

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mr Muhammad Ali Hamza

Heard on: Tuesday, 03 February 2026

Location: Remote via Microsoft Teams

Committee: Dr Mike Kelly (Chair)
Mr Martin Ellis (Accountant)
Ms Alison Sansome (Lay)

Legal Adviser: Mr Robin Havard (Legal Adviser)

Persons present

and capacity: Mr Mohammad Ali Hamza (Student Member)
Mr Matthew Kerruish-Jones (Case Presenter on behalf of
ACCA)
Miss Mary Okunowo (Hearings Officer)

Summary: Allegations 1, 2, 3, 4, 5(a) & 6(a) were found proved.
Sanction - Removed from student register.

Costs: £4,000 awarded to ACCA.

ACCA



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ALLEGATIONS

Mr Muhammad Ali Hamza, a student of ACCA, in respect of his on-demand remotely invigilated Taxation (TX) exam taken on 10 June 2025 ('the Exam'):

1. Failed to adhere to ACCA's Exam Guidelines to 'move mobile phones... out of arm's reach' and/or possessed an item on or about his desk or person which was not on the list of permitted items in the Exam Guidelines, contrary to Exam Regulation 1.
2. Was in possession of and/or used an unauthorised item, namely a mobile phone with camera, during the Exam, contrary to Exam Regulation 5(a) and/or 5(b) and thereby sought to gain an unfair advantage in the Exam and/or a future exam within the meaning of Exam Regulation 6(b).
3. Used the above referenced unauthorised item to take photographs and/or recordings of the Exam content, contrary to Exam Regulation 13.
4. Gave the exam proctor false or misleading information about the said unauthorised item, contrary to Exam Regulation 3.
5. Mr Hamza's conduct in respect of any or all of the above was:
 - a) Dishonest, in that he intended to use or used an unauthorised item, a mobile phone with camera, during the Exam to gain an unfair advantage for himself and/or others in the Exam and/or for a future exam; or in the alternative:
 - b) Such conduct demonstrates a failure to act with integrity.
6. By reason of the above, Mr Hamza is:
 - a) Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of any or all of the conduct above; or in the alternative:
 - b) Liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of any or all of the conduct in allegations 1 to 4.

DECISION ON FACTS, ALLEGATIONS AND REASONS

1. In reaching its findings in respect of the allegations, the Committee relied upon the documents contained in the Report and Bundle (pages 1 to 108) and the Service Bundle (pages 1 to 23). It had also viewed the video footage from the video taken on 10 June 2025 and considered the phone logs numbered 1 to 4. The Committee had taken account of the submissions of Mr Kerruish-Jones and had listened to the submissions made by Mr Hamza on his own behalf. The Committee had been provided with legal advice, which it accepted.
2. At all times, the Committee bore in mind that the burden of proving the allegations rested with ACCA, save in respect of allegation 2 and specifically Exam Regulation 6(b). The standard of proof to be applied was the civil standard, namely on the balance of probabilities.

Allegations 1, 2, 3 & 4

3. On 11 December 2024, Mr Hamza became an ACCA registered student.
4. On the basis of the documentary evidence, the Committee made the following findings of fact.
5. On 10 June 2025, Mr Hamza sat an on-demand remotely invigilated Taxation (TA) exam.
6. The Committee was satisfied that, during the exam booking process, students, including Mr Hamza, would be required to click that they agreed to the Exam Regulations and guidelines. This was a mandatory step in the process and exams cannot be booked until students indicate their acceptance of the Exam Regulations and Guidance.
7. The guidance document included the following:

“Move mobile phones, electronic devices, headphones and watches out of arm’s reach.”
8. The Committee had noted that, before the start of the exam, a message was displayed on the screen of Mr Hamza’s laptop and there was an acknowledgement from Mr Hamza:

"06-10-25, 10:35:11 OnVUE Support(proctor): Hello, this is your Greeter. Please type in the chat if you can see this message.

06-10-25, 10:35:27 Muhammad Ali Hamza: hi. Yes

06-10-25, 10:37:32 OnVUE Support(proctor): The greet process is now complete and I will release your exam shortly. Please put your phone on silent mode and out of arm's reach. If you are using a laptop, please make sure your power cord is plugged in so that your laptop does not run out of battery. You must remain for the full duration of your scheduled exam time. You cannot leave the room unless it is for your one 5-minute break. If you complete your exam early you are required to remain under the proctor's supervision. In the event of an issue during your exam, you can contact a proctor via the chat function. If you have difficulty reaching a proctor during your exam via the chat function, please wave your hands to the webcam or speak out loudly and ask the proctor to call you. Please acknowledge that you have read and understood the above.

06-10-25, 10:38:21 OnVUE Support(proctor): Thank you for confirming. I will now release your exam. It may take a few minutes to load on your screen. Good luck!

06-10-25, 11:29:04 [Person A] (proctor): do not mumble the questions please

06-10-25, 11:29:25 Muhammad Ali Hamza: ok"

9. Consequently, the Committee found that, on two occasions prior to the commencement of the exam, Mr Hamza would have been aware that he could not use his mobile phone, and he had acknowledged the instruction he had received.
10. The Committee had reviewed the video footage. It was satisfied that the summary contained in ACCA's report of the occasions when Mr Hamza can be seen using his mobile phone during the exam was accurate. This meant that Mr Hamza had an unauthorised item in his possession, namely a mobile phone.
11. The following represented the key incidents in the video footage of Mr Hamza's exam.

12. At 00.04.37.25 in an audio file named "Phone Log 1" the proctor asks Mr Hamza, "Just to confirm you don't have your phone on you right?" Mr Hamza replies "*it's here*".... and indicated a phone on the bed.
13. At approximately 00.06.09 the exam was launched.
14. At the following timestamps, Mr Hamza can be seen holding a phone:
 - 00.24.00
 - 00.36.07
 - 00.39.38
 - 00.43.18
 - 00.45.59
 - 00.48.07
15. At 00.51.06.18 after a conversation about a comfort break, the proctor asked to see Mr Hamza's desk. He then says in Phone Log 3 "*Ok, can I see your calculator please?*" Mr Hamza holds up his calculator.
16. The phone can then be seen again at the following timestamps:
 - 00.53.55
 - 00.57.00
 - 01.00.40
 - 01.01.32
17. Having read the phone logs, the Committee found that the following exchanges took place between the Proctor and Mr Hamza.
18. At approximately 01.02.45 the following conversation took place (Phone Log 4)

- Proctor – *“One more time, I did notice that you took picture of the screen so I will end your session now”.*
 - Student - *Sorry?*
 - Proctor - *I noticed that you took a picture of the screen*
 - Student - *No I didn't do that, I don't have anything with me right now*
 - Proctor - *I can see in the recording, I can see what I can see. You took picture with your phone*
 - Student - *I don't have phone with me*
 - Proctor - *You took picture with your phone sir*
 - Student - *I'm serious I don't have phone with me*
 - Proctor - *Ok then show me your desk*
19. At approximately 01.03.25 a further pan of the desk was conducted, and no phone could be seen.
20. At approximately 01.03.35 the proctor said to Mr Hamza, *“The case will be reported to ACCA and the matter will be investigated.”*
21. At approximately 01.07.02 the exam is terminated.
22. On 15 August 2025 the Investigation Department provided Mr Hamza with the footage of the exam and wrote to him requesting his comments regarding his use of a mobile phone during the exam.
23. On 24 August 2025, Mr Hamza responded stating:
- “I wish to state at the outset that I accept responsibility for my actions and sincerely apologise for breaching ACCA’s Exam Regulations. I understand the seriousness of this matter and that my behaviour fell short of the integrity and*

professionalism expected of an ACCA student. This was a regrettable lapse in judgment, and I assure you it will never happen again.”

24. Mr Hamza went on to say that he had read the Exam Regulations and Guidelines before sitting the exams. He further said as follows:

“I admit that I failed to adhere to ACCA’s Exam Guidelines by having my mobile phone within arm’s reach during the exam”

“I admit that I misled the proctor when asked about the phone”

“I admit that I used a mobile phone during the exam, but my intention was not to gain an unfair advantage – it was to capture one question for my own self-checking after the exam.”

“I admit that I took a photograph of live exam content”.

“This was my first ever ACCA exam, and I had no prior experience with remotely invigilated assessments. I made the mistake of briefly using my phone to capture a single question for my own self-checking after the exam. I want to be clear that I did not send the image to anyone, receive any assistance during the exam, or use the phone to look up answers.”

“I understand now that even using a phone for personal review purposes is a serious breach of exam security, as it compromises the integrity of ACCA’s assessments. My actions were not intended to gain an unfair advantage, but I recognise that intent does not lessen the seriousness of the breach.”

25. On 01 September 2025, ACCA requested further information from Mr Hamza based on his response. In particular, he was asked to clarify his explanation that he took the photograph of “a single question”, for his “own self-checking after the exam” and why, if he took only one photo, his phone was seen in a manner consistent with taking photographs on at least 10 separate occasions throughout a period of approximately 45 minutes.

26. On 18 September 2025 Mr Hamza responded as follows:

“Having now reflected more deeply on my actions during the exam and in light of the evidence presented, I recognise that my previous account was incomplete and misleading, and I wish to correct it.

I did take a photograph of one question during the exam. However, after doing so, I was immediately overwhelmed with panic and guilt. What the proctor may have observed as repeated photography was in fact me anxiously handling my phone — switching it on and off, repeatedly looking at the photo I had taken, and struggling internally with whether to delete it immediately. In doing so, my actions may have resembled taking multiple photographs, but this was not the case. It was a period of poor judgment under stress, not a deliberate or systematic attempt to copy the exam.

I regret that I cannot recall the exact question number or its precise wording, but to the best of my memory, it concerned inheritance tax, which I was finding particularly difficult.

In my initial response, I used the term “self-checking” very poorly. What I meant was that I intended to review the question after the exam period, to help me learn and improve in that topic. I now understand fully that photographing any part of the exam is a serious breach of the rules, regardless of my intentions, because it involves removing live exam content from a secure environment. While I did not share the image with anyone and later deleted it, I accept that my actions were completely wrong, and I offer no excuse for them.

Once again extend my deepest apologies for my behaviour and for misleading the proctor at the time.”

27. On 30 October 2025, ACCA sent to Mr Hamza a copy of the report of disciplinary allegations. Mr Hamza was invited to comment on the content of the report by 13 November 2015.

28. On 12 November 2025, Mr Hamza provided a response in which he stated:

“I have reviewed the attached report and confirm that it accurately reflects my earlier statement and the events of the remotely invigilated Taxation (TX) exam held on 10 June 2025.

Once again, I wish to express my sincere apologies for my actions and for breaching ACCA's Exam Regulations. I fully accept responsibility and deeply regret the lapse in judgment that occurred. I would like to reiterate that this was my first ACCA exam, and my mistake was not intended to gain an unfair advantage but was a momentary error driven by stress and poor decision-making.

I am genuinely remorseful and have reflected on this experience to ensure such conduct is never repeated. I respectfully ask that my cooperation, early admission, and understanding of the seriousness of the matter be taken into account during the review process."

29. In advance of the hearing, Mr Hamza had not completed and returned a Case Management Form, nor had he submitted a statement of defence despite being informed in the Notice of Proceedings that he must do so by 13 January 2026.
30. However, in the course of the hearing, Mr Hamza indicated his wish to make oral submissions to the Committee as opposed to giving evidence.
31. His submissions can be summarised in the following way.
32. Mr Hamza maintained that it was his mistake that he used his phone. It was the first ACCA exam that he had taken and there were [PRIVATE]. [PRIVATE]. [PRIVATE] and he was [PRIVATE]. He was confused and he took a photograph, and it was the wrong decision. He panicked and he did not intend to cheat.
33. Mr Hamza said that he had been preparing himself and was not getting help from anyone. He was confused if he was right or wrong and took the photo so that it could help him in the future. He subsequently deleted it from his phone, and he had no contact with anyone else.
34. Mr Hamza just wanted to check things after the paper. He apologised for that. He suggested that he had read the instruction but not properly. He apologised and, as a student, he accepted he did the wrong thing. Mr Hamza did not expect it to be so serious, and he would never do these things in the future.

35. On the basis of the Committee's findings of fact, and the responses provided by Mr Hamza, both written and oral, the Committee went on to make the following findings in respect of each of the allegations.

Allegation 1

36. Mr Hamza had admitted this allegation and the Committee found it proved.
37. In particular, the Committee found that Mr Hamza was in breach of Exam Regulation 1 in that he failed to adhere to ACCA's Exam Guidelines. Despite confirming before the commencement of the exam that he was aware that it was a strict requirement of the Guidelines that mobile phones must be moved out of arm's reach during the exam, he was in possession of his mobile phone and, during the exam, made use of it on multiple occasions.

Allegation 2

38. This allegation was denied.
39. Having found that he was in possession of his mobile phone during the exam, the Committee found that he made use of his mobile phone by taking photographs of exam questions appearing on the screen of his laptop. This was contrary to both Exam Regulation 5(a) and 5(b).
40. Having made this finding, the Committee noted that it must be assumed that Mr Hamza did so in order to gain an unfair advantage for himself or others in the exam and/or in a future exam. It was for Mr Hamza to establish that he did not intend to use the mobile phone to gain such an unfair advantage.
41. Mr Hamza had suggested that he had taken a photograph of an exam question in order to review the question after the exam. He wrote as follows: "*What I meant was that I intended to review the question after the exam period, to help me learn and improve in that topic.*"
42. The Committee was satisfied that, even on Mr Hamza's own explanation, he had used his phone in order to gain an unfair advantage. For example, if he had failed the exam, he would have been aware of, and been able to prepare for, such a question in advance of any further attempt to pass the exam.

43. However, whilst it had been admitted by Mr Hamza that he had taken a photo of one exam question, the Committee found, on the balance of probabilities, that he used his phone on up to 11 separate occasions. The Committee did not find Mr Hamza's explanation plausible that he only took one photo during the exam and that, on all other occasions, the reason he turned to his phone was that he was in a panic and did not know what to do regarding the photo he had taken.
44. The Committee found that Mr Hamza was in possession of and/or used an unauthorised item, namely a mobile phone with camera, during the Exam, contrary to Exam Regulation 5(a) and/or 5(b) and thereby sought to gain an unfair advantage in the Exam and/or a future exam within the meaning of Exam Regulation 6(b).
45. On this basis, the Committee found allegation 2 proved.

Allegation 3

46. Mr Hamza had admitted this allegation and the Committee found it proved.
47. The Committee relied on its findings in respect of allegation 2 and the admission made by Mr Hamza in finding that Mr Hamza used an unauthorised item, namely his mobile phone, to take photographs of the Exam content, contrary to Exam Regulation 13.

Allegation 4

48. Mr Hamza had admitted this allegation and the Committee found it proved.
49. Having found that the phone logs accurately reflected the exchanges between the Proctor and Mr Hamza, and based on his admission that he had attempted to provide false and misleading information to the Proctor about his possession, and use, of his mobile phone in the course of the exam, the Committee was satisfied that this amounted to a breach of Exam Regulation 3.

Allegation 5(a)

50. In reaching its decision on whether Mr Hamza had acted dishonestly, the Committee had relied on the test for dishonesty as prescribed by the Supreme Court in the case of *Ivey v Genting Casinos t/a Crockfords* [2017] UKSC 67.
51. Taking account of its findings in respect of allegations 1 to 4 above, the Committee was satisfied that, at the time of the exam, Mr Hamza knew that he was not entitled to be in possession of his mobile phone, let alone using it to take photographs of exam questions. The Committee had found that he had done so in order to gain an unfair advantage. He then endeavoured to deny his wrongdoing by providing responses to questions from the Proctor which he knew were false and misleading.
52. Consequently, the Committee found that, by the standards of ordinary decent people, such behaviour was dishonest.
53. The Committee found allegation 5(a) proved.

Allegation 5(b)

54. On the basis that this allegation was pleaded in the alternative to allegation 5(a), the Committee made no finding in respect of it.

Allegation 6(a)

55. Taking account of its overall findings, to include a finding of dishonesty, the Committee was satisfied that Mr Hamza 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 Hamza, the Association and the accountancy profession.
56. Therefore, the Committee found allegation 6(a) proved.

Allegation 6(b)

57. On the basis that this allegation was pleaded in the alternative to allegation 6(a), the Committee made no finding in respect of it.

SANCTION AND REASONS

58. 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 listened to the submissions of Mr Kerruish-Jones, and also the submissions made by Mr Hamza. The Committee had then taken legal advice from the Legal Adviser which it accepted.
59. 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.
60. 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.
61. The Committee had found Mr Hamza to have acted improperly during the course of an exam and then, in an attempt to mislead the Proctor, Mr Hamza had provided information which he knew to be untrue. In its judgement, the Committee concluded that such conduct was particularly serious.
62. The Committee considered whether any mitigating or aggravating factors featured in this case.
63. The Committee accepted that there were no previous findings against Mr Hamza. However, the Committee took into consideration the fact that, at the time the exam took place, Mr Hamza had only been a student member since 11 December 2024 i.e. a little under six months before he sat the exam.
64. The Committee had been provided with a limited amount of information regarding the personal circumstances of Mr Hamza. He stated that he was [PRIVATE]. He currently works in [PRIVATE]. He said that, in 2023, he had obtained a [PRIVATE] from [PRIVATE] although he had not provided any proof of that [PRIVATE] nor any testimonials or references as to his character.
65. Nevertheless, the Committee had read Mr Hamza's written submissions and listened carefully to Mr Hamza's oral submissions. It accepted that he had

apologised to ACCA and this Committee for his conduct and the Committee found that such an apology was genuine. He had also engaged with the investigation and had attended the hearing.

66. The Committee then considered whether any aggravating factors existed in this case. The Committee found Mr Hamza's serious misconduct to be aggravated in the following way.
67. Again, having read his correspondence with ACCA and listened to his oral submissions, whilst the Committee had accepted that Mr Hamza had shown genuine remorse, there was a concern that he did not fully recognise the seriousness of his conduct, and therefore lacked a degree of insight. Indeed, he stated in his oral submissions that he did not realise the seriousness of his conduct.
68. The Committee also noted that Mr Hamza had not been consistent in the account he had provided to ACCA in the course of the investigation.
69. 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.
70. 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. Insufficient evidence had been provided by Mr Hamza.
71. The whole purpose of the Exam Regulations is to maintain the integrity of the process.
72. His use of his mobile phone during the exam and his attempt to mislead the Proctor represented conduct which was fundamentally incompatible with being a student member of ACCA. Such conduct led the Committee to conclude that, currently, there was no guarantee that Mr Hamza would behave in a manner expected of a member of ACCA.

73. Further, having found Mr Hamza to have acted dishonestly, the Committee had not been provided with mitigation which was so remarkable or exceptional that it warranted anything other than removal from the student register.
74. The Committee concluded that the only appropriate, proportionate and sufficient sanction was to order that Mr Hamza shall be removed from the student register.

COSTS AND REASONS

75. The Committee had been provided with a simple costs schedule (page 1) and a detailed costs schedule (pages 1 and 2) relating to ACCA's claim for costs.
76. The Committee concluded that ACCA was entitled to be awarded costs against Mr Hamza, all allegations having been found proved. The amount of costs for which ACCA applied was £5,594.50. The Committee did not consider that the claim was unreasonable.
77. The Notice of Proceedings had made it clear that, in the event that any or all of the allegations were found proved, ACCA would apply for an order for costs. The Notice also stipulated that Mr Hamza should complete a Statement of Financial Means and submit it to ACCA with supporting documents if he wished to say that he was unable to afford to pay costs. However, Mr Hamza had failed to do so.
78. Nevertheless, the Committee allowed Mr Hamza time to complete and submit a Statement of his means. Mr Hamza duly did so but did not provide any supporting documents. Having said that he was working in [PRIVATE], he indicated that such work [PRIVATE] and the figures regarding his income and outgoings were approximate. Mr Hamza said that, if the Committee made an order for costs against him, [PRIVATE].
79. The Committee accepted that his financial circumstances [PRIVATE] but concluded that, [PRIVATE], he was in a position to pay an amount of costs.
80. 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 £4,000.00.

EFFECTIVE DATE OF ORDER

81. 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 Hamza, 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.

82. 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.

Dr Mike Kelly
Chair
03 February 2025