

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Miss Zenab Kamal

Heard on: Thursday, 20 November 2025

Location: Virtual hearing via Microsoft Teams

Committee: Mr Andrew Gell (Chair)
Mr Andrew Skelton (Lay)
Dr David Horne (Accountant)

Legal Adviser: Ms Jane Kilgannon

Persons present

and capacity: Miss Zenab Kamal (ACCA Student Member)
Dr Hassan Kamal (Representative of Miss Kamal)
Mr Mazharul Mustafa (ACCA Case Presenter)
Ms Anna Packowska (Hearings Officer)

Summary: Allegation 1 proved; Allegations 2a, 2b and 3 not proved.

1. The Disciplinary Committee (the Committee) convened to consider the case of Miss Zenab Kamal (Miss Kamal).

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2. Mr Mazharul Mustafa (Mr Mustafa) represented the Association of Chartered Certified Accountants (ACCA). Miss Kamal attended the hearing and was represented by Dr Hassan Kamal (Dr Hassan).
3. The Committee had confirmed that it was not aware of any conflicts of interest in relation to the case.
4. In accordance with Regulation 11(1)(a) of the Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014 (the Regulations), the hearing was conducted in public.
5. The hearing was conducted remotely through Microsoft Teams.
6. The Committee had considered in advance the following documents:
 - a. a Hearing bundle (pages 1 to 124);
 - b. a Supplementary bundle (pages 1 to 59);
 - c. a Tabled Additional bundle (pages 1 to 14);
 - d. a Service and Correspondence bundle relating to today's hearing (pages 1 to 21); and
 - e. a Statement of Financial Position (pages 1 to 1).

PRELIMINARY MATTERS

7. Dr Hassan made an application that parts of the hearing be held in private, namely those parts relating to Miss Kamal's [PRIVATE]. Mr Mustafa confirmed that ACCA did not oppose the application.
8. The Committee accepted the advice of the Legal Adviser, referring to the Committee's discretion under Regulation 11 of the Regulations to hold some or all of the hearing in private where satisfied that the particular circumstances of the case outweigh the public interest in holding the hearing in public. The Committee was also referred to the relevant part of the ACCA Guidance document 'Guidance for Disciplinary Committee hearings'.

9. The Committee allowed Dr Hassan's application. The Committee considered that Miss Kamal's interests in keeping matters relating to [PRIVATE] private outweighed the public interest in holding those parts of the hearing in public.

BACKGROUND

10. Miss Kamal became a student member of ACCA on 5 July 2019.
11. Around May 2022 Person A of Company A was recruiting for the role of [REDACTED]. Miss Kamal was short-listed, interviewed and offered the role.
12. Miss Kamal's contract of employment as an [REDACTED] with Company A was signed by the employer on 10 June 2022 and by Miss Kamal on 13 June 2022. It recorded a start date of [REDACTED].
13. On 14 June 2022 at 22:09 Miss Kamal sent an email to Person A stating *"Please see attached documents. Thank you for your patience and I cannot wait to join the firm! [...]"*. She attached a number of documents including *"Contract of Employment – Zenab Kamal – [REDACTED].pdf"* and an employment reference from her previous employer, Company B, also dated 14 June 2022, which stated: *"[...] Zenab has been employed on a full-time basis at Company B as an [REDACTED] from [REDACTED]"*.
14. Miss Kamal commenced work with Company A on [REDACTED].
15. The next day, on 21 June 2022 at 02:13, Miss Kamal sent an email to Person A stating: *"I made a serious mistake. I accidentally sent you the wrong reference file from my previous employer. I'm really sorry. I didn't intend for this to happen, and I genuinely didn't notice until now. I want to clarify everything as soon as possible. Could we please have an urgent meeting tomorrow? I feel it's important to discuss this in person."*
16. Approximately one month later, on 18 July 2022 Miss Kamal sent an email to Person A [REDACTED].

17. [REDACTED], Person A sent an email to Miss Kamal attaching a letter dated [REDACTED].
18. On 08 August 2022 Person A sent an email to Company B stating: [REDACTED].
19. On 09 August 2022 Company B replied to Person A stating: *"Thank you so very much for raising this concerning issue with us, we will now start an investigation internally with HR/Legal"*.
20. On 15 August 2022 Person A raised their concern with ACCA, asserting that Miss Kamal had falsified documents.
21. ACCA opened an investigation. On 01 June 2023, ACCA contacted Miss Kamal setting out the concerns raised and asking for her to respond to a number of questions.
22. On 15 June 2023 Miss Kamal replied to ACCA stating: *"I strongly deny the allegation made against me by my former employer [...] These baseless accusations [REDACTED]. The accusation lacks any concrete evidence to support it [...]"*.
23. On 20 June 2023 ACCA wrote to Miss Kamal asking for her consent to contact her former employer, Company B, to confirm the authenticity of the employment reference dated 14 June 2022. On 27 June 2023 Miss Kamal sent an email to ACCA declining to give her consent. On 6 July 2023 ACCA wrote to Miss Kamal stating that ACCA would, nevertheless, be contacting Company B.
24. On 22 August 2023 Company B sent an email to ACCA stating: *"The reference letter attached to your email is not genuine as it does not match the content of the original letter created by Company B for our – back then – contingent worker. We believe there is no other information that Company B should disclose about this case"*.

25. On 31 October 2023 ACCA wrote to Miss Kamal enclosing its report that it was passing to an independent assessor for review. On 17 November 2023 Miss Kamal wrote to the assessor. Miss Kamal provided a detailed response to the ACCA allegations.
26. In outline, Miss Kamal acknowledged that the employment reference that she provided to Company A on 14 June 2022 had been altered by her so that it referred to her employment status at Company B as “*full-time*” instead of “*contingent*”. However, she stated that she had not intended to send that altered version of the document to Company A and had done so in error. She stated that as soon as she realised the error, on 21 June 2022, she had contacted Person A to inform her, apologise and explain what had happened.
27. Miss Kamal provided details of [PRIVATE]
28. Miss Kamal queried whether Person A’s action [REDACTED] was really linked to Miss Kamal sending her the altered employment reference because: (a) the [REDACTED] letter was sent after Miss Kamal had already sent an email [REDACTED]; and (b) the [REDACTED] was a month after Miss Kamal had told Person A about her error.

ALLEGATIONS

Allegation 1

On 14 June 2022, Miss Zenab Kamal, an ACCA student, submitted or caused to be submitted a false document purportedly from Company B in support of her application for employment at Company A.

Allegation 2

Miss Kamal’s conduct at allegation 1 above:

- a. Was dishonest, in that she knew the document she submitted or caused to be submitted to Company A not genuine; in the alternative,*
- b. Demonstrates a lack of integrity.*

Allegation 3

By reason of any or all of the facts at allegations, 1 and 2, Miss Kamal is guilty of misconduct pursuant to bye-law 8(a)(i).

DECISION ON ALLEGATIONS AND REASONS

Admissions

- 29. There were no formal admissions and so ACCA was required to prove the allegations.

Evidence and submissions of ACCA

- 30. Mr Mustafa took the Committee through the documentary evidence relied upon by ACCA.
- 31. In relation to Allegation 1, Mr Mustafa submitted that the Committee needed to determine three matters:
 - a. Did Miss Kamal submit or cause to be submitted a false employment reference letter?
 - b. Was the letter submitted false?
 - c. Was the letter submitted in support of Miss Kamal's application for employment at Company A?
- 32. In relation to the alleged submission of the employment reference, Mr Mustafa referred the Committee to the email dated 14 June 2022 from Miss Kamal to Person A, attaching the employment reference also dated 14 June 2022. He

also referred the Committee to the witness statement of Person A, dated 31 October 2023, in which they stated *“I received references and other information from Miss Kamal by email dated 14 June 2022 [...] The attachments included a letter dated 14 June 2022, purportedly from Company B which stated that Miss Kamal had been employed by them as an [REDACTED] from [REDACTED] [...] I was surprised to receive the references from Miss Kamal as these would usually be sent directly from the former employer”*. He submitted that it was clear from this documentary evidence, and not disputed by Miss Kamal, that Miss Kamal sent the employment reference purportedly from Company B to Person A on 14 June 2022.

33. In relation to whether the employment reference letter was false, Mr Mustafa referred the Committee to email from Company B to ACCA dated 22 August 2023 in which Company B had described the employment reference letter provided by Miss Kamal as *“not genuine as it does not match the content of the original letter created by Company B for our – back then – contingent worker”*. He also referred to the witness statement of Person A, dated 31 October 2023 [REDACTED].
34. Mr Mustafa also drew the Committee’s attention to the fact that Miss Kamal had admitted, in her written representations to the ACCA independent assessor, that she had changed some of the content of the original employment reference letter. She had stated *“I had initially altered the Company B document, changing ‘contingent’ to ‘full-time’ influenced by the content of my email communications with Person A. These emails indicated [their] preference for exclusively recruiting long-term employees. The alteration aimed to clarify my employment status, as I was categorised as a ‘contingent worker’ due to my previous employment secured through a recruitment agency, despite working full-time at Company B”*. He submitted that it was clear from this documentary evidence, and not disputed by Miss Kamal, that the employment reference letter Miss Kamal had provided to Person A was false in that Miss Kamal changed the word *“contingent”* in the original letter to *“full-time”* in the version sent to Person A.

35. In relation to whether the employment reference letter was submitted in support of Miss Kamal's application for employment at Company A, Mr Mustafa referred the Committee to Miss Kamal's written representations to the ACCA independent assessor in which she had stated "*On June 14, 2022, I submitted a reference letter obtained from Company B as part of my employment application to Company A*". Mr Mustafa then asked the Committee to consider the relevant chronology, noting that the employment reference letter in question appeared to have been provided by Miss Kamal on 14 June 2022, together with her signed copy of the contract of employment, and pre-dating Miss Kamal's start date with Company A on [REDACTED]. Mr Mustafa submitted that employment references are usually a pre-requisite of employment and are taken to verify the previous employment details provided by the job applicant. Mr Mustafa added that it would be reasonable to infer that if suitable employment references were not provided before the start date of [REDACTED], that Miss Kamal would not have been able to start work with Company A on that date. Taking all of these matters together, Mr Mustafa submitted that it was clear that the purpose of Miss Kamal providing the employment reference letter to Company A was to support her application for employment with Company A.
36. In relation to Allegation 2(a), Mr Mustafa submitted that Miss Kamal's conduct was dishonest because, when she sent the false employment reference to Person A in support of her application for employment, she would have known that it was false and that it could have misled Person A as to the nature of her employment history with Company B. He submitted that Miss Kamal's motive for doing so was clear. She had changed the letter to refer to "*full-time*" instead of "*contingent*" in an effort to portray her previous employment in a more favourable light.

Mr Mustafa submitted that Miss Kamal's assertion that she sent the altered version of the employment reference letter to Person A unwittingly, and that she had intended to send the original version, was not credible. He submitted that the explanation now provided by Miss Kamal for her conduct had been manufactured to cover up her dishonesty at the relevant time. He pointed to a number of matters in support of that position:

- a. When first responding to the allegations at the ACCA investigation stage, Miss Kamal did not say that she mistakenly sent the incorrect version of the reference letter to Person A. She strongly denied the allegations and did not put forward any innocent explanation. That only came later, with her written representations to the ACCA independent assessor.
 - b. When informing Person A of her “*serious mistake*” in her email dated 21 June 2022, Miss Kamal did not give the full explanation that she later gave to the ACCA independent assessor (that she had altered the letter but sent the altered version in error) and nor did she provide the original copy of the employment reference letter.
 - c. Mr Mustafa submitted that Miss Kamal’s explanation of how she had discovered her “error” was improbable. She had stated that she had discovered the error when looking at the relevant files on her computer. However, Mr Mustafa submitted that it would not have been possible for her to discover the purported error in that way. She could only have spotted the error if she had been looking through the documents that she had actually attached to the email sent to Person A.
 - d. Miss Kamal was [REDACTED] from Company A for [REDACTED] on the basis that she had [REDACTED] and there is no evidence that she sought to [REDACTED].
 - e. Miss Kamal’s approach to the ACCA investigation had been to initially deny the allegations and only later provide a purported innocent explanation. Furthermore, Miss Kamal had refused consent for ACCA to contact Company B to verify the contents of the employment reference that she had provided to Person A. Mr Mustafa submitted that Miss Kamal’s conduct in relation to the ACCA investigation had not been straightforward from the outset and that this undermined her credibility.
37. Mr Mustafa submitted that ordinary decent people would consider Miss Kamal’s conduct, in knowingly providing a false employment reference to Company A

in support of her job application, to be objectively dishonest because it was a deliberate attempt to mislead Company A.

38. In the alternative, in relation to Allegation 2(b), Mr Mustafa submitted that Miss Kamal's conduct demonstrated a failure to act with integrity. He drew the Committee's attention to Miss Kamal's own description of her conduct as "*reckless*" and "*inappropriate*". He submitted that the evidence indicated that, at the very least, Miss Kamal had acted recklessly, allowing her employer to be misled, and that this was sufficient to reach the threshold of conduct lacking integrity.
39. In relation to Allegation 3, Mr Mustafa submitted that Miss Kamal's conduct was serious and had brought discredit to Miss Kamal, ACCA and the accountancy profession as a whole. As such, he submitted that it had amounted to serious professional misconduct.
40. In relation to the evidence as a whole, Mr Mustafa made the following comments:
 - a. Miss Kamal has chosen not to give oral evidence to the Committee so ACCA has not had the opportunity to test her evidence by way of cross-examination questions, in particular in relation to her assertion of having an innocent explanation for her conduct.
 - b. ACCA has not relied heavily upon the witness evidence of Person A and does not invite the Committee to give great weight to their evidence, acknowledging that they had not attended to give oral evidence and so their evidence has not been tested under cross-examination. ACCA does not need to rely on the evidence of Person A. The documentary evidence corroborates their version of events and the chronology of events speaks for itself.
41. Mr Mustafa commented on Miss Kamal's [PRIVATE] circumstances. He stated that whilst ACCA is sympathetic to those circumstances, they are not relevant to the matters that need to be decided by the Committee at the fact-finding

stage. There is no evidence that Miss Kamal was not in control of her own actions at the relevant times.

Evidence and submissions of Miss Kamal

42. Miss Kamal had provided a witness statement dated 30 December 2024 and detailed written representations in a position statement dated 18 February 2025.
43. Dr Hassan also made oral submissions on behalf of Miss Kamal.
44. By way of background Dr Hassan stated that [PRIVATE].
45. In relation to Allegation 1, Dr Hassan focused on whether the employment reference letter had been submitted in support of Miss Kamal's employment at Company A. He submitted that the chronology indicated that it was not possible that the reference had been submitted in support of Miss Kamal's employment at Company A because the submission of the employment reference letter (on 14 June 2022) came after the role had been offered to Miss Kamal. Dr Hassan drew the Committee's attention to the fact that the contract of employment had been signed by Company A on 10 June 2022, and that the offer of employment had not been conditional on the receipt of employment references. Dr Hassan submitted that, as a matter of logic, Miss Kamal's submission of the false employment reference letter could not have been made with the intention of obtaining an advantage/the job in question, because she had already been offered that job on an unconditional basis.
46. Dr Hassan queried whether the email from Company B dated 22 August 2023 was sufficiently detailed for ACCA to rely upon it to prove that the employment reference letter provided by Miss Kamal was false, in that the email stated only that the employment reference letter provided by Miss Kamal was "*not genuine*" but did not provide any further details. Dr Hassan also drew the Committee's attention to the fact that the email from Company B had not been signed off by a named individual at the company.

47. In relation to Allegation 2(a), Dr Hassan submitted that Miss Kamal's actions in sending the false employment reference to Person A were a genuine error on her part and not an attempt to deceive Person A.
48. Addressing Miss Kamal's state of mind at the relevant time, Dr Hassan submitted that ACCA had not been able to point to any evidence demonstrating that Miss Kamal knew that she was sending a false version of the employment reference letter to Person A on 14 June 2022. Dr Hassan submitted that all of the reliable evidence available to the Committee pointed towards it instead having been a genuine mistake by Miss Kamal. He stated that Miss Kamal had already obtained the role by the time that she sent the employment reference letter, so she had no motive to send a false reference. Furthermore, he submitted that Miss Kamal's actions in promptly admitting to the mistake, apologising and correcting the issue, all indicated that Miss Kamal had nothing to hide and was acting as an honest person would if they had just realised that such a mistake had occurred. Dr Hassan submitted that, if Miss Kamal had been seeking to mislead Person A, it would have been illogical for Miss Kamal to then voluntarily draw Person A's attention to the mistake.
49. Dr Hassan stated that, around the relevant time, Miss Kamal [PRIVATE]. He submitted that those circumstances meant that an inadvertent administrative error on Miss Kamal's part was plausible. Furthermore, he added that when one puts that together with Miss Kamal's prompt full disclosure and apology to Person A, and her immediate correction of the mistake, Miss Kamal's conduct can be seen to be inconsistent with that of a person with dishonest intent.
50. Dr Hassan drew the Committee's attention to the positive character references provided by Miss Kamal, submitting that that added further support to the argument that it was improbable that Miss Kamal would have acted with dishonest intent.
51. Dr Hassan criticised ACCA's reliance on the evidence of Person A, which he described as untested and inconsistent with the other available evidence. He also sought to query Person A's own motives in raising the complaint with ACCA against Miss Kamal. Dr Hassan submitted that the complaint was a clear

act of retaliation against Miss Kamal following [REDACTED] at Company A. He submitted that, if Person A really had any concerns as to Miss Kamal's honesty in relation to the employment reference letter, she would not have waited almost a month – allowing Miss Kamal to work in the meantime – before [REDACTED] Miss Kamal on [REDACTED]. He also submitted that it was strange that Person A's [REDACTED] letter [REDACTED] post-dated Miss Kamal's own [REDACTED] email dated 18 July 2022.

52. Dr Hassan submitted that ordinary decent people would not find Miss Kamal's conduct to have been dishonest as she made a genuine mistake and, upon realising her mistake, made prompt efforts to voluntarily disclose the mistake, apologise and to seek to correct the issue.
53. For the reasons already stated, Dr Hassan added that Miss Kamal's conduct was not lacking in integrity and was not serious enough to amount to misconduct.

Decisions and reasons of the Committee

54. The Committee considered all of the evidence before it, the written submissions of Mr Mustafa and Miss Kamal, and the oral submissions of Mr Mustafa and Dr Hassan. The Committee accepted the advice of the Legal Adviser, which included reference to the applicable burden and standard of proof, and the interpretation of the terms dishonesty, a failure to act with integrity, and misconduct.
55. The Committee noted that it had received witness statement evidence from both Miss Kamal and Person A but that neither of them had given oral evidence before the Committee and so their respective versions of events had not been tested under cross-examination. As such, the Committee considered that it was appropriate to give less weight to the witness statement evidence and greater weight the contemporaneous documentary evidence in its deliberations.

Allegation 1 – Proved

56. In relation to Allegation 1, the Committee noted that it was not in dispute that on 14 June 2022 Miss Kamal had sent an email to Company A attaching a document purporting to be an employment reference from Company B, also dated 14 June 2022.
57. The Committee found that the employment reference letter was false, in that it was not a true copy of the original employment reference letter provided to Miss Kamal by Company B. The Committee came to that conclusion because:
- a. Company B had described the employment reference letter provided to Company A as “*not genuine as it does not match the content of the original letter*” clearly indicating that the letter was not a true copy of the original; and
 - b. Miss Kamal had admitted that she had altered the letter, changing the word “*contingent*” to “*full-time*” which the Committee considered to be a material alteration because it had the potential to mislead the reader.
58. The Committee noted that Miss Kamal asserted that the employment reference had not been provided “*in support of her application for employment at Company A*” because, by 14 June 2022 when she sent the employment reference letter to Person A, she had already been offered the role of [REDACTED] by Company A. The Committee rejected this argument for a number of reasons:
- a. There is no dispute that Company A asked Miss Kamal to provide a reference from her previous employer. In her position statement, Miss Kamal stated that “*On 14 June 2022, I was asked to submit several documents to [Ms] Blyth, including a reference*”. The rationale of any prospective/new employer seeking references from previous employers when recruiting a new employee is to verify the information given by the prospective/new employee. There was nothing in the evidence before the Committee to indicate that Person A had asked Miss Kamal for the reference for any reason other than to verify the information given by Miss Kamal as part of the recruitment process for the role of [REDACTED]. The Committee therefore found it reasonable to infer that: (i) Person A’s purpose in asking

Miss Kamal for the reference was to verify the information provided by Miss Kamal as part of the recruitment process; and (ii) Miss Kamal would have understood that was the purpose;

- b. Although the role had been offered to Miss Kamal at the relevant point in time, the contract of employment appears to have been signed by Miss Kamal on 13 June 2022 and returned to Company A as part of the same email in which Miss Kamal sends the employment reference letter, 14 June 2022. It would be reasonable to infer, therefore, that the contract of employment was in the process of being finalised by Miss Kamal's return of all of the relevant documentation, including the employment reference letter from Company B but that the process was not yet complete; and
 - c. Miss Kamal did not actually start working for Company A until [REDACTED].
59. The Committee was therefore satisfied that on 14 June 2022 Miss Kamal submitted to Company A a false employment reference in support of her application for employment at Company A.
60. Accordingly, the Committee found Allegation 1 proved.

Allegation 2(a) – Not proved

61. In relation to Allegation 2(a), the Committee applied the test for dishonesty set out in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67.
62. Applying the first stage of the test, the Committee considered Miss Kamal's state of mind at the time when she submitted the false employment reference in support of her application for employment at Company A.
63. The Committee recognised that Miss Kamal had clearly contemplated seeking to present false information in the employment reference letter from Company B to Company A, in that she had created a false version of the letter and had explained, in her written submissions to the ACCA independent assessor, that

the purpose of doing so was to “*avoid any perception that I had previously worked part-time at Company B*” which she thought might be looked upon unfavourably. However, at the time when Miss Kamal submitted the false employment reference to Company A on 14 June 2022, the Committee was persuaded that she did so in error. The Committee came to that view for the following reasons:

- a. The Committee accepted Miss Kamal’s assertion that all of the employment references that she had saved on her computer were named in a similar way and that this could have contributed to her accidentally selecting the incorrect (false) employment reference to attach to the email to Person A. The Committee noted that this was consistent with the available documentary evidence, in that the email dated 14 June 2022 listed some of the attachments as follows “*Zenab Kamal Reference.pdf; Reference.pdf; Zanab Kamal Reference Letter.pdf*” – all very similar names. Furthermore, ACCA had not produced any evidence to undermine the assertion.
- b. Miss Kamal had voluntarily contacted Person A on 21 June 2022 making clear what had happened, stating that it had been a mistake and apologising. She stated “*I made a serious mistake, I accidentally sent you the wrong reference file from my previous employer. I’m really sorry, I didn’t intend for this to happen*”. The provision of the false employment reference was not discovered by another person. Rather, it was brought to Person A’s attention by Miss Kamal herself.
- c. Although Person A had stated in their email to Company B dated 8 August 2022 that they [REDACTED] and that there was a [REDACTED] as they did not attend the hearing, the Committee was unable to ask Person A how soon these matters became apparent or what exactly happened at Company A in the first few days of Miss Kamal’s employment there. Therefore, there was no evidence to indicate that something may have happened to trigger Miss Kamal deciding that she needed to email Person A and ‘own up’ (other than Miss Kamal realising her mistake, as per her own account of events).

- d. The timing of Miss Kamal's email of 21 June 2022, only [REDACTED] into her role at Company A, made it more likely that Miss Kamal was reporting a genuine error rather than it having been a deliberate act which she had now changed her mind about. If Miss Kamal had knowingly submitted the false employment reference with the intention to deceive Company A, and no-one had spotted the falsehood or raised the issue with her, she would have had no reason to reveal the falsehood so early into her employment with Company A.
 - e. The Committee noted that ACCA submitted that Miss Kamal may have had a change of heart and been far-sighted enough to consider that her action may result in trouble for her in the long run and that 'owning up' sooner may be in her best interests. However, the Committee also noted that ACCA had not provided any evidence to indicate or suggest such a thought process on the part of Miss Kamal.
 - f. The Committee had regard to Miss Kamal's previous good character and the positive character testimonials, and it considered that this made it less likely that Miss Kamal would have intended to deceive Company A or to have been untruthful about the relevant events. With reference to *Alam v GMC* [2025] EWHC 2907 (Admin), the Committee also considered the inherent improbability of someone with previous good character deliberately sending a false employment reference to their prospective/new employer.
64. Taking into account all of these matters, the Committee was not satisfied that ACCA had discharged the burden of proving that Miss Kamal knew that she was submitting the false version of the employment reference at the relevant time. The Committee therefore found that it was more likely than not that Miss Kamal's subjective state of mind at the relevant time was that she did not know that she was submitting the false version of the employment reference because she had submitted it by mistake, believing that it was the original, true employment reference.
65. Applying the second stage of the test, the Committee considered that Miss Kamal's conduct would not be viewed by ordinary decent members of the public

to be dishonest by objective standards notwithstanding that she had created the false employment reference, because it had been submitted in error and not in an attempt to deceive her new employer.

66. Accordingly, the Committee found Allegation 2(a) not proved.

Allegation 2(b) – Not proved

67. In relation to Allegation 2(b), the Committee had reference to the case of *Wingate and Evans v the Solicitors Regulation Authority [2018] EWCA Civ 366* and the ACCA Code of Ethics and Conduct which describes integrity in the following terms:

“R111.1 A professional accountant shall comply with the principle of integrity, which requires an accountant to be straightforward and honest in all professional and business relationships.

111.1 A1 Integrity implies fair dealing and truthfulness.

R111.2 A professional accountant shall not knowingly be associated with reports, returns, communications or other information where the accountant believes that the information:

- (a) Contains a materially false or misleading statement;*
- (b) Contains statements or information provided recklessly; or*
- (c) Omits or obscures required information where such omission or obscurity would be misleading.”*

68. The Committee noted its earlier finding that Miss Kamal had submitted the false employment reference in error, and not deliberately or knowingly. The Committee also found that ACCA had not proved that Miss Kamal acted recklessly. There was no evidence that, when she was submitting the false employment reference to Company A, Miss Kamal knew that she was taking a risk that she was sending the false employment reference. For the same reasons as given above, the Committee was satisfied that it was more likely

than not that Miss Kamal had submitted the false employment reference in error, intending to send the original, true reference. As such, the Committee found that Miss Kamal's conduct had not demonstrated a lack of integrity.

69. Accordingly, the Committee found Allegation 2(b) not proved.

Allegation 3 – Not proved

70. In relation to Allegation 3, the Committee considered the seriousness of Miss Kamal's conduct set out at Allegation 1. Given that the Committee had found that Miss Kamal submitted a false employment reference to Company A, but did so in error only, the Committee decided that Miss Kamal's conduct was not serious enough to amount misconduct.

71. Accordingly, the Committee found Allegation 3 not proved.

COSTS AND REASONS

72. Mr Mustafa made an application for Miss Kamal to make a contribution to the costs of ACCA. Mr Mustafa applied for costs totalling £8,960.00. The Committee was provided with a Schedule of Costs providing a breakdown of the activity undertaken by ACCA and the associated costs. Mr Mustafa submitted that the costs claimed were appropriate and reasonable. He also drew the Committee's attention to the fact that some elements included in the schedule were based on a full-day time estimate for today's hearing, whereas the hearing may, in fact, take slightly less than a day.
73. Miss Kamal provided the Committee with a Statement of Financial Position with supporting evidence including a payslip and a redacted bank statement. Dr Hassan submitted that it would be unfair to make an award of costs against Miss Kamal and that, [PRIVATE].
74. The Committee accepted the advice of the Legal Adviser who referred the Committee to Regulation 15(1) of the Regulations and the ACCA document 'Guidance for Cost Orders'.

75. The Committee was satisfied that ACCA had been justified in investigating these matters and that the guidance indicated that, because at least one allegation had been found against Miss Kamal, the usual position would be that she should have to bear the costs of the investigation and disciplinary proceedings. However, the Committee found that it would be justified to depart from the 'usual position' in this case. The Committee considered that, because the only matter found proved against Miss Kamal was that she submitted the false employment reference, and that she had done so in error, it would be contrary to natural justice if Miss Kamal were to be ordered to pay the costs of the ACCA investigation and these proceedings.
76. The Committee therefore decided that Miss Kamal should not be ordered to make a contribution to the costs of ACCA.

Mr Andrew Gell
Chair
20 November 2025