

HEARING

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

In the matter of: Mr Arshad Ali Abro

Heard on: Friday, 29 May 2026

Location: Remotely via Microsoft Teams

Committee: Ms Sahima Qamar (Chair)
Mr Martin Ellis (Accountant)
Mr Mark Mills (Lay)

Legal Adviser: Ms Charlotte Pope-Williams

**Persons present
and capacity:** Ms Hena Patel (Case Presenter on behalf of ACCA)
Miss Nicole Boateng (Hearings Officer)

Summary Allegations 1; 2; 3(a) & (b) and 5(a) proved
Removal from the Student Register made immediate

Costs: Costs awarded to ACCA in the amount of £5,494.50

1. ACCA was represented by Ms Hena Patel. Mr Abro did not attend the hearing and he was not represented. The hearing was conducted remotely through Microsoft Teams.
2. The Committee had before it the following documents: (i) a Bundle of 55 pages (the "Main Bundle"); (ii) a 4-page Supplementary Bundle which contained clearer copies of pages 18-21 of the Main Bundle; (iii) 15-page Service Bundle

(iv) a 1-page Simple Costs Schedule and (v) a 4-page Detailed Costs Schedule (together “the bundle of documents”).

SERVICE/PROCEEDING IN ABSENCE

3. Having considered the Service Bundle and the Notice of Hearing dated 30 April 2026; the Committee was satisfied that notice of the hearing was served on Mr Abro in accordance with the Complaints and Disciplinary Regulations 2014 (amended 1 January 2025) (“CDR”).
4. The Committee next considered whether it was in the interests of justice to proceed in the absence of Mr Abro. The Committee accepted the advice of the Legal Adviser. The Committee was mindful that Mr Abro has a right to attend the hearing and to participate and that the discretion to proceed in her absence must be exercised with the utmost care and caution.
5. The Committee noted that ACCA’s Notice was sent on 30 April 2026 to the email address held for Mr Abro by ACCA, offering him the opportunity of attending via video or telephone link. On 21 May 2026 at 9:15am, the Hearings Officer contacted Mr Abro on the telephone number that he had registered with ACCA. Mr Abro answered that call and confirmed that he would be attending the hearing and did not require an interpreter.
6. On the morning of the hearing on 29 May 2026, at around 8:15am, the Hearings Officer called Mr Abro on his telephone number registered with ACCA to ask if he would be attending the hearing and he answered that call. Mr Abro informed the Hearings Officer that he would not be attending the hearing and that he was content for the hearing to proceed in his absence. He did not provide reasons for his non-attendance. The Hearings Officer tried to call Mr Abro again at around 8:20am on the same morning to try to ascertain any reasons for Mr Abro absenting himself from the hearing and to ask whether he sought an adjournment for any reason. Mr Abro did not answer that call. In circumstances where the Notice of Hearing had given a clear 8:30am start time and this would be when Mr Abro would have expected the hearing to start, the Committee accordingly started the hearing on time in case Mr Abro changed his mind and decided to attend.

7. The Committee was satisfied that all reasonable attempts have been made to secure Mr Abro attendance/participation at the hearing. The Committee observed that Mr Abro had responded to an ACCA email on at least one occasion and answered two ACCA calls about the hearing. The Committee was satisfied that Mr Abro has voluntarily waived his right to attend and did not consider that any adjournment would increase the chance of Mr Abro attending or participating further in the case. On the information before it and bearing in mind its duty to ensure the expeditious conduct of its business and the wider public interest, the Committee was satisfied that it was in the interests of justice to proceed in the absence of Mr Abro. The Committee reminded itself that his absence added nothing to ACCA's case and was not indicative of guilt.

PRELIMINARY APPLICATIONS

8. ACCA applied to amend Allegation 2 pursuant to 10(5)(a)(i) of the CDR because it contained a typographical error because the word 'permitted' had been misspelled. ACCA therefore applied to amend allegation 2 to correct that typographical error.
9. Ms Patel submitted that Mr Abro's defence would not be prejudiced by ACCA's proposed minor typographical amendment.
10. The Committee was satisfied that ACCA's amendment would not prejudice Mr Abro's defence and that the amendment would not change the material facts of the case. The Committee therefore acceded to ACCA's application to amend Allegation 2.
11. Ms Patel also highlighted that a 4-page Supplementary Bundle had been provided on the morning of the hearing with clearer copies of pages 18-21 of the Main Bundle that had previously provided to all parties including Mr Abro. The Committee was satisfied that all parties, including Mr Abro, had received copies of the short 4-page Supplementary Bundle which contained some of the same information contained in the original Main Bundle and no prejudice was caused by ACCA providing a copy of the Supplementary Bundle on the morning of the hearing.

ALLEGATIONS (as amended)

Mr Arshad Ali Abro, a student of the Association of Chartered Certified Accountants (ACCA), during a remotely invigilated Financial Management examination on 6 June 2025 ('the Exam'):

1. Was in possession of and/or used an unauthorised item, namely an electronic device with photographic and/or recording functionality, during the Exam, contrary to Exam Regulation 5(a) and/or 5(b) and thereby sought to gain an unfair advantage in the Exam and/or a future exam within the meaning of Exam Regulation 6(b) for himself and/or others.
2. That he copied, and/or permitted another to copy, ACCA exam content displayed on his screen and/or distributed such content for personal gain or any other reason, contrary to Exam Regulation 13 (as amended).
3. In respect of Allegations 1 and/or 2 Mr Abro was dishonest in that:
 - a) He sought to gain unfair advantage for himself and/or others in this or a future examination and/or:
 - b) He sought to exploit ACCA examination content for personal gain and/or other reason.
4. In the alternative, on the same facts, in respect of the conduct referred to in Allegations 1 and/or 2, Mr Abro failed to demonstrate integrity.
5. By reason of any or all of the Allegations above, Mr Abro is:
 - a) Guilty of misconduct and liable to disciplinary action pursuant to Bye-law 8(a)(i); or in the alternative:
 - b) Liable to disciplinary action by virtue of Bye-law 8(a)(iii) in respect of breaches of the exam regulations as set out in Allegations 1 and/or 2 above.

BACKGROUND

12. Mr Abro was a registered ACCA student in June 2025. He is and was therefore bound by ACCA's Bye-laws and Regulations at the material time relevant to these proceedings.

DECISION ON FACTS/ALLEGATION(S) AND REASONS

13. The Committee carefully considered all the evidence before it.
14. The Committee took into account the oral submissions made by Ms Patel, and it accepted the advice of the Legal Adviser.
15. The Committee noted that Mr Abro had voluntarily absented himself from the hearing despite previously indicating to ACCA that he would attend. The Committee observed that Mr Abro had been given an opportunity to engage with ACCA at the investigatory stage, that he had been given an opportunity to attend the hearing and that he had therefore been given the opportunity to address the allegations made by ACCA made against him. Mr Abro actively and consciously chose not to attend the hearing upon the speaking to the Hearings Officer on the morning of the hearing and stating that he would not be attending the hearing and that it should proceed in his absence.
16. The Committee also noted the written evidence Neil Smith from ACCA's Exam Production Team in respect of the allegations, and which was contained in a witness statement dated 25 November 2025.
17. The Committee kept in mind that the burden of proving the allegations rests with ACCA and that the standard of proof is the balance of probabilities.
18. The Committee was satisfied that Mr Abro that took the Exam on 6 June 2025, since he stated that he did in his email to ACCA of 16 October 2025 and he is the only student with that name on record for ACCA. Mr Abro also stated that he had fully complied with all ACCA examination guidelines and protocols in that email.

Allegation 1

19. As to Allegation 1 the Committee reflected carefully on the requirements of Exam Regulation 5(a) which prohibits, amongst other things, the use of any electronic communication device, camera, smart watch, or any other item with photographic recording or smart technology functionality including mobile phones (“unauthorised items”). Exam Regulation 5(a) goes on to provide that where an exam is being conducted remotely, mobile phones can only be used in accordance with ACCA Exam Guidelines.
20. The Committee equally considered Exam Regulation 5(b) which provides that unauthorised items must not be worn, placed on desks, in bags or personal belongings or kept anywhere on or about someone’s person or desk by the person taking the exam or someone else.
21. The Committee observed that there is no direct evidence that Mr Abro was using a recording device during the Exam. However, the Committee noted that there was an image of the Exam showing Mr Abro’s examination paper which included text showing his name. The Committee noted that there was only one person with Mr Abro’s name taking the Exam on 6 June 2026 (i.e. Mr Abro himself). The Committee was satisfied that there could be no other plausible explanation about how the image came to exist other than Mr Abro being in possession of an unauthorised item with recording and/or photography capabilities to take images of the Exam.
22. In circumstances where the Committee was satisfied that Mr Abro was in possession of an unauthorised item and used it to take images of the Exam it noted that Exam Regulation 6(b) reversed the burden of proof. In other words, Exam Regulation 6(b) provides that where a person has breached Exam Regulations 5(a) and/or 5(b), as the Committee was satisfied Mr Abro had done, there is an assumption that the person in breach of Exam Regulations 5(a) and/or 5(b) intended to gain an unfair advantage for themselves or others in the Exam or a future exam. The Committee observed that Mr Abro had not presented any evidence to rebut the presumption contained in Exam Regulation 6(b) and noted that his email to ACCA of 16 October 2025 contained a bare denial and no more as follows:

“I am writing in response to your letter dated 30 September 2025 regarding the investigation into my June 2025 FM exam.

I would like to state clearly that I attempted the exam fairly and in full compliance with all ACCA examination guidelines and protocols. I categorically reject the allegations mentioned in your letter. I did not engage in any form of cheating, nor did I use or permit the use of any unauthorized devices or means during the exam.

I strongly deny any involvement in taking or sharing photographs of ACCA exam content, I respectfully request that the matter be reviewed carefully, as I am confident that my conduct during the exam was entirely proper and consistent with ACCA’s regulations”

23. The Committee therefore found that Allegation 1 had been proved.

Allegation 2

24. In considering Allegation 2 the Committee reflected carefully on Exam Regulation 13 which effectively prohibits the copying of ACCA exam content and the distribution or exploitation of it for commercial/personal gain and/or any other reason.
25. The Committee noted the absence of direct evidence of Mr Abro using an unauthorised item in the Exam again. However, the Committee equally considered that the evidence of the image of the Exam with Mr Abro’s name on it was sufficient to prove that he copied or permitted another to copy ACCA Exam content and that he distributed that content for personal gain or for any other reason. The Committee reached this view because it considered that there was no other plausible explanation for the existence of the image of the Exam with Mr Abro name on it except for Mr Abro using and/or procuring the use of an unauthorised item to record an image of the Exam. Further, the Committee noted that the image of the Exam was provided to ACCA by a whistleblower. The Committee considered this to be evidence that Mr Abro had distributed the image of the Exam to at least one third-party. The Committee observed that person gain in the context of Exam Regulation 13 need not be

financial, but that personal gain could be derived from helping a peer, colleague or a friend by providing them with a copy or recording of the Exam.

26. In the circumstances the Committee found that allegation 2 had been proved.

Allegations 3(a) and (b)

27. Allegations 3(a) and (b) both related to dishonesty. The Committee reflected carefully on the legal test for dishonesty which required it to make a finding about the actual state of Mr Abro knowledge and belief as to the facts i.e. his subjective intention. The Committee then needed to consider whether Mr Abro conduct was honest or dishonest applying the objective standard of ordinary decent people, applying the case of *Ivey v Genting Casinos* [2017] UKSC 67 (“Ivey”).
28. In considering the first limb of the Ivey guidance as to Mr Abro’s subjective state of mind, the Committee noted that the nature and content of the Exam Regulations and guidelines were stated clearly on the face of the Exam that Mr Abro took on 6 June 2025. Those guidelines stated in bold that “Student must comply in every respect with these Exam guidelines”. The Committee was satisfied that he knew that he was not permitted to use unauthorised items to take images of the Exam to gain an unfair advantage for himself or other people or for any other reason. Accordingly, the Committee was satisfied that the subjective limb of the Ivey test had been met.
29. The Committee considered the second limb of the Ivey guidance about whether an ordinary decent person would consider Mr Abro’s actions to be dishonest. The Committee considered that in layperson’s terms that an ordinary decent person would consider that it was wrong and dishonest for someone in Mr Abro’s position to take images of the Exam and to distribute them for personal gain or otherwise. In the circumstances, the Committee reached the view that an ordinary decent person with knowledge of the facts and matters at the material time would consider that Mr Abro had been dishonest.
30. The Committee therefore found that Allegations 3(a) and (b) had been proved.

Allegation 4

31. On the basis that this allegation was pleaded in the alternative to Allegation 4, the Committee made no finding in respect of it.

Allegation 5

32. As to Allegation 5 the Committee, having regard to the legal definition of misconduct, asked itself whether the proven conduct amounted to misconduct.
33. The Committee found all of the allegations to be proven. The Committee noted that the failings involved breaches of the Exam Regulations and dishonesty. The Committee determined that these failings were serious, falling short of the conduct expected of a student and amounted to misconduct. The Committee considered Mr Abro misconduct constituted a discredit to both him and the wider profession.
34. The Committee did not consider whether Mr Abro was liable for disciplinary action pursuant to Bye-law 8(a)(iii) since this was an alternative allegation where no finding of misconduct was made.

SANCTION AND REASONS

35. The Committee considered what sanction, if any, to impose, taking into account all that it had read in the bundle of documents, ACCA's Guidance for Disciplinary Sanctions dated 10 February 2026 (the "Sanctions Guidance"), and the principle of proportionality. The Committee also took account of submissions by Ms Patel. It noted the advice from the Legal Adviser which it duly accepted.
36. The Committee considered that the conduct in this case was very serious. The Committee had specific regard to the public interest and the necessity to declare and uphold proper standards of conduct and behaviour. Being honest is a fundamental requirement of any accountant or student member.

37. The Committee considered whether any mitigating or aggravating factors featured in this case. The Committee did not identify any material mitigating factors save that there was no evidence of Mr Abro previously breaching ACCA rules.
38. The Committee identified the following aggravating factors:
- No evidence of insight or genuine remorse.
 - Mr Abro failed to cooperate with ACCA's disciplinary investigation despite being given an opportunity to do so. Mr Abro only provided a bare denial to the allegations by his email of 16 October 2025 and nothing more despite speaking to the Hearings Officer more than once.
 - Potential damage to the examination system.
 - Potential to undermine the reputation of the profession.
39. Given the Committee's view of the seriousness of Mr Abro's conduct, 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 and, in particular, there was no evidence of insight or genuine remorse. The Committee had regard to Section E2 of the Guidance on Dishonesty and the seriousness of such a finding on a professional. It considered the factors listed at C5 of the Guidance for removal of Mr Abro from the student register and was satisfied 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.
40. Consequently, the Committee concluded that the appropriate, proportionate sanction was to order that Mr Abro be excluded from the register.

COSTS AND REASONS

41. The member has not submitted documents relating to their financial position for the Committee to consider.
42. The Committee had been provided with a Simple Costs Schedule and a Detailed Costs Schedule relating to ACCA's claim for costs.
43. Having carefully considered ACCA's Cost Guidance, and heard from the Legal Adviser, the Committee made the following decision as to costs.
44. The Committee concluded that ACCA was entitled to be awarded costs against Mr Abro since Allegations 1, 2, 3(a) & (b) and 5(a) were found proved. The amount of costs for which ACCA applied was £6,094.50. The Committee noted that the hearing had taken less time than anticipated by around 3 hours. Accordingly, the Committee reduced the figure of £6,094.50 to £5,494.50 and was satisfied that this amount was reasonable and proportionate in the circumstances.

EFFECTIVE DATE OF ORDER

45. The Committee was persuaded that the ground for imposing an immediate order was made out given the serious facts of this case and that there is a risk of Mr Abro holding himself out as an ACCA student and/or compromising the integrity of further examinations if an immediate order is not imposed.
46. ACCA did not make an application for the Committee to extend the minimum period before Mr Abro can apply for readmission as a student member beyond the standard 12-month period after the date of Mr Abro's removal from the student register. It follows that, as is standard, Mr Abro may not apply for readmission as a student member until a minimum period of 12-months has expired from the date of his removal from the student register.

Ms Sahima Qamar
Chair
29 May 2026