

## HEARING

# DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

## REASONS FOR DECISION

**In the matter of:** Mr Osama Mahmood

**Heard on:** Wednesday, 14 January 2026

**Location:** Remotely via Microsoft Teams

**Committee:** Mr Andrew Gell (Chair)  
Ms Dorothee Berg (Accountant)  
Mrs Jackie Alexander (Lay)

**Legal Adviser:** Ms Charlotte Pope-Williams

**Persons present**

**and capacity:** Mr James Halliday (Case Presenter on behalf of ACCA)  
Miss Nicole Boateng (Hearings Officer)  
Mr Osama Mahmood (ACCA Fellow)

**Summary** Allegations 1(b) & 2 (a) proved  
Reprimand

**Costs:** Costs awarded to ACCA in the amount of £5,000

1. ACCA was represented by Mr James Halliday. Mr Osama Mahmood attended the hearing and represented himself. The hearing was conducted remotely through Microsoft Teams.
2. The Committee had before it the following documents: (i) a Bundle of papers of some 195 pages; (ii) a Service Bundle of some 18 pages; (iii) a Tabled Additional Bundle of some 21 pages; (iv) a Statement of Defence by Mr Osama

Mahmood of some 3 pages; (v) a Statement of Financial Position by Osama Mahmood of 2 pages together with three bank statements belong to Osama Mahmood (together “the bundle of documents”).

### **PRELIMINARY APPLICATIONS**

3. Mr Mahmood made an application for the proceedings to be heard in private on the basis that he would be making submissions which included disclosing sensitive personal information about [PRIVATE].
4. The Committee heard submissions from Mr Halliday about Mr Mahmood’s application for an in camera i.e. a private, hearing. Mr Halliday submitted that the majority of the hearing should be public in keeping with the open justice principle, albeit that he accepted that those parts of the hearing dealing with sensitive personal information could be heard in private and any written record could be redacted accordingly.
5. The Committee considered Mr Halliday’s submissions, Mr Mahmood’s submissions in support of his application, the Guidance for Disciplinary Committee Hearings and advice from the Legal Adviser.
6. The Committee decided that the hearing would be held in public with the exception of those elements of the hearing that related to Mr Mahmood’s personal life which would concern the disclosure of sensitive personal information.

### **ALLEGATIONS**

7. Mr Mahmood was an ACCA member at the time of circumstances giving rise to these proceedings in December 2019. He became a fellow on 7 July 2022.

#### **Allegation 1**

On 9 December 2019, Mr Osama Mahmood, an ACCA member at the time, inappropriately shared via email a PDF document of his answers to an internal

mandatory assessment titled Update for Auditors Assessment (“the Assessment”) with a colleague Mr Mahmood’s conduct:

- a) Was dishonest in that he knew providing his answers to the said colleague would confer upon them an advantage in that it would likely assist them in successfully completing the Assessment and/or completing it in a timely manner and/or;
- b) Demonstrates a lack of integrity or in the alternative;
- c) Such conduct was contrary to the Fundamental Principle of Professional Competence and Due Care and R113.1(b) of the Code of Ethics and Conduct in that Mr Mahmood failed to read or heed the warning displayed at the beginning of the Assessment not to share test answers.

## **Allegation 2**

By reason of any or all of the facts at allegation 1a – c), Mr Mahmood is

- a) Guilty of misconduct pursuant to bye-law 8(a)(i); or in the alternative,
- b) Liable to disciplinary action pursuant to byelaw 8(a)(iii), in respect of Allegation 1c.

## **BACKGROUND**

8. Mr Mahmood was admitted as an ACCA member on 7 July 2017. He is and was therefore bound by ACCA’s Bye-laws and Regulations at the material time relevant to these proceedings.
9. On 9 December 2019, Mr Mahmood shared his answers for his attempt at the Assessment with a colleague employed at the same institution where Mr Mahmood was working at the material time.
10. Mr Mahmood admits that he shared his answers for the Assessment.

## **DECISION ON FACTS/ALLEGATION(S) AND REASONS**

11. The Committee carefully considered all the documentary evidence before it.
12. The Committee took into account the oral submissions made by Mr Halliday and it accepted the advice of the Legal Adviser. The Committee kept in mind that the burden of proving the allegations in dispute rests with ACCA and that the standard of proof is the balance of probabilities.

### **Allegation 1(a)**

13. As to Allegation 1(a) the Committee reflected carefully on the legal test for dishonesty which required it to make a finding about the actual state of Mr Mahmood's knowledge and belief as to the facts i.e. his subjective intention. The Committee then needed to consider whether Mr Mahmood's conduct was honest or dishonest applying the objective standard of ordinary decent people, applying the case of *Ivey v Genting Casinos* [2017] UKSC 67 ("Ivey").
14. In considering the first limb of the Ivey guidance as to Mr Mahmood's subjective state of mind, the Committee noted that at the material time, Mr Mahmood did not appear to see the Assessment as a proper exam. This is because it was an internal assessment which formed part of his initial training and continuing professional development. The Committee considered that at the material time Mr Mahmood did not have a proper appreciation of the seriousness or the ramifications of sharing the Assessment answers with a friend and a colleague. The Committee also observed that Mr Mahmood derived no personal benefit from sharing his Assessment answers. The Committee considered that Mr Mahmood considered that sharing the Assessment answers was not right, but Mr Mahmood did not consider that taking this action would constitute dishonesty.
15. The Committee considered the second limb of the Ivey guidance about whether an ordinary person would consider Mr Mahmood's actions to be dishonest. The Committee noted that said ordinary person would be in possession of all of the same facts as Mr Mahmood at the material time and would place themselves in the same circumstances i.e., a new joiner to an organisation, undertaking an

internal Assessment during a busy period of time and where said person was subject to competing demands on their time in the form of work for clients. In the circumstances, the Committee reached the view that an ordinary person with knowledge of the facts and matters at the material time would consider that there had been a lapse of judgment on Mr Mahmood's part but that the threshold of dishonesty had not been met.

16. The Committee therefore found that Allegation 1(a) had not been proved.

#### **Allegation 1(b)**

17. As to Allegation 1(b), the Committee noted that integrity is a more nebulous concept than honesty in accordance with the relevant case law such as *Wingate and Evans v the Solicitors Regulation Authority* [2018] EWCA Civ 366.
18. The Committee considered that Mr Mahmood had been subject to ACCA's regulatory requirements at all material times and noted that he had been a member for just over 2 years before taking the Assessment that is the subject matter of the proceedings. The Committee considered that Mr Mahmood appreciated and understood that his conduct was wrong and fell below the standards expected of those in the profession. The Committee considered that this met the threshold of a failure to act with integrity where Mr Mahmood had failed to uphold and follow the ethical obligations applicable to those in the profession including him. The Committee also observed that this ethical lapse was an aberration and a one-off incident but nonetheless a serious one which could undermine trust in Mr Mahmood and the profession more generally.
19. In the circumstances, the Committee found that Allegation 1(b) had been proved.

#### **Allegation 1(c)**

20. Mr Mahmood accepted, both in writing and orally, that Allegation 1(c) had been proven. However, on the basis that Allegation 1(c) was pleaded in the alternative to Allegations 1(a) and (b), the Committee made no finding in respect of it.

### **Allegation 2(a)**

21. The Committee considered that a finding that Mr Mahmood had acted without integrity was serious and warranted a finding of misconduct since his actions fell well short of what would have been proper in the circumstances and could discredit him and the profession more generally.
22. Therefore, the Committee found Allegation 2(a) proved.

### **Allegation 2(b)**

23. On the basis that this allegation was pleaded in the alternative to Allegation 2(a), the Committee made no finding in respect of it.

### **SANCTION AND REASONS**

24. The Committee considered what sanction, if any, to impose, taking into account all that it had read in the bundle of documents, ACCA's Guidance for Disciplinary Sanctions (the "Sanctions Guidance"), and the principle of proportionality. The Committee had also listened to submissions by Mr Halliday and advice from the Legal Adviser which it duly accepted.
25. The Committee also heard further oral submissions from Mr Mahmood. Mr Mahmood apologised for his conduct. Mr Mahmood explained that at the time the Assessment occurred he was (i) [PRIVATE]; (ii) he had just started a new job; and (iii) [PRIVATE]. Mr Mahmood also highlighted that in the just over 5 years that had passed since the Assessment, no findings of misconduct had been made against him and he had continuously made progress in the profession.
26. Having concluded that it was not appropriate to conclude the case with no further action in circumstances where it had made a finding of misconduct as consequence of the committee finding that Allegation 1(b) to be proved, the Committee considered the available sanctions in increasing order of severity.

27. The Committee was cognisant and mindful that its role in imposing a sanction was not to be punitive or for a sanction to serve as retribution but instead 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.
28. The Committee considered whether any mitigating or aggravating factors featured in this case.
29. The Committee accepted that there had been no previous findings against Mr Mahmood. The Committee also took into consideration Mr Mahmood's evidence that at the time of the Assessment: (i) [PRIVATE]; (ii) [PRIVATE]; (iii) he had just started a new job one month previously and (iv) he was relatively early on in his career. Further, the Committee noted that not only had there been no previous findings against Mr Mahmood before the Assessment but that there had been no findings since the Assessment. The Committee also noted that Mr Mahmood remained employed at the same institution for 3 years after the Assessment and that there had been a significant period of time between the referral of the matter to ACCA and the hearing.
30. Having listened to Mr Mahmood's account and considered the bundle of documents including Mr Mahmood's Statement of Defence, the Committee accepted that Mr Mahmood had shown an appropriate level of insight into the unacceptable nature of his conduct. The Committee noted that Mr Mahmood had also shown remorse by apologising verbally to the Committee in writing and verbally at the hearing.
31. The Committee was also satisfied that this was an isolated incident and that there was no evidence of any repetition of similar conduct since the Assessment which dates back to December 2019.
32. By reference to the Sanctions Guidance, the Committee did not consider that any aggravating factors existed in this case.

33. However, the Committee had found that Mr Mahmood had acted improperly by sending the Assessment responses to a friend employed at the same institution as him and the Committee considered this to be serious.
34. On the basis of its findings, the Committee concluded that an admonishment would not represent a sufficient and proportionate outcome. This is because an admonishment would not represent the seriousness of the Committee's findings.
35. In the circumstances, the Committee considered that a reprimand would be an appropriate sanction. Whilst the Committee considered that the conduct in question was not minor it equally noted that there was a number of mitigating factors in the case and that there were no aggravating factors.
36. In the Committee's judgment, Mr Mahmood does not represent a continuing risk to the public and there was evidence of his appreciation and understanding of the seriousness of the conduct found proved. Mr Mahmood had shown insight into his failing and expresses genuine remorse and regret. Further, whilst the circumstances that gave rise to the proceedings occurred in December 2019, just over 5 years ago, there was no evidence of repeat behaviour on Mr Mahmood's part.
37. Consequently, the Committee concluded that the appropriate, proportionate and sufficient sanction was to order that Mr Mahmood be reprimanded.

#### **COSTS AND REASONS**

38. The member has submitted documents relating to their financial position, which the Committee has considered.
39. The Committee had also been provided with a Simple Costs Schedule and a Detailed Costs Schedule relating to ACCA's claim for costs.
40. [PRIVATE].

41. Having carefully considered the evidence provided by the member, ACCA's Cost Guidance, and heard from the Legal Adviser, the Committee made the following decision as to costs/fines:
42. The Committee concluded that ACCA was entitled to be awarded costs against Mr Mahmood since Allegations 1b and 2a were found proved. The amount of costs for which ACCA applied was £7,818.00. Further to Mr Halliday's submissions, the Committee noted that the hearing had taken less time than anticipated, that Mr Halliday's preparatory time was limited to two hours.
43. Mr Mahmood had provided some documentary evidence about his financial means and also provided an oral account of his financial circumstances. Mr Mahmood submitted [PRIVATE].
44. The Committee accepted that [PRIVATE] in respect of his financial circumstances when it assessed whether Mr Mahmood should pay costs to ACCA and, if so, in what amount.
45. In 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 £5,000.

#### **EFFECTIVE DATE OF ORDER**

46. This order shall take effect at the expiry of the period allowed for an appeal in accordance with the Appeal Regulations

**Mr Andrew Gell**  
**Chair**  
**14 January 2026**