

HEARING**DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF
CHARTERED CERTIFIED ACCOUNTANTS****REASONS FOR DECISION**

In the matter of: Mr Fred Chisoko

Heard on: Tuesday, 17 March 2026 and Thursday 14 May 2026

Location: Remotely via Microsoft Teams

Committee: Ms Melissa D'Mello (Chair)
Ms Ruby Devit (Accountant)
Dr Jackie Alexander (Lay)

Legal Adviser: Ms Helen Gower

**Persons present
and capacity:** Ms Joanna La Roche (ACCA Case Presenter)
Ms Anna Packowska (Hearings Officer)

Summary In case reference UF8411760 allegations 1a)-1d), 2, 4, 5i) found proved; in case reference UF9963212 allegations 1, 2, 3a), 4 and 5a) found proved.
Removed from the register with immediate effect
Mr Chisoko to pay a fine to ACCA in the sum of £50,000.00.

Costs: £10,327.50 awarded to ACCA.

PRELIMINARY APPLICATIONS

1. The Committee convened to consider two sets of allegations against Mr Chisoko case reference UF9963212 and case reference UF8411760 which had been joined following the order of a Chair sitting alone at a Case Management Meeting (CMM) on 22 October 2025.
2. The Committee had considered the following documents: a Disciplinary Committee Report and Bundle in case reference UF8411760 pages 1-110, an uncompleted Case Management Form in case reference UF8411760 pages 1-15, a Disciplinary Committee Report and Bundle in case reference UF9963212 pages 1-141, an uncompleted Case Management Form in case reference UF9963212 pages 1-12, a supplementary bundle pages 1-310, a post CMM email bundle pages 1-4, a Service Bundle pages 1-17, and a Correspondence Bundle p 1-8.

SERVICE OF PAPERS – 17 MARCH 2026

3. The Committee first considered whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations (“the Regulations”). The Committee took into account the submissions made by Ms La Roche on behalf of ACCA.
4. The service bundle included a copy of the Notice of Hearing dated 17 February 2026, thereby satisfying the 28-day notice requirement which had been sent to Mr Chisoko’s email address as it appears in the ACCA register. The Notice included details about the time, date and remote venue for the hearing and also Mr Chisoko’s right to attend the hearing, by telephone or video link, and to be represented, if he so wished. In addition, the Notice provided details about applying for an adjournment and the Committee’s power to proceed in the Registrant’s absence, if considered appropriate.
5. The Committee was satisfied that the Notice had been served in accordance with the Regulations, which require ACCA to prove that the documents were sent, not that they were received.

PROCEEDING IN ABSENCE – 17 MARCH 2026

6. Mr Chisoko did not attend the hearing, nor did he provide any reasons beforehand for failing to attend. On behalf of ACCA, Ms La Roche made an application for the hearing to proceed in Mr Chisoko's absence.
7. The Committee accepted the advice of the Legal Adviser. The Committee bore in mind that although it had a discretion to proceed in the absence of Mr Chisoko, it should exercise that discretion with the utmost care and caution.
8. Mr Chisoko's engagement with ACCA had been sporadic and there had been no engagement in relation to the Notice of Hearing. He had not completed the Case Management Forms for case reference UF9963212 and case reference UF8411760. He had not responded to e-mails from ACCA's Hearing Team dated 13 March 2026 and 16 March 2026, or to the Hearings Officer's attempt to telephone him on two occasions on 16 March 2026.
9. Having considered the circumstances of Mr Chisoko's absence, the Committee was satisfied that he had voluntarily absented himself and had waived his right to participate in the hearing. The Committee considered that an adjournment would be unlikely to secure his attendance at a subsequent hearing. Given that the allegations against Mr Chisoko were serious, the Committee had regard to the public interest in concluding the case expeditiously.
10. The Committee concluded that it would be fair and proportionate to accede to ACCA's application to proceed in Mr Chisoko's absence.

PROCEEDING IN ABSENCE – 14 MAY 2026

11. The Committee was satisfied that Mr Chisoko had been provided with sufficient notice of the details of the reconvened hearing. The correspondence bundle included a Notice of Hearing dated 16 April 2026 which included details about the time, date and remote venue for the reconvened hearing.
12. On behalf of ACCA, Ms La Roche made an application for the reconvened hearing to proceed in Mr Chisoko's absence.

13. The Committee accepted the advice of the Legal Adviser. The Committee bore in mind that although it had a discretion to proceed in the absence of Mr Chisoko, it should exercise that discretion with the utmost care and caution.
14. Mr Chisoko had not responded to e-mails from ACCA's Hearing Team dated 16 April 2026, 13 May 2026, or to the Hearings Officer's attempts to telephone him on 13 May 2026.
15. The Committee noted that there had been no change in the circumstances since the hearing on 17 March 2026. The Committee was satisfied that Mr Chisoko had voluntarily absented himself and had waived his right to participate in the hearing. The Committee considered that an adjournment would be unlikely to secure his attendance at a subsequent hearing. The Committee had regard to the public interest in concluding the case expeditiously and concluded that it would be fair and proportionate to accede to ACCA's application to proceed in Mr Chisoko's absence.

ALLEGATIONS

Allegations in respect of case UF8411760

1. Mr Fred Chisoko, a member of ACCA:
 - a. Between 21 April 2020 and 21 September 2020 submitted or caused to be submitted to HMRC payroll records representing that Company A had up to fifteen employees when it did not.
 - b. From 21 April 2020 to 24 July 2020 claimed or caused to be claimed on behalf of Company A £222,621.14 in Coronavirus Job Retention Scheme (CJRS) credits, for which it was not eligible.
 - c. From 31 July 2020 to 21 September 2020 attempted to claim or caused to be attempted to be claimed on behalf of Company A £26,445.24 in CJRS credits for which it was not eligible.

d. From 12 July 2021 onwards caused Company A to fail to repay HMRC a total of £176,078.63 owed in respect of CJRS credits claimed by Company A.

2. In respect of any or all of the conduct referred to in allegation 1, Mr Chisoko was dishonest in order to obtain CJRS credits during the Coronavirus Pandemic and attempting to obtain further CJRS credits.

3. In the alternative Mr Chisoko has failed to demonstrate integrity.

4. Mr Chisoko failed to co-operate fully with ACCA in the investigation of a complaint in that he failed to provide any or all of the information requested by an investigation officer in the correspondence dated below, contrary to Paragraph 3(1) of the Complaints and Disciplinary Regulations 2014 (as amended).

(i) 8 March 2023

(ii) 16 March 2023

(iii) 22 March 2023

(iv) 28 March 2023

5. By reason of his conduct, Mr Chisoko is:

(i) Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of any or all of the matters set out at 1 to 4 above, or

(ii) Liable to disciplinary action pursuant to bye-law 8(a)(iii) in the alternative in respect of allegation 4 above.

Allegations in respect of case UF9963212

1. On or around 22 November 2022 and/or 10 January 2023 and/or 31 January 2023 submitted or caused to be submitted inconsistent tax returns and/or associated research and development (R&D) reports for Company B to HMRC.

2. Between about 31 March 2021 and about 31 March 2022 submitted or caused to be submitted inconsistent and/or duplicated research and development (R&D) reports to HMRC for about 17 different companies.
3. In relation to any or all of the allegations set out in paragraph 1 and/or 2 above:
 - (a) Mr Chisoko was dishonest in that the aforesaid submissions to HMRC or any of them, were, as he knew, untrue or otherwise inaccurate, or in the alternative:
 - (b) Mr Chisoko failed to act with integrity.
4. Contrary to Paragraph 3(1) of the Complaints and Disciplinary Regulations 2014 failed to co-operate fully with the investigation of a complaint in that he failed to respond to any or all of ACCA's correspondence.
5. By reason of any or all of the above, Mr Chisoko is:
 - a. Guilty of misconduct pursuant to bye-law 8(1)(a)(i); or in the alternative:
 - b. Liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of allegation 4.

BRIEF BACKGROUND

Allegations in respect of case UF8411760

16. Company A was incorporated on 20 May 2015 changing its name to Company B on 18 May 2022.
17. According to Companies House records, Mr Chisoko was a director of Company A/Company B from 20 May 2015 to 1 November 2020, 1 March 2021 to 25 March 2021, and has been a director again since 30 March 2021.

18. Mr Chisoko has been a member of ACCA since 1999 and was a Sole Practitioner at Company A.
19. Mr Chisoko promoted his directorship of Company A on his LinkedIn profile, describing himself as an “Experienced Chartered Accountant and Tax Advisor”, and his membership of ACCA.
20. Company A’s accounts to 31 May 2019 were submitted to HMRC on 21 April 2020 showing that it had a turnover of nil.
21. Company A’s accounts to 31 May 2020 were submitted to HMRC on 23 August 2021 showing that it had a turnover of £11,150.
22. Payroll records for Company A submitted to HMRC for February 2020 detailed that it had only two paid employees, Mr Chisoko and A N Other (a close family member).
23. The Coronavirus Job Retention Scheme (CJRS) was first announced by the British government on 20 March 2020 and applied from 1 March 2020. Any entity with a UK payroll could claim, so long as they met the conditions of the scheme. All qualifying employees that were placed on furlough could be claimed for as long as they had been reported to HMRC before the initial deadline of 28 February 2020, later updated to 19 March 2020.
24. Payroll records for Company A claimed a total of £222,621.14 in CJRS credits for between 2 and 15 employees, which were all paid by HMRC.
25. On 31 July 2020 HMRC refused one of Mr Chisoko’s CJRS claims.
26. On 31 July 2020 Mr Chisoko contacted HMRC to chase up a CJRS refund and said that he had been advised by his accountant to repay earlier overclaimed CJRS credits.
27. On 11 August 2020 Mr Chisoko contacted HMRC again to chase a refund and said that he had written to HMRC about his overclaims on 5 July 2020 but

needed to do further calculations. HMRC could find no trace of Mr Chisoko's letter.

28. On 18 August 2020 Mr Chisoko telephoned HMRC to disclose that he had overclaimed £46,542.51 since the start of the CJRS scheme and wished to pay this back.
29. On 18 August 2020 HMRC raised a charge in the amount of £46,542.51.
30. Between August and September 2020, Company A submitted further claims for £26,445 which were refused by HMRC.
31. On 5 November 2020 HMRC opened a check into CJRS claims made by Mr Chisoko in relation to Company A requesting information and documents from Mr Chisoko.
32. On 20 January 2021, Company A wrote to HMRC asking why Furlough payments had been stopped.
33. On 5 February 2021, HMRC sent Company A a formal notice to provide the information and documents that had been requested on 5 November 2020.
34. On 4 May 2021 HMRC issued a letter to Company A stating that if the outstanding information was not provided by 1 July 2021, an assessment in the amount of £176,078.63 would be raised representing the total claim made by Company A less the amount already disclosed as overpaid.
35. On 12 July 2021 HMRC issued CJRS assessments to Company A relating to incorrectly claimed CJRS payments in the accounting periods ended 31 May 2020 (amount £112,362.60) and 31 May 2021 (amount £63,716.03).
36. The amounts charged represent £222,621.14 CJRS claimed less online portal overpayment disclosure charge already raised of £46,542.51.
37. None of the CJRS claims made by Company A have been repaid to HMRC and no appeals have been submitted by Company A.

38. On 8 March 2023, an ACCA investigations officer wrote to Mr Chisoko in connection with HMRC's referral. The investigator requested Mr Chisoko to provide information and to do so by 22 March 2023. The investigations officer's letter was sent by means of a secure email from ACCA's Case Management System to Mr Chisoko's registered email address. A non-secure email was also sent to Mr Chisoko's registered email address to indicate that a secure e-mail had been sent to him.
39. On 16 March 2023, the investigations officer tried to contact Mr Chisoko on one of the telephone numbers he had provided to ACCA and which is retained in ACCA's database. The investigations officer received no answer from the number. The investigations officer left a message for Mr Chisoko to contact the investigations officer at his email address.
40. On 16 March 2023, the investigations officer wrote to Mr Chisoko again asking for information into his LinkedIn profile. The investigations officer's letter was sent by means of a secure email from ACCA's Case Management System to Mr Chisoko's registered email address alongside a nonsecure email to Mr Chisoko's registered email address for the same reason as above.
41. On 22 March 2023, the investigations officer wrote to Mr Chisoko enclosing copies of the investigations officer's previous letters informing Mr Chisoko that if Mr Chisoko did not respond to the investigations officer by 29 March 2023, the allegation of failing to co-operate under ACCA's Complaints and Disciplinary Regulations would also be raised against him. Again, the investigations officer's letter was sent by means of a secure email from ACCA's Case Management System to Mr Chisoko's registered email address alongside a non-secure email to Mr Chisoko's email address for the same reason as above.
42. On 28 March 2023, the investigations officer wrote to Mr Chisoko by means of an Outlook email to another email address provided by Mr Chisoko to ACCA retained in ACCA's database. An undeliverable receipt was received by the investigations officer.

43. On 30 March 2023, the investigations officer dialled up Company A's website using the address provided by Mr Chisoko to ACCA. The domain name was marked as unutilised.
44. The investigations officer has not received any response from Mr Chisoko to any of the investigations officer's letters, emails or telephone calls.
45. On 12 September 2023, a solicitor acting for Mr Chisoko wrote on his behalf requesting disclosure of recordings of contact between Mr Chisoko and HMRC. The solicitor advised that once Mr Chisoko had received the recordings, he would be in a position to reply to the questions posed in the letter dated 8 March 2023. ACCA's case progression officer contacted HMRC regarding the recordings sought.
46. In response to ACCA's request, HMRC provided additional disclosures in a letter dated 4 April 2024.
47. HMRC also made additional disclosures to ACCA in a letter dated 4 April 2024. This letter included further details and documents relating to steps taken by HMRC in civil court proceedings. The documents included a signed statement from an officer of HMRC dated 26 August 2021 which summarised HMRC's investigations and various attempts that had been made to contact Mr Chisoko to request information.
48. Mr Chisoko made a complaint relating to the civil court proceedings dated 30 November 2020 and this was considered by an HMRC Senior Investigations Officer. In a letter dated 5 January 2021 the complaint was dismissed and the Senior Investigations Officer was satisfied that there had been no impropriety on the part of the HMRC officer and that the information provided to the Court was an honest and accurate account of the facts.
49. Mr Chisoko was represented by his solicitor at a Case Management Hearing on 11 July 2024. At this hearing Mr Chisoko's solicitor confirmed that audio recordings of the phone conversations between Mr Chisoko and HMRC were central to Mr Chisoko's defence to the allegations. The Chair concluded that

both parties should endeavour to obtain the audio recordings. These enquiries were duly made by both parties.

50. On 3 April 2025 Mr Chisoko provided information relating to his health. ACCA responded to this information on 9 April 2025 inviting Mr Chisoko to submit further information from his GP or permit ACCA to contact his GP. Mr Chisoko did not reply to this e-mail or to a follow up email dated 28 May 2025.

Allegations in respect of case UF9963212

51. Mr Chisoko became a member of ACCA on 15 March 1999 and a fellow of ACCA on 15 March 2004.
52. Company B (previously known as Company A) was incorporated on 20 May 2015 with Mr Chisoko appointed as director from 20 May 2015 to 1 November 2020, 1 March 2021 to 25 March 2021, and 30 March 2021 to date.
53. On 11 June 2024 ACCA received a disclosure from HMRC concerning Mr Chisoko and Company B. The complaint stated that:

On 23 August 2021, [Company B] submitted a company tax return for accounting period ending (“APE”) 31 May 2020 with turnover of £11,150. HMRC received 3 versions of Company B’s company tax return for APE 31 May 2021, with an associated revised version of a research and development (R&D) report for the same period. HMRC noted that turnover varied significantly between each submission, as outlined below:

CT Return Version	CT Return Received	Turnover on CT Return	Turnover in R&D report	R&D Expenditure	R&D Claim	R&D Tax Credit Claimed on return	Page references
1	22/11/2022	-	£4,853,128	£607,253	£1,396,682	£114,467	28 / 34
2	10/01/2023	£4,043,311	£4,043,311	£607,253	£1,396,682	£0	48 / 51
3	31/01/2023	£1,043,311	£1,043,311	£607,253	£1,396,682	£124,132	53 / 60

54. Mr Chisoko contacted HMRC on 23 January 2023 and 10 February 2023 to chase the progress of the R&D tax credit claim.

55. On 14 February 2023, HMRC wrote to Company B to advise that an enquiry had been opened into the latest amended Company Tax Return for accounting period ending 31 May 2021. The accompanying schedule listed documents and information required in respect of the R&D claim.
56. On 16 March 2023, HMRC issued a formal information notice to Company B following their failure to respond to the opening letter.
57. On 20 April 2023, HMRC issued an initial penalty of £300 to Company B and warned them that daily penalties would be charged if no response was received.
58. On 24 July 2023, HMRC issued a daily penalty notice to Company B.
59. On 4 September 2023, HMRC wrote to Company B to advise that if they failed to provide information requested in support of the R&D claim by 25 September 2023, the claim would be disallowed.
60. On 28 September 2023, HMRC issued Company B with a partial closure notice, confirming that the company's claim for R&D tax relief had been disallowed in its entirety due to the failure to provide any evidence in support of the claim. The tax return was amended to reduce the additional deduction figure from £789,429 to nil, reduce the loss claimed from £856,087 to £66,658 and remove the £124,132.61 tax credit claimed.
61. On 29 September 2023 and 9 January 2024, HMRC issued an explanation of the careless inaccuracy penalty of £37,239.60 that they intended to charge. HMRC gave the company an opportunity to provide further information if they did not agree with the penalty.
62. On 2 May 2024, due to an administrative oversight HMRC issued a duplicate penalty explanation letter.
63. On 3 June 2024 HMRC issued a penalty assessment to Company B in the sum of £37,239.78.

64. HMRC confirmed that as of 11 June 2024 the penalty remains outstanding.

65. The HMRC letter dated 11 June 2024 detailed a further complaint stating that:

[Company B] have submitted multiple, identical, and unsubstantiated claims for a number of clients. A commonality with the [Company B] claim was noted that there was a dramatic increase in turnover in the year of the claim.

66. HMRC produced a schedule detailing claims submitted by Company B for 17 unconnected client companies where HMRC have opened enquiries. HMRC report that 3 versions of an R&D report were used to claim R&D relief in all 17 companies and for Company B's own claim. The total R&D credits claimed totalled £1,850,053.51. HMRC noted that:

- 3 companies had submitted identical R&D reports to the report submitted by Company B in their own claim.
- 9 companies had an identical R&D report and matching qualifying figures, despite having different business natures recorded on Companies House.
- 3 companies had identical R&D reports despite each having a different business nature recorded on Companies House ranging from hairdressing to agents involved in the sale of food, beverages and tobacco.
- 10 companies had turnovers of between £935,000 to £1,375,195 in the year of the R&D claim despite having £0 turnover in the preceding year.
- HMRC disallowed the R&D claims made by all 17 clients in their entirety, and charged penalties in all cases, following failures by both the client and Company B in providing any response or supporting evidence for the claims. All but one enquiry resulted in the company being charged initial and daily penalties due to failures in responding to information notices.

67. On 22 July 2024 an ACCA Senior Investigations Officer wrote to Mr Chisoko referring to the complaint from HMRC and setting out questions for Mr Chisoko's response.
68. Mr Chisoko responded on 22 July 2024 stating that "*I cannot comment/respond to these allegations because there is an ongoing matter involving the same complainant...*"
69. On 6 August 2024 an ACCA Senior Investigations Officer wrote to Mr Chisoko confirming that a response to ACCA's letter of 22 July was required despite potential other matters.
70. As no response was received from Mr Chisoko, an ACCA Senior Investigations Officer wrote again on 4 September 2024 requiring a response by 11 September 2024. No response was received.
71. On 19 November 2024 a copy of the Assessor report was sent to Mr Chisoko for comment, but no response was received.

DECISION ON FACTS AND REASONS

Allegations in respect of case UF8411760

72. The Committee considered all the evidence before it. The documents before the Committee included a disclosure from the HMRC dated 6 October 2022 which summarised the outcome of HMRC's investigation into Mr Chisoko's CJRS claims. The Committee gave weight to the information provided by HMRC because it was a reliable, official government source, and was supported by the contemporaneous documents provided by HMRC.
73. The Committee noted that the signed statement of the HMRC officer in the civil proceedings dated 26 August 2021 is hearsay evidence but decided that it was fair to admit it, as it was consistent with other evidence before the Committee and was not the sole or decisive evidence. Mr Chisoko had suggested that the investigations officer had not carried out his investigation impartially, but this complaint had been investigated by an HMRC Senior Investigation Officer who

concluded that there had been no impropriety on the part of the HMRC officer. The documentation before the Committee had been sent to Mr Chisoko on 17 February 2026 and he had not objected to the inclusion of the investigator's statement within the evidence before the Committee.

74. The Committee was satisfied that Mr Chisoko was responsible for submitting or authorising the CJRS claims made by Company A. He was the sole practitioner of Company A and there were multiple examples of his communication with HMRC in relation to Company A's CJRS claims, including a log of telephone calls.

Allegation 1 - proved

a) Between 21 April 2020 and 21 September 2020 submitted or caused to be submitted to HMRC payroll records representing that Company A had up to fifteen employees when it did not.

75. The documents before the Committee included the HMRC disclosure letter together with supporting documents which included a schedule setting out the CJRS claims made by Company A. The schedule recorded claims for CJRS credits for thirteen employees on 5 May 2020, fifteen employees on 28 May 2020, five employees on 1 June 2020, five employees on 15 June 2020, fifteen employees on dates between 1 July 2020 and 7 August 2020, and six employees on 21 September 2020. The Committee was satisfied that Mr Chisoko submitted or caused to be submitted payroll records representing that Company A had up to fifteen employees between 21 April 2020 and 21 September 2020.
76. The payroll records for Company A for February 2020 detailed that Company A had two employees, one of whom was Mr Chisoko. The turnover for Company A for the year ending 31 May 2020 was £11,150 and for the previous year was nil. On 8 March 2023, Mr Chisoko was asked by ACCA to explain how Company A increased its total number of employees from two to fifteen at the time of the national lockdown because of the Coronavirus. To date, he has provided no response. The Committee found that it was inherently improbable that Company A engaged thirteen additional employees in the period April to

September 2020 and it concluded that Company A did not have up to fifteen employees during this period of time.

77. Accordingly, the Committee found Allegation 1a) proved.

b) From 21 April 2020 to 24 July 2020 claimed or caused to be claimed on behalf of Company A £222,621.14 in Coronavirus Job Retention Scheme (CJRS) credits, for which it was not eligible.

78. The Committee had regard to the HMRC disclosure letter dated 6 October 2022 and the supporting documents, which included the schedule of CJRS payments. The Committee was satisfied that Mr Chisoko claimed or caused to be claimed £222,621.14 in CJRS credits on behalf of Company A. Company A was not eligible for those credits because it did not have up to fifteen employees between 21 April 2020 to 24 July 2020.

79. The Committee therefore found Allegation 1b) proved.

c) From 31 July 2020 to 21 September 2020 attempted to claim or caused to be attempted to be claimed on behalf of Company A £26,445.24 in CJRS credits for which it was not eligible.

80. The Committee had regard to the HMRC disclosure letter dated 6 October 2022 and the supporting documents, which included the schedule of CJRS payments. The Committee was satisfied that Mr Chisoko claimed £26,445.24 on behalf of Company A. Mr Chisoko contacted HMRC by telephone to enquire about these claims when they were refused by HMRC. Company A was not eligible for these CJRS payments because it did not have up to fifteen employees between 31 July 2020 and 21 September 2020.

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

d) From 12 July 2021 onwards caused Company A to fail to repay HMRC a total of £176,078.63 owed in respect of CJRS credits claimed by Company A.

82. The Committee was satisfied that £176,078.63 was outstanding in respect of CJRS credits. The documents before the Committee included a letter from the HMRC Covid Schemes Compliance Officer dated 18 June 2021 summarising that the total of £176,078.63 was outstanding. As the director of Company A, Mr Chisoko was responsible for ensuring that the repayment was made to HMRC for any sums to which Company A was not entitled.

83. The Committee therefore found Allegation 1d) proved.

Allegation 2 – proved

In respect of any or all of the conduct referred to in allegation 1, Mr Chisoko was dishonest in order to obtain CJRS credits during the Coronavirus Pandemic and attempting to obtain further CJRS credits.

84. In considering the allegation of dishonesty, the Committee noted that following the Supreme Court decision in *Ivey v Genting Casinos* UKSC 67 in applying the test for dishonesty the Committee first had to determine Mr Chisoko's actual knowledge or belief as to the facts and then determine whether his acts or omissions were, on the balance of probabilities, dishonest by the standards of ordinary decent people.

85. Mr Chisoko has not provided an explanation or any response to the questions raised either by HMRC or by ACCA. The Committee was satisfied that as the sole practitioner of Company A, Mr Chisoko knew the number of employees employed by Company A and knew that incorrect CJRS claims had been submitted on behalf of Company A. HMRC records show that Mr Chisoko called HMRC on 31 July 2020 and during the call he said that he had been advised by his accountant to repay overclaimed CJRS credits. The Committee was satisfied that Mr Chisoko knew the details of the claims made and whether they had been paid because he contacted HMRC to chase CJRS refunds.

86. The Committee was satisfied that the CJRS claims made by Mr Chisoko on behalf of Company A could not be explained by a mistake or an inadvertent error. Incorrect claims were made repeatedly and Mr Chisoko continued to submit incorrect claims after he had contacted HMRC on 31 July 2020 to state

that an overclaim had been made. As detailed in the statement of the HMRC investigator in the civil proceedings, the tracing of bank accounts identified that CJRS payments made by HMRC could not be matched with payments to “employees” of Company A and sums appeared to have been paid to Mr Chisoko personally.

87. The Committee was satisfied that Mr Chisoko knew that the CJRS claims as referred to in Allegation 1a) and 1c) were incorrect and that as a result Company A had claimed £222,621.14 in CJRS credits, for which it was not eligible (Allegation 1b). Mr Chisoko also knew that £176,078.63 was outstanding and he did not believe that Company A was entitled to retain this sum (Allegation 1d). The Committee determined that Mr Chisoko intended to submit false CJRS claims as detailed in Allegation 1a), b) and c) and that he intentionally did not pay the outstanding £176,078.63 owed by Company A to HMRC.
88. The Committee concluded that Mr Chisoko’s conduct in Allegations 1a), b), c) and d) was dishonest as judged by the standards of an ordinary decent person.
89. Accordingly, the Committee found Allegation 2 proved.
90. It was not necessary for the Committee to consider Allegation 3 as it was alleged in the alternative.

Allegation 4 - proved

Mr Chisoko failed to co-operate fully with ACCA in the investigation of a complaint in that he failed to provide any or all of the information requested by an investigation officer in the correspondence dated below, contrary to Paragraph 3(1) of the Complaints and Disciplinary Regulations 2014 (as amended).

- (i) 8 March 2023
- (ii) 16 March 2023
- (iii) 22 March 2023
- (iv) 28 March 2023

91. The Committee was satisfied on the evidence before it that ACCA had written to Mr Chisoko on four occasions, being 8 March 2023, 16 March 2023, 22 March 2023, and 28 March 2023, asking him to respond to the concern and to answer a number of questions. The Committee was also satisfied that each of the emails had been successfully delivered to Mr Chisoko's email address. On each occasion Mr Chisoko had been reminded by ACCA of his duty to co-operate with the investigation in accordance with Regulation 3(1) of the Regulations. Mr Chisoko, however, had not responded to any of the emails. The Committee was satisfied that Mr Chisoko was aware of ACCA's investigation. His solicitor had acknowledged on 12 September 2023 that Mr Chisoko had not responded to the important questions in the e-mail dated 8 March 2023 and had stated that Mr Chisoko would be in a position to respond when he received further information from HMRC. No response has been received to date.
92. The Committee therefore found Allegation 4(i), (ii), (iii) and (iv) proved, in that Mr Chisoko had not responded to any of ACCA's correspondence, as detailed above.

Allegation 5i) – misconduct found

93. The Committee considered the context and surrounding circumstances relating to Mr Chisoko's conduct and dishonesty. The Committee considered that Mr Chisoko was an experienced accountant and that his conduct and dishonest behaviour was egregious. It took place over a sustained period of time and involved obtaining large sums of public money by deception.
94. The Committee had regard to the partial definition of misconduct in bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Mr Chisoko's actions brought discredit on him, the Association and the accountancy profession. It was satisfied that dishonestly making false CJRS claims and failing to repay overpayments received reached the threshold of seriousness for misconduct. The requirement of being honest and trustworthy is a fundamental tenet of the accountancy profession. Therefore, the Committee was satisfied that Mr Chisoko's conduct had reached the threshold for misconduct.

95. Further, the Committee was satisfied that Mr Chisoko's duty to co-operate with his 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 partial definition of misconduct in bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Mr Chisoko's failure to co-operate with ACCA brought discredit on him, the Association and the accountancy profession, and that it was sufficiently serious to amount to misconduct.
96. In the light of its judgment on misconduct, no finding was needed upon liability to disciplinary action.

Allegations in respect of case UF9963212

97. The Committee considered all the evidence before it. The documents before the Committee included a disclosure from the HMRC dated 11 June 2024 which summarised the outcome of HMRC's investigation into the inconsistent and/or duplicate R&D reports. The Committee gave weight to the information provided by HMRC because it was supported by the contemporaneous documents provided by HMRC. It was also consistent with the signed statement of the HMRC officer in the civil proceedings dated 26 August 2021.

Allegation 1 – proved

On or around 22 November 2022 and/or 10 January 2023 and/or 31 January 2023 submitted or caused to be submitted inconsistent tax returns and/or associated research and development (R&D) reports for Company B to HMRC.

98. The Committee was satisfied that Mr Chisoko, as the director of Company A and the individual who was engaging with HMRC, was responsible for submitting or causing the submissions of the tax returns and R&D reports for Company B.
99. The Committee was also satisfied that Mr Chisoko submitted or caused to be submitted three different tax returns and R&D reports for Company B for APE 31 May 2021, as set out in the schedule at paragraph 48 above.

100. Accordingly, the Committee found Allegation 1 proved.

Allegation 2 – proved

Between about 31 March 2021 and about 31 March 2022 submitted or caused to be submitted inconsistent and/or duplicated research and development (R&D) reports to HMRC for about 17 different companies.

101. The Committee was satisfied that the R&D reports for 17 different companies were submitted by Company B Mr Chisoko, as the director of Company B, was responsible either for submitting the R&D reports himself or for authorising and approving their submission.
102. The documents before the Committee included a table analysing the R&D reports submitted by Mr Chisoko. That table identified that three different R&D reports, A, B and C, were duplicated so that several of the 17 companies submitted identical R&D reports. The total claim for the 17 companies was £1,850,053.61. The Committee was also provided with copies of the R&D claims submitted to HMRC.
103. The Committee was satisfied that the R&D reports submitted for the 17 companies were duplicated.
104. The Committee was also satisfied that the R&D reports submitted for the 17 companies were inconsistent for the reasons identified by HMRC. In particular:
- 3 companies had submitted identical R&D relief claims to the report submitted by Company B
 - 9 companies had an identical R&D report and matching qualifying expenditure figures, despite having different business natures recorded on Companies House
 - 3 companies had identical R&D reports despite having different business natures on Companies House ranging from hairdressing to agents involved in the sale of food, beverages & tobacco

- 10 companies had turnovers of between £935,000 to £1,375,195 in the year of the R&D claim, despite having £0 turnover in the preceding year.

105. The Committee therefore found Allegation 2 proved.

Allegation 3a) found proved

a) Mr Chisoko was dishonest in that the aforesaid submissions to HMRC or any of them, were, as he knew, untrue or otherwise inaccurate

106. In relation to allegation 3(a) the Committee applied the test for dishonesty as set out by the Supreme Court in the case of *Ivey v Genting Casinos* [2017] UKSC 67.

107. The Committee was satisfied that Mr Chisoko knew that the R&D claim for Company B had been submitted. He contacted HMRC on 23 January 2023 and 10 February 2023 to chase the progress of the claim. The Committee was also satisfied that Mr Chisoko knew that the R&D claims in Allegation 2 had been submitted.

108. The Committee noted that Mr Chisoko has not provided HMRC with satisfactory information to support the R&D claims in Allegation 1 or Allegation 2. Mr Chisoko had the opportunities to provide information to avoid or limit the HMRC penalties charged on Company B and the majority of the 17 companies, but he did not do so.

109. In the absence of information to support the R&D claims, the Committee inferred that there was no basis for those claims and that Mr Chisoko knew that there was no basis for them. The Committee was satisfied that Mr Chisoko did not believe that the R&D claims detailed in Allegation 1 and Allegation 2 were valid. If he had believed they were valid claims he would have provided the supporting documentation to HMRC.

110. It was Mr Chisoko's responsibility as an accountant to provide accurate data to HMRC, especially when seeking reimbursement of substantial sums of money.

The Committee had no hesitation in concluding that Mr Chisoko's conduct would be regarded as dishonest by an ordinary decent person.

111. The Committee did not need to consider Allegation 3b) which was pleaded in the alternative to Allegation 3a).

Allegation 4 - proved

Contrary to Paragraph 3(1) of the Complaints and Disciplinary Regulations 2014 failed to co-operate fully with the investigation of a complaint in that he failed to respond to any or all of ACCA's correspondence.

112. The Committee was satisfied on the evidence before it that ACCA had written to Mr Chisoko on 22 July 2024 asking him to respond to the concern and to answer a number of questions. Mr Chisoko acknowledged receipt of this e-mail on 5 August 2024, but stated that he was unable to respond because of an ongoing matter. The Committee was also satisfied that ACCA had written to Mr Chisoko on 6 August 2024 advising him that the allegations were separate to those already under investigation and that a response was required. A further follow up e-mail was sent by ACCA on 4 September 2024. In each e-mail Mr Chisoko had been reminded by ACCA of his duty to co-operate with the investigation in accordance with Regulation 3(1) of the Regulations. Other than his brief reply on 5 August 2024, Mr Chisoko had not responded to ACCA's correspondence.
113. The Committee was satisfied that Mr Chisoko was aware of ACCA's investigation and ACCA's questions contained in the e-mail dated 22 July 2024. Mr Chisoko's limited response on 5 August 2024 did not engage with any of those questions and was a failure to fully co-operate under Regulation 3(1).
114. The Committee therefore found Allegation 4 proved in that Mr Chisoko had not responded to all of ACCA's correspondence, and his limited response on 5 August 2024 was a failure to fully co-operate under Regulation 3(1).

Allegation 5a) – misconduct found

115. The Committee considered the context and surrounding circumstances relating to Mr Chisoko's conduct and dishonesty. The Committee considered that Mr Chisoko was an experienced accountant and that his dishonest behaviour was egregious. It involved dishonest conduct over a period of time and making a large number of R&D claims that he knew were untrue and which involved large sums of public money.
116. The Committee had regard to the partial definition of misconduct in bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Mr Chisoko's actions brought discredit on him, the Association and the accountancy profession. It was satisfied that dishonestly making false R&D claims on behalf of Company B and 17 other companies reached the threshold of seriousness for misconduct. The requirement of being honest and trustworthy is a fundamental tenet of the accountancy profession. Therefore, the Committee was satisfied that Mr Chisoko's conduct had reached the threshold for misconduct.
117. Further, the Committee was satisfied that Mr Chisoko's duty to co-operate with his 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 partial definition of misconduct in bye-law 8(c) and the assistance provided by the case law on misconduct. It was satisfied that Mr Chisoko's failure to co-operate with ACCA brought discredit on him, the Association and the accountancy profession, and that it was sufficiently serious to amount to misconduct.
118. In the light of its judgment on misconduct, no finding was needed upon liability to disciplinary action.

SANCTION AND REASONS

119. The Committee accepted the advice of the Legal Adviser. It 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.

120. There was no evidence before the Committee that Mr Chisoko has any remorse for or insight into the seriousness of his dishonest conduct or his failure to co-operate fully with his Regulator's investigations. There was no evidence before the Committee that Mr Chisoko has taken any steps to engage with HMRC or to repay the outstanding monies. Mr Chisoko had not expressed any regret or acknowledged the impact of his dishonesty on public confidence in himself or the profession.
121. The Committee identified one mitigating factor that Mr Chisoko had no previous disciplinary record.
122. The Committee identified the following aggravating factors:
 - the adverse impact of Mr Chisoko's conduct which involved very large sums of public money (dishonest CJRS claims in respect of which the sum of £176,018.00 remains payable to HMRC, and dishonest R & D claims for £1,850,053.51);
 - Mr Chisoko's conduct was for personal gain;
 - A pattern of misconduct which took place over a period of approximately three years;
 - pre-meditation and pre-planning;
 - the conduct involved a breach of the trust placed in Mr Chisoko by HMRC;
 - Mr Chisoko's failure to fully co-operate with HMRC in failing to provide information as requested and questioning the integrity of their investigation.
123. The Committee considered that the conduct in this case was very serious. In dishonestly making false claims for CJRS payments and failing to make the

repayment of the overpayment, Mr Chisoko took advantage of the public purse in multiple ways; moreover, the CJRS fraudulent claims were made at a time of a national emergency. The evidence before the Committee indicated that he had no compunction in doing so.

124. In considering the seriousness of the dishonesty involving the CJRS claims the Committee also noted the context of the CJRS arrangements, as outlined in the signed statement of the HMRC officer in the civil proceedings dated 26 August 2021 at paragraph 41:

- “1. Through his companyMr Chisoko claimed £222,621.14 in Coronavirus Job Retention Scheme credits for 16 employees, having reported just two employees prior to the pandemic.*
- 2. Five of these claimed employees are members of (Mr) Chisoko’s immediate family, and four others were recorded as living with them in his house.*
- 3. Five of the claimed employees in fact appear to live outside of the UK entirely.*
- 4. None of the employees have PAYE tax records that match these JRS claims.*
- 5. the company appears to have remained dormant since its inception and told HMRC it had ceased trading altogether four months before its JRS claims ceased.*
- 6. The payments from HMRC were received into (Mr) Chisoko’s personal accounts and have not been passed on as salary or furlough payments to the staff named.*
- 7. Mr Chisoko has admitted that at least some of his JRS claims were incorrect but has not responded to any of HMRC’s requests for further information.”*

125. The dishonesty involving the R&D claims involved the larger sum of £1,850,053.51. Although this attempted fraud was identified by HMRC before the claims were paid, there was the potential for a very significant loss to the public purse. The Committee had no hesitation in concluding that Mr Chisoko’s dishonest conduct in respect of the R&D claims fell at the top end of the spectrum of seriousness for dishonest conduct.

126. Mr Chisoko’s failure to co-operate with ACCA was also very serious. He had not provided a substantive response to ACCA’s questions in either case and there was no explanation for his failure to comply with his obligation to fully co-

operate with ACCA. Mr Chisoko's failure to co-operate was particularly serious, given the nature and gravity of the matters that were being investigated by ACCA.

127. Given the Committee's view of the seriousness of Mr Chisoko's conduct, it was satisfied that the sanctions of No Further Action, or an Admonishment were insufficient to highlight to the profession and the public the gravity of the proven misconduct.
128. In considering a Reprimand, the Committee noted that none of the factors listed in the guidance were present as the conduct was intentional, involved repetition of dishonest conduct, there has been significant adverse consequence, and Mr Chisoko has demonstrated no insight into his misconduct. The Committee was satisfied that in the circumstances a Reprimand was not a sufficient and proportionate sanction given the seriousness of the conduct.
129. In considering a Severe Reprimand the Committee noted that, other than Mr Chisoko's previous good record, none of the factors was present. There has been no mitigation advanced in this case which satisfied the Committee that there is no continuing risk to the public. The Committee concluded that a Severe Reprimand was not a sufficient and proportionate sanction.
130. The Committee had regard to Section E2 of the Guidance on Sanctions for Dishonesty and the seriousness of such a finding on a professional. The Committee considered the factors listed at C5 of the Guidance for removal of Mr Chisoko and was satisfied that the circumstances listed in (a) to (g) applied, and that his conduct was fundamentally incompatible with remaining on the register. The Committee was satisfied that only removal from the register was sufficient to mark the seriousness of the misconduct to the profession and the public.
131. The Committee noted a fine may be imposed in conjunction with exclusion from the register and it had regard to the guidance for fines at C6. The Committee considered that a fine was appropriate in this case to reflect the gravity of Mr Chisoko's misconduct, Mr Chisoko's financial gain, and to act as a deterrent.

132. In considering the level of a fine the Committee noted that it should reflect the gravity of the misconduct. As outlined above, the Committee identified significant aggravating features and only one mitigating feature, which carried little weight. The Committee was of the view that Mr Chisoko's misconduct was particularly egregious as it involved a significant loss to the public purse and personal gain to Mr Chisoko. The Committee also took into account that the dishonest conduct involved two different forms of dishonesty involving the public purse.
133. The Committee noted that the sum of £176,078.00 remains outstanding in respect of the CJRS claims, and that no explanation for Mr Chisoko's failure to repay this sum has been provided to HMRC or ACCA.
134. Mr Chisoko did not appear before the Committee to address it on his ability to pay a fine and he did not complete a statement of means or provide the Committee with evidence as to his means. As set out within the Guidance, in the absence of evidence the Committee is entitled to assume that the member's means do not justify a reduction in the amount of the fine that would be otherwise imposed for an offence of the gravity in question.
135. The Committee took into account the Guidance that the amount of a fine should not be so punitive as to characterise the proceedings as 'criminal' rather than a determination of civil rights and obligations.
136. The Committee decided that a fine of £50,000 was appropriate and proportionate. This sum was substantially lower than the sums involved in Mr Chisoko's CJRS claims and the R&D claims, and it was also less than a third of the sum that remains outstanding to the public purse in respect of the CJRS claims. The imposition of this fine, alongside Mr Chisoko's exclusion from membership, marks the significant departure from professional standards. It also sends a clear message to Mr Chisoko and to other accountants that the dishonest behaviour in this case is entirely unacceptable for an accountant.

COSTS AND REASONS

137. ACCA claimed costs of £10,327.50 and provided detailed schedules of costs for case UF8411760 and UF9963212. The Committee considered the costs to be reasonably incurred.
138. The Committee noted that the normal position is that a member against whom an allegation has been found proved, should pay the reasonable and proportionate costs of ACCA bringing the case. This is based on the principle that the majority of members should not be required to subsidise the minority who, through their own failings, have found themselves subject to disciplinary proceedings.
139. Mr Chisoko did not provide any details of his means or provide any representations about the costs requested by ACCA. There was, therefore, no evidential basis upon which the Committee could make any reduction on this ground.
140. In light of its observations above, the Committee decided to make an order in the sum of £10,327.50.

IMMEDIATE ORDER

141. In accordance with Regulation 20(1)(b) of the Regulations, the Committee directed that it was in the interests of the public for the order to have immediate effect. Given the dishonesty displayed by Mr Chisoko and his complete disregard for professional standards, the Committee determined that if Mr Chisoko were permitted to remain on the register during an appeal period it could risk harm to members of the public and the public interest.

ORDER

142. The Committee ordered as follows:
- (a). Mr Fred Chisoko shall be removed from the register with immediate effect.

(b). Mr Fred Chisoko shall pay a fine of £50,000.00 to ACCA.

(c). Mr Fred Chisoko shall pay ACCA's costs in the sum of £10,327.50.

Ms Melissa D'Mello
Chair
14 May 2026