

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Mr Adham Talal Ali Al Balushi
Heard on:	Tuesday, 04 November 2025
Location:	Remotely via Microsoft Teams
Committee:	Ms Ilana Tessler (Chair) Mr Ryan Moore (Accountant) Ms Caroline Robertson (Lay)
Legal Adviser:	Ms Helen Gower
Persons present and capacity:	Mr Stuart Brady (Case Presenter on behalf of ACCA) Miss Nicole Boateng (Hearings Officer)
Observers:	Ms Ceegay Verley (ACCA Case Progression Officer)
Summary:	Allegations 1, 2, 3, 4(a) to (d), 5(a) and 5(b), and 6(a) proved Student removed from the register.
Costs:	£7,250 awarded in favour of ACCA.

PRELIMINARY APPLICATIONS

1. The Committee had considered the following documents: a Disciplinary Committee Report and Bundle pages 1-117, and a Service Bundle pages 1-15.
2. The Committee had also considered legal advice which it accepted.

SERVICE OF PAPERS

3. The Committee first considered whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations (“the Regulations”). The Committee took into account the submissions made by Mr Brady on behalf of ACCA.
4. The Service Bundle included a copy of the Notice of Hearing dated 6 October 2025, thereby satisfying the 28-day notice requirement which had been sent to Mr Al Balushi’s email address as it appears in the ACCA register. The Notice included details about the time, date and remote venue for the hearing and also Mr Al Balushi’s right to attend the hearing, by telephone or video link, and to be represented, if he so wished. In addition, the Notice provided details about applying for an adjournment and the Committee’s power to proceed in the Registrant’s absence, if considered appropriate.
5. The Committee was satisfied that the Notice had been served in accordance with the Regulations, which require ACCA to prove that the documents were sent, not that they were received.

PROCEEDING IN ABSENCE

6. The Committee considered the submissions made by Mr Brady and accepted the advice of the Legal Adviser. The Committee bore in mind that although it had a discretion to proceed in the absence of Mr Al Balushi, it should exercise that discretion with the utmost care and caution.
7. The Service Bundle included a copy of an e-mail from Mr Al Balushi dated 10 October 2025 in which he confirmed receipt of the service documents and documentation for the hearing and added, “*you can proceed in my absence*”. This response was consistent with Mr Al Balushi’s completed Case Management Form in which he had confirmed that he did not wish to participate in the hearing and was content for the Committee with the hearing in his absence.

8. The Committee was satisfied that Mr Al Balushi had voluntarily absented himself and had waived his right to participate in the hearing. The Committee considered that an adjournment would be unlikely to secure his attendance at a subsequent hearing. Given that the allegations against Mr Al Balushi were serious, the Committee had regard to the public interest in concluding the case expeditiously.
9. The Committee concluded that it would be fair and proportionate to accede to ACCA's application to proceed in Mr Al Balushi's absence.

APPLICATION FOR PRIVATE HEARING

10. Mr Al Balushi completed a Case Management Form and made an application for the hearing to be heard in private on the ground that he had submitted personal information regarding himself and did not wish that information to be public.
11. On behalf of ACCA, Mr Brady submitted that it would not be appropriate for the hearing to be heard in private.
12. The Committee accepted the advice of the Legal Adviser. It considered whether the particular circumstances of the case outweighed the public interest in holding the hearing in public. The Committee did not consider that the reasons raised by Mr Al Balushi satisfied the criteria for holding a hearing in private. Mr Al Balushi had not presented sensitive information relating to his health or family circumstances that would justify a departure from the presumption that the hearing should be heard in public. There was no evidence before the Committee that Mr Al Balushi would suffer disproportionate damage if the hearing were to be held in public.
13. The Panel therefore decided that the case should be heard in public.

ALLEGATIONS

Mr Adham Talal Ali Al Balushi an ACCA student, during a centre-based ACCA examination taken on 18 August 2022:

1. Used or permitted a third party to use, an unauthorised item, namely an electronic communication device capable of taking photographs.
2. Further to the matters referred to in Allegation 1, caused or permitted the taking of photographs of an exam question as presented on his computer screen.
3. Further to the matters referred to in Allegations 1 and 2, caused or permitted one or more of the photographs referred to in allegation 2 to be shared with a third party or parties unknown.
4. By reason of the matters referred to above in respect of Allegations 1 to 3, Mr Balushi is in breach of one or more of:
 - a) Exam Regulation 5(a) and/or 5(b) in respect of Allegation 1
 - b) Exam Regulation 14 in respect of Allegation 2
 - c) Exam Regulation 10 in respect of Allegation 3
 - d) Exam Regulation 14 in respect of Allegation 3.
5. Mr Balushi's conduct as referred to in any or all of Allegations 1 to 4 above:
 - a) Was dishonest, in that the taking and/or retaining of photographs of exam content could potentially assist him if he had to resit the same exam and thereby provide him with an unfair advantage; and/or
 - b) Was dishonest in that causing and/or permitting one or more of the photographs to be taken and/or shared with a person or persons unknown whether during the exam or otherwise, could provide them with an unfair advantage in the said exam or a future exam, or in the alternative:
 - c) Demonstrates a failure to act with integrity.

6. By reason of any or all of his conduct, Mr Al Balushi is liable to disciplinary action pursuant to:
- a) Bye-law 8(a)(i); or in the alternative:
 - b) Bye-law 8(a)(iii), in respect of the exam regulations as set out in Allegation 4 above.

BRIEF BACKGROUND

14. Mr Al Balushi registered as an ACCA student on 1 March 2022. As an ACCA student he was subject to ACCA's Code of Ethics and Conduct, Bye-laws and Regulations, including the Exam Regulations. On 18 August 2022 Mr Al Balushi undertook ACCA's ACCA Corporate & Business Law LW-ENG exam, the "exam" at an exam centre.
15. On 4 February 2025, ACCA received an email from a whistleblower which included images, one of which relates to the exam and included Mr Al Baluschi's student identification number.
16. On 4 April 2025 Mr Al Balushi was formally notified of ACCA's investigation and was asked a series of questions and invited to comment on the incident.
17. On 7 April 2025 Mr Al Balushi sent a response to ACCA, which included the following:

"During that time, I was young and naïve and did not think properly, with the pandemic, [PRIVATE] So I sought out unethical methods to pass the Law exam, however during that attempt of the exam I failed and did not pass the Law exam. Its kind of ironic that I used unethical methods in the exam, and yet I failed.

As an Aspiring new graduate to enter the ACCA professional body, I want to adhere to the professional standards of the body, and ACCA teaches us to be honest and have integrity therefore in this email, you can find all of my responses to your questions with complete honesty and integrity.

I know there is no proper justification for my actions as it violated the standards of ACCA, but I ask for your forgiveness and not to be kicked out or suspended from ACCA.

Question responses:

Kindly see my response to the corresponding questions:

Please keep in mind it is not an online examination; it was a CBE exam.

- 1. I confirm it is my student Number*
- 2. Admit allegations that I took the photo with a mobile to gain an unfair advantage in the exam*
- 3. I admit I shared the following Picture.*
- 4. The examination team took my mobile. However, I managed to sneak in another mobile phone during the examination, taking a photo unnoticed and sharing it to gain an unfair advantage.*
- 5. The photograph was shared with an online tutor who offered to help (I cannot remember the name of the tutor nor [their] contact details. I do not have records as I changed my mobile and lost the contact details. If I had the details, I would have shared [their] details)*
- 6. There were other students taking the exam with me in the examination room.*
- 7. I cannot remember the name of the third-party tutor, as I lost [their] contact details. [They have] no direct relationship with me; [they are] simply a tutor whom I seek to help me gain an unfair advantage in the exam/*
- 8. N/A, I took the picture, not a 3rd party.*

9. *I took the picture during the examination un-noticed and shared the photograph with the tutor during the exam to gain an unfair advantage in the exam.*
10. *As mentioned, the photograph was taken to gain an unfair advantage in the exam, i.e. to answer questions in the exams using the help of Google and online tutor.*
11. *I was seeking Help in the exam. I did not help other students.*
12. *2-4 photographs were taken only, they were deleted immediately after the exam.*
13. *I did not receive payment or rewards for taking pictures of the ACCA exams.*
14. *N/A, no payment received.*
15. *Yes*
16. *NA, CBE exam, not Online*
17. *NA, CBE exam, not Online*
18. *I used an unauthorized device to gain an unfair advantage in the exam by either googling to find the answers or sending a photograph to an online tutor if Googling did not work*

I hope the above responses provide clear answers to your questions, kindly consider my personal comments as I truly regret my actions during that time as I was young and naïve and did not think properly about the consequences of my actions.”

18. In a further response dated 7 April 2025 Mr Al Balushi added:

“I also wanted to add that the online tutor from whom I sought help with the exam asked for a picture of the whole exam, and I declined as I was afraid to be caught, even though I gave [them] 2-3 questions about the examination, [their] answers were not logical and seemed wrong and I still trusted [their] answers.”

ADMISSIONS

19. In his Case Management Form Mr Al Balushi confirmed the admissions he had made in his e-mail dated 7 April 2025. Those admissions were unequivocal, and pursuant to Regulation 12(3)(c) of the Regulations, the Chair announced that Allegations 1, 2 and 3 had been found proved.

DECISION ON FACTS

Allegation 4

20. The Committee considered the relevant Exam Regulations:

“5(a) You are not permitted to use a dictionary or an electronic device or translator of any kind or have on or at your desk a calculator which can store or display text. You are also not permitted to use in your examination room an electronic communication device, smart watch, any other item with smart technology functionality or mobile phones (unless the exam is being conducted remotely in which case it must only be used in accordance with ACCA’s Exam Guidelines). These are regarded as ‘unauthorised items’ and are taken into the examination room at the candidate’s own risk.

5(b) Such ‘unauthorised items’ must not be worn, or be placed on your desk, in pockets of clothing, in your bag or personal belongings, or be kept anywhere else on or about your person or desk. If you bring ‘unauthorised items’ to the exam you must declare them to the exam personnel prior to the start of the exam. For Centre-Based exams, mobile phones (or communication devices of any type), smartwatch or other wearable technology, must be declared, switched off and stored as directed by examination personnel.

10. You may not engage in any conduct designed to assist you in your exam attempt or provide any improper assistance to any other exam entrant in their exam attempt.

14.Exam content (questions, scenarios, format) are owned by ACCA. You are prohibited from copying, photographing, videoing or reproducing in any manner exam content (questions, scenarios and/or format). 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 registered students.”

21. The Committee was satisfied that Mr Al Balushi knew that he was participating in the exam under these regulations and that his conduct:

- In Allegation 1 was in breach of Exam Regulations 5(a) and 5(b);
- In Allegation 2 was in breach of Exam Regulation 14;
- In Allegation 3 was in breach of Exam Regulations 10 and 14.

22. The Committee therefore found Allegation 4(a) to (d) proved.

Allegation 5(a)

23. The Committee considered whether Mr Al Balushi's conduct was dishonest, in that the taking and/or retaining of photographs of exam content could potentially assist him if he had to re-sit the same exam and thereby provide him with an unfair advantage. During the exam Mr Al Balushi had surreptitiously taken an additional mobile phone into the exam and had taken photographs of the exam content. Mr Al Balushi's actions were deliberate and planned. The Committee was satisfied that the only motive for such behaviour was to cheat in the exam and thereby gain an advantage over those students acting honestly. In his e-mail dated 7 April 2025 Mr Al Balushi accepted that his conduct was unethical and that he had taken the photograph “*to gain an unfair advantage*”.

24. The Committee was satisfied that Mr Al Balushi knew that his conduct was unethical and wrong. Such conduct would undoubtedly be regarded as dishonest by the standards of an ordinary decent person.

25. The Committee therefore found Allegation 5(a) proved.

Allegation 5(b)

26. The Committee considered whether Mr Al Balushi's conduct was dishonest, in that causing and/or permitting one or more of the photographs to be taken and/or shared with a person or persons unknown whether during the exam or otherwise, could provide him with an unfair advantage in the exam or a future exam. The Committee was satisfied that there was no plausible explanation for Mr Al Balushi's conduct other than his intention to gain an unfair advantage over other students. Mr Al Balushi provided information that he had shared the photograph with an on-line tutor and that he was seeking help from that tutor, knowing that this was unethical. The Committee concluded that such behaviour is dishonest by the standards of an ordinary decent person.

27. The Committee therefore found Allegation 5(b) proved.

Allegation 5(c)

28. Having found Mr Al Balushi's conduct to have been dishonest, the Committee did not have to consider Allegation 5(c) which was alleged in the alternative.

DECISION ON MISCONDUCT

29. The Committee heard submissions from Mr Brady.
30. The Committee considered the context and surrounding circumstances relating to Mr Al Balushi's dishonesty. The Committee was satisfied that Mr Al Balushi was fully aware of the exam regulations, and that it was therefore wrong for him to have a mobile phone with him, to use it, to photograph exam questions, and to send those photographs to a third party. Mr Al Balushi has admitted that he took the photographs to gain an unfair advantage in the exam.
31. The Committee had regard to the partial definition of misconduct in Bye-law 8(c) and the assistance provided by the case law on misconduct. It was

satisfied that Mr Al Balushi's actions brought discredit on him, the Association and the accountancy profession. It was satisfied that dishonesty within a professional exam reached the threshold of seriousness for misconduct. The requirement of being honest and trustworthy is a fundamental tenet of the accountancy profession. Mr Al Balushi's conduct in taking photographs of exam questions and sharing the photographs with another individual potentially facilitated other individuals by providing advance notice of an exam question and might have enabled those individuals to pass the exam without having obtained the skills and knowledge in an appropriate way. Mr Al Balushi's conduct therefore had the potential to undermine the integrity of ACCA's examination system and public confidence in those taking the examinations and thus the profession.

32. In the light of its judgment on misconduct, no finding was needed upon liability to disciplinary action. Accordingly, the Committee was satisfied that Allegation 6a) was proved and it did not need to consider the alternative of Allegation 6b).

SANCTION AND REASONS

33. The Committee noted its powers on sanction were those set out in Regulation 13(4). It had regard to ACCA's Guidance for Disciplinary Sanctions and bore in mind that sanctions are not designed to be punitive and that any sanction must be proportionate. It accepted the advice of the Legal Adviser.
34. The Committee considered that the conduct in this case was very serious. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. Being honest is a fundamental requirement of any accountant.
35. Although Mr Al Balushi had made early admissions, the Committee did not consider that he had demonstrated insight into the seriousness of his misconduct. The Committee noted the evidence provided by ACCA demonstrating that Mr Al Balushi's unique student identification number was linked to more than fifty photographs of exam questions. His dishonest conduct had taken place over a period of more than ten minutes within the exam. The Committee considered that Mr Al Balushi's admissions minimised the

seriousness of his dishonest conduct. He had not acknowledged the potential damage to the integrity of the ACCA exam, or to the impact of his dishonesty on public confidence in the profession.

36. The Committee identified the following mitigating factors:

- Mr Al Balushi was of good character with no previous disciplinary record;
- Mr Al Balushi's early admissions and his full co-operation with the investigation.

37. The Committee identified the following aggravating factors:

- Limited insight;
- An element of pre-meditation and pre-planning;
- The dishonest conduct was for personal gain;
- An unfair advantage was obtained by Mr Al Balushi;
- Potential damage to the examination system through distribution of the exam question photographs.

38. Given the Committee's view of the seriousness of Mr Al Balushi's conduct, it was satisfied that the sanctions of No Further Action, Admonishment, Reprimand, and Severe Reprimand were insufficient to highlight to the profession and the public the gravity of the proven misconduct.

39. In considering a Severe Reprimand, the Committee noted that a majority of the factors listed in the guidance were not present as the conduct was intentional, involved repetition of dishonest conduct in taking multiple photographs of exam questions, had resulted in Mr Al Balushi gaining an unfair advantage over other students, and had the potential for other students to gain an unfair advantage in the exam. While Mr Al Balushi had admitted his conduct, his insight was limited. The Committee was satisfied that in the circumstances a Severe Reprimand was not a sufficient and proportionate sanction given the seriousness of the conduct.

40. The Committee had regard to Section E2 of the Guidance on Sanctions for Dishonesty and the seriousness of such a finding on a professional. The Committee considered the factors listed at C5 of the Guidance for removal of Mr Al Balushi and was satisfied that his conduct was fundamentally incompatible with remaining on the student register. The Committee was satisfied that only removal from the student register was sufficient to mark the seriousness of the misconduct to the profession and the public.

COSTS AND REASONS

41. ACCA claimed costs of £7,682 and provided a simple and detailed schedule of costs. The Committee considered the costs to be reasonably incurred. However, the case had been listed for a whole day and in the event took less than the whole day and the Committee considered it appropriate to make a small reduction to reflect this.
42. The Committee noted that the normal position is that a member against whom an allegation has been found proved, should pay the reasonable and proportionate costs of ACCA bringing the case. This is based on the principle that the majority of members should not be required to subsidise the minority who, through their own failings, have found themselves subject to disciplinary proceedings.
43. Mr Al Balushi did not provide any details of his means or provide any representations about the costs requested by ACCA. There was, therefore, no evidential basis upon which the Committee could make any reduction on this ground.
44. In light of its observations above, the Committee decided to make an order in the sum of £7,250. This reflected the reduction for the slightly shorter day.

EFFECTIVE DATE OF ORDER

45. Given that Mr Al Balushi is a student and there was no evidence that he is relying on his ACCA student membership status, the Committee was not satisfied that it was in the interests of the public to make an immediate order.

Therefore, this order shall take effect from the date of the expiry of the appeal period unless notice of appeal is given prior to the expiry of that period, in which case it shall become effective (if at all) as described in the Appeal Regulations.

Ms Ilana Tessler
Chair
4 November 2025