

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mrs Daria Verkeenko

Heard on: Friday, 04 July 2025

Location: Remotely via Microsoft Teams

Committee: Mr Tom Hayhoe (Chair)
Ms Susan Gallone (Accountant)
Ms Alison Sansome (Lay)

Legal Adviser: Ms Valerie Charbit

Persons present

and capacity: Mr Richard Ive (Case Presenter on behalf of ACCA)
Ms Nicole Boateng (Hearings Officer)

Summary: Allegations 1, 2, 3(II) and 5(I) proved.
Allegation 3(I) not proved

Removed from the student register

Costs: Ms Verkeenko to pay costs to ACCA of £5900.

PRELIMINARY APPLICATIONS/SERVICE OF PAPERS

1. The Committee convened to consider five allegations against Mrs Verkeenko. It had before it the following paperwork: a Disciplinary Committee Report and Bundle of 71 pages, an Additional Bundle of 4 pages and a Service Bundle of 21 pages.

2. Mrs Verkeenko was not present, and she was not represented.

PROCEEDING IN ABSENCE

3. The Committee considered whether Mrs Verkeenko had been properly served with the relevant paperwork in accordance with Regulation 10 of the Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014 (Amended 1 January 2025) (CDR).
4. The Committee referred to the Notice of Hearing and associated required paperwork which had been sent to Mrs Verkeenko.
5. The Committee also noted that Mrs Verkeenko had corresponded with ACCA as recently as 1 July 2025 and on 16 June 2025 where she indicated that she was in receipt of paperwork in respect of this case and that she was aware of the hearing.
6. The Committee decided that Mrs Verkeenko had therefore been properly served with notice of the hearing. It went on to consider whether to proceed in the absence of Mrs Verkeenko.
7. The Committee noted that Mrs Verkeenko had complained about how long ACCA had taken to conclude its proceedings and that she had indicated that she was working and that she could not attend the hearing [Private].
8. [Private] It concluded that she had chosen to absent herself from the hearing without good reason. It further decided that it was fair to both ACCA and Mrs Verkeenko that the hearing proceed without any further delay and that adjourning the hearing was unlikely to result in Mrs Verkeenko's attendance. The Committee therefore decided to exercise its discretion to proceed in the absence of Mrs Verkeenko.

ALLEGATIONS AND BRIEF BACKGROUND

9. Mrs Verkeenko faced the following allegations:

Mrs Daria Verkeenko, an ACCA student in relation to her Financial Management Exam (FM) on 08 March 2024:

1. Used an unauthorised item to take one or more photographs of her computer screen and exam content, contrary to Exam Regulation 5(a).
2. Shared one or more photographs referred to Allegation 1 above with Person A, contrary to Exam Regulations 11 and 13.
3. Mrs Daria Verkeenko's conduct in respect of Allegation 1 and 2
 - I. Was dishonest in that she took one or more photographs of exam questions from her FM exam attempt in order to obtain an unfair advantage in a future exam attempt and/or to assist other students in sitting the same exam, or in the alternative;
 - II. Such conduct demonstrates a failure to act with integrity.
4. In the further alternative, it is alleged that Mrs Daria Verkeenko's conduct was reckless in that she failed to give any or sufficient consideration to the consequences of her sharing the photographs with Person A, who could thereby share the photographs with others.
5. By reason of the above, Mrs Daria Verkeenko is:
 - I. Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of the conduct referred to above or, in the alternative;
 - II. Liable to disciplinary action pursuant to bye-law 8(a)(iii), in respect of the breaches of the exam regulations or any of them as referred to in Allegations 1 and 2.
10. On 11 March 2024, ACCA received an anonymous complaint, enclosing a photograph of an exam question from Mrs Verkeenko's FM exam and her unique access code for the exam. The complainant highlighted that the photograph had been shared amongst others in a WhatsApp group.

11. An investigation commenced on 14 March 2024. The exam regulations and guidelines referred to in the report came into force on 21 February 2024 and were therefore relevant to the exam attempt in question.
12. Mrs Verkeenko has been an ACCA student since 22 July 2021.
13. On 08 March 2024, Mrs Verkeenko sat an ACCA remotely invigilated Financial Management exam. No incident report was filed for this exam attempt. However, on 11 March 2024 ACCA received an anonymous complaint enclosing a photograph of an exam question from Mrs Verkeenko's FM exam and her unique access code for the exam. The complainant highlighted that the photograph had been shared amongst others in a WhatsApp group.
14. The photograph was reviewed by ACCA's Exam Production team and confirmed to be evidence of a breach of exam regulations in relation to the remote FM exam Mrs Verkeenko sat on 08 March 2024.
15. The Investigations Officer wrote to Mrs Verkeenko at her registered email address on 21 May 2024, requesting her comments and observations regarding the complaint by 05 June 2024.
16. In an email sent by Mrs Verkeenko 03 June 2024, she admitted taking a photo of her FM exam question to give to a tutor who she had found online in return for payment for their services. She explained that the tutor had suggested that she take a picture of a difficult question so that they could discuss it and work through it at some point together. She further explained that she was hesitant and reluctant to do so as she knew that this was prohibited under ACCA's rules and regulations and that she had no idea that this tutor would share the photograph. Mrs Verkeenko further clarifies that she sought the tutor's assistance due to experiencing panic attacks and depression whilst preparing for her ACCA applied skills exams and that she is disappointed in her actions and behaviour.
17. A follow up email with additional enquiries was sent to Mrs Verkeenko on 19 July 2024. In her responses to the additional enquiries, Mrs Verkeenko

confirmed that she had used her mobile phone to take the photograph and that she did not receive assistance from any third party during her exam. She further confirmed that there was no one in the room with her at the time of the exam and that she did not seek to assist others with their FM ACCA exam attempts.

18. An email was sent to Mrs Verkeenko on 02 August 2024, [Private]. No response was received from her.
19. In answer to questions asked by the Committee of Mr Ive, representing ACCA, the Committee were informed of the following matters:
 - Person A was not an ACCA member, contrary to the [REDACTED] profile which Mrs Verkeenko had supplied.
 - ACCA accepted that Mrs Verkeenko had corresponded with Person A.
 - ACCA had no independent evidence on what Mrs Verkeenko's proof of payment (which she said was for Person A) was for.
 - ACCA considered that Mrs Verkeenko chose to cheat or gained an unfair advantage instead of abiding by ACCA regulations and that even a tutor should not be able to view exam questions.
 - Mrs Verkeenko should have independently decided what to do. Although ACCA accept that she took the photo they say she did so with the intention to cheat. ACCA submit that the intention to discuss the "difficult" questions with Person A is the definition of trying to gain an unfair advantage.
20. ACCA submitted that Mrs Verkeenko failed to adhere to Exam Regulations 5(a), 11 and 13 by way of admission in using an unauthorised item, namely her mobile phone, to take a photograph of her screen and an exam question, which she shared with her private tutor. Mrs Verkeenko also confirmed in her responses that she was aware that ACCA did not permit such actions. Further ACCA relied on the fact that Mrs Verkeenko admitted in an email sent on 03 June 2024, that she was aware that her actions were unprofessional and

prohibited by ACCA and that she took the photograph so that she could later look at it with her tutor who was helping her prepare for her other ACCA exams with which she was struggling.

21. ACCA further submitted that Mrs Verkeenko did not comply with ACCA's rules and regulations and that she took the photograph to gain an unfair advantage in future ACCA examinations. Such conduct amounts to cheating. ACCA submits that cheating in a professional exam would be regarded as dishonest by the standards of ordinary decent people.

DECISION ON FACTS/ALLEGATIONS AND REASONS

22. The Committee found the following allegations proved: Allegation 1, 2, 3(II) and 5(I).

23. Exam Regulation 5(a) says:

"5(a) The use of dictionaries, electronic devices, and/or translators of any kind is not permitted during the exam by you or any other person. You must not have on or at your desk a calculator which can store or display text. Further, the use of any electronic communication device, camera, smart watch, or any other item with photographic, recording or smart technology functionality, including mobile phones, is not permitted by you or any other person (unless the exam is being conducted remotely in which case the mobile phone must only be used only in accordance with ACCA's Exam Guidelines). Such items are regarded as 'unauthorised items' and are taken into the examination room at the candidate's own risk."

24. Exam Regulation 11 says:

"11. If you are taking a computer-based exam you are not permitted to copy exam content in any manner or take photograph(s) or videos of your screen or permit any other person to do the same."

25. Exam Regulation 13 states:

“13. Exam content (questions, scenarios, format) is owned by ACCA. You are prohibited from copying, photographing, videoing or reproducing in any manner exam content (questions, scenarios and/or format) or permitting another person to do the same. You are strictly prohibited from distributing or seeking to exploit for commercial/personal gain and/or any other reason, copies of exam questions or scenarios to any person including other ACCA registered candidates.”

Allegations 1 and 2

26. The Committee noted that Mrs Verkeenko by her own admissions accepted taking the photograph with a phone during the FM examination. She said that she did so because Person A, a tutor that she had paid, could then assist her in a future sitting of the exam. She accepted that she had shared the photograph with Person A.
27. The Committee noted that the matter had been reported to ACCA, following the sharing of the photograph more widely as reported by the anonymous complainant.
28. It noted that Mrs Verkeenko had accepted using a mobile phone to take the photograph during the examination in correspondence with ACCA.
29. The Committee was therefore satisfied that Allegation 1 and Allegation 2 were proved.

Allegation 3(I)

30. The Committee considered carefully what Mrs Verkeenko had said in correspondence with ACCA. It noted that she had not made formal admissions on a Case Management Form, nor had she specifically responded to each of the allegations.
31. The Committee noted that ACCA did not dispute that Person A existed or that Mrs Verkeenko had communicated with Person A and shared the photograph with Person A.

32. In her absence the Committee did its best to understand what Mrs Verkeenko had said in written correspondence with ACCA. It concluded that the reason she had taken the photograph was because she had wanted to use it to gain a better understanding of ACCA exam materials with her tutor. The Committee did not find that she had acted dishonestly when taking the photograph and it found no evidence to dispute her assertion that she took a photograph of the exam question because she was asked to do so by her tutor. Similarly, there was no evidence to dispute her proof of payment to Person A, although it was possible this payment could have been for something else.
33. The Committee took into consideration what Mrs Verkeenko had said about her state of mind at the time, [Private]. It noted that she had said:

“[Private]

I wasn't sure about the idea as I knew this is strictly prohibited actions, but trusted my teacher that assured that this is a best way for work on mistakes process.

After MF exam we had a last chat when I shared the photo with [them] and then [they] disappeared.

I had no idea that [they were] going to share this to groups of the people and all this situation became such a terrible thing.

I absolutely understand that I demonstrated a lack of integrity and accept my accuse. I understand that you would probably annul my MF exam results and I agree with a decision.

I'm very sorry to disappoint ACCA community by my unprofessional behaviour.”

34. The Committee therefore decided that applying the test for dishonesty, set out in *Ivey v Genting Casinos UK (trading as Crockfords)* [2017] UKSC 67, that when considering Mrs Verkeenko's state of knowledge or belief at the time when she took the photograph, subjectively, that it was most likely she took the

photograph to gain a better understanding of ACCA materials rather than to cheat in future examinations; although the Committee acknowledged that by doing so she was likely to be gaining an unfair advantage.

35. However, the Committee did not find that at the time she took the photo it was likely that she knew that what she was doing was cheating or gaining an unfair advantage albeit she accepted that she should not have taken the photograph.
36. The Committee was therefore not satisfied that ACCA had proved to the requisite standard that Mrs Verkeenko was at the time of taking the photograph and sending it to her tutor acting dishonestly. It therefore found Allegation 3(I) not proved.

Allegation 3(II)

37. The Committee was in no doubt, on the face of Mrs Verkeenko's admissions that she had acted without integrity. It took into consideration that she agreed that her behaviour lacked integrity and was unprofessional and that she expressed remorse about her actions.
38. The Committee was further satisfied that such actions as set out in Allegations 1 and 2 amounted to a lack of integrity since they were in clear breach of ACCA's exam regulations.
39. The Committee therefore found Allegation 3(II) proved.

Allegation 4

40. Since Allegation 4 was an alternative allegation to Allegation 3, the Committee did not consider it.

Allegation 5(I)

41. The Committee was satisfied that Mrs Verkeenko's conduct in respect of Allegation 1, 2 and 3(II) amounted to misconduct. It was satisfied that such conduct fell below the standards to be expected of a student member of ACCA.

Integrity was fundamental to the profession of accountancy, and it was very important that members adhered to ACCA's rules and ethical principles.

42. The Committee also noted that actions which bring discredit upon the profession or ACCA or that would be considered deplorable by other members amounted to misconduct. On this basis, the Committee was also satisfied that the actions of Mrs Verkeenko amounted to misconduct.
43. Since Allegation 5(II) was an alternative allegation to Allegation 5(I), the Committee did not consider it.

SANCTION AND REASONS

44. The Committee considered in mitigation, that Mrs Verkeenko had no other disciplinary findings against her. It also noted that she was remorseful regarding her conduct. However, a full reading of the correspondence she had had with ACCA suggested she lacked insight into the seriousness of what she had done.
45. The Committee found that Mrs Verkeenko's misconduct had caused harm to ACCA and its students and due to the publication of the exam question that question was likely to no longer be in use by ACCA. It found this to be an aggravating factor.
46. The Committee noted that ACCA's Disciplinary Sanctions Guidance (GDS) indicated that failing to act with integrity was very serious. It therefore decided that a sanction was necessary.
47. It considered whether an admonishment was a sufficient sanction. Although Mrs Verkeenko had admitted much of the conduct alleged, she had not made any formal admissions or shown sufficient insight into the seriousness of her conduct. This was an isolated incident, and she had shown genuine remorse but there was no evidence that she had taken corrective steps as the matter had been brought to ACCA's attention by an anonymous complainant. The Committee therefore decided that the conduct was too serious for a sanction of admonishment.

48. The Committee next considered whether the sanction of reprimand was a sufficient sanction. It noted that the GDS said *"This sanction would usually be applied in situations where the conduct is of a minor nature and there appears to be no continuing risk to the public. It would also be expected that there is sufficient evidence of an individual's understanding and genuine insight into the conduct found proved."* The Committee decided that Mrs Verkeenko's conduct was serious and because she lacked genuine insight, this sanction was not appropriate. Further, it noted that such a sanction was appropriate where there had been little or no adverse consequence and it decided that it was unlikely in this case due to the onward publication of the exam question.
49. The Committee went on to consider if a sanction of severe reprimand was appropriate or proportionate in this case. It noted that the GDS stated that a severe reprimand was appropriate where:
- a. *The misconduct was not intentional and is no longer continuing, though the member may have acted recklessly;*
 - b. *Evidence that the conduct would not have caused direct or indirect harm;*
 - c. *Insight into failings;*
 - d. *Genuine expression of regret/apologies*
 - e. *Previous good record*
 - f. *No repetition of failure/conduct – it was an isolated incident*
 - g. *Rehabilitative/corrective steps taken to cure the conduct and ensure future errors do not occur*
 - h. *Relevant and appropriate references*
 - i. *Co-operation during the investigations stage.*
50. The Committee was not persuaded that Mrs Verkeenko had acted recklessly, it was satisfied that her conduct was deliberate and that she had caused harm to ACCA by sending the photo to a person who was relatively unknown to her. It had also determined that her insight was insufficient as she had not fully accepted the seriousness of her conduct. Furthermore, her communications with ACCA indicated a reluctant cooperation and whilst this was an isolated incident it was not one which the Committee considered a severe reprimand was an appropriate or proportionate sanction. The Committee decided that a

severe reprimand would not reflect the seriousness of the misconduct, nor would it meet the public interest.

51. The Committee considered whether removal from the student register was appropriate as a sanction. It acknowledged that Mrs Verkeenko had not provided any details about her current circumstances, her work or any references. The Committee was satisfied that the misconduct was a serious departure from ACCA's standards for a student member. It concluded that removal from the student register was the only proportionate and appropriate sanction in this case.

COSTS AND REASONS

52. The Committee have not received any documentary evidence as to Mrs Verkeenko's financial circumstances, and having considered ACCA's guidance as to costs, accordingly, has inferred that the student is able to meet the costs as assessed by the Committee.
53. ACCA applied for £7284.50 in costs. The Committee decided that the costs could be reduced to consider that the hearing itself lasted four hours and to take into account that Mrs Verkeenko had made some admissions. It had also deducted some costs for the fact that ACCA had unsuccessfully applied for an interim order.
54. The Committee therefore decided that Mrs Verkeenko should pay ACCA £5900 in costs.

EFFECTIVE DATE OF ORDER

55. The Committee did not consider that it was necessary for the public interest to make an immediate order in this case and so it decided that its order for removal from the student register should be effective at the conclusion of the appeal period.

Mr Tom Hayhoe
Chair
4 July 2025