

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Ms Diya M

Heard on: Friday, 05 June 2026 & Friday, 24 July 2026

Location: Remotely via Microsoft Teams

Committee: Mr Andrew Gell (Chair)
Mr Kalwant Grewal (Accountant)
Mr Colin Childs (Lay)

Legal Advisor: Mr David Marshall

**Person present
and capacity:** Ms Katriona King (ACCA Case Presenter)
Miss Nicole Boateng (ACCA Hearings Officer day 1)
Miss Sofia Tumburi (ACCA Hearings Officer day 2)
Ms Diya M (Student)
Ms Geetha Ravikumar (Interpreter)

Summary: Removed from the Student Register

Costs: No Costs order made

1. The Committee heard an allegation of misconduct against Ms Diya M. Ms King appeared for ACCA. Ms Diya M, who was referred to throughout the hearing as Ms Diya, was present and represented herself.
2. The Committee initially had a main bundle of papers containing 98 pages, an exam video lasting 1 hour, 10 minutes and 56 seconds, a phone log number 1, lasting 2 minutes and 4 seconds, a phone log 2, lasting 1 minute and 23 seconds, a phone log 3, lasting 27 seconds, and a Service Bundle of 14 pages.
3. The hearing on 05 June terminated prematurely because of a technical problem and was resumed on 24 July. Ms Diya was present. On the second day the Committee had a further Service Bundle of 16 pages and a transcript of the first day's hearing (21 pages).

PRELIMINARY ISSUES

4. Ms King applied to make two minor amendments to the allegations: firstly to correct errors in the numbering and secondly to correct an obvious grammatical mistake. Ms Diya did not object. After taking legal advice, the Committee agreed that the amendments could not prejudice Ms Diya in the conduct of her defence and allowed them.

ALLEGATION(S)/BRIEF BACKGROUND

5. Ms Diya became a student of ACCA on 12 March 2025. On 30 October 2025 she sat ACCA's Corporate and Business Law (LW) exam. This was a computer based exam taken at a place of her choosing in her home country, [PRIVATE]. The exam was remotely invigilated by staff employed by a company called Company A. The invigilators (referred to by their employers as proctors) were not present in the room but could view what was on Ms Diya's screen and could communicate directly if required through chat messages or by phoning. The invigilators also had video and audio access to the camera of Ms Diya's computer. The video/audio from the camera was recorded. After the exam, but on the same day, Company A submitted an 'Incident Report' to ACCA alleging that Ms Diya had repeatedly looked off screen during the exam and that 'the candidate did not comply with the required exam guidelines'. Subsequent detailed examination of the video recording led ACCA to believe that there had been another person in the room.

6. Ms Diya faced the following allegations, as amended:

Allegations

Ms Diya, a student of the Association of Chartered Accountants (ACCA), during an on-demand remotely invigilated Corporate and Business Law (LW) remotely invigilated exam taken on 30 October 2025 ('The Exam'):

1. Failed to comply with the Proctor's request, namely to refrain from looking off screen, contrary to Exam Regulation 2.
2. Caused or permitted another person to be present in the room in which she was sitting the exam, contrary to Exam Regulation 19.
3. In relation to the conduct set out at Allegations 1 and/or 2 above she engaged in irregular conduct designed to assist her and/or another in this or a future exam attempt, contrary to Exam Regulation 10.
4. Ms M's conduct in respect of any or all of the above was:
 - a) Dishonest, in that she intended to gain an unfair advantage for herself and/or another in this or a future examination; or in the alternative:
 - b) Such conduct demonstrates a failure to act with integrity.
5. By reason of the above, Ms M is:
 - a) Guilty of misconduct and liable to disciplinary action 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 1-3.

DECISION ON FACTS/ALLEGATION(S) AND REASONS

7. ACCA did not call any oral evidence but relied on the documents and recordings

before the Committee.

8. Ms Diya did not give oral evidence 'in chief' but presented herself for cross examination, and for questioning by the Committee. She accepted that during the exam she was asked to keep her eyes on the screen, but she continued to look away. Her version of events was that part way through the exam her brother appeared in her room having come out of the bathroom, which opened into the room where the exam was being taken. She said that was when she knew for the first time that her brother was in the room with her. She knew this was a serious breach of the Exam Regulations and Guidance. She said he must have entered her room, without her knowledge, just before the exam when Ms Diya left to try to sort out a problem with her WiFi.

Allegation 1

9. The Committee studied the video, chat logs, and telephone logs. It was clear that there were repeated occasions when Ms Diya looked away from the screen, after being told not to do so by a proctor. Ms Diya did not deny it.
10. **The Committee found Allegation 1 proved.**

Allegation 2

11. The video recordings showed what appeared to be the top of a person's head entering the field of view from time to time. That was in the same position to which Ms Diya was looking repeatedly. All the instances of looking away, except one, were directed to this area, which was to Ms Diya's right and at a lower level.
12. Ms Diya did not deny that her brother was in her room. The key issue was whether Ms Diya had 'caused or permitted' him to be there. Her case was that he had entered without her knowledge and only appeared once the exam was underway. Ms King accepted that she had no evidence that Ms Diya had 'caused' him to enter. ACCA's case was that once Ms Diya realised her brother was in the room she had permitted him to remain. She could have raised the matter with the proctors, particularly when they spoke directly to her during the exam, but did not do so.

13. The Committee noted that there came a time when a proctor became suspicious that another person was in the room and asked Ms Diya to do a 360-degree video around the room. This was a moment when Ms Diya had to admit what had happened. She could also have said that it happened without her knowledge or consent. She chose to say nothing and performed the sweep without comment. (The sweep was negative, because, she said, her brother had gone back to the bathroom.) The Committee formed the view from her evidence that she chose not to say anything because she did not want the exam to be terminated.
14. **The Committee found Allegation 2 proved.**

Allegation 3

15. The key question under this Allegation was whether Ms Diya's conduct was 'designed to assist her and/or another in this or a future exam attempt'. If Ms Diya had admitted promptly to the proctors that her brother had entered without her knowledge or consent this allegation could not have succeeded. However, she did not. She sought to conceal her brother's presence. It only came to light after the exam when the video was studied minutely. Ms King submitted that the repeated looking towards the brother indicated that the brother was providing assistance or was colluding in some way. An alternative possibility was that Ms Diya was assisting her brother. She told the Committee that he was two years younger than her. If he had been intending to follow her career path it would have assisted him to watch an exam being taken. He was positioned close to the screen and could have made a note of, or photographed, the questions for future use by himself or someone else.
16. The facts were that the brother spent a long time positioned at the same spot close to the screen and that Ms Diya made no attempt to disclose his presence. These facts persuaded the Committee, on the balance of probabilities, that she had decided to take advantage of the opportunity whether for her own benefit or her brother's or someone else. In the words of the allegation her conduct was designed to assist her and/or another in this or a future exam attempt.
17. **The Committee found Allegation 3 proved.**

Allegation 4(a): Dishonesty

18. The finding under Allegation 3 meant that Ms Diya intended to gain an unfair advantage for herself and/or another in this or a future examination. The Committee was quite satisfied that by the standards of ordinary, decent people Ms Diya was dishonest.
19. **The Committee found Allegation 4(a) proved.** It did not, therefore, have to consider Allegation 4(b).

Allegation 5(a): Misconduct

20. The Committee bore in mind that although framed as an allegation this was not a matter of fact but of judgement and not subject to a burden of proof. Dishonesty in relation to ACCA exams is one of the most serious forms of misconduct open to a student to commit. It undermines the integrity of the exam system and even the ACCA qualification itself. It is grossly unfair to other students who qualify by honest means, and it potentially harms the public by helping someone to achieve ACCA membership without having demonstrated the necessary knowledge and skills.
21. **The Committee found that Ms Diya was guilty of misconduct.** It did not, therefore, have to consider Allegation 5(b).

SANCTION(S) AND REASONS

22. The Committee considered what sanction, if any, to impose in light of its findings, having regard to ACCA's Guidance for Disciplinary Sanctions (2024). It first sought to assess the overall seriousness of the misconduct. This was a case of dishonesty in relation to ACCA exams. That is clearly at the upper end of the scale of seriousness.
23. The Committee next sought to identify mitigating and aggravating factors. The Committee did not agree with Ms King's submission that aggravating factors in this case were: multiple instances of looking away, multiple breaches of exam regulations and dishonesty. That was a repetition of the factors in the proven allegations which led the Committee to conclude that this case fell into the 'very serious' category. The Committee did not identify any aggravating factors that

were not already taken into account in its assessment of seriousness.

24. As to mitigating factors, Ms Diya had no previous disciplinary findings against her, although she was at an early stage of her ACCA career. Ms Diya had shown some insight. She had repeatedly said that she would never sit a remotely invigilated exam again. She had expressed genuine remorse. The Committee did not consider that there was a significant risk of repetition.
25. The Committee was satisfied that the misconduct required a sanction. The Committee first considered the sanctions of admonishment and reprimand, and the factors suggested in the Sanctions Guidance. It concluded that these sanctions would be wholly inadequate to mark the seriousness of Ms Diya's actions.
26. The Committee next considered the sanction of severe reprimand. The Guidance says that this can be applied:

in situations where the conduct is of a serious nature but there are particular circumstances of the case or mitigation advanced which satisfy the Committee that there is no continuing risk to the public, and there is evidence of the individual's understanding and appreciation of the conduct found proved.

27. The Committee had sympathy for Ms Diya. Some of the mitigating factors mentioned in the guidance were present to some extent. Her actions cannot be treated as pre-planned. What happened was that when faced with a difficult decision she made a catastrophically wrong choice. That wrong choice was to behave dishonestly. A sanction of severe reprimand would not be sufficient.
28. The next relevant sanction was removal from the student register. Section E2 of the Guidance states:

E2.1 Dishonesty, even when it does not result in direct harm and/or loss, ... undermines trust and confidence in the profession. The Committee should consider all possible sanctions and/or combinations of sanctions available to it in every case, nevertheless the courts have supported the approach to exclude members from their professions where there has been a lack of probity and honesty ...

E2.2 The public is entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics. The reputation of ACCA and the accountancy profession is built upon the public being able to rely on a member to do the right thing in difficult circumstances. It is a cornerstone of the public value which an accountant brings.

E2.3 The Committee should bear these factors in mind when considering whether any mitigation presented by the member is so remarkable or exceptional that it warrants anything other than exclusion from membership or removal from the student register.

29. The Committee was satisfied that Ms Diya's conduct was incompatible with remaining registered as a student of ACCA, at least in the short term. Removal was the minimum sanction it could impose.
30. Ms Diya will be entitled to apply for readmission after one year. The Committee did not find it necessary to extend this period. If Ms Diya does apply, she will have to persuade the Admissions and Licensing Committee that she has learnt the relevant lessons, has taken steps to ensure that there will be no repetition, and is a fit and proper person to be registered with ACCA.

COSTS AND REASONS

31. Ms King applied for costs totalling £9,940.50. The Committee was satisfied that the proceedings had been properly brought and that ACCA was entitled in principle to a contribution to its costs. The Committee considered that the figure for costs was inflated. Firstly, it included all the costs for both days of the hearing even though the case could have been completed on the first day and Ms Diya bore no responsibility for the hearing extending to a second day. Secondly, a full day's costs were claimed for each hearing even though the actual hearing time was only about half a day on each occasion. Making adjustments for these factors would greatly reduce the figure.
32. However, the Committee had to consider Ms Diya's ability to pay such figure for costs as the Committee assessed. She said, and the Committee accepted, that as a full-time student [PRIVATE]. It assessed her contribution at zero.

EFFECTIVE DATE OF ORDER

33. The Committee did not consider that there were any grounds for making the order take effect immediately, rather than at the usual time. The order will take effect at the end of the appeal period.

ORDER

34. The Committee **ordered** as follows:
- (a) Miss Diya M shall be removed from the student register. Any application for readmission (which may not be made for 12 months after this order takes effect) shall be referred to the Admissions and Licensing Committee.
 - (b) There is no order for Ms Diya to contribute to ACCA's costs.

Andrew Gell
Chair
24 July 2026