

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Miss Yijuan Fan

Heard on: Thursday, 5 March 2026

Location: Remotely via MS Teams

Committee: Dr Mike Kelly (Chair)
Ms Fiona MacNamara (Accountant)
Ms Caroline Robertson (Lay)

Legal Adviser: Mr Alastair McFarlane

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

Summary: Exclusion from membership with immediate effect and
costs awarded of £6,135.00

1. ACCA was represented by Mr Wigg. Miss Fan did not attend and was not represented. The Committee had before it a Bundle of papers, numbered pages 1 – 287, and a Service Bundle numbered pages 1-23.

SERVICE

2. Having considered the Service Bundle, the Committee was satisfied that notice of the hearing was served on Miss Fan in accordance with the Complaints and Disciplinary Regulations 2014 (“CDR”).

PROCEEDING IN ABSENCE

3. The Committee noted the submissions of Mr Wigg and accepted the advice of the Legal Adviser.
4. The Committee reminded itself that the discretion to proceed in absence must be exercised with the utmost care and caution. The Committee noted that following the service of the Notice of Hearing on 5 February 2026, the Hearings Officer then sent a chasing email on 12 February 2026 asking Miss Fan to confirm her attendance. There was no response from Miss Fan. Further, the Hearings Officer made a telephone call to the telephone number that Miss Fan had registered with ACCA on 13 February 2026, and again on 2 March 2026. Neither phone call was answered and there was no opportunity to leave a voicemail. The Hearings Officer sent further chasing emails on 13 February 2026 and 2 March 2026 seeking confirmation of her attendance and whether she was content for the Committee to proceed in her absence. Miss Fan did not respond to either email.
5. The Hearings Officer sent the hearings link by an email dated 4 March 2026. Again, there was no response from Miss Fan.
6. The Committee was mindful of the observations of Sir Brian Leveson in *Adeogba v. General Medical Council* [2016] EWCA Civ 162 as to the burden on all professionals subject to a regulatory regime to engage with the regulator both in relation to the investigation and the ultimate resolution of allegations made against them. The Committee specifically considered the issue of fairness to Miss Fan of proceeding in her absence, but also fairness to the ACCA and the wider public interest in the expeditious discharge of the Committee's function. The Committee was mindful that Miss Fan had not engaged with the process throughout. In all circumstances it was satisfied that Miss Fan had voluntarily waived her right to attend the hearing. The Committee was not persuaded that any adjournment was likely to secure her attendance at a future date. The allegations were serious, involving dishonesty and, if proven, a risk to the public.
7. The Committee was satisfied that Miss Fan has been given every opportunity to engage and participate in the proceedings and has decided not to do so. Accordingly, in all the circumstances the Committee was satisfied that it was in

the public interest to proceed in the absence of Miss Fan.

ALLEGATIONS

Yijuan Fan ('Miss Fan'), at all material times an ACCA trainee:

- 1) Applied for membership to ACCA on or about 11 August 2021 and in doing so purported to confirm in relation to her ACCA Practical Experience training record her Practical Experience Supervisor in respect of her practical experience training in the period from 30 January 2018 to 11 August 2021 was Person A when Person A did not supervise that practical experience training in accordance with ACCA's requirements as published from time to time by ACCA or at all.
- 2) Miss Fan's conduct in respect of the matters described in Allegation 1 above was:
 - a) Dishonest in that Miss Fan sought to confirm her Practical Experience Supervisor was Person A and Person A supervised her practical experience training in accordance with ACCA's requirements or otherwise which she knew to be untrue.
 - b) In the alternative, demonstrates a failure to act with Integrity.
- 3) In the further alternative to Allegations 2a) and 2b) above, such conduct was reckless in that Miss Fan paid no or insufficient regard to ACCA's requirements to ensure:
 - a) Her practical experience was supervised.
 - b) Her Practical Experience Supervisor was able to personally verify the achievement of the performance objectives she claimed and/or verify they had been achieved in the manner claimed.
- 4) Failed to co-operate with ACCA's Investigating Officer in breach of Complaints and Disciplinary Regulation 3(1) in that she failed to

respond fully or at all to any or all of ACCA's correspondence dated:

- a) 10 October 2023
- b) 25 October 2023
- c) 9 November 2023
- d) 31 January 2024

5) By reason of her conduct, Miss Fan is:

- a) Guilty of misconduct pursuant to ACCA Bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 4 above; in the alternative in respect of Allegation 4 only.
- b) Liable to disciplinary action pursuant to Bye-law 8(a)(iii).

BACKGROUND

- 8. Miss Fan became an ACCA affiliate on 18 January 2021 and an ACCA member on 19 August 2021.
- 9. Upon an ACCA student completing all their ACCA exams, they become an ACCA affiliate. However, in order to apply for membership, they are required to obtain at least 36 months' practical experience in a relevant role ('practical experience'). It is permissible for some or all of that practical experience to be obtained before completion of ACCA's written exams.
- 10. A person undertaking practical experience is often referred to as an ACCA trainee being the term used to describe Miss Fan's status in the allegations, the Report and the supporting Evidence Bundle.
- 11. An ACCA trainee's practical experience is recorded in that trainee's Practical Experience Requirement training record (PER), which is completed using an online tool called 'MyExperience' which is accessed via the student's MyACCA portal.
- 12. As part of their practical experience, each trainee is required to complete nine

performance objectives (“POs”) under the supervision of a qualified accountant. An accountant is recognised by ACCA as a qualified accountant if they are a qualified accountant recognised by law in the trainee’s country and or are a member of an IFAC body (International Federation of Accountants). Once a trainee believes they have completed a PO, they are required to provide a statement in their PER training record describing the experience they have gained in order to meet the objective. Given this is a description of their own experience, the statement should be unique to them. Through the online tool, the trainee then requests that their practical experience supervisor approves that PO.

13. In addition to approval of their POs, the trainee must ensure their employment where they have gained relevant practical experience (being a minimum of 36 months) has been confirmed by the trainee’s line manager who is usually also the trainee’s qualified supervisor. This means the same person can and often does approve both the trainee’s time and achievement of POs. If the trainee’s line manager is not qualified, the trainee can nominate a supervisor who is external to the firm to supervise their work and approve their POs. This external supervisor must have some connection with the trainee’s firm, for example, as an external accountant or auditor.
14. Once all nine POs have been approved by the trainee’s practical experience supervisor (whether internal or external) and their minimum 36 months of practical experience has been approved, the trainee is eligible to apply for membership - assuming they have also passed all their ACCA exams and successfully completed ACCA’s Ethics module.
15. The PER training records of 15 ACCA trainees have been reviewed by ACCA’s Professional Development Team. This review has revealed these trainees shared most of the same PO statements as each other and / or shared the same supervisors. The PO statements for these 15 trainees were approved between 11 August 2021 and 17 October 2022.
16. Consequently, all 15 trainees were referred to ACCA’s Investigations Team. Miss Fan is one such trainee.
17. ACCA’s primary case against Miss Fan is that she applied for membership

fraudulently by purporting that her Practical Experience Supervisor in respect of her practical experience training in the period from 30 January 2018 to 11 August 2021 was Person A when she knew she knew that Person A did not supervise her practical experience training.

ACCA'S SUBMISSIONS

Allegation 1

Applied for membership to ACCA and purported to confirm that her Practical Experience Supervisor was Person A, when Person A did not supervise her practical experience training.

18. ACCA relied on the following:

- Karen Watson's (Senior Administrator in ACCA's Member Support Team) statement and exhibits explaining ACCA's membership application process - that once an application is received, this is recorded in ACCA's PROD database by an automated process. Miss Fan's application was received on 11 August 2021. Miss Fan was admitted to membership on 19 August 2021.
- Dawn McKenna's (Professional Development Co-ordinator) statement and exhibits explaining an overview of the PER process. This includes that each PO comprises 3 parts; (i) a summary of what the PO relates to; (ii) 5 elements outlining the tasks and behaviours a trainee must demonstrate to be able to achieve the PO; and (iii) a 200- to 500-word concise personal statement in which a trainee must summarise how they achieved the PO.
- ACCA's requirements as published in the 2019 guide, and subsequently, explain that the performance objectives you choose should be agreed with your practical experience supervisor.
- In their personal statement for each PO, a trainee needs to provide a summary of the practical experience they gained.

- A trainee's personal statement for each PO must be their own personal statement that is unique to them and their own experience. This has been consistently referred to in ACCA's published guides which Ms McKenna exhibits to her statement. Trainees must not therefore use a precedent or template or another trainee's personal statement, which would undermine the PER training record element of the ACCA qualification. The 2019 published guide, and all subsequent guides, concludes:

'Your situation and experience are unique to you, so we do not expect to see duplicated wording, whether from statement to statement, or from other trainees. If such duplication occurs, then it may be referred to ACCA's Disciplinary Committee.'

19. The Practical Experience Requirement (PER) training record for Yijuan Fan and records she was employed at two firms:

- Firm A from 1 January 2005 to 1 January 2021 in the role of 'Auditor'. The PER records a single supervisor associated with this role, namely Person B. However, the 'clock' icon next to this supervisor's name indicates they never accepted Miss Fan's invitation to approve any element of her PER training record. That means this 12-month period was never approved and should be disregarded.
- Firm B from 30 January 2018 to 11 August 2021 in the role of 'Analyst Assistant'. 42 months of relevant practical experience has been claimed in this role. This is in excess of the minimum requirement of 36 months.
- The Supervisor details for Miss Fan record that Person A registered on 11 August 2021 as her 'IFAC qualified external supervisor'. As Miss Fan's IFAC qualified external supervisor, Person A was authorised to approve Miss Fan's POs and did so, as recorded in Miss Fan's PER. On 11 August 2021, Miss Fan requested that Person A approve all her nine PO's and Person A did so on the same day.
- The record also shows that Person C was registered on 11 August 2021 as Miss Fan's 'Non IFAC qualified line manager'. As such Person C was

authorised to approve Miss Fan's time / experience claim of 42 months, as recorded in Miss Fan's PER and did so on 11 August 2021

20. ACCA relied upon correspondence with Person A who registered as Miss Fan's IFAC qualified external supervisor. ACCA sought to verify their supervision of Miss Fan and eleven other ACCA trainees.
21. ACCA's Investigating Officer, in an email dated 29 November 2023, asked Person A to confirm whether they supervised the 12 listed trainees including Miss Fan.
22. In their response dated 30 November 2023, Person A confirmed they had supervised each trainee as claimed.
23. One of the Investigating Officer's questions referred to evidence from the PER training records of all 12 trainees which indicated Person A had supervised these trainees whilst employed at two different firms but during overlapping periods. In their response Person A confirmed they had been employed by both firms, being 'within the allowable range of Chinese law' and provided a document from each firm which purported to support their claim. On 21 December 2023 the Investigating Officer indicated to Person A that ACCA wished to approach both firms directly for verification and attached to the email consent forms for Person A to sign and return to ACCA.
24. Person A responded on 22 December 2023 advising they wished to resign from ACCA. They then stated:

'...I did not read your email carefully, so I would like to correct some of the information. [Firm B] is not the one you found, it's just a private organization I started with a few friends, but it's not officially registered, it just happens to overlap in the English name. [Firm C] is also not officially registered, but a private organization set up by my friends and me. And both are no longer existing. I'm sorry that the above problems have caused trouble to your previous work, and considering that some of my behaviors are inappropriate, I decide to give up my ACCA membership, as I wrote at the beginning.'

25. On 12 January 2024 Person A emailed asking when the matter would be concluded to which the Investigating Officer responded on 13 January to advise he would provide further information the next week. Unprompted by any further email from the Investigating Officer, Person A emailed the Investigating Officer on 16 January 2024 stating as follows:

'...After careful consideration, I would like to be honest with you:

(1) I did not have any supervision over those trainees, as they were all recommended by acquaintances or contacted through other channels.

(2) I have not worked in any company either, as I am still unemployed to this day. The two companies mentioned in earlier emails are indeed unofficially-registered private organizations that I orally created with a few friends a long time ago, but are no longer exist for a long time and have no relation to this PER experience supervision. (I don't know if they happen to have the same name as real organizations in English or Chinese language, but considering that they were only established orally long long ago and have no connection to the outside and have no longer existed for a very long time, I can make sure that they have no influence on others.)

(3) Therefore, the whole thing is actually that those trainees or their representors contacted me through acquaintances or other channels, but I did not supervise their work. In the previous investigation phase, all the materials I provided to you were untrue, and I deeply apologize for this behavior.

As I mentioned in my previous email, I voluntarily give up my ACCA membership in order to protect the public interest and comfort myself... I hope you can draw a conclusion and inform me as soon as possible based on my truthful statement above. Appreciate much and look forward to your reply...'

26. Despite further emails being sent to Person A, no further communications have been received from Person A to date.
27. As part of ACCA's investigation, an email dated 1 March 2024 was sent to Person C asking them in effect to confirm if they had supervised Miss Fan and, if so, to provide the dates of that supervision, the name of the firm where they

and Miss Fan were employed and evidence of their supervision of Miss Fan. No response has been received to this email.

28. ACCA submitted that Allegation 1 is capable of proof by reference to the following:

- Dawn McKenna's statement which describes ACCA's Practical Experience Requirements.
- Miss Fan's completed PER training record which was completed on or about 11 August 2021 which then permitted Miss Fan to apply for membership which she did on 11 August 2021. Miss Fan was subsequently admitted to membership on 19 August 2021.
- Miss Fan's Supervisor details which records Person A as 'IFAC qualified line manager', and therefore her practical experience supervisor.
- Miss Fan's PER training record which records Person A approved all Miss Fan's PO's.
- The admission by Person A that although they signed off the PO's in Miss Fan's PER training record (as they did for other ACCA trainees) they had not supervised Miss Fan or any of these trainees.

Allegation 2(a) - Dishonesty

29. ACCA's primary case was that Miss Fan was dishonest when she submitted her Practical Experience Training Record to ACCA because Miss Fan sought to confirm Person A was her practical experience supervisor which she knew was untrue. ACCA therefore submitted this conduct would be regarded as dishonest by the standards of ordinary decent people.

Allegation 2(b) – Integrity

30. In the alternative, ACCA submitted that if the conduct of Miss Fan is not found to be dishonest, the conduct demonstrates a failure to act with integrity.

Allegation 3 – Recklessness

31. ACCA submitted in the further alternative that Miss Fan's conduct was reckless in the ordinary sense of the word in that she paid no or insufficient regard to the fact that Person A was required to supervise her and must have appreciated the risk (which it was unreasonable in the circumstances for her to take) that she had not completed the practical experience element of her training correctly and was therefore ineligible for membership.

Allegation 4 – Failure to co-operate

32. ACCA submitted Miss Fan had a duty to cooperate under the regulations and by not responding to the correspondence had breached this duty.

Allegation 5 – Misconduct/ Liability to disciplinary action

33. ACCA submitted that Miss Fan's conduct whether dishonest or lacking integrity or recklessness and her failure to cooperate was sufficiently serious to reach the threshold for misconduct. The alternative for failing to co-operate only was liability to disciplinary action. Further, ACCA contended that failing to cooperate with one regulator was sufficiently serious to reach the threshold from misconduct. In the alternative rendered her life for disciplinary action.

MISS FAN'S SUBMISSIONS

34. There were no submissions from Miss Fan.

DECISION ON ALLEGATIONS AND REASONS

35. The Committee accepted the advice of the Legal Adviser. The standard of proof to be applied throughout was the ordinary civil standard of proof, namely the balance of probabilities. It reminded itself of Collins J's observations in *Lawrance v. GMC* [2015] EWHC 581(Admin) to the effect that in cases of dishonesty, cogent evidence was required to reach the civil standard of proof.

36. The Committee heard that there had been no previous findings against Miss Fan and accepted that it was relevant to put her good character into the balance in her favour.

DECISION ON FACTS

37. The Committee noted the submissions of Mr Wigg for ACCA. It reminded itself that the burden of proof was on ACCA alone and that Miss Fan's absence added nothing to ACCA's case.

Allegation 1

- 1) Applied for membership to ACCA on or about 11 August 2021 and in doing so purported to confirm in relation to her ACCA Practical Experience training record her Practical Experience Supervisor in respect of her practical experience training in the period from 30 January 2018 to 11 August 2021 was Person A when Person A did not supervise that practical experience training in accordance with ACCA's requirements as published from time to time by ACCA or at all.
38. The Committee was satisfied on the balance of probabilities that this allegation was established by ACCA's documentary evidence. Miss Fan submitted a training record to ACCA and it contained the assertion that Person A was her practical experience supervisor. Further, the Committee accepted as credible Person A's detailed admission of wrongdoing in that they were never Miss Fan's supervisor. ACCA referred to it as Person A's "confession". The responses from Person A to ACCA included their assertion that Miss Fan was among the trainees they did not, in fact, supervise. The Committee accepted this evidence. Accordingly, Allegation 1 was proved.

Allegation 2

- 2) Miss Fan's conduct in respect of the matters described in Allegation 1 above was:
- a) Dishonest in that Miss Fan sought to confirm her Practical Experience Supervisor was Person A and Person A supervised her

practical experience training in accordance with ACCA's requirements or otherwise which she knew to be untrue.

39. The Committee next asked itself whether the proven conduct in Allegation 1 was dishonest.
40. In accordance with the case of *Ivey v Genting Casinos (UK) Ltd T/A Crockfords* [2017] UKSC67 the Committee first considered what Miss Fan's belief was, as to the facts.
41. Having accepted Person A's explanation that they were not at any stage Miss Fan's practical experience supervisor, the Committee was satisfied that Miss Fan knew that they were not her supervisor and that her assertion in her record that they were, was false and that she knew it to be false.
42. The Committee was satisfied that it is not plausible in the circumstances, that Miss Fan would have entered Person A as her supervisor in error.
43. The Committee in the circumstances inferred that the more likely scenario was that Miss Fan was deliberately misleading ACCA in order to obtain membership. In the circumstances the Committee was satisfied that Miss Fan knew that it was untrue to purport to confirm that Person A was her supervisor. The Committee rejected any other basis such as mistake or carelessness or recklessness as not credible. Applying the second limb of *Ivey v Genting Casinos (UK) Ltd T/A Crockfords*, the Committee was satisfied that this conduct was dishonest according to the standards of ordinary decent people. Accordingly, it was satisfied that Allegation 2 a) was proved.
 - b) In the alternative, any or all of the conduct referred to in Allegation 1 above demonstrates a failure to act with Integrity.
44. Given the Committee's findings in relation to Allegation 2 a) it did not consider the alternative of Allegation 2 b).

Allegation 3

In the further alternative to Allegations 2a) and 2b) above, such conduct was reckless in that Miss Fan paid no or insufficient regard to ACCA's requirements to ensure:

- a) Her practical experience was supervised.
- b) Her Practical Experience Supervisor was able to personally verify the achievement of the performance objectives she claimed and/or verify they had been achieved in the manner claimed.

45. Given the Committee's findings in relation to Allegation 2 a) it did not consider the alternative of Allegation 3.

Allegation 4

Failed to co-operate with ACCA's Investigating Officer in breach of Complaints and Disciplinary Regulation 3(1) in that she failed to respond fully or at all to any or all of ACCA's correspondence dated:

- a) 10 October 2023
- b) 25 October 2023
- c) 9 November 2023
- d) 31 January 2024

46. The Committee was satisfied that under paragraph 3(1) of the Complaints and Disciplinary Regulations 2014, there was an obligation on Miss Fan to cooperate fully with ACCA in the investigation of any complaint. It was satisfied on the documentation provided that these emails were delivered. It considered that sustained attempts were made by ACCA to contact Miss Fan. However, Miss Fan made no response to ACCA's correspondence requesting her cooperation on 10 October 2023, 25 October 2023, 9 November 2023 and 31 January 2024. It was satisfied that Miss Fan had a duty to respond and that her lack of response amounted to a breach of the duty on her and was therefore a failure. Accordingly, Allegation 4 was proved.

Allegation 5

By reason of her conduct, Miss Fan is:

- a) Guilty of misconduct pursuant to ACCA Bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 4 above; in the alternative in respect of Allegation 4 only.
- b) Liable to disciplinary action pursuant to Bye-law 8(a)(iii).

- 47. The Committee next asked itself whether by submitting a fraudulent PER, Miss Fan was guilty of misconduct.
- 48. The Committee had regard to the definition of misconduct in Bye-law 8(c) and the assistance provided by the case law on misconduct. To dishonestly gain membership, was, in the Committee's judgment, deplorable conduct. It was satisfied that Miss Fan's actions brought discredit on herself, ACCA and the accountancy profession. It was satisfied that her conduct undermined one of the fundamental tenets of the profession – to be honest and not associate oneself with a false submission. Her conduct enabled Miss Fan to secure membership when she was not entitled to it, and her conduct undermined the reputation of the profession. Therefore, the Committee was satisfied that Miss Fan's conduct had reached the threshold for misconduct.
- 49. Further, the Committee was satisfied that Miss Fan's duty to cooperate with her regulator is an important one, both to enable the regulator to properly and fairly discharge its regulatory function and to uphold public confidence in the regulatory system. The Committee had regard to the definition of misconduct in Bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Miss Fan's actions brought discredit on her, the Association and the accountancy profession. For these reasons the Committee was satisfied that Miss Fan's failure to cooperate was sufficiently serious to amount to misconduct.

50. Given the Committee's judgment that the failure amounted to misconduct the Committee did not need to consider the alternative of liability to disciplinary action.

SANCTIONS AND REASONS

51. The Committee noted its powers on sanction were those set out in Regulation 13(1). It had regard to ACCA's Guidance for Disciplinary Sanctions and bore in mind that sanctions are not designed to be punitive and that any sanction must be proportionate. It took account of Mr Wigg's submissions.
52. The Committee accepted the advice of the Legal Adviser.
53. 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.
54. The aggravating factors the Committee identified were:
- The behaviour involved dishonesty which was pre-planned and designed to deceive her regulator for personal benefit.
 - Professional membership was fraudulently obtained with a potential risk of harm to the public.
 - The serious impact on the reputation of the profession.
 - No evidence of insight shown into the impact on the profession and public of such conduct.
 - No evidence of any remorse.
55. The only mitigating factor the Committee identified was:
- A previous good character with no disciplinary record.
56. Given the Committee's view of the seriousness of the misconduct, it was satisfied that the sanctions of No Further Action, Admonishment, Reprimand

and Severe Reprimand were insufficient to highlight to the profession and the public the gravity of the proven misconduct. In considering a Severe Reprimand, the Committee noted that a majority of the factors listed in the guidance were not present. It also considered the factors listed at C5 of the Guidance that may justify exclusion. The Committee noted that among other factors, dishonesty and an abuse of trust were present here. Any sanction which would allow a dishonest member who had achieved membership fraudulently to remain a member would fail to protect the public. Miss Fan had in addition failed to co-operate with her regulator, which was a fundamental obligation on any professional.

57. The Committee reminded itself that it was dealing with a case of dishonesty. It had specific regard to Section E2 of the Guidance in relation to dishonesty and was mindful of the case law to the effect that dishonesty lies at the top of the spectrum of misconduct. The Committee was satisfied that her dishonest behaviour was fundamentally incompatible with Miss Fan remaining on the register of ACCA and considered that the only appropriate and proportionate sanction was that she be excluded from membership.

COSTS AND REASONS

58. ACCA claimed costs of £6,915 and provided a detailed schedule of costs. The Committee noted Miss Fan has not provided any statement of means. The Committee decided that it was appropriate to award costs to ACCA in this case and considered that the sum claimed by them was a reasonable one in relation to the work undertaken but made a reduction as the hearing lasted less time than anticipated. Accordingly, the Committee concluded that the sum of £6,135 was appropriate and proportionate. It ordered that Miss Fan pay ACCA's costs in the amount of £6,135.

EFFECTIVE DATE OF ORDER

59. The Committee was satisfied that, given the seriousness of the conduct and that membership had been fraudulently obtained that there was a potential risk to the public and profession. Therefore, an immediate order was in the interests of the public in the circumstances of this case.

**Dr Mike Kelly
Chair
5 March 2026**