Think Ahead ACCA

# HEARING

## DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

## REASONS FOR DECISION

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| **In the matter of:** | **Mr Abdul Qadir** |
| **Heard on:** | **Wednesday, 12 August 2026** |
| **Location:** | **Remotely via Microsoft Teams** |
| **Committee:** | **Ms Ilana Tessler (Chair)**<br>**Ms Ruby Devit (Accountant)**<br>**Ms Yvonne Walsh (Lay)** |
| **Legal Adviser:** | **Ms Katrina Hyde** |
| **Persons present and capacity:** | **Mr Ryan Ross (ACCA Case Presenter)**<br>**Ms Anna Packowska (Hearings Officer)** |
| **Summary:** | **Misconduct found proved.**<br>**Removed from student register with immediate effect.** |
| **Costs:** | **£8750.50 payable by Mr Qadir to ACCA.** |

ACCA
+44 (0)20 7059 5000
info@accaglobal.com
www.accaglobal.com
The Adelphi 1/11 John Adam Street London WC2N 6AU United Kingdom

**PRELIMINARY APPLICATIONS/SERVICE OF PAPERS**

1. The Disciplinary Committee ("the Committee") convened to consider allegations against Mr Qadir, who did not attend and was not represented.

2. The papers before the Committee were in a bundle numbered 1 to 158, plus a memorandum and agenda of 2 pages, a video labelled *"2025.09.25-video-5501750,"* a service bundle of 18 pages, a simple costs schedule and a detailed costs schedule.

3. The Case Presenter Mr Ross made an application to proceed in the absence of Mr Qadir.

**PROCEEDING IN ABSENCE**

4. The Committee first considered whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations ("the Regulations"). The Committee took account of the submissions made on behalf of ACCA and also accepted the advice of the Legal Adviser.

5. The Committee carefully considered the documents in the service bundle. Included was the Notice of Hearing dated 15 July 2026 which had been sent on the same day by email to Mr Qadir, to the email address he had registered with ACCA. The Notice of Hearing included details about the time, date and venue for the hearing and also Mr Qadir's right to attend the hearing, in person or on the phone, and to be represented. In addition, the Notice provided details about applying for an adjournment and the Committee's power to proceed in Mr Qadir's absence, if considered appropriate.

6. The Committee took into account, at page 14 of the service bundle, an email sent to ACCA from Mr Qadir. In it, he had said he would not be available. In a subsequent email he had told ACCA that he would be "on duty." He said he would attend if he was free, but otherwise not. Overall, the Committee was satisfied that Mr Qadir had been properly notified of the hearing, in accordance with the Regulations. It was clear that he was aware of the hearing date from

his correspondence. The Committee was also satisfied that the 28-day notice requirement had been met under Regulation 10.

7. The Committee next considered whether to proceed in Mr Qadir's absence. The Committee bore in mind that although it had a discretion to proceed in his absence, it should exercise that discretion with care and caution.

8. On balance, the Committee considered that an adjournment would not serve any useful purpose because it seemed unlikely that Mr Qadir would attend on any other occasion. He had indicated in his correspondence that it was unlikely that he would attend. He had referred to other commitments. However he had not applied for an adjournment. The Committee considered the fairness of the proceedings, and that there was a clear public interest in the case being heard without additional delay. In all the circumstances, the Committee decided that it was in the interests of justice that the matter should proceed, notwithstanding the absence of Mr Qadir.

**ALLEGATIONS/BRIEF BACKGROUND**

9. Mr Abdul Qadir ("Mr Qadir"), a student of the Association of Chartered Certified Accountants ("ACCA"):

   1. On 1 September 2025, during an on-demand remotely invigilated Audit and Assurance (AA) examination ("the Exam"), used, or permitted a third part to use, an unauthorised item, namely an electronic communication device capable of taking photographs ("the Unauthorised Item"), contrary to Exam Regulation 5(a) and/or 5(b).

   2. Caused, or permitted, during the exam the taking of photographs of exam content presented to him ("the Photographs"), contrary to Exam Regulation 11 and/or 13.

   3. Caused, or permitted, one or more of the Photographs to be shared with a third party or parties unknown, contrary to Exam Regulation 13.

4. Mr Qadir's conduct set out in Allegation 1, 2 and/or 3 above was:

   a. Dishonest in that he gained, or intended to gain, an unfair advantage for himself and/or others in the exam and/or a future ACCA exam via the conduct; or

   b. In alternative, such conduct demonstrates a failure to act with integrity.

5. By reason of any, or all, of his conduct set out in Allegation 1 to 4 above, Mr Qadir is:

   a. Guilty of misconduct pursuant to bye-law 8(a)(i); or

   b. In the alternative, liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of Allegation 1, 2 and/or 3 above.

**Brief Background**

10. On 1 September 2025 Mr Qadir (an ACCA student member) sat the Exam, which was remotely invigilated. On 6 September 2025 an email and photographs were received by ACCA from an anonymous individual who stated that Mr Qadir had sold exam questions.

11. It was alleged by ACCA that in addition, the behaviour of Mr Qadir captured in video footage during the Exam was a cause for concern, namely that he had looked down repeatedly when there was no calculator or scratch paper on his desk. There were thirty of these instances relied upon by ACCA and they were set out at page 9 of the bundle. It was said that this behaviour took place during the first 44-45 minutes of the Exam.

12. It was further alleged by ACCA that in relation to the above, Mr Qadir had breached the Exam Regulations, that he was guilty of misconduct or in the alternative, was liable to disciplinary action.

## DECISION ON FACTS/ALLEGATIONS AND REASONS

13. The Committee considered all the evidence presented and the submissions made by the ACCA Case Presenter. Mr Ross submitted that if the Committee was satisfied as to the facts, under Exam Regulation 6, it was to be assumed that Mr Qadir intended to gain an unfair advantage.

14. The Chair noted during the hearing, and the Committee took into account, that there had been no admissions from Mr Qadir. The Committee accepted the advice of the Legal Adviser. The Committee reminded itself that it was for ACCA to prove the facts alleged and to do so on the balance of probabilities. It was not for Mr Qadir to disprove them. The Committee took account of Mr Qadir's previous good character with regard to his credibility.

### ACCA's case

15. The Committee considered the witness statement of the ACCA Exam Production Technician. This exhibited the email received by ACCA from the purported whistle blower. The Committee took into account that this evidence identified that the photographs, albeit partially redacted, showed clear information that linked Mr Qadir directly. These included Mr Qadir's full name, unique student registration, unique access code and the name of the Exam subject; "Audit Assurance." Moreover Mr Ross had made a submission regarding the photograph of the room in which Mr Qadir sat the Exam (shown on page 59 of the main bundle). Clothing was visible in the background. This bore a striking similarity to the image of Mr Qadir on the shared photographs, including the same clothing. The Committee found this submission persuasive.

16. Prior to the hearing, the Committee members had carefully watched the video and considered particularly the time stamps identified by ACCA, during which it alleged certain behaviours took place. The Committee was satisfied that the video showed Mr Qadir repeatedly looking down whether there were no sounds of typing taking place. ACCA submitted that Mr Qadir's demeanour changed after approximately 44-45 minutes into the video and after this, typing also was audible. Having examined the video, the Committee agreed with this.

**Mr Qadir's case**

17. In response to the allegations and the investigation by ACCA, Mr Qadir had emailed ACCA and set out his position over several months of correspondence. The Committee noted that he strenuously denied sharing any questions or content from the Exam. He also denied seeking any assistance with the Exam or attempting to assist anyone else. He stated that he had not used any social media or communication platforms to share questions or content from the Exam and he confirmed that he did not have any photographs or recordings of the Exam in his possession. He also denied that there was anyone else present in the room during the Exam. He was concerned however, that one of his flatmates might have taken a picture or recording without his knowledge. He named this person and provided ACCA with their telephone number.

18. Mr Qadir also pointed out that the quality of the images was poor and said that if he had taken any photographs, his device would have produced photographs of higher quality. In addition he would have altered the images because his unique examination access code identified him. He submitted that in the current age of artificial intelligence and advanced editing tools, images and photographs could easily be manipulated or deepfaked. In the video of him taking the Exam, he submitted that he was continuously visible to the Exam Proctor and it would have been impossible for him to take photographs without being noticed. He had not yet confronted his flatmate but intended to do so once he had received confirmation from the investigation by ACCA. He suspected his flatmate might have accessed his device. His flatmate had previously discouraged him from his ACCA studies, which made him feel uncomfortable. The photographs contained signs of having been manipulated such as irregular lighting and colours, distorted background and blurred areas. He had carried out the required system checks on his device, but had noticed unusual activity on his device such as unexpected notifications and apps opening automatically. This led him to believe that remote access was possible.

19. In relation to the section of the footage video footage relied upon by ACCA, Mr Qadir stated that he was merely thinking carefully about the questions and typing his responses. He submitted that he often looked down while typing,

because he could not type without looking at the keyboard. His downward gaze was solely related to typing and formulating answers. He confirmed that he did not have any physical materials such as scratch paper or a calculator. He attached copies of his residence card, driving licence and other identification documents. He denied acting dishonestly. He stated if he had intended to act dishonestly he would not have invested four years of effort and study into the qualification.

20. The Committee considered Mr Qadir’s submissions carefully. It did not find them to be persuasive. Mr Qadir's version of events was implausible. He had provided numerous possible explanations, none of which bore close scrutiny. Moreover his version was contradictory because he stated that on the one hand, he had carried out the required system checks, but on the other hand somehow the security of his device must have been compromised. The Committee was of the view that his version of events was far-fetched and speculative. He had alleged that the photographs must have been tampered with in some way, without backing this up with persuasive evidence. Overall, the Committee was satisfied that on the balance of probabilities it was most likely that Mr Qadir had taken the photographs, and shared them. It was the most plausible and likely explanation for the video footage and for the sharing of the photographs from the Exam.

**Allegations 1-3**

21. The Committee was satisfied that, on the evidence produced by ACCA it was more likely than not that Mr Qadir had breached Exam Regulations 5(a) and 5(b) and used, or permitted a third party to use, an Unauthorised Item and had taken, or caused or permitted the taking of photographs of the Exam. The Committee was satisfied that it was most likely that Mr Qadir had used a camera to take the photographs and then had shared them. It therefore found allegations 1, 2 and 3 proved.

**Allegation 4**

22. The Committee found allegation 4(a) proved, namely that Mr Qadir had behaved dishonestly. In considering its decision the Committee applied the test in the case of *Ivey v Genting Casino*. The Committee took the view that Mr Qadir had set out to cheat in the Exam, and that it was most likely that he knew he was behaving dishonestly. In addition, the Committee concluded that objectively, this was clearly dishonest behaviour. The Committee did not consider allegation 4(b) as it was in the alternative.

**Allegation 5**

23. Having found the facts in the allegations proved, the Committee then moved on to consider whether Mr Qadir was guilty of misconduct. The Committee considered that his behaviour had the potential to impact the regulation of the accountancy profession, public confidence and trust. It considered that there were a considerable number of leaked photographs. Overall, the Committee was satisfied that his conduct fell far short of the conduct that was expected from a student member of ACCA. For these reasons the Committee was satisfied that Mr Qadir was guilty of misconduct under allegation 5(a).

24. The Committee did not go on to consider allegation 5 sub-paragraph (b), whether Mr Qadir was liable to disciplinary action, as this was in the alternative.

**SANCTION AND REASONS**

25. The Committee considered the appropriate sanction in line with the framework set out in the updated Guidance for Disciplinary Sanctions (10 February 2026) (the "Sanctions Guidance"). In relation to seriousness, the Committee was satisfied that it was most likely that Mr Qadir's conduct had been deliberate.

26. The Committee also considered aggravating factors and mitigating factors. It took care not to engage in double counting. The Committee accepted the advice of the Legal Adviser. In terms of mitigation, the Committee took the lack

of prior disciplinary proceedings against Mr Qadir into account. It also considered that he had co-operated with the ACCA investigation to an extent.

27. In relation to aggravating factors the Committee took into account that the misconduct had likely undermined the integrity of the Exam and thereby had the potential to also undermine public confidence in the profession, ACCA and exam processes. There was also the risk that if Mr Qadir passed exams by cheating, then he could potentially become a member of the profession without having undertaken the proper study and without having the requisite knowledge. The Committee also took the view that Mr Qadir's misconduct was likely motivated by personal gain.

28. Next, the Committee gave detailed consideration to sanctions, starting with lesser sanctions; no further action, admonishment or reprimand. In relation to these, the Committee was satisfied that Mr Qadir's conduct and the circumstances of the case did not fall within any of the relevant paragraphs in the Sanctions Guidance. The criteria set out therein made it clear that these would not be appropriate sanctions, given the circumstances of Mr Qadir's misconduct. He had demonstrated a lack of remorse and/or insight and the behaviour was deliberate. Also, the Committee decided that the seriousness of the conduct involved meant that such sanctions would not be appropriate and that none of these sanctions would be sufficient to protect the public.

29. Next the Committee analysed the sanction of severe reprimand. The Committee concluded that apart from the previous good record of Mr Qadir, many of the factors listed in the Sanctions Guidance did not apply in his case. There was no evidence that he had insight into his failings, nor of genuine regret. Moreover Mr Qadir had not provided evidence of any rehabilitative or corrective steps taken. Therefore it was clear that this was not an appropriate sanction.

30. Overall, the Committee was satisfied that removal from the student register was the appropriate sanction. It was proportionate, necessary to protect the public from the risks posed by Mr Qadir and necessary to protect the confidence of the public in the profession. In relation to the timing of the removal, the

Committee considered that in the specific circumstances of this case, there was a need for it to be immediate. The Committee bore in mind that Mr Qadir had not provided evidence of insight into his misconduct, nor any rehabilitative action, and therefore the Committee considered that the risk he posed necessitated immediate removal.

## COSTS AND REASONS

31. Mr Qadir had provided no information or submissions about his means so the Committee could not consider a reduction on the basis of undue hardship or inability to pay. He had not completed the financial form sent by ACCA. The Committee took into account that in one of his emails to ACCA dated 14 November 2025, he made an indirect reference to sanctions and costs:

*"If, after your assessment, you still consider me responsible, I respectfully request that any penalty or fine be applied on a fair and reasonable basis, considering my honest cooperation and the explanations I have provided."*

32. Having considered this and bearing in mind the context of its overall findings and decision, the Committee was satisfied that ACCA was entitled to receive its costs. It took into account the ACCA Guidance for Costs Orders. The Committee was satisfied that the costs claimed were appropriate and reasonable, having considered the detailed and simple schedules submitted. The Committee made a reduction from the amount stated in the costs schedules, because the hearing took less time than had been anticipated. It had taken two hours instead of four, so it reduced the costs attributable to the hearing time by half. The final costs order made in favour of ACCA was £8,750.50.

## EFFECTIVE DATE OF ORDER

33. The Committee directed that the removal take place with immediate effect

**SUMMARY**

34. The Committee ordered as follows: (a) Mr Abdul Qadir shall be removed from the student register with immediate effect, (b) Mr Qadir shall pay costs to ACCA assessed at £8,750.50.

**Ms Ilana Tessler**
**Chair**
**12 August 2026**