

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Miss Truong Minh Tam
Heard on:	Thursday, 19 February 2026
Location:	Held remotely by video conference
Committee:	Mr Tom Hayhoe (Chair) Mr Martin Ellis (Accountant) Mr Geoff Baines (Lay)
Legal Adviser:	Mr Charles Apthorp
Persons present and capacity:	Mr Ryan Ross (On behalf of ACCA) Ms Aimee Murphy (Hearings Officer)
Outcome:	Removed from student register
Costs:	£6,200.00

SERVICE OF PAPERS

1. Miss Truong Minh Tam ("Miss Tam") was neither present nor represented.

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2. The Committee considered the service bundle (1) with pages numbered 1- 21 in order to determine whether the Notice of Hearing ("the Notice") dated 22nd January 2026 had been served in accordance with the provisions of the Complaints and Disciplinary Regulations 2014 (as amended) ("the Regulations").
3. The Committee noted that the Notice had been sent to Miss Tam's registered email address held by the ACCA on the 22nd January 2026 and complied with the other requirements of the Regulations.
4. The Committee was satisfied that this was effective service in accordance with the Regulations.

PROCEEDING IN ABSENCE

5. The Committee considered whether it should proceed in Miss Tam's absence and recognised it could only do so with care and caution.
6. The Committee noted that Miss Tam had initially engaged with the investigation and had indicated she would attend the hearing. ACCA had arranged an interpreter for this hearing and this was confirmed to Miss Tam in an email on the 19 January 2026. However, recently Miss Tam had not engaged with ACCA. It noted that emails had been sent to the registered address by ACCA on the 29 January, 09 February and 13 February 2026 without response. ACCA on the 17 February 2026 emailed Miss Tam and made four telephone calls to the telephone number held on file by ACCA, all without response. On the balance of probabilities the Committee concluded that the registered email address provided continued to be active when service took place and Miss Tam had chosen not to respond to ACCA.
7. Miss Tam had not made an application for the hearing to be adjourned. The Committee noted the absence of any evidence that if the hearing was adjourned to another date Miss Tam would attend the adjourned hearing. In all the circumstances the Committee concluded that Miss Tam was aware of or had the means to be aware of the hearing and had voluntarily absented herself.
8. The Committee recognised that there was a strong public interest in regulatory proceedings being considered and concluded expeditiously, particularly given the serious nature of the allegations.
9. The Committee determined that it was fair and just to proceed in Miss Tam's absence in accordance with its discretionary power at Regulation 10(7) and that a fair hearing could take place in his absence.

10. The Committee was provided with the following bundles: a hearing bundle (1-68) and a service bundle (1-21).
11. Miss Tam faced the following allegations:

ALLEGATIONS

Miss Truong Minh Tam, a student of the Association of Chartered Certified Accountants ('ACCA'):

1. On 05 December 2024, during a FR examination ("the exam"), was in possession of unauthorised material in the form of notes on her leg ("the unauthorised material"), contrary to Exam Regulation 4.
 2. Used, or intended to use, the unauthorised material to gain an unfair advantage in the exam.
 3. The conduct in Allegation 2 above was:
 - a) Dishonest, in that Miss Tam intended to gain an unfair advantage in the exam; or in the alternative
 - b) Such conduct demonstrates a failure to act with integrity.
 4. By reason of any or all of her conduct, Miss Tam is:
 - a) Guilty of misconduct pursuant to bye-law 8(a)(i), in respect of any or all of the matters in Allegation 1 to 3 above; or in the alternative
 - b) Liable to disciplinary action pursuant to bye-law 8(a)(iii), in respect of Allegation 1 above.
12. At the outset Mr Ross drew the Committee's attention to [PRIVATE] raised by Miss Tam. The Committee received legal advice on this issue and determined that any reference to Miss Tam's [PRIVATE] shall be dealt with in private.

BRIEF BACKGROUND

13. Miss Tam registered as an ACCA student on the 26 April 2023. Miss Tam attended the Hanoi exam centre on 05 December 2024 in order to sit the FR examination. The Exam commenced at 17:30 and was due to last for 3 hours.
14. Prior to the exam commencing Miss Tam was provided with an attendance docket which contained the ACCA Guidelines and the Examination Regulations. Prior to the exam commencing the Supervisor drew the candidates attention to the exam regulations and guidelines.
15. The exam invigilators and assistant supervisor stated in their SCRS 1B forms, completed on the day of the exam, that Miss Tam was found with written notes on her right leg during the exam.
16. On the day of the exam, Miss Tam completed an SCRS 2B form and admitted that she was in possession of unauthorised material during the exam. However, her position, *inter alia*, was that she had not used, or attempted to use, the unauthorised material and had not intended to use the material.
17. The Committee was provided with a photograph of the unauthorised material which consisted of written notes on Miss Tam's leg. The Committee noted that the material could assist Miss Tam in completing the FR examination and this was confirmed in evidence by the Examiner's Irregular Script Report.
18. Miss Tam was asked by ACCA for her comments and on the 12 March 2025 responded by stating:

"I appreciate your email and would like to express my full commitment to cooperating with ACCA throughout this investigation. I understand the importance of upholding ACCA's integrity and professional standards, and I am willing to provide any necessary information to assist in clarifying this matter.

I would like to first explain the circumstances that led to the notes being on my leg. On the day of the exam, I travelled to Bách Khoa University early because my home is quite far from the test center (about 16 km). I arrived at around 3:15 PM, while the exam was scheduled to start at 5:30 PM. Since I had plenty of time, I decided to review my notes on my laptop. However, after about 30 minutes, my laptop battery died, and I had forgotten to bring my charger. At that

time, my phone battery was also at 16%, so I tried to avoid using it. Because I had left in a rush, I did not bring any books or notebooks—only my exam docket.

Since I believe that writing things down helps with memorization, I ended up writing a few ratio formulas on my leg. I did not write on my hands because I was very nervous, and my palms were sweating heavily. Later, as more students arrived, some classmates invited me to take a walk around the campus because they noticed that I seemed stressed. During this time, I completely forgot that I had written notes on my leg.

From check-in until the exam started, I was feeling extremely anxious. Because of that, I only focused on checking whether I was carrying anything other than my docket—I did not think about the notes on my leg at all. Unfortunately, I did not remember to erase them before entering the exam hall.

During the exam, the invigilator noticed the notes and asked me to wash them off. I complied immediately, and I was still allowed to complete the exam. After the test, I was asked to stay back and write a report for ACCA.

I want to sincerely emphasize that I had no intention of cheating. The invigilator's report does not state that I was seen using the notes, only that they were present on my leg. At the time of inspection, I was still working on the multiple-choice section and had not yet moved on to the written section. My score of 7/7 in that part of the test was achieved solely based on my own knowledge and preparation, not from any external source. Additionally, the notes contained two formulas related to the exam, but these formulas were **already provided within the exam paper itself**, so having them written down did not give me any unfair advantage over other candidates.

I want to emphasize once again that I had absolutely no intention of using unauthorized materials to gain an advantage in the exam—this was entirely due to my own carelessness. If I had intended to use unauthorized materials, I would not have written them in such an obvious place, especially since I was wearing short pants, which would expose my legs when sitting. Additionally, throughout my studies, my in-class F7 test scores have never been below 5.5, so I was confident that I could pass F7 Global without any external aid.

Furthermore, when I was questioned by the supervisors, I proactively requested to **review the surveillance camera footage** to prove my innocence. However, I was informed that the cameras were not functioning. If I had truly intended to cheat, I would not have made such a risky request. This further demonstrates that I had no intention of using unauthorized materials

during the exam.

Once again, I remain fully cooperative and open to further discussions regarding this matter. Please let me know if you require any additional information from me”.

19. Mr Ryan Ross in submissions relied on the documentary evidence and the two SCRS 1 B reports. He did not call any witnesses. As set out above, Miss Tam had made written responses to questions put by the ACCA in relation to the issues in this case, and she signed the SCRS 2B report.

20. Mr Ross drew the Committee's attention to Exam Regulation 4:

"If you breach exam regulation 4, or permit another person to act contrary to exam regulation 4, and the 'unauthorised materials' are relevant to the syllabus being examined; it will be assumed that you, and/or the other person, intended to use them to gain an unfair advantage for you, or others, in the exam and/or a future exam. In any subsequent disciplinary proceedings, you will have to prove that you, and/or the other person, did not intend to use the 'unauthorised materials' to gain an unfair advantage for you, or others, in the exam and/or a future exam." He submitted that Miss Tam's explanation that she "completely forgot that [she] had written notes on [her] leg" lacks credibility, and the more likely explanation is that she used, or intended to use, the notes to gain an unfair advantage in the exam.

21. The Committee considered these carefully, reviewed the exhibits and took account of the written submission of ACCA. The Committee received advice from the Legal Advisor.

DECISION ON FACTS/ALLEGATION(S) AND REASONS

Allegation 1

22. The Committee finds Allegation 1 proved.

23. Miss Tam had admitted in the case management form that she had unauthorised materials in her possession. The Committee therefore find Allegation 1 found proved on her admission.

24. In addition, the Committee had regard to the Exam Regulations, which it was satisfied Miss Tam was provided with, and was aware of the instructions set out in the instruction sheet.

25. The Committee reached the following conclusions:

- a. Miss Tam had failed to comply with the clear instructions, that she had been provided with, that no unauthorised material should be taken into the examination.
- b. Miss Tam's proven conduct (possession and use of unauthorised material during an examination) was deliberate and intentional and thereby amounted to a breach of the Exam Regulations.

Allegation 2

26. The Committee found Allegation 2 proved.
27. In relation to Allegation 1 the Committee had previously found that Miss Tam had failed to comply with instructions not to bring unauthorised material into the examination. The Committee concluded that there was evidence that she intended to gain an unfair advantage by using the formula written on her leg to assist her in answering the questions.
28. In addition the Committee had regard to Exam Regulation 4. It determined that the unauthorised material was relevant to the exam syllabus being examined. The Committee noted that Miss Tam had provided material dated 29th April 2025, five months after the incident, which the Committee determined did not account for her misconduct. The Committee determined that Miss Tam had not discharged the burden on her to show that she did not intend to use the material to gain an unfair advantage in the exam. The Committee therefore concluded that she used or intended to use the material present to assist her in anticipation of relevant questions forming part of the exam.

Allegation 3a

29. The Committee had found that Miss Tam was aware that she had taken unauthorised material into the examination. In addition, she had sought to conceal that fact from the examiner by writing it on her leg and intended to use the material to cheat in the exam. Having established her state of mind and knowledge at the relevant time the Committee went on to consider whether this would be considered by a member of the public to be dishonest conduct. The Committee found that this was dishonest conduct by the standards of ordinary decent people and therefore found Allegation 3a proved.
30. The Committee did not go on to consider Allegation 3b namely whether there was a lack of integrity as this allegation was put as an alternative.

MISCONDUCT AND LIABILITY TO DISCIPLINARY ACTION

31. In respect of Allegation 3a the Committee regarded that honesty is a fundamental tenet of the profession. It had found that Miss Tam had been dishonest during an exam and determined that the misconduct was serious. Miss Tam's dishonest conduct fell far short of the standards expected of a member of the accountancy profession. It could not be regarded as anything other than entirely unacceptable behaviour which brought the profession into disrepute and plainly constituted misconduct.
32. The Committee did not go on to consider Allegation 4b, whether there was a breach of bye-law 8(a)(iii), as this had been put as an alternative allegation if Allegation 4a was not proved.

SANCTION AND REASONS

33. Mr Ross submitted that it was a matter of professional judgment for the Committee what was the appropriate and proportionate sanction. The Committee received advice from the Legal Adviser, which included that in determining the appropriate and proportionate sanction it should consider the least restrictive sanctions first before moving onto the more serious sanctions.
34. The Committee considered what sanction, if any, to impose in the light of its findings, having regard to ACCA's Guidance for Disciplinary Sanctions (2024). It first sought to identify aggravating and mitigating factors.
35. Miss Tam had no previous disciplinary findings against her. It also took account of it being an isolated incident, that there had been admissions during the examination and to ACCA in correspondence. It took into account her previous good character. In the Committee's view there was limited mitigation.
36. The Committee next considered whether there were any aggravating factors. It found that the conduct was pre-planned and there was an attempt to undermine the validity and integrity of the examination process. It also found that Miss Tam intended to and may have used the notes if the right questions had come up in the examination. In addition, it found that Miss Tam lacked insight into her dishonest conduct and there was no evidence of remorse into what the Committee considered to be very serious breaches.
37. The Committee took into account that the dishonesty was an isolated event. It took into account section E2 of ACCA Guidance for Disciplinary Sanctions regarding findings of dishonesty and

took into account that the dishonest misconduct was of short duration.

38. The Committee considered that it would be wholly insufficient to take no further action or impose an admonishment. Neither of those sanctions would reflect the seriousness of the conduct. It noted that there was no evidence of insight or an understanding of the seriousness of the conduct or on the impact of the conduct on the reputation of the profession.
39. In respect of a reprimand the Committee considered the dishonest conduct to be serious and not minor. Given the lack of insight the Committee considered that a severe reprimand was not a sufficient sanction as there was a continuing risk to public confidence and the risk to the validity of ACCA examination process.
40. The Committee considered the factors listed at C4.1 in the guidance. It noted that in addition to showing no insight or remorse there was no reflection. It took into account the importance of protecting the integrity of the profession's examinations and therefore determined that the only proportionate sanction was to direct that Miss Tam be removed from the Student Register.

COSTS AND REASONS

41. Mr Ryan Ross applied for costs totalling £6,962.50. He acknowledged that this reflected an estimated hearing time of a full day whereas the actual time was less.
42. The Committee was satisfied that the proceedings had been properly brought and that ACCA was entitled in principle to its costs. The Committee also recognised that it needed to consider the principle that the majority of those paying ACCA's fees should not be required to subsidise the minority who, through their own misconduct, have found themselves subject to disciplinary proceedings. The Committee considered that the time spent, and the sums claimed were reasonable. It was appropriate to make a reduction for the fact that the hearing would last for less time than estimated. That would reduce the reasonable costs to £6,200.
43. There was no information before the Committee about Miss Tam's means or personal circumstances. The Committee determined that there was no basis to depart from the standard position that the reasonable costs of the ACCA should be paid by the member. The Committee directed that Miss Tam pay £6,200 towards ACCA's costs.

IMMEDIATE ORDER

44. The Committee considered whether Miss Tam be removed pending the expiry of the Appeal

period. It determined that it was not necessary to impose an immediate order as there was no identified risk to the public, given she was a student member.

ORDER

45. The Committee ordered as follows:

- (a) Miss Tam shall be removed from the Student Register.
- (b) Miss Tam shall make a contribution to ACCA's costs of £6,200.

Mr Tom Hayhoe
Chair
19 February 2026

