

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Ms Zoha Shehzad

Heard on: Wednesday, 8 July 2026

Location: Remotely via MS Teams

Committee: Ms Valerie Paterson (Chair)
Mr Ryan Moore (Accountant)
Mr Damian Kearney (Lay)

Legal Adviser: Mr Stephen Chappell

Persons present

and capacity: Ms Zoha Shehzad (Student Member)
Mr Richard Ive (Case Presenter on behalf of ACCA)
Miss Nicole Boateng (Hearings Officer)
Ms Kiren Lall (Investigating Officer)

Summary: Allegations 1a); 1b);1c);2a) proved and 3a) misconduct
found
Removal from the Student Register
Immediate Order

Costs: No costs were awarded

PRELIMINARY MATTERS

1. Mr Ive represented ACCA. Ms Zoha Shehzad (Ms Shehzad) attended the hearing. Ms Shehzad was unrepresented.

2. Ms Shehzad made an application for matters relating to her health to be heard in private. On behalf of ACCA Mr Ive did not object to this application. The Committee having heard and accepted the advice of the Legal Adviser decided in accordance with Regulation 11(1)(b) of the Regulations that any matters relating to the health of Ms Shehzad be heard in private, and the rest of the hearing in public.
3. Mr Ive for ACCA applied to amend Allegation 2 pursuant Regulation 10(5)(a)(i) of the Regulations so that it read “*Ms Shehzad*” as opposed to “*Miss Shehzad*”. Ms Shehzad had no objection to this amendment. The Committee noted that the amendment was to correct a typographical error and would not prejudice Ms Shehzad in the conduct of her defence and so allowed the amendment to be made.
4. The Committee had considered in advance the following documents:
 - a. The original hearing Bundle (pages 1 to 90).
 - b. Examination Video.
 - c. 2 Audio Files (Phone Logs 1 and 2).
 - d. A Service Bundle (pages 1 to 31).

ALLEGATIONS (as amended)

Ms Zoha Shehzad, a student of the Association of Chartered Certified Accountants ('ACCA'):

1. During a remotely invigilated TX examination held on 04 June 2024:
 - a) Had on or about her person an unauthorised item, namely a mobile phone with camera, contrary to Examination Regulations 5(a) and/or 5(b); and/or
 - b) Used or intended to use the said unauthorised item in order to gain an unfair advantage for herself and/or others in the exam and/or a future exam contrary to Exam Regulation 6(b); and/or

- c) Failed to keep the mobile telephone with camera out of arm's reach contrary to the Exam Guidelines and in breach of Regulation 1 of the Exam Regulations.

2. The conduct described in Allegation 1 was:

- a) Dishonest, in that by reason of any or all of the matters referred to in Allegation 1 above, Ms Shehzad intended to gain an unfair advantage in her exam attempt; or in the alternative;
- b) Such conduct demonstrates a failure to act with integrity; or in the further alternative;
- c) Ms Shehzad was reckless as to whether she complied with ACCA's Examination Regulations and/or Guidelines as to the use of an unauthorised item during the said examination.

3. By reason of her conduct, Ms Shehzad 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), in respect of any or all of the matters set out in Allegation 1.

ADMISSIONS

- 5. At the outset of the hearing, Ms Shehzad said she admitted Allegations 1a) and 2c). The Committee decided not to formally find these matters proved on the basis of these admissions due to : (i) The Committee was not satisfied Ms Shehzad understood the term "*recklessness*" in 2c) and (ii) the fact that Allegation 1a) was linked to other matters that Ms Shehzad denied. The Committee decided to hear evidence on all the Allegations together so it could make its findings of fact in the round.

BACKGROUND

6. Ms Shehzad first registered as an ACCA student on 25 November 2020. As such, she was bound by the ACCA's Code of Ethics and Conduct, Bye-laws and Regulations, including the Examination Regulations.
7. In accordance with Rule 1 of the Examination Regulations a candidate is required to adhere at all times to ACCA's Rulebook, the Exam Regulations and Exam Guidelines. The use of "*unauthorised devices*" which includes mobile phones, smartwatches, cameras or devices with communication, recording or smart-technology is prohibited (Rule 5(a)). Unauthorised items must not be worn, placed on a desk, kept in pockets of clothing, in a bag or personal belongings or anywhere about a person and any such item brought into the exam must be declared before the exam starts (Rule 5 (b)).
8. In accordance with Rule 6(b) if a candidate breaches Rule 5(a) and/or 5(b) it will be assumed the candidate intended to use the unauthorised items to gain an unfair advantage in the exam and in any subsequent disciplinary proceedings the candidate must prove that neither the candidate nor anyone else intended to use them to gain an unfair advantage in the exam and/or any future exam.
9. The Exam Guidelines include instructions to candidates to "*move mobile phones, electronic devices, headphones and watches out of arm's reach*".
10. The matter came to ACCA's attention in July 2024, following a referral from [REDACTED] (which monitors the examination using an on-line proctor). The referral included an Incident Report from the online proctor of Ms Shehzad's TX (Taxation) exam dated 4 June 2024 which made some observations regarding Ms Shehzad's conduct based on the exam footage.
11. The Incident Report stated as follows:

"At first candidate was looking to the side from her screen, I've informed her that it is not allowed to look away and that it is her first warning. After a few minutes she tried to take a photo of the exam, I saw a mobile camera in the corner of her video. Revoked the exam".

12. The ACCA Report provided the following background:

- The proctor carried out the pre-examination checks and verifications (which took around 10 minutes to complete). The exam was launched at approximately 00:11:05 into the exam video. On a few occasions between 00:12:31 and 00:12:49, Ms Shehzad looked to her left side as shown in the video and screen shots. Ms Shehzad and the proctor were in contact and exchanged emails as follows:

06-04-24, 10:38:18 (proctor): *I notice you are looking around your room. Please focus on your screen. This is your first warning.*

06-04-24, 10:38:58 Zoha Shehzad: *as i told u my camera is on desktop*

06-04-24, 10:39:08 Zoha Shehzad: *but i will take care*

06-04-24, 10:39:47 (proctor): *thank you*

- On a few occasions between 00:27:06 and 00:28:23 Ms Shehzad looks to her left side again. At 00:28:30 Ms Shehzad adjusts her screen and 2 seconds later an unauthorised object that looks like a mobile phone can be seen pointing towards her screen for a few seconds in the left corner. Ms Shehzad looks at the same side a few times after the object is out of view.
- At 00:30:03 the Proctor (P) contacts Ms Shehzad (the student (S)) and the following conversation ensues:

P; *Hello*

S; *hello*

P; *can you hear me?*

S; *Yes, I can*

P; *Can you please show the room to us?*

S; *Okay*

P; *Your table please, your table, we want to see the table, other side*

S; *Actually, my camera is on my desktop that's the problem.*

P; *we just noticed that you were using a mobile phone in the exam Thai (sic) is why we will end your exam and we will be reporting it to ACCA. If you have any further queries, contact ACCA*

S; *Can I take my exam next week?*

P; *I do not know, ACCA will decide. Thank you.*

S; *okay.*

- The exam was ended at 00:33:10
13. On 8 August 2024, Ms Shehzad was notified of the ACCA investigation and the allegations against her and was asked for her comments on the remote exam video evidence.
 14. In Ms Shehzad's response of 26 August 2024 she sent ACCA [PRIVATE] and stated: "[PRIVATE]".
 15. On 16 September 2024 the Investigations Officer emailed Ms Shehzad and asked: *"At what point in the exam footage did your conversation with your parents take place. Please clarify what was discussed"*. Ms Shehzad responded to this query by email of 18 September 2024 stating: *"After 35 minutes of my exam start I talked to my parents when [PRIVATE]"*
 16. In follow-up email exchanges of 18 September 2024, the Investigations Officer sent Ms Shehzad a still picture of the exam video evidence which showed a mobile phone in the picture highlighted by a yellow circle that had been superimposed on the picture by ACCA. The Investigating Officer said: *"According to the exam video your exam ended after approximately 33 minutes. I thus note the timing of your stated communication with your (at 35 minutes) was after the exam ended"*. The Investigating Officer pointed out that at 00.28.30 in the video recording Ms Shehzad could be seen adjusting her screen and two seconds later a mobile phone could be seen pointing towards her exam screen for a few seconds in the left corner. The Investigating Officer posed 2 questions of Ms Shehzad: 1: *"what were you doing with the phone during this timestamp"* and 2: *"why was it pointed towards your exam screen"*.
 17. In her response sent on 22 September 2024 Ms Shehzad said that: *"At that time, [PRIVATE]"*.

18. Ms Shehzad completed the Case Management Form (CMF). In summary, Ms Shehzad acknowledged that she had the phone in her possession during the examination but explained that she had a pain [PRIVATE] and was unable to sit which was due to her [PRIVATE] circumstances. Ms Shehzad said she used the phone to contact her parents.
19. Ms Shehzad provided ACCA with [PRIVATE].

EVIDENCE AND SUBMISSIONS FROM ACCA

20. ACCA did not call any oral evidence. ACCA relied on the video footage from [REDACTED] which recorded the interactions between the on-line proctor and Ms Shehzad. This video footage was supplemented by audio. Mr Ive on behalf of ACCA submitted that the allegations were capable of proof by reference to this material and the documents in the hearing bundle.
21. Mr Ive submitted that the key issue is what happened during Ms Shehzad's exam on 4 June 2024. Mr Ive went on to say that Ms Shehzad accepts she had a mobile phone; the questions are whether she used it, whether this breached exam rules, and whether there was any legitimate reason for having it. ACCA's case was that Ms Shehzad used the phone to gain an unfair advantage, and she must show she did not intend to do so.

EVIDENCE AND SUBMISSIONS OF MS SHEHZAD

22. Ms Shehzad submitted to the Committee that she wanted to explain that she brought her phone into the exam because of a [PRIVATE]. She said she didn't intend to gain any advantage and accepted it was a mistake. Ms Shehzad added that she didn't want to reschedule the exam because she had already prepared for it and that her only purpose was to sit the exam, not to misuse her phone. Ms Shehzad submitted that she accepted that she had used a mobile phone, but it was for [PRIVATE]. It was not for the purpose of obtaining any unfair advantage in the exam.
23. Ms Shehzad gave oral evidence to the Committee.

24. In her evidence Ms Shehzad denied taking pictures on her phone although she acknowledged that she had the phone in her possession during the examination. Ms Shehzad reiterated that at no stage was there any intention on her part to gain an unfair advantage or engage in dishonest conduct. Ms Shehzad said that she had the mobile phone with her due to her [PRIVATE] circumstances.
25. Ms Shehzad was cross-examined by Mr Ive and answered questions from the Committee.
26. Ms Shehzad agreed that she had a phone with her or about her person when she sat the exam. She was taken by Mr Ive to Regulations 5(a) and 5(b) and she further agreed that use of the phone that she had in her pocket was unauthorised.
27. Ms Shehzad gave evidence about the video footage that appeared to show showed her lifting her phone at 28:30 while looking at the screen with the camera on the phone directed toward her monitor. Ms Shehzad stated that she lifted the mobile phone because in that moment [PRIVATE]. In response to being asked whether Ms Shehzad had retained the text she said she had sent; she said that she had not done so due to the passage of time of 2 years.
28. Ms Shehzad provided further detail of what had happened and the circumstances in which she found herself that day. [PRIVATE].
29. Ms Shehzad explained that she first lifted the phone but could not text one-handed, so put it down in front of her and texted later after the proctor informed her the exam would be terminated.
30. Ms Shehzad denied that she had acted dishonestly or without integrity. However, she accepted that she knew that what she was doing in having the phone was a reckless disregard of ACCA Examination Regulations and Guidelines.

CLOSING SUBMISSIONS

ACCA

31. Mr Ive submitted that Ms Shehzad admits to having a mobile phone about her person during the exam and what appears to be the camera section of the mobile pointing towards her computer screen can be seen from the video and stills.
32. On behalf of ACCA, Mr Ive submitted that the reasonable inference to be drawn from the facts is that Ms Shehzad sought to gain an unfair advantage during the exam.
33. Mr Ive further submitted that it was for Ms Shehzad to show the Committee that she did not intend to gain an unfair advantage, in line with Regulation 6(b) of the Exam Regulations. Mr Ive submitted that Ms Shehzad's explanation, that she needed to contact her parents, does not stand up to scrutiny. Mr Ive continued that Ms Shehzad's evidence was that her parents were in the next room and had she texted them they would have been able to appear immediately. Mr Ive submitted that Ms Shehzad was not texting her parents when the phone was raised towards her computer screen—this action was indicative of someone taking a photograph. Mr Ive submitted that if Ms Shehzad genuinely needed help, she could have told the proctor. Mr Ive asserted that nothing in the footage resembles texting; everything resembles attempting to capture exam content.
34. Mr Ive submitted that Ms Shehzad's version of events lacks credibility, and her conduct had the potential to undermine the integrity of ACCA's examination system and public confidence in those examinations and thus the profession. He referred the Committee to the test for dishonesty as set out in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 76 and submitted that the conduct would be regarded as dishonest by the standards of ordinary decent people.
35. Mr Ive submitted that any or all of Ms Shehzad's conduct as set out in Allegation 1, demonstrates in the alternative a failure to act with integrity, based on the same facts. Mr Ive referenced the leading regulatory case on integrity, *Wingate*

and Evans v The Solicitors Regulation Authority [2018] EWCA Civ 366, where it was said that “integrity” is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from her own members.

36. Mr Ive further submitted that in the further alternative, Ms Shehzad had reckless disregard for ACCA’s Exam Regulations and/or Guidelines; by using the mobile phone during the exam she ran the unreasonable risk of breaching the rules and regulations and having her exam terminated. Mr Ive referred to the case of *R v G* [2003] UKHL which provided guidance on the meaning of recklessness.

Ms Shehzad

37. Ms Shehzad submitted to the Committee that she had not used the phone to gain an unfair advantage, but what she did in having the phone with her was a mistake [PRIVATE]. Ms Shehzad denied misconduct. Ms Shehzad invited the Committee to consider the [PRIVATE] evidence that she had provided to support her submission regarding her pain.

DECISION ON FACTS / ALLEGATION(S) AND REASONS

38. In their deliberations the Committee decided to deal with Allegations 1a) and 1c) first.

Allegation 1a): Use of mobile phone/ having mobile phone on her person/ failing to declare it

39. Ms Shehzad admitted this allegation during cross examination. She had the mobile phone in her pocket and failed to declare it to the proctor. In addition, Ms Shehzad could be seen with the phone in her hand in the exam video.
40. The Committee therefore found Allegation 1a) proved.

Allegation 1c): Failure to keep mobile phone out of arm’s length

41. Ms Shehzad admitted this allegation during cross examination. The Committee

further noted that when giving evidence Ms Shehzad had acknowledged that she was aware of the Regulations in this regard. Furthermore, Ms Shehzad could be seen with the phone in her hand in the video-it was not at arm's length.

42. The Committee therefore found Allegation 1c) proved.

Allegation 1 b): Use of unauthorised item to gain unfair advantage.

43. The Committee considered ACCA's submission that the evidence points towards Ms Shehzad attempting to take photographs of exam content or to otherwise capture live exam content. The Committee then balanced this against Ms Shehzad's defence which was [PRIVATE].
44. The Committee reviewed the examination footage and noted that between 00:27:06 and 00:28:23 Ms Shehzad repeatedly looked to her left. At 00:28:30 she adjusted her screen, and moments later an object resembling a mobile phone appeared, pointing towards the screen for approximately 6 seconds. The device was held in a concealed manner, visible only at the edge of the frame. The Committee was satisfied that the video footage showed that throughout this time Ms Shehzad was looking at her monitor screen rather than her mobile phone.
45. The Committee found Ms Shehzad's account inconsistent with the evidence of the video recording which did not support her contention she was interacting with the phone in anticipation of texting and/or using the device to text. Ms Shehzad was dividing her attention between the phone which could just be seen at the edge of the still, her left and the screen.
46. The Committee found no credible explanation for the phone's position other than an attempt to photograph the examination. Ms Shehzad's account that she intended to text her parents, who were in the next room was considered implausible, particularly given the concealment of the position of the phone.
47. The Committee also noted that Ms Shehzad did not raise any [PRIVATE] concerns with the proctor at any stage. The Committee determined that her reliance on her [PRIVATE] issues amounted to a retrospective justification for her use of the phone advanced only after the exam had been stopped.

48. The Committee approached Allegation 1b) on the basis that having found there was a breach of Regulations 5(a) and (b) that there was a rebuttable presumption that there was an intention to use the mobile phone to gain an unfair advantage and the burden of proving that was not the case (on the balance of probabilities) lay upon Ms Shehzad. Ms Shehzad failed to discharge that burden of proof.
49. The Committee concluded that Ms Shehzad deliberately breached the exam regulations while intending to gain an unfair advantage.
50. The Committee therefore found Allegation 1b) proved.

Allegation 2a): Dishonesty

51. The Committee carefully considered the legal test for dishonesty, which required it first to determine Ms Shehzad's actual knowledge and belief about the relevant facts-her subjective state of mind. It then had to assess whether her conduct as found proved in Allegations 1a), 1b) and 1c) was dishonest according to the objective standards of ordinary decent people, in line with *Ivey v Genting Casinos* [2017] UKSC 67 ("Ivey").
52. In considering the first limb of the *Ivey* test, the Committee was satisfied that Ms Shehzad knew she was not permitted to use unauthorised items to take images of the exam, whether to gain an unfair advantage for herself or others, or for any other purpose. The Committee was satisfied that the video evidence showed concealment of the phone and furtive behaviour on the part of Ms Shehzad and her actions appeared premeditated. It therefore found that the subjective limb of the *Ivey* test was met.
53. Turning to the second limb of the *Ivey* test, the Committee considered whether an ordinary decent person would regard Ms Shehzad's actions as dishonest. It concluded that such a person would consider it plainly wrong and dishonest for a candidate to attempt to take photographs of exam content or to otherwise capture live exam content. In the circumstances, the Committee was satisfied that an ordinary decent person, aware of the facts at the material time, would consider Ms Shehzad's conduct to be dishonest.

54. The Committee therefore found Allegation 2a) proved.

Allegations 2b) Integrity and 2c) Recklessness

55. On the basis that these allegations were pleaded in the alternative to Allegation 2a) the Committee made no findings in respect of Allegations 2b) Integrity and 2c) Recklessness.

Allegation 3a) Misconduct

56. As to Allegation 3a) the Committee, considered all the information before it and the facts found proved and asked itself whether the proven conduct amounted to misconduct. It bore in mind that this was a matter for the professional judgement of the Committee.
57. The Committee had found the Allegations at 1a); 1b) and 1c) and 2a) to be proven. The Committee noted that the failings involved breaches of the Exam Regulations and dishonesty. The Committee determined that these failings were serious, falling short of the conduct expected of a student member and amounted to misconduct. The Committee considered Ms Shehzad's misconduct constituted a discredit to both her and the wider profession.
58. The Committee therefore found misconduct and Allegation 3a) proved.

Allegation 3b): Bye-law 8(a)(iii)

59. The Committee did not consider whether Ms Shehzad was liable for disciplinary action pursuant to Bye-law 8(a)(iii) as set out in Allegation 3b) since this was in the alternative to Allegation 3a).

SANCTIONS AND REASONS

60. The Committee heard and accepted the advice of the Legal Adviser and noted its powers on sanction as set out in Regulation 13(1). It had regard to ACCA's Guidance for Disciplinary Sanctions (SG) and bore in mind that sanctions are not designed to be punitive and that any sanction must be proportionate.

61. The aggravating factors the Committee identified were:
- The behaviour was planned and for her personal benefit.
 - No evidence of insight.
62. The only mitigating factor the Committee identified was:
- No regulatory history.
63. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. The dishonest behaviour was serious. Trust and honesty are fundamental requirements of any professional. Dishonesty by a member of the accountancy profession undermines its reputation and public confidence in it.
64. The Committee carefully considered each of the available sanctions, starting with the least serious first. Having regard to the suggested factors for each as set out in the SG, the Committee decided that only the most serious sanction, removal from the student register, would be proportionate and meet ACCA's overarching objective.
65. The Committee had regard to Section E2 of the SG, 'Dishonesty' and the seriousness of such a finding on a professional. It considered the factors listed at C5 of the SG for removal of Ms Shehzad from the student register and was satisfied that her conduct was fundamentally incompatible with remaining on the register. The Committee was satisfied that only Ms Shehzad's removal from the register was sufficient to mark the seriousness of the misconduct to the profession and the public.

COSTS AND REASONS

66. Mr Ive applied for costs totalling £8,811.00.
67. The Committee heard submissions from both Mr Ive and Ms Shehzad on costs and took account of the Guidance for cost orders (the Guidance) and accepted the advice of the Legal Adviser.

68. Ms Shehzad sent back a Statement of Financial Position Form to ACCA [PRIVATE].
69. In deciding whether or not to award costs the Committee acknowledged that the overarching and overriding principle, is the public interest, and the public advantage of a professional body such as ACCA carrying out its regulatory function. ACCA is a body funded by its members, and any non-award of costs will ultimately be borne by the membership as a whole. Therefore, the general principle is that it is appropriate to award costs to ACCA.
70. The Committee took into account Ms Shehzad's personal and financial circumstances. It accepted the financial information provided by Ms Shehzad in her written evidence-her completed Statement of Financial Position Form-and repeated in her responses to Committee questions [PRIVATE].
71. The Committee also took into account that the Order to remove Ms Shehzad from the student register would [PRIVATE].
72. The Committee took into account the Guidance and had regard to the relevant factors including the written documentation and the oral evidence from Ms Shehzad on both her finances and earning potential, and her [PRIVATE]. Accordingly, in the specific circumstances of this case the Committee was satisfied that Ms Shehzad was unable to make a financial contribution based on her current or anticipated finances. The Committee determined to make no order of costs.

EFFECTIVE DATE OF ORDER

73. Mr Ive on behalf of ACCA applied for the Committee to impose an immediate order, regarding the commencement date of any sanction.
74. The Committee heard and accepted the advice of the Legal Assessor and applied the SG. It took account of the seriousness of the matters found proved and determined that it was necessary in the interests of the public to make an immediate order. The Order will therefore take effect immediately.

ORDER

75. The Committee ordered as follows:

- (a) Ms Zoha Shehzad shall be removed from the student register.
- (b) The Order will take immediate effect
- (c) There be no order as to costs.

Ms Valerie Paterson
Chair
08 July 2026