

HEARING

**DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF
CHARTERED CERTIFIED ACCOUNTANTS****REASONS FOR DECISION**

In the matter of: Miss Jiahui Guo

Heard on: Thursday, 05 February 2026

Location: Remotely via Microsoft Teams

Committee: Mr Andrew Gell (Chair)
Mr Trevor Faulkner (Accountant)
Professor Roger Woods (Lay)

Legal Adviser: Ms Rebecca Vanstone (Legal Adviser)

**Persons present
and capacity:** Mr Leonard Wigg (Case Presenter on behalf of ACCA)
Miss Mary Okunowo (Hearings Officer)

Summary: Allegations 1, 2, 3(a), 4(a) – proved
Removed from the student register

Costs: £5,400.00 awarded to ACCA

1. The Disciplinary Committee (“the Committee”) convened to hear allegations of misconduct against Miss Jiahui Guo (Miss Guo).
2. Mr Leonard Wigg (Mr Wigg) presented the case on behalf of ACCA.
3. Miss Guo did not attend and was not represented.

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4. The Committee had confirmed that it was not aware of any conflicts of interest in relation to the case.
5. 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.
6. The hearing was conducted remotely via Microsoft Teams.
7. The Committee was provided with, and considered in advance, the following documents:
 - (i) Report & Hearing Bundle with pages numbered 1-100
 - (ii) Service Bundle numbered with pages numbered 1-12.

Cost Schedules were provided to the Committee at the sanction stage.

PRELIMINARY APPLICATIONS

SERVICE OF PAPERS

8. The Committee was informed that Miss Guo had been served with a notice of today's hearing, together with the necessary papers via electronic mail on 06 January 2026.
9. The Committee was satisfied that notice had been sent to Miss Guo's registered email address in accordance with Regulation 22 of the 2014 Regulations, as amended. The Committee noted that the email had been delivered successfully. Regulation 22(8) stipulates that, when a notice has been sent by email, it is deemed to have been served on the day it was sent. Accordingly, the Committee was satisfied that Miss Guo had been given 28 days' notice with the necessary information required in accordance with Regulation 10.
10. The Committee determined that Miss Guo had been properly served with Notice of Proceedings.

PROCEEDING IN ABSENCE

11. The Committee considered the submissions of Mr Wigg. The Committee accepted and kept in mind the advice of the Legal Adviser, who referred it to Regulation 10(7) of the Regulations, ACCA document 'Guidance for Disciplinary Committee hearings' and the relevant principles from the cases of *R v Jones [2002] UKHL 5* and *GMC v Adeogba* and *GMC v Visvardis [2016] EWCA Civ 162*.
12. The Committee had in mind that its discretion to proceed in the absence of Miss Guo must be exercised with the utmost care and caution.
13. The Committee's attention was drawn to the case management form which had been completed by Miss Guo and returned to ACCA via email on 23 November 2025. Miss Guo had indicated 'No' in answer to the questions of whether she was going to attend the hearing and whether she would be represented. She had indicated on the form that she consented to the Committee proceeding with the hearing in her absence.
14. The Committee was satisfied that Miss Guo was aware of today's hearing and that she had voluntarily absented herself from the proceedings. The Committee noted that there had not been any application to adjourn. The Committee was mindful of the public interest in ensuring that hearings are dealt with expeditiously. In the circumstances of Miss Guo choosing not to attend, it did not consider there was any prejudice to her, by the hearing proceeding in her absence.
15. Having balanced the public interest with Miss Guo's own interests, the Committee decided that it was fair, appropriate and in the interests of justice to proceed in Miss Guo's absence.

PRIVATE / PUBLIC HEARING

16. The Committee had noted that Miss Guo had annotated the case management form to request that the entirety of the hearing take place in private session. It invited submissions from Mr Wigg on this point.
17. On behalf of ACCA Mr Wigg invited the Committee to hear the case in public, in accordance with the usual principles. He submitted that he could present the

case without any reference to the sensitive information within the papers and if there was a need to refer to it, the Committee could revisit this issue in due course.

18. The Committee determined that the hearing should be in public session in accordance with Regulation 11(1) to ensure transparency and accountability. It would be content to go into private session if the need arose, to deal with any personal matters.

BRIEF BACKGROUND

19. Miss Guo had been a student member of ACCA since 01 August 2020.
20. On 07 June 2024 Miss Guo sat her AFM examination ('the exam') at Company A. The exam commenced at 13:30 and the incident occurred at 16:47.
21. The invigilator for the exam noted that Miss Guo had been found in possession of unauthorised materials in the form of a sheet of paper with full notes on both pages. This sheet of paper was under the keyboard on Miss Guo's exam desk.
22. The invigilator's supervisor took possession of the material and when Miss Guo was required to complete a written statement about what had happened, the supervisor noted that she also had a written formula on her forearm.
23. Miss Guo initially denied that the paper was hers, but then accepted it was, although she said she had not used it and had not brought it into the exam on purpose. She said that she had forgotten the sheet of paper was in her pocket before the exam. Miss Guo also said that the formula had been written on her arm for the purposes of her revision earlier that day, and as she had been wearing a long-sleeved shirt to the exam, she had forgotten to wash it off.
24. ACCA's evidence included a report from the examiner who had compared Miss Guo's exam script to the contents of the unauthorised materials. With reference to the notes contained on the sheet of paper, the examiner concluded that the notes may have been used during the examination as they were helpful in particular to one of the questions asked; the examiner noted that the headings on the unauthorised sheet of paper were the same as the headings used by Miss Guo in answering the question in the examination.

ALLEGATIONS

Miss Jiahui Guo, a student of the Association of Chartered Certified Accountants ('ACCA'):

Allegation 1

On 07 June 2024, during a Centre-Based Advanced Financial Management AFM examination ('the Exam'), was in possession of unauthorised materials within the meaning of Exam Regulation 6(a), in the form of written notes placed on her desk and notes written on her forearms, ("the unauthorised materials"), contrary to Examination Regulation 4.

Allegation 2

Used or attempted to use the above-referenced unauthorised materials or any of them, to gain an unfair advantage in the exam, contrary to Examination Regulation 4.

Allegation 3

Miss Guo's conduct as referred to in paragraphs 1 and/or 2 above:

- (a) Was dishonest, in that Miss Guo intended to use any or all of the unauthorised materials which she had written on her forearms and/or had placed on her exam desk to gain an unfair advantage in the Exam or in the alternative:-
- (b) Such conduct demonstrates a failure to act with integrity.

Allegation 4

By reason of any or all of her conduct, Miss Guo 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).

DECISION ON FACTS / ALLEGATION(S) AND REASONS

25. The Committee considered ACCA's bundle of evidence and the written representations which were supplemented orally by Mr Wigg. Mr Wigg highlighted that '*unauthorised materials*' are defined in Exam Regulation 4 and that Miss Guo accepted on the day of the incident, that she was in possession of unauthorised materials.
26. Mr Wigg relied upon the examiners review of Miss Guo's exam script and the unauthorised notes, in concluding that it was likely that the unauthorised notes had been used during the exam. Mr Wigg also submitted that, pursuant to Exam Regulation 6(a), her purpose for doing so was to use the unauthorised materials in order to gain an advantage.
27. Mr Wigg invited the Committee to draw an inference that Miss Guo had used or attempted to use the materials, by virtue of her bringing them into the exam. He submitted that this was the most likely explanation, and that the conduct was dishonest by the standards of ordinary decent people.
28. Mr Wigg submitted that Miss Guo's conduct was so serious as to amount to misconduct. In the alternative, Mr Wigg submitted that Miss Guo was liable to disciplinary action based on the conduct as alleged at Allegations 1, 2 and / or 3.
29. The Committee considered the advice from the Legal Adviser, which it accepted. The Committee was aware that the burden of proving the facts was on ACCA and that the charges could only be found proved if it was satisfied on the balance of probabilities. The Committee also received and accepted advice on the concepts of dishonesty, lack of integrity and misconduct.
30. The Committee was advised, and noted, that Regulation 6(a) reversed the burden of proof. The Committee noted that the wording of Allegation 2 was that Miss Guo used or attempted to use, unauthorised materials, whereas Regulation 6(a) provides that there is an assumption of an 'intention' to use.

Allegation 1 – proved

31. The Committee noted that at the time of the exam and in the case management form for these proceedings, Miss Guo accepted that she was in possession of

unauthorised materials. The Committee also noted that the materials – both the written paper notes and the notes on Miss Guo’s arm – fell within the definition of ‘unauthorised materials’ under Regulation 4 of the Exam Regulations as they were relevant to the examination syllabus.

32. Accordingly, the Committee found Allegation 1 proved.

Allegation 2 – proved

33. The Committee accepted the evidence presented by ACCA that the unauthorised materials were relevant to the examination syllabus in question. This was further confirmed by Miss Guo’s own account that she had been using the materials, both in writing and on her arm, to revise prior to the examination. This therefore demonstrated that they were relevant materials.
34. Given this context, the Committee noted that Regulation 6(a) of the Examination Regulations imposed a rebuttable presumption that Miss Guo intended to use the notes to gain an unfair advantage in the examination. The Committee was aware, therefore, that the burden of proof now rested on Miss Guo to prove that she did not intend to use the notes to gain an unfair advantage in the examination, although it noted the wording of the allegation whereby it was said that Miss Guo ‘used or attempted to use’.
35. The Committee was unable to accept Miss Guo’s account that she had forgotten about the notes prior to entering the examination, but had taken them out of her pocket and placed them on the desk underneath the keyboard once she realised they were on her person. The Committee considered that it was improbable that Miss Guo would not have been aware of these notes during the examination. Even if she had not been aware of them, once she realised the presence of the notes, there was no reason why she would have placed them on her desk. It was implausible that she would not simply have retained them in her pocket if, as she said, she was too fearful to draw them to the invigilator’s attention.
36. The Committee placed considerable weight on the evidence of the examiner, that the materials had been used in the exam. It took the view that it was highly relevant that the headings in the written notes, mirrored those used by Miss Guo in her examination script. In the Committee’s view, this provided incontrovertible evidence that the notes had been used during the examination,

when considered alongside Miss Guo's own account that she had taken the notes from her pocket and placed them on her desk, under the keyboard.

37. The Committee was not satisfied that Miss Guo had used the notes on her arm during the examination but considered it likely on the balance of probabilities that there had been an attempt to use these. The evidence is that the written formula on her arm was relevant to the exam. There is no reasonable explanation for why that would be written on her arm during an examination other than she had intended or attempted to use it. The formula must have been visible, for the invigilator to have recognised it at the relevant time.
38. When considering all of the above, the Committee was satisfied that Allegation 2 was proved in that Miss Guo actually used the written notes, and that it was found proved that she had attempted to use the notes on her arm.

Allegation 3(a) – proved

39. The Committee had regard to the case of *Ivey v Genting Casinos (UK) Ltd [2017] UKSC 67* where the Court said (paragraph 74):

'When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held.

When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.'

40. The Committee determined that Miss Guo knew that she was in possession of unauthorised materials and by its findings of facts, it had been proved that she had used these materials to gain an unfair advantage.
41. The Committee found it was therefore an irresistible conclusion to draw that having found Allegation 2 proved, Allegation 3(a) must also be found proved.

Having established Miss Guo's subjective state of mind as set out above, any ordinary decent person would consider these actions to be dishonest.

42. As the Committee found Allegation 3(a) proved, it did not go on to consider Allegation 3(b), which was drafted in the alternative.

Allegation 4(a) – Misconduct

43. The Committee considered that *'the meaning of [misconduct] is of general effect, involving some act or Omission which falls short of what would be proper in the circumstances. The standard of propriety in any given case may often be found by reference to the rules and standards ordinarily required to be followed by a practitioner in the particular circumstances.'*, as per *Roylance v General Medical Council [2001] 1 AC 311*.
44. The Committee had found that Miss Guo's behaviour had been dishonest. Her actions were serious and fundamentally fell short of the standards required of a professional person. Such conduct fell far below the standards expected of a student member of ACCA and could properly be described as deplorable. In the Committee's judgement, it brought discredit to Miss Guo, the Association and the accountancy profession. A finding of misconduct was required to protect the public from those who may unfairly gain qualifications that they are not entitled to obtain.
45. The Committee therefore found that the matters set out in Allegation 1, 2 and 3(a) amounted to misconduct.
46. Having found Allegation 4(a) proved it was not necessary for the Committee to consider Allegation 4(b), which was alleged in the alternative.

SANCTION(S) AND REASON(S)

47. In reaching its decision on sanction, the Committee considered the oral submissions made by Mr Wigg on behalf of ACCA. Mr Wigg made no submission as to the actual sanction but referred to ACCA Guidance for Disciplinary Sanctions (GDS) and particularly the summary of the general principles. He confirmed that Miss Guo had no other known previous disciplinary findings.

48. The Committee noted its powers on sanction were those set out in Regulation 13(4). It had regard to ACCA's GDS 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.
49. The Committee considered that the conduct in this case was very serious. The Committee had regard to Section E of the GDS. 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 member of the profession.
50. The Committee assessed the aggravating and mitigating features:

Aggravating features:

- Potential for harm if Miss Guo had obtained membership by dishonesty;
- No evidence of insight, remorse or reflection.

Mitigating features:

- There were no previous findings against Miss Guo.

The Committee acknowledged the evidence before it, that Miss Guo had encountered some [PRIVATE]. However, it did not consider that this mitigated the seriousness of the facts found proved.

51. Given the Committee's view of the seriousness of Miss Guo's conduct, it was satisfied that a sanction of No Further Action would be highly inappropriate as this would be contrary to the need to uphold the public interest.
52. The Committee next considered an Admonishment, but it concluded that this sanction and/or a Reprimand were both insufficient to highlight to the profession and the public, the gravity of the proven misconduct. In considering a Severe Reprimand, the Committee noted that most of the factors listed in the guidance were not present and, importantly, there was no evidence of insight or remorse or any genuine apology. The Committee was therefore concerned about the risk of repetition.

53. The Committee had regard to Section E2 of the Guidance on the finding of dishonesty and the seriousness of such a finding on a professional. It noted that the conduct found proved represented a serious departure from the standards expected and that there appeared to be a lack of understanding into the seriousness of the act. In all the circumstances, the Committee was satisfied that Miss Guo's 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 to the profession and the public.
54. The Committee ordered Miss Guo's removal from the student register.

EFFECTIVE DATE OF ORDER

55. The Committee determined that it was not necessary to order that the sanction have immediate effect. The Committee noted that Miss Guo is a student member who does not have any direct dealings with the public. It noted that there had not been any interim order in place. It took the view that the sanction could properly come into force at the end of the appeal period.

COSTS AND REASON(S)

56. ACCA applied for costs in the sum of £6,108.50. The Committee was provided with a schedule of costs. The Committee considered the Cost Guidance and was satisfied that the costs claimed were appropriate and reasonable but considered there should be a reduction since the hearing took less time than listed.
57. Despite being given the opportunity to do so, Miss Guo did not provide any documentary details of her means. She did make reference to her limited means and inability to pay the costs of this hearing, but this was not supported with any financial evidence or proper statement of means. There was, therefore, no evidential basis upon which the Committee could make any reduction on this ground.
58. The Committee had in mind the principle that members against whom an allegation has been proven should pay the reasonable and proportionate cost of ACCA in bringing the case. This was because most members should not be

required to subsidise the minority who, through their own failings, have found themselves subject to disciplinary proceedings.

59. In light of the above, the Committee made an appropriate reduction to reflect the time taken for the hearing and made an order costs against Miss Guo in the sum of £5,400.00.

Mr Andrew Gell
Chair
05 February 2026