

## HEARING

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

#### REASONS FOR DECISION

**In the matter of:** Mr Abdul Samad Khuhro

**Heard on:** Friday, 07 November 2025

**Location:** Remote via Microsoft Teams

**Committee:** Ms Colette Lang (Chair)  
Ms Susan Gallone (Accountant)  
Ms Caroline Robertson (Lay)

**Legal Adviser:** Mr Robin Havard (Legal Adviser)

**Persons present**

**and capacity:** Mr Mazharul Mustafa (ACCA Case Presenter)  
Ms Aimee Murphy (Hearings Officer)  
Ms Kiren Lall (ACCA Investigations Officer)

**Summary** Allegations 1(a), (b) & (c), 2(a) & (b) & 3(a) proved.  
Removal from student register

**Costs:** £6,000.00

**ACCA**



+44 (0)20 7059 5000



info@accaglobal.com



[www.accaglobal.com](http://www.accaglobal.com)



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

## **SERVICE OF PAPERS**

1. The Committee had considered the following documents: a hearing bundle (pages 1 to 65); a video recording, and a service bundle (pages 1 to 26). The Committee had also considered legal advice which it had accepted.
2. The Committee had read the letter dated 09 October 2025 containing the Notice of Proceedings, sent on the same day by ACCA by email to Mr Khuhro. The email had been sent to both email addresses that had been recorded on ACCA's register. It had noted the subsequent emails sent to Mr Khuhro with the necessary link and password to enable Mr Khuhro to gain access to the letter and the documents relating to this hearing.
3. The Committee was satisfied that such emails had been sent to his registered email addresses in accordance with regulation 22 of the Complaints and Disciplinary Regulations 2014 as amended ("CDR"). The Committee had noted that the emails had been delivered successfully. The emails and the documents to which Mr Khuhro had access also contained the necessary information in accordance with CDR10.
4. Consequently, the Committee decided that there had been effective service of proceedings on Mr Khuhro in accordance with CDR.

## **PROCEEDING IN ABSENCE**

5. On 16 October 2025, in the absence of any response from Mr Khuhro to the email of 09 October 2025, ACCA sent an email to Mr Khuhro at the registered email address asking him to indicate whether he intended to attend the hearing or whether he was content for the hearing to proceed in his absence. The email reminded him of the date of hearing and of his ability to join the hearing either by telephone or video link. It also asked him whether he would need the assistance of an interpreter, informing him that the cost of the interpreter would be met by ACCA. The email had been delivered successfully. There was no response.

6. On 22 October 2025, ACCA sent a further email to Mr Khuhro, reminding him of the date of hearing and asking him to confirm that, if he did not attend, he was content for the hearing to proceed in his absence. Again, he was informed of his ability to attend by phone or video and that, on request, ACCA would make the necessary arrangements for an interpreter to attend to assist him in the course of the hearing. He was also asked to send to ACCA any documents on which he wished to rely. There was no response.
7. On 27 and 31 October 2025, ACCA sent emails to Mr Khuhro, once again reminding him of the date of hearing and asking him to confirm that, if he did not attend, he was content for the hearing to proceed in his absence. As on previous occasions, he was informed of his ability to attend by phone or video and that, on request, ACCA would make the necessary arrangements for an interpreter to attend to assist him in the course of the hearing. He was also asked to send to ACCA any documents on which he wished to rely. There was no response.
8. On 04 November 2025, ACCA sent a further email to Mr Khuhro, reminding him of the date of hearing and asking him to confirm that, if he did not attend, he was content for the hearing to proceed in his absence. Again, he was informed of his ability to attend by phone or video. He was also asked to send to ACCA any documents on which he wished to rely. There was no response.
9. On 05 November 2025, ACCA attempted to call Mr Khuhro on the number registered with ACCA. However, there was no reply and no facility enabling the caller to leave a message.
10. On the same day, ACCA sent another email. Once again, ACCA reminded Mr Khuhro of the date of hearing and asking him to confirm that, if he did not attend, he was content for the hearing to proceed in his absence. As before, he was informed of his ability to attend by phone or video and that, on request, ACCA would make the necessary arrangements for an interpreter to attend to assist

him in the course of the hearing. He was also asked to send to ACCA any documents on which he wished to rely. There was no response.

11. Finally, on 05 November 2025, ACCA sent an email to Mr Khuhro, containing the date and time of the hearing and the link enabling him to join. ACCA asked Mr Khuhro to respond to confirm that he would be in attendance but there had been no response.
12. The Committee noted that, when responding to correspondence from the Investigations Officer ("IO") in the course of the investigation, Mr Khuhro had used one of the email addresses to which ACCA had sent the notice of proceedings of 09 October 2025 and the ensuing emails.
13. The Committee was satisfied that ACCA had done all that it could reasonably be expected to do to engage Mr Khuhro in the hearing.
14. The Committee concluded that Mr Khuhro had voluntarily absented himself from the hearing, which he could have joined by telephone or video link. He had therefore waived his right to attend.
15. The Committee was also satisfied that, taking account of the seriousness of the allegations, it was in the public interest to proceed. The Committee did not consider that any benefit would be derived in adjourning the hearing and no such application had been made.
16. Finally, the Committee considered that it was in a position to reach proper findings of fact on the evidence presented to it by ACCA and the earlier responses provided by Mr Khuhro.
17. The Committee ordered that the hearing should proceed in the absence of Mr Khuhro. It did so on the basis that if, at any stage, Mr Khuhro did join the hearing, the Committee would ensure that Mr Khuhro was provided with an opportunity to engage with the process.

## **ALLEGATIONS**

### **Allegation 1**

On 17 September 2023, Mr Abdul Samad Khuhro, an ACCA student, in relation to ACCA's remotely invigilated FBT-Business and Technology exam, breached one or more of ACCA's Exam Regulations and/or guidelines in that:

- a) He caused, permitted or failed to prevent a third party to be in the exam room with him, contrary to Regulation 19;
- b) He communicated and/or attempted to communicate with a third party in the exam room with him contrary to Regulation 16;
- c) He attempted to deceive or mislead the Proctor in that he told the Proctor he was alone in the exam room when that was untrue, contrary to Regulation 3.

### **Allegation 2**

Mr Samad Khuhro's conduct at allegations 1 (a) to (c) above, or any of it:

- a) Was dishonest in that he intended to gain an unfair advantage in the exam by seeking assistance from the third party present in the exam room with him;
- b) Was dishonest in that he knowingly misled or deceived the Proctor about the presence of the third party in the exam room with him; or in the alternative:
- c) Such conduct demonstrates a lack of integrity.

### Allegation 3

By reason of any or all of the above, Mr Samad Khuhro is:

- (a) Guilty of misconduct pursuant to bye-law 8(a)(i); or in the alternative:
- (b) Liable to disciplinary action pursuant to bye-law 8(a)(iii) in relation to allegation 1 (a) to (c).

## **DECISION ON FACTS, ALLEGATIONS AND REASONS**

### **Allegation 1(a), (b) & (c)**

- 18. In reaching its findings, the Committee relied upon the email correspondence and documents contained in ACCA's bundle and noted the Incident Report provided by the proctor (i.e. the remote exam invigilator) prepared following the exam. It had also viewed the video footage from the video taken on 17 September 2023. The Committee had taken account of the submissions of Mr Mustafa. The Committee also listened to legal advice, which it accepted.
- 19. The Committee kept in mind that the burden of proving the allegations rested with ACCA and the standard of proof to be applied was the civil standard, namely on the balance of probabilities.
- 20. On 27 October 2022, Mr Khuhro first registered as an ACCA student.
- 21. On 17 September 2023, Mr Khuhro sat a remotely invigilated examination (RIE), namely FBT Business & Technology ("FBT"). The exam started at 9:20am BST. He had made no previous attempts at the FBT exam and had previously passed two ACCA examinations.
- 22. Whilst the Committee had viewed the video of the exam prior to the hearing, at the outset of the hearing, the Committee was shown extracts from the video,

namely first, between 45 seconds and 1 minute 15 seconds, secondly between 6 minutes 45 seconds and 6 minutes 55 seconds, and thirdly, between 41 minutes 40 seconds and 42 minutes 55 seconds.

**Allegation 1(a)**

23. Allegation 1(a) related to an alleged breach of Exam Regulation (“ER”) 19 which states as follows:

*“If you are taking a Remotely Invigilated Exam, no one else is permitted in the room in which you are sitting your exam. This includes from the time that you log into the remote exam platform until 5 minutes after the time that you submit your exam, or your exam is terminated.”*

24. Having observed the video recording, the Committee was satisfied that, between 6 minutes 45 seconds and 6 minutes 55 seconds, an unknown third party was seen moving behind Mr Khuhro and then crouching down so that he could no longer be seen.
25. The Committee also noted that, between 41 minutes 40 seconds and 42 minutes 55 seconds, Mr Khuhro can be observed talking with a third party. The Committee found, on the balance of probabilities, that there was a third party in the room with him when he had that conversation.
26. The Committee also found, on the balance of probabilities, that as the door to the room can be seen behind Mr Khuhro, and as no one had been observed entering or leaving the room between 6 minutes 55 seconds and 41 minutes 40 seconds, that the same third party had been present throughout.
27. On this basis, the Committee was satisfied that a third party was present in the room whilst Mr Khuhro was sitting the exam and that this amounted to a breach of ER19.
28. Therefore, the Committee found the facts of allegation 1(a) proved.

### **Allegation 1(b)**

29. Allegation 1(b) related to an alleged breach of Exam Regulation (“ER”) 16 which states as follows:

*“Candidates must not whisper or speak out loud during the exam or communicate or attempt to communicate with any person, or allow any third party to communicate with them, other than the exam supervisor(s), invigilator(s) or remote invigilator(s) or proctor(s). This includes from the time that you log into the remote proctoring platform until 5 minutes after the time that you submit your exam, or your exam is terminated (whether by you or anyone or anything else).”*

30. Whilst the sound was not available when the video was shown in the course of the hearing, the Committee had listened to the video in advance of the hearing. The Committee was satisfied that Mr Khuhro held a conversation with a third party who was to Mr Khuhro’s right in the room between 41 minutes 40 seconds and 42 minutes 50 seconds when the video comes to an end.
31. This represented a clear breach of ER16, and the Committee therefore found allegation 1(b) proved.

### **Allegation 1(c)**

32. Allegation 1(c) related to an alleged breach of ER3 which states as follows:

*“You must not give false or misleading information to the exam supervisor(s), invigilator(s), remote invigilator(s), proctor(s) or any ACCA personnel.”*

33. Mr Mustafa confirmed that the chatlog has its own timestamps which differ from the timing on the video. However, it is after the proctor requested Mr Khuhro to carry out a room pan that the proctor records that a third party is seen in the

room with Mr Khuhro and that the third party crouches down to avoid being observed.

34. The following exchange took place between Mr Khuhro and the proctor:

*“1:42 AM [REDACTED]: I will also need to see a 360-degree pan around your room using your webcam. This will include all four walls of the room, the surface you’re working on, and the floor under your workspace. Please pause and show me each point so that I can see them clearly.*

*1:42 AM Abdul Samad Khuhro: ok*

*1:42 AM Abdul Samad Khuhro: ok*

*1:42 AM [REDACTED]: I have seen that there is another person in the room earlier.*

*1:43 AM Abdul Samad Khuhro: no*

*1:43 AM Abdul Samad Khuhro: you can see*

*1:43 AM Abdul Samad Khuhro: i am alone”*

35. The Committee relied on its findings of fact in respect of allegations 1(a) and (b). The Committee was satisfied that a third party had been present in the room with Mr Khuhro in the period covered by the video, and that Mr Khuhro was aware that this was so.
36. Consequently, in asserting to the proctor that he was alone in the room, the Committee found that he attempted to deceive and mislead the proctor in that he knew that this was not true.
37. On this basis, the Committee found allegation 1(c) proved.

### **Allegation 2(a)**

38. In reaching its decision, the Committee had applied the test for dishonesty prescribed by the Supreme Court in the case of *Ivey v Genting Casinos t/a Crockfords* [2017] UKSC 67.

39. As part of the exams booking process, and immediately before the commencement of the exam, Mr Khuhro would have been required to read and agree to ACCA's terms and conditions for sitting an exam remotely. This would have included the Examination Regulations and Guidelines, and the CBE announcements.
40. The Committee noted in the chat log that Mr Khuhro had agreed that he had read and understood the "*Student Information Sheet for Remote On-Demand CBEs*" and the "*On-Demand CBE Announcements*" that had been sent to him prior to the exam. Mr Khuhro had typed in to the chat box "*I agree*" when asked if he agreed to the exam rules.
41. The Committee therefore found that Mr Khuhro was aware of the requirements of the ERs.
42. The Committee had also found that a third party had been present in the room for the period from at least 6 minutes 45 seconds to 42 minutes 55 seconds and that he had been communicating with them.
43. It had been suggested by Mr Khuhro that the person seen on video was a "*hotel boy*" and that he did not know why the person was in the room with him. The Committee had noted what Mr Khuhro alleged was discussed with this person and it could not be reconciled with the official translation that had been produced.
44. It also did not explain why a hotel boy would consider it necessary to crouch down when passing behind Mr Khuhro and the exchanges between Mr Khuhro and the third party at the end of the video appeared to be a casual conversation.
45. The Committee did not find Mr Khuhro's account to be credible. A more plausible explanation was that the third party was present in the room and that he was there in order to provide Mr Khuhro with assistance and thereby enabling Mr Khuhro to gain an unfair advantage. This state of mind on the part of Mr Khuhro was also consistent with him being untruthful to the proctor in

telling them that no one else was in the room with him. If, indeed, it was a hotel boy in the room with him, he would have said so to the proctor during the exam and then ensured that the hotel boy left the room.

46. The Committee therefore found that Mr Khuhro knew that there was a third party in the room during the exam and they were there to provide Mr Khuhro with assistance which would provide him with an unfair advantage.
47. By the standards of ordinary decent people, such conduct was dishonest.
48. Consequently, the Committee found allegation 2(a) proved.

#### **Allegation 2(b)**

49. The Committee relied on its findings of fact under allegation 1(c) above.
50. The Committee had found that, in asserting to the proctor that he was alone in the room, Mr Khuhro had attempted to deceive and mislead the proctor in that he knew that this was not true.
51. The Committee was satisfied that, by the standards of ordinary decent people, such conduct was dishonest.
52. The Committee therefore found allegation 2(b) proved.

#### **Allegation 2(c)**

53. On the basis that this allegation was pleaded in the alternative to allegations 2(a) and (b), the Committee made no finding in respect of it.

#### **Allegation 3(a)**

54. Taking account of its findings in respect of allegations 1 and 2, and its finding of dishonesty, the Committee was satisfied that Mr Khuhro was guilty of

misconduct. The Committee was concerned that such behaviour risked compromising the integrity of the examination process. In the Committee's judgement, it brought discredit to Mr Khuhro, the Association and the accountancy profession.

55. Consequently, the Committee found allegation 3(a) proved.

### **Allegation 3(b)**

56. On the basis that this allegation was pleaded in the alternative to allegation 3(a), the Committee made no finding in respect of it.

### **SANCTION AND REASONS**

57. The Committee considered what sanction, if any, to impose, taking into account all it had read in the bundle of documents, ACCA's Guidance for Disciplinary Sanctions, and the principle of proportionality. It had also listened to the submissions of Mr Mustafa, and legal advice from the Legal Adviser which it accepted.
58. The Committee considered the available sanctions in increasing order of severity having decided that it was not appropriate to conclude the case with no order.
59. The Committee was mindful of the fact that its role was not to be punitive and that the purpose of any sanction was to protect members of the public, maintain public confidence in the profession and in ACCA, and to declare and uphold proper standards of conduct and performance.
60. The Committee had found Mr Khuhro to have acted improperly and dishonestly during the course of an exam which the Committee considered to be very serious.

61. The Committee considered whether any mitigating or aggravating factors featured in this case.
62. The Committee accepted that there were no previous findings against Mr Khuhro. However, the Committee took into consideration the fact that, at the time the exam took place, Mr Khuhro had only been a student member since 22 October 2022 i.e. a little under one year before he sat the exam.
63. The Committee had no information regarding the personal circumstances of Mr Khuhro nor had it been provided with any testimonials or references as to Mr Khuhro's character. Indeed, there had been little engagement by Mr Khuhro in the course of the proceedings.
64. As a consequence, there was no evidence to enable the Committee to be satisfied that Mr Khuhro had any insight into the seriousness of his misconduct and he had not expressed any remorse.
65. The Committee found such serious misconduct to be aggravated in the following ways.
66. As stated, Mr Khuhro had shown neither insight nor contrition.
67. His conduct was premeditated, deliberate, and represented a breach of trust placed in him by ACCA to act properly in the course of an exam. There was a risk that his conduct may have caused harm in that it undermines the integrity of the exam process.
68. On the basis of its findings, the Committee concluded that neither an admonishment nor a reprimand would represent a sufficient and proportionate outcome. Neither sanction would adequately reflect the seriousness of the Committee's findings.
69. The Committee then considered whether a severe reprimand would be an appropriate sanction. Again, taking account of the seriousness of its findings,

and reflecting on the criteria suggested in the Guidance, the Committee did not consider that a severe reprimand would be sufficient or proportionate. Indeed, the Guidance suggests that such a sanction may be appropriate when there is evidence of an individual's understanding and appreciation of the conduct found proved. No such evidence had been provided by Mr Khuhro.

70. The whole purpose of the Exam Regulations is to maintain the integrity of the process. Mr Khuhro's conduct during the exam represented conduct which was fundamentally incompatible with being a student member of ACCA. His failure to show any insight or contrition led the Committee to conclude that, currently, there was no guarantee that Mr Khuhro would behave in a manner expected of a member of ACCA.
71. The Committee had considered whether there were any reasons which were so exceptional or remarkable that it would not be necessary to remove Mr Khuhro from the student register but could find none.
72. The Committee concluded that the only appropriate, proportionate and sufficient sanction was to order that Mr Khuhro shall be removed from the student register.

### **COSTS AND REASONS**

73. The Committee had been provided with a simple costs schedule (page 1) and a detailed costs schedule (page 1) relating to ACCA's claim for costs.
74. The Committee concluded that ACCA was entitled to be awarded costs against Mr Khuhro, all allegations having been found proved. The amount of costs for which ACCA applied was £6,590. The Committee did not consider that the claim was unreasonable but the hearing had taken less time than estimated and this had to be reflected in an adjustment relating to the time spent at the hearing by the Case Presenter and Hearings Officer.

75. Mr Khuhro had not provided ACCA with any evidence of his means. The Committee was satisfied that, in the correspondence sent to him, Mr Khuhro had been warned at the outset of the importance of providing details of his financial circumstances and of ACCA's intention to apply for costs.
76. In the absence of any information from Mr Khuhro, the Committee approached its assessment on the basis that he was able to pay any amount of costs awarded against him.
77. In all the circumstances, and in exercising its discretion, the Committee considered that it was reasonable and proportionate to award costs to ACCA in the reduced sum of £6,000.00.

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

78. The Committee had considered whether the order should have immediate effect. However, ACCA did not seek such an order and the Committee did not consider that Mr Khuhro, as a student, presented a current risk to the public. It therefore concluded it was not in the interests of the public to make an order which takes effect immediately.
79. The Committee decided that this order shall take effect at the expiry of the period allowed for an appeal in accordance with the Appeal Regulations.

**Ms Colette Lang**  
**Chair**  
**7 November 2025**