [them].’ I understand therefore that the mentor provided you with template statements and you provided the mentor with the PO statements written by you. If my understanding is correct, why did you provide the mentor with your PO statements?”*

Response:

*“iii) You misunderstood my meaning. The company I work for is an approved employer, and applying for membership in an approved employer is very easy. There is no need to write a PO, only my supervisor sign it. But I didn’t know this detail at the time. I only knew that it was easy and I thought I just ned to submit a formatted PO.”*

*“iv) Please provide me with the communication from the mentor to you attaching the template PO statements.*

*v) Please provide me with the communication from you to the mentor attaching your PO statements.”*

Response:

*“iv) and v) I can’t find any chat records with [them], and we lost contact shortly after”*

*“vi) Please provide me with copies of the PO statements written by you.”*

Response:

*“vi) I am working at an approved employer and do not need to write a PO, so I did not write a PO. Although I have already explained in section iii), to avoid any misunderstanding, please allow me to say it again. I thought that in approved employer, membership application only required submitting a formatted PO, which was just a procedural step and didn’t need to be written. It was like confirming that there was no criminal record before submitting a*

*membership application, just click on it. Therefore, I did not write a PO, I just uploaded the PO [they] gave me.”*

*“vi) My understanding is that upon receiving the template PO statements from the mentor, you then uploaded these to your PER training record. Is that correct?”*

Response:

*“vii) yes”*

*“viii All ACCA supervisors are required to register with ACCA. To do so, the trainee is required to enter the name of the supervisor and the supervisor’s email address in the online PER tool. The online tool will send an automated email to the supervisor using that email address inviting them to register. That being so you uploaded to ACCA’s online PER tool the name of your actual supervisor [Person A] but with the email address for [Person D]. You would therefore have been aware when requesting approval of your experience and POs that it would have been W, acting in the name of [Person A], who approved your experience and POs. Accordingly you would have known that your supervisor [Person A] did not approve any element of your PER training record. Please let me have your observations on this view.”*

Response:

*“viii) I actually explained this issue in my previous email. I have searched online and found that there is indeed a plan called Remote practical experience supervisor. Because I was working in an approved employer, [Person D] told me that I only needed to submit a formatted PO to apply for exemption. Therefore, [they] gave me a complete PO and asked me to send the PO to [them] [Email X], [they] said This email belongs to the remote planning mentors and is used for the member like me.*

*This is my cognitive mistake. After failing to register with [Person A], I thought the Remote practical experience supervisor help me to make the approve.*

*After answering all the above questions, I found that many of the questions I wrote in the previous email were not understood by you, perhaps due to cultural or lifestyle habits. I will provide another systematic explanation:*

*Although you may doubt it, this is truly a fact, and I acknowledge my negligence and mistakes.*

*I was working at an approved employer and I can directly exempt the PO. There is no need for me to plagiarize the PO. Because I am not familiar with the rules for approved employer, I thought that doing the exemption of approved employer was through the email of the mentorship program, so I provided [Email X]. This thought caused an error.*

*I hope the ACCA can give me another chance, and I will try to complete my membership application by Approved employer.*

*I have been [PRIVATE] for a long time, and I have always been [PRIVATE]. Coupled with these issues with ACCA, I feel that life is even more difficult. If my expression is inappropriate please forgive me.” [Sic]*

23. On 6 December 2024 Miss Zhang completed a Case Management Form in which she admitted Allegations 1, 2 and 4.

## **DECISION ON FACTS AND REASONS**

24. The Committee accepted the advice of the Legal Assessor and considered the submissions of Mr Mustafa. The Committee noted the content of Miss Zhang’s Case Management Form but considered it was sufficient for the Committee to be confident that she wished to make formal admissions to Allegations 1 and 2. The Committee therefore applied Regulation 12(3)(b) of the Regulations and found Allegations 1 and 2 proved.
25. The Committee invited Mr Mustafa to make enquiries with ACCA on the status of Miss Zhang’s employer, Company B. Having made the enquires, Mr Mustafa informed the Committee that Company B was at the relevant time an approved company. As set out within ACCA’s statement of case, if an employer is ACCA

approved, it is possible for the trainee to be exempt from providing statements supporting their POs. Mr Mustafa explained that this exemption would depend on the completion of a different application route and would involve confirmation from the approved employer. Miss Zhang did not select this route within her application for ACCA membership. She responded to the question in the PER training record stating that her employer was not approved, and she was therefore required to provide supporting statements for each PO.

26. The Committee noted that even if an application for membership had been made under the approved employer exemption, the trainee would still be required to provide confirmation by their supervisor of their supervision and their time/experience.
27. The Committee considered the documents before it, the submissions of Mr Mustafa on behalf of ACCA and the advice of the Legal Adviser. The Committee bore in mind that the burden of proving an allegation rests on ACCA and the standard to be applied is proof on the balance of probabilities.

### **Allegation 3**

28. The Committee noted that Miss Zhang denies that her actions were dishonest. In her Case Management Form she stated that *"this was a mistake I made in the past, but I was unaware at the time and was deceived"*. She stated that she was not familiar with the ACCA process of applying for membership, and that her actions were due to an oversight rather than deception. She stated that if she had known the steps to apply for membership, she would not have made the mistake
29. The Committee considered the allegation of dishonesty in light of the test set out in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67.
30. The Committee noted the documentary evidence provided by Miss Zhang that Person A had contacted ACCA following an apparent attempt to register with ACCA as Miss Zhang's supervisor. At that stage a legitimate route to ACCA membership may have been available for Miss Zhang, and she might have

been able to use the route of an approved employer. It was unfortunate that ACCA had not provided a substantive response to Person A's message requesting assistance with the process. However, these background circumstances do not excuse the subsequent decision made by Miss Zhang to seek assistance from a third party rather than to seeking guidance or assistance from ACCA to resolve the difficulties.

31. The Committee did not accept that it was credible that Miss Zhang had no knowledge or understanding of ACCA's requirements or process. These requirements are widely published, and relevant webinars are available in. Detailed guidance on completion of performance objectives and the process was also provided within the MyACCA portal, as explained in ACCA's witness statements, which were unchallenged.
32. The Committee considered the possibility that Miss Zhang was deceived by the third party, as she suggests, but it considered that it was more likely that she was complicit with the third party (Person D). Miss Zhang was not passive but actively participated in the process. She had access to all the information within her MyACCA portal. She uploaded the PO statements, knowing that they were templates provided by the third party, were not in her own words, and she had not achieved them in the way described. She provided details for her supervisor, Person A, but she knew that Person A had no involvement in approving her POs or her time/experience. Miss Zhang accepted an e-mail address for the third party and added it to her PER training record, knowing that this was not Person A's e-mail address.
33. The Committee inferred that Miss Zhang knew that her PER training record contained false information and that it gave a misleading impression that the POs were a description of her own experience, that Person A had approved those POs, and Person A had also approved her time/experience.
34. In relation to Allegation 1a) the Committee was satisfied that Miss Zhang knew that that Person A had been falsely registered as her practical experience supervisor. Miss Zhang knew that Person A had no involvement in the process and that she had chosen to engage a third party, Person D, to assist her in progressing her application.

35. In relation to Allegation 1b) the Committee was satisfied that Miss Zhang knew that her supervisor, Person A had not approved her qualifying experience.
36. In relation to Allegation 1(c) the Committee was satisfied that Miss Zhang knew that Person A had not approved her nine performance objectives.
37. The Committee inferred that Miss Zhang's actions were intended to deceive ACCA into believing that she had been appropriately supervised. There is no doubt that this would be regarded as dishonest by ordinary and honest people. Having found that both limbs of the test in *Ivey v Genting Casinos* were satisfied, the Committee therefore found Allegation 3(a), (b) and (c) proved.
38. In relation to Allegation 2, the Committee was satisfied that Miss Zhang knew she had not achieved any of the performance objectives as described in the performance objective statements. She knew that the statements were completed by the third party, were not in her own words and that she had not completed the required PER as described within the statement.
39. The Committee inferred that Miss Zhang's actions were intended to deceive ACCA into believing that the PO statements described her own experience. Again, there is no doubt that this would be regarded as dishonest by ordinary and honest people. The Committee therefore found Allegation 3(d) proved.
40. Having found Allegation 3(a)-(d) proved, it was not necessary for the Committee to consider Allegations 3(e) or 4 which were alleged in the alternative.

### **Allegation 5**

41. The Committee accepted the advice of the Legal Adviser. It had regard to the partial definition of misconduct in Regulation 8(c), together with the guidance in the cases of *Roylance v GMC* [2000] 1 AC 311 and *Nandi v GMC* [2004] EWHC 2317.
42. Having found the facts proved in Allegations 1, 2 and 3(a)-(d) the Committee then considered whether they amounted to misconduct. The Committee considered that Miss Zhang had sought the assistance of a third party to



complete her PER training record which provided false information about Person A and provided false PO statements to allow her to qualify as a member of ACCA. This dishonest behaviour demonstrated a complete disregard for ACCA's membership process, and it allowed Miss Zhang to become a member of ACCA through dishonest means. Such behaviour seriously undermines the integrity of the membership process and the standing of ACCA. It brings discredit upon Miss Zhang, the profession and ACCA. The Committee considered this behaviour to be very serious and the Committee was in no doubt that it amounted to misconduct.

43. The Committee therefore found that the matters set out in 1, 2, and 3(a)-(d) amounted to misconduct.

#### **SANCTION AND REASONS**

44. In reaching its decision on sanction, the Committee took into account the submissions made by Mr Mustafa. The Committee referred to the Guidance for Disciplinary Sanctions issued by ACCA and had in mind the fact that the purpose of sanctions was not to punish Miss Zhang, but to protect the public, maintain public confidence in the profession and maintain proper standards of conduct, and that any sanction must be proportionate. The Committee accepted the advice of the Legal Adviser.
45. When deciding on the appropriate sanction, the Committee carefully considered the aggravating and mitigating features in this case.
46. The Committee considered the misconduct involved the following aggravating features:
- A deliberate planned enterprise at the expense of the public and the profession;
  - No evidence of insight into the seriousness of the allegation and its impact on the reputation of the profession;

- Dishonesty gaining membership of ACCA by false pretences and continuing to hold herself out as a member of ACCA over a period of time;
  - Potential risk of an adverse impact on employers and/or clients.
47. The Committee considered the misconduct involved the following mitigating features:
- The absence of any previous disciplinary history with ACCA;
  - Miss Zhang's admissions and her expression of regret.
48. The Committee did not think it appropriate, or in the public interest, to take no further action or order an admonishment in a case where a member had disregarded the membership requirements and acted dishonestly in connection with her PER.
49. The Committee then considered whether to reprimand Miss Zhang. The Guidance indicates that a reprimand would be appropriate in cases where; the misconduct is of a minor nature, there appears to be no continuing risk to the public, and there has been sufficient evidence of an individual's understanding, together with genuine insight into the conduct found proved. The Committee did not consider Miss Zhang's misconduct to be of a minor nature and she had shown no insight into her dishonest behaviour. ACCA's Guidance indicates that dishonest behaviour is considered to be very serious. The Committee concluded that a reprimand would not adequately reflect the seriousness of the misconduct in this case.
50. The Committee then considered whether a severe reprimand would adequately reflect the seriousness of the case. The Guidance indicates that a severe reprimand would usually be applied in situations where the conduct is of a serious nature but where there are particular circumstances of the case or mitigation advanced which satisfy the Committee that there is no continuing risk to the public and there is evidence of the individual's understanding and appreciation of the conduct found proved. The Committee considered that none

of these criteria were met and that a severe reprimand would not adequately reflect the seriousness of Miss Zhang's behaviour.

51. The Committee considered the ACCA Guidance on the approach to be taken in cases of dishonesty which is said to be regarded as a particularly serious matter because it undermines trust and confidence in the profession. The guidance also states that the public is entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics. The reputation of ACCA and the accountancy profession is built upon the public being able to rely on a member to do the right thing in difficult circumstances.
52. The Committee considered that Miss Zhang's behaviour involved a number of features referenced in ACCA's Guidance in relation to exclusion. In particular the conduct involved: dishonesty; abuse of the trust placed in Miss Zhang by ACCA; Miss Zhang lacked understanding and insight into the seriousness of the acts and their consequences; the potential for an adverse impact on the public; and serious departure from professional standards. The Committee also considered that there was nothing exceptional in Miss Zhang's case that would warrant a lesser sanction than exclusion from membership. Miss Zhang's dishonesty, coupled with the absence of any evidence demonstrating Miss Zhang's understanding of the seriousness of her behaviour and any steps taken to remediate her conduct are fundamentally incompatible with her continued membership. The Committee concluded that the only appropriate and proportionate sanction was exclusion.

## **COSTS AND REASONS**

53. ACCA applied for costs in the sum of £6,530. The application was supported by a schedule providing a breakdown of the costs incurred by ACCA in connection with the hearing. A simplified breakdown was also provided.
54. The Committee was satisfied that ACCA was entitled to claim its costs. The Committee considered that the costs of ACCA's investigation and subsequent proceedings were reasonably and proportionately incurred.

55. Miss Zhang has submitted a statement of her financial position with one supporting document, which the Committee has considered. The financial details considered were as follows. [PRIVATE].
56. Having carefully considered the evidence provided by Miss Zhang, ACCA's Cost Guidance, and heard from the Legal Adviser, the Committee decided to that the documentation provided by Miss Zhang in relation to her financial position was insufficient for the Committee to conclude that she is of limited means. [PRIVATE]. The Committee therefore decided not to exercise its discretion to make a deduction to the costs that Miss Zhang would be required to pay.

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

57. The Committee determined that it would be in the public interest for the order to take immediate effect in light of the fact that Miss Zhang is potentially able to practise as an ACCA qualified accountant having gained that qualification dishonestly. Therefore, pursuant to Regulation 20(1)(b) the order excluding Miss Zhang from membership will take effect immediately.

**HH Suzan Matthews KC**  
**Chair**  
**23 April 2025**