

HEARING

**DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF
CHARTERED CERTIFIED ACCOUNTANTS****REASONS FOR DECISION**

In the matter of: Miss Zixi Yang

Heard on: Tuesday, 17 June 2025

Location: Remotely via Microsoft Teams

Committee: Ms Colette Lang (Chair)
Ms Joanne Royden-Turner (Accountant)
Ms Yvonne Walsh (Lay)

Legal Adviser: Ms Helen Gower

**Persons present
and capacity:** Ms Michelle Terry (ACCA Case Presenter)
Miss Sofia Tumburi (Hearings Officer)

Summary Allegations 1(a), (b), 2(a), (b), (c), (d), 3(a), (b), (c), (d), and
5 proved
Removal from student register

Costs: Miss Yang to pay ACCA's costs in the sum of £1,000

ACCA



+44 (0)20 7059 5000



info@accaglobal.com

www.accaglobal.com

The Adelphi 1/11 John Adam Street London WC2N 6AU United Kingdom

INTRODUCTION

1. The Disciplinary Committee (“the Committee”) convened to consider allegations against Miss Zixi Yang (‘Miss Yang’). Miss Yang was not present and was not represented. ACCA was represented by Ms Terry. The papers before the Committee consisted of a Main Bundle numbered 1-320, an Additional Bundles numbered 1-51, and a Service Bundle numbered 1 - 22.

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 Ms Terry 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 20 May 2025, thereby satisfying the 28-day notice requirement, which had been sent to Miss Yang’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 Yang 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 20 May 2025, confirming delivery of the Notice, was also provided.
4. The Committee also had sight of an email dated 27 May 2025 from ACCA’s hearings’ officer to Miss Yang. This e-mail followed up the Notice of Hearing and asked Miss Yang to advise whether she would be attending the hearing. Miss Yang replied on 27 May 2025 advising that she did not intend to attend the hearing and in a further e-mail dated 27 May 2025 she confirmed her agreement to the Committee proceeding in her absence. A hearings link was sent to Miss Yang on 16 June 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 Yang. The Committee noted that on 14 November 2024 and 10 March 2025 Miss Yang completed case management forms 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. Miss Yang also confirmed in her e-mails on 27 May 2025 that she did not intend to attend the hearing and was content for the Committee to proceed with the hearing in her absence.
7. The Committee was of the view that Miss Yang had voluntarily absented herself and that her attendance was unlikely to be secured by an adjournment. The Committee carefully balanced Miss Yang'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 Yang.

HEARING IN PUBLIC/PRIVATE

8. The Committee noted that when she completed the case management forms Miss Yang made a request for the entirety of the case to be heard in private. The reasons for this request were set out in an email dated 02 December 2024 as follows:

"1. It may have significant side effect on me economically. As indicated by the document I provided before, [PRIVATE]. If my case is heard publicly, it may have adverse effects on my personal image, career development and interpersonal relationships, it may also impact on my career stability and income which I rely heavily on.

2. It may have significant side effect on me psychologically. The main reason why I was involved in the incident is that I misunderstand some points of the membership application requirement and thought the intermediary agency to

be the qualified external supervisor. As I worked really hard before and I am really eager to become an ACCA member, if my case is heard publicly, it may really hurt me psychologically.”

9. On behalf of ACCA Ms Terry opposed the application for the entire hearing to be heard in private and submitted the hearing should be heard in public in accordance with the principle of open justice.
10. The Committee took account of the advice of the Legal Adviser. It carefully balanced the public interest in holding the hearing in public in accordance with the principle of open justice, against Miss Yang’s interests, as outlined in her e-mail dated 2 December 2024. The Committee decided that the public interest outweighed Miss Yang’s interests and that the hearing should be heard in public.

ALLEGATIONS

Miss Zixi Yang (‘Miss Yang’), at all material times an ACCA trainee,

1. On or about 27 February 2023 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 11 months of qualifying experience.
2. On or about 27 February 2023 in relation to her ACCA Practical Experience Record caused or permitted a third party
 - a) To register Person B as her practical experience supervisor and further,
 - b) To approve in Person B’s name 31 months of qualifying experience and further,

- c) To represent that Person B was IFAC qualified which Miss Yang knew was not true and further,
- d) To approve in Person B's name her performance objectives.

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

- a) In relation to Allegation 1a) and/or 2a), dishonest, in that Miss Yang knew her supervisors, Person A and/or Person B, had been falsely registered as her practical experience supervisors.
- b) In relation to Allegation 1b) and/or 2b), dishonest in that Miss Yang knew her supervisors, Person A and/or Person B, had not approved her qualifying experience.
- c) In relation to Allegation 1c), dishonest in that Miss Yang knew Person B was not IFAC qualified and therefore not permitted in accordance with ACCA's guide to approve her performance objectives.
- d) In relation to Allegation 2(d) dishonest in that Miss Yang knew Person B had not approved her performance objectives.
- 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 Miss Yang failed to ensure that her Practical Experience Training Record was approved in all material respects by her practical experience supervisors Person A and/or Person B.

5. By reason of her conduct, Miss Yang 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

11. Miss Yang was admitted as an affiliate member of ACCA on 18 July 2022. Miss Yang's application for membership of ACCA was received on 05 March 2023 and is currently on hold.
12. 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.
13. 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.
14. 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.
15. 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.

16. 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.
17. In support of her application for membership, Miss Yang, or a third party acting on her behalf, submitted a PER Training Record to ACCA. This record referred to two supervisors, namely Person A and Person B. The supervisor details appear to confirm that Person A registered on 27 February 2023 as Miss Yang's "Non IFAC qualified line manager". Following Miss Yang's request, on 27 February 2023 Person A appeared to approve Miss Yang's time/experience of 11 months between 01 March 2021 to 30 June 2022 in the role of "Risk Management Specialist". The Supervisor details record that Person A registered with one of the three common email addresses shared amongst the cohort of 91 cases.
18. The supervisor details within Miss Yang's PER Training Record also appear to confirm that Person B registered on 27 February 2023 as Miss Yang's "IFAC qualified line manager". Within this record on 27 February 2023 Person B also appeared to approve Miss Yang's time/experience of 31 months between 16 July 2015 to 30 August 2020 as a "Post Investment Management Specialist". Person B also appeared to approve all nine of Miss Yang's POs on the same day. The supervisor details record that Person B registered with one of the other three common email addresses shared amongst the cohort of 91 cases.
19. A review was carried out by ACCA's Professional Development Team. It noted that the registration details for Person B included a 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 B.

20. The matter was referred to ACCA's Investigations Team. A member of that team sent an email to Miss Yang's registered email address on 23 April 2024. Attached to the email was a letter which set out the complaint and requested that Miss Yang respond to a number of questions.

21. Miss Yang sent a written response dated 06 May 2024. Within her responses Miss Yang confirmed the details of her employment as set out within her PER Training Record and provided supporting evidence including correspondence and wage slips. In relation to questions relating to the authenticity of Person A's registration as her "Non-IFAC qualified manager" Miss Yang stated:

"I confess that I asked an intermediary agency to help me to do the experience/time claim approvment. However, the person [Person A] really exist and he is in fact my Non-IFAC qualified line manager."

22. In response to further questions, Miss Yang provided further details in relation to her use of an intermediary agency.

"As I worked for an investment company, it's really difficult for me to find an IFAC qualified line manager who can prove my experience. Moreover, one of my line managers is an aged leader who is unable to proficiently use English computer system. These are the main reasons for my selection to choose an intermediary agency to help me. For the fact you mentioned that my Non-IFAC qualified line manager registered with an email address common to so many others, I really do not know how it happened, it also shocked me a lot."

23. In response to questions about Person B, Miss Yang confirmed that Person B was her line manager for the entirety of the period from 16 July 2015 to 30 August 2020. Miss Yang provided a work experience certificate and stated that Person B had knowledge of her work and worked closely with her.

24. Miss Yang was asked to provide evidence of Person B's IFAC qualification and in response she stated:

“As mentioned above it was difficult for me to find an IFAC qualified line manager at the time of application for membership and I found an intermediary agency. I’m really apologize that [Person B] is not an IFAC qualified line manager. However, recently I found a colleague who was IFAC qualified and also knew the type of work I was doing and the quality of my work of my past two roles. Because of information asymmetry, I didn’t know [they are] IFAC qualified and did not ask [them] to sign off my objectives. I just wondering whether I have the chance to resubmit my application for membership after this investigation? Wish to hear from you about this”.

25. Within her responses Miss Yang stated that she had provided her password to enable the intermediary agency to access her ACCA account and she also stated that she had paid the intermediary agency for the services provided.
26. On 10 March 2025 Miss Yang completed a case management form in which she admitted the entirety of Allegations 1 and 2 and Allegation 3c). Miss Yang denied Allegations 3a), b), d) and e) and stated:

“Person A and B are really my line managers and can prove my experience. They prove my experience through signing the work experience certificate. My experiences are real.”

DECISION ON FACTS AND REASONS

27. The Committee accepted the advice of the Legal Assessor and considered the submissions of Ms Terry.
28. The Committee noted the content of Miss Yang’s case management forms and considered it was sufficient for the Committee to be confident that she wished to make formal admissions to Allegations 1, 2 and 3(c). The Committee therefore applied Regulation 12(3)(b) of the Regulations and found Allegations 1, 2 and 3(c) proved.
29. The Committee considered the documents before it, the submissions of Ms Terry 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

30. The Committee noted that, with the exception of Allegation 3(c), Miss Yang denies that her actions were dishonest.
31. 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.
32. The Committee was satisfied that Miss Yang understood ACCA's requirements and processes. The requirements are widely published, and relevant webinars are available in Mandarin. Detailed guidance on the process was also provided within the MyACCA portal, as explained in ACCA's witness statements, which were unchallenged.
33. The Committee was also satisfied that Miss Yang had access to all the information within her MyACCA portal. In her responses to ACCA Miss Yang stated that she was able to track the process carried out by the intermediary agency.
34. The Committee carefully reviewed Miss Yang's account of her actions within her responses to ACCA. It was satisfied that Miss Yang knew that neither Person A nor Person B had any involvement in the application process or knowledge that their names had been used. Miss Yang provided the details of Person A and Person B to the intermediary agency and she knew that those details would form part of her application for ACCA membership. Miss Yang was able to track the actions of the intermediary agency and knew that the e-mail addresses provided for Person A and Person B were not correct.
35. Miss Yang therefore knew that Person A and Person B were falsely registered as her practical experience supervisors.
36. It was not material that Person A and/or Person B may have held a position as Miss Yang's line manager and may have supervised Miss Yang. It was their registration as her personal supervisors within Miss Yang's application for ACCA membership which is in issue, and which Miss Yang knew to be false.

37. The Committee inferred that Miss Yang's actions were intended to deceive ACCA into believing that Person A and Person B knew of and agreed to their registration as Miss Yang's practical experience supervisors within her application for membership. 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) proved.
38. When considering Allegation 3(b) the Committee had regard to Miss Yang's responses to ACCA. On Miss Yang's account there were reasons Person A and Person B were unable to directly register as her practical experience supervisors. One of her supervisors was elderly and not able to register, and neither of her supervisors were IFAC qualified. Miss Yang therefore paid an intermediary agency to assist her, knowing that her supervisors would have no involvement in the process. Miss Yang knew that neither Person A nor Person B had approved her time/experience, and that this action was undertaken by the third party.
39. The Committee inferred that Miss Yang's actions were intended to deceive ACCA into believing that Person A and Person B had approved her time/experience. 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(b) proved.
40. In its consideration of Allegation 3(d) the Committee noted that Miss Yang has admitted that she knew that Person B was not IFAC qualified. Miss Yang understood ACCA's requirements and she therefore knew that only an IFAC qualified supervisor could approve her POs. Miss Yang also knew that Person B had no involvement in the process and that the third party was responsible for the approval of her POs.
41. The Committee inferred that Miss Yang's actions were intended to deceive ACCA into believing that Person B had approved her POs. 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(d) proved.

42. 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

43. 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.
44. 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 Yang had sought the assistance of a third party to complete her PER training record which provided false information about her supervisors and that those supervisors had approved her time/experience and her POs. This dishonest behaviour demonstrated a complete disregard for ACCA's membership process, and it could have allowed Miss Yang 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 Yang, 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.
45. The Committee therefore found that the matters set out in 1, 2, and 3(a)-(d) amounted to misconduct.

SANCTION AND REASONS

46. In reaching its decision on sanction, the Committee took into account the submissions made by Ms Terry. The Committee referred to the Guidance for Disciplinary Sanctions issued by ACCA and had in mind the fact that the purpose of a sanction was not to punish Miss Yang, 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.

47. The Committee considered Miss Yang's responses to ACCA and it considered that within those responses she had demonstrated limited insight. She had made a partial admission of dishonesty and had expressed some remorse. However, she had not demonstrated that she understood the seriousness of her conduct or its impact on public confidence in the profession.
48. When deciding on the appropriate sanction, the Committee carefully considered the aggravating and mitigating features in this case.
49. The Committee considered the misconduct involved the following aggravating features:
- A deliberate planned enterprise for personal gain 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;
 - Potential risk of an adverse impact on employers and/or clients.
50. The Committee considered the misconduct involved the following mitigating features:
- The absence of any previous disciplinary history with ACCA;
 - Miss Yang's partial admissions, expression of regret, and limited insight.
51. 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.
52. The Committee then considered whether to reprimand Miss Yang. 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 Yang's misconduct to be of a minor nature and she had shown limited 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.

53. 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 Yang's behaviour.
54. 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.
55. The Committee considered that Miss Yang'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 Yang by ACCA; Miss Yang 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 Yang's case that would warrant a lesser sanction than exclusion from membership. Miss Yang's dishonesty, coupled with the absence of any evidence demonstrating Miss Yang'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 removal from the student register.

COSTS AND REASONS

56. ACCA applied for costs in the sum of £6,428.50. The application was supported by a schedule providing a breakdown of the costs incurred by ACCA in connection with the hearing and investigation. A simplified breakdown was also provided.
57. 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, save for a small deduction for a shorter than estimated hearing time.
58. Miss Yang has submitted a statement of her financial position with supporting documents, which the Committee has considered. The financial details considered were as follows. [PRIVATE].
59. Having carefully considered the evidence provided by Miss Yang, ACCA's Cost Guidance, and heard from the Legal Adviser, the Committee decided that the information Miss Yang has provided in relation to her financial position was sufficient for the Committee to conclude that she is of limited means. The Committee bore in mind that a costs order should not be punitive, and it decided that Miss Yang should make a contribution towards ACCA's costs of £1,000.
60. The Committee therefore made an order that Miss Yang pay ACCA's costs in the sum of £1,000.

EFFECTIVE DATE OF THE ORDER

61. The Committee noted that Miss Yang's application for membership of ACCA is on hold. Miss Yang is therefore not able to practise as an ACCA qualified accountant. In these circumstances, the Committee did not consider that Miss Yang presented a significant risk to the public during the period before this order came into effect. The Committee did not consider that it was necessary to order immediate removal and this order will take effect at the normal time.

**Ms Colette Lang
Chair
17 June 2025**