

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Ms Mitali Solanki
Heard on:	Tuesday, 06 October 2026
Location:	Remotely via Microsoft Teams
Committee:	Ms Sahima Qamar (Chair) Ms Nimra Syeda (Accountant) Ms Caroline Robertson (Lay)
Legal Adviser:	Mr Ashraf Khan (Legal Adviser)
Persons present and capacity:	Ms Joanna La Roche (ACCA Case Presenter) Ms Aimee Murphy (Hearings Officer)
Summary	Removed from the student register
Costs:	£5,979.00

INTRODUCTION

1. The Disciplinary Committee ("the Committee") convened to determine allegations made by ACCA against Ms Mitali Solanki. Ms Solanki did not attend the hearing and was not represented. ACCA was represented by Ms Joanna La Roche.
2. The Committee had before it a 116-page Disciplinary Report and Bundle, a 23-page Service Bundle and video footage of Ms Solanki's remotely

invigilated examination. Following its findings on the allegations and misconduct, the Committee was also provided with a Simple Cost Schedule and a Detailed Cost Schedule for the purposes of considering ACCA's application for costs.

SERVICE OF PAPERS

3. Ms La Roche submitted that the Notice of Hearing, containing the requisite information about the hearing, had been sent by email to Ms Solanki's registered email address on 04 September 2026. She referred the Committee to confirmation that the email had been delivered to that address. She invited the Committee to find that service had been effected in accordance with Regulations 10 and 22 of the Complaints and Disciplinary Regulations 2014, as amended ("the Regulations").
4. The Committee accepted the advice of the Legal Adviser.
5. The Committee was satisfied that the Notice of Hearing had been sent to Ms Solanki's registered email address on 04 September 2026, more than 28 days before the hearing. The Notice informed her that the hearing would take place on 06 October 2026 at 08.30am by remote link, informed her of her right to attend and be represented, and expressly advised her that the Committee could proceed in her absence if she did not attend.
6. The Committee noted the electronic confirmation that delivery to Ms Solanki's registered email address had been completed and that Regulation 22 permitted service by email. It was therefore satisfied that Ms Solanki had been properly served with the Notice of Hearing in accordance with the Regulations.

APPLICATION TO PROCEED IN ABSENCE AND DECISION

7. Ms La Roche applied for the hearing to proceed in the absence of Ms Solanki.
8. Having satisfied itself that Ms Solanki had been properly served with notice of the hearing in accordance with Regulations 10 and 22 of the Complaints and Disciplinary Regulations 2014, as amended ("the Regulations"), the Committee

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considered whether to exercise its discretion under Regulation 10(7) to proceed in her absence.

9. The Committee accepted the advice of the Legal Adviser and had regard to the principles in *R v Jones* [2002] UKHL 5 and *General Medical Council v Adeogba and Visvardis* [2016] EWCA Civ 162. It recognised that its discretion to proceed in the absence of Ms Solanki had to be exercised with utmost care and caution. In particular, it considered whether her absence was voluntary, whether an adjournment was likely to secure her attendance, the disadvantage to her if the hearing proceeded without her, and the public interest in the fair and expeditious determination of regulatory proceedings.
10. The Committee noted that ACCA had made repeated attempts to establish whether Ms Solanki intended to attend. Following service of the Notice of Hearing on 04 September 2026, the Hearings Officer sent further emails on 11, 18 and 25 September and 01 October 2026 asking whether she intended to attend and, if not, whether she was content for the hearing to proceed in her absence. An attempt was also made to contact her by telephone on 05 October 2026.
11. Most significantly, on 05 October 2026 Ms Solanki responded directly to the Hearings Officer. She stated that she did not wish to attend the hearing because she had decided to discontinue her ACCA studies for personal reasons and expressly confirmed that she was “happy for the Committee to proceed with the hearing in my absence.”
12. The Committee was satisfied that Ms Solanki was aware of the date, time and remote nature of the hearing and of her right to attend. It considered that her email demonstrated a deliberate and voluntary decision not to attend. The Committee did not regard her agreement to the hearing proceeding as determinative of the issue, but considered it to be a highly material factor in deciding how to exercise its discretion.
13. The Committee considered whether the hearing should nevertheless be adjourned. Ms Solanki had not requested an adjournment, had not suggested that there was any temporary impediment preventing her attendance and had

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not indicated that she would wish to attend on another date. On the contrary, she had expressly stated that she did not wish to attend and was content for the case to be determined in her absence. The Committee therefore concluded that there was no realistic prospect that an adjournment would secure her attendance and that an adjournment would serve no useful purpose.

14. The Committee also considered the potential disadvantage to Ms Solanki in proceeding in her absence. She would not be able to give oral evidence, challenge ACCA's evidence in person, answer questions from the Committee or make oral submissions. She was also unrepresented. The Committee nevertheless had before it her written response to ACCA's investigation and would take that material fully into account. It reminded itself that her absence did not amount to an admission of the allegations, that no adverse inference should be drawn simply from her failure to attend, and that the burden remained on ACCA to prove its case.
15. The Committee balanced those matters against the public interest in disciplinary proceedings being dealt with fairly and without unnecessary delay. It bore in mind the regulatory context identified in *Adeogba*, namely that fairness includes fairness to the relevant person but also to the regulator and the wider public interest in the expeditious disposal of disciplinary proceedings. The Committee considered that an adjournment would result in unnecessary delay without any realistic prospect of securing Ms Solanki's attendance.
16. Having considered all the circumstances, the Committee was satisfied that Ms Solanki had voluntarily chosen not to attend, that an adjournment was unlikely to result in her attendance, and that appropriate safeguards could be applied to ensure that the proceedings remained fair notwithstanding her absence. Exercising its discretion with the utmost care and caution, the Committee determined that it was fair and in the public interest to proceed in Ms Solanki's absence.

PRELIMINARY APPLICATION

17. Ms La Roche applied under Regulation 10(5) of the Regulations to amend Allegations 2 and 3. She submitted that the proposed amendments were
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typographical and would not prejudice Ms Solanki in the conduct of her defence.

18. In relation to Allegation 2, ACCA sought to amend the reference to Exam Regulations 5(a) and 5(b) so that it read “5(a) and/or 5(b)”. In relation to Allegation 3, ACCA sought to amend the reference to Exam Regulations 11 and 13 so that it read “11 and/or 13”.
19. The Committee accepted the advice of the Legal Adviser that it could permit an amendment provided that Ms Solanki was not prejudiced in the conduct of her defence. It considered whether the proposed amendments altered the nature or scope of the allegations, changed any material fact or introduced a new case.
20. The Committee was satisfied that the proposed amendments were genuinely typographical. Both relevant Regulations had already been identified in the allegations served upon Ms Solanki, and the insertion of “and/or” did not materially alter the case she was required to meet. The Committee concluded that no prejudice would be caused to Ms Solanki and therefore allowed the amendments.

BACKGROUND AND ALLEGATIONS

21. Ms Solanki became an ACCA registered student on 18 June 2024. On 04 September 2025, she sat an on-demand remotely invigilated Financial Reporting (“FR”) examination. ACCA’s case arose from matters observed during and following a review of the video recording of that examination.
22. ACCA alleged that, during the examination, Ms Solanki caused or permitted a third party to be present in the room in which she was sitting the examination, contrary to Exam Regulation 19, and caused or permitted that person to use an unauthorised item, namely a mobile telephone with a camera, contrary to Exam Regulations 5(a) and/or 5(b). It was further alleged that the mobile telephone was used to take photographs and/or recordings of examination content displayed to Ms Solanki, contrary to Exam Regulations 11 and/or 13. ACCA also alleged that Ms Solanki whispered and/or spoke aloud during the examination, contrary to Exam Regulation 15.

23. The video chronology relied upon by ACCA identified periods at approximately 1 hour 4 minutes 57 seconds to 1 hour 6 minutes 25 seconds and 1 hour 6 minutes 49 seconds to 1 hour 7 minutes 38 seconds, during which ACCA alleged that Ms Solanki could be heard whispering or murmuring. At approximately 1 hour 20 minutes 58 seconds to 1 hour 21 minutes 1 second, ACCA alleged that a mobile telephone was raised towards the examination screen, apparently by a third party, in a manner consistent with taking photographs or recordings.
24. ACCA alleged that Ms Solanki's conduct in relation to the presence of the third party, the use of the mobile telephone, the alleged photographing or recording of examination content and her speaking during the examination was dishonest, in that she gained or intended to gain an unfair advantage for herself and/or others in that examination or a future ACCA examination. In the alternative, ACCA alleged that the conduct demonstrated a failure to act with integrity.
25. The matter was referred to ACCA's Investigations Department on 02 October 2025. On 16 January 2026, ACCA provided Ms Solanki with the examination footage and wrote to her seeking her comments upon the matters identified, including the presence and use of the mobile telephone. ACCA's records showed that the email was opened by Ms Solanki later that day.
26. Following further correspondence from ACCA, Ms Solanki responded on 16 March 2026. She apologised for the delay in responding and stated that she had "not use[d] any object during the examination". She said that she respected ACCA's examination regulations and integrity policies and that at no point had she intended to breach the examination rules or obtain an unfair advantage.
27. On 17 March 2026, the Investigating Officer wrote again, stating that Ms Solanki's response did not address all of the questions previously raised and asking her to provide full and detailed responses by 20 March 2026. ACCA's case was that no acknowledgement or further response was received. It therefore additionally alleged that Ms Solanki had failed to co-operate fully, or at all, with ACCA's investigation in relation to correspondence dated 16

January, 17 February, 09 March and 17 March 2026, contrary to Regulation 3(1) of the Complaints and Disciplinary Regulations 2014, as amended.

28. ACCA alleged that, by reason of any or all of that conduct, Ms Solanki was guilty of misconduct pursuant to bye-law 8(a)(i) or, in the alternative in respect of the relevant regulatory breaches, liable to disciplinary action pursuant to bye-law 8(a)(iii).

DECISION ON FACTS/ALLEGATION(S) AND REASONS

ACCA Submissions

29. Ms La Roche submitted that Allegations 1 to 4 were proved on the balance of probabilities by the examination video footage, the contemporaneous proctor chat logs and the documentary evidence. She submitted that the footage demonstrated the presence of a third party in the examination room, that the third party was using a mobile telephone with a camera, that the device was positioned and used in a manner consistent with photographing and/or recording examination content, and that Ms Solanki repeatedly whispered and/or spoke aloud during the examination.
30. Ms La Roche relied in particular upon the sequence at approximately 1 hour 21 minutes into the recording, when a mobile telephone was seen entering the camera view and being positioned between Ms Solanki and the examination screen. ACCA submitted that the position of Ms Solanki's hands demonstrated that she could not herself have been holding the device and that it was therefore being held by a third party. The camera area of the telephone was visible and the device was angled towards the examination screen.
31. In relation to Allegation 5(a), Ms La Roche submitted that the conduct was dishonest. She relied upon *Ivey v Genting Casinos* and submitted that Ms Solanki was aware of the examination requirements through the booking-in process, her previous experience of ACCA examinations and the instructions and warnings given by the proctor during the examination. ACCA further relied upon Exam Regulation 6(b) in relation to the intended use of an unauthorised

item to obtain an unfair advantage. In the alternative, ACCA submitted that the conduct lacked integrity.

32. In relation to Allegation 6, Ms La Roche submitted that Ms Solanki had failed to comply with her duty to co-operate under Regulation 3(1) of the Regulations. Although Ms Solanki had sent a response on 16 March 2026, ACCA submitted that it did not answer the substantive questions which had been put to her and that she did not respond to the subsequent request for full and detailed answers.

Student Submissions

33. Ms Solanki did not attend the hearing and made no oral submissions. The Committee nevertheless took account of her written response dated 16 March 2026. In that response she denied using any object during the examination and stated that at no point had she intended to breach the examination rules or obtain an unfair advantage.
34. Ms Solanki did not otherwise provide a substantive explanation for the presence of the mobile telephone shown in the examination footage, the involvement of another person, the positioning of the telephone towards the examination screen, or the repeated occasions on which she was seen or heard speaking during the examination. Nor did she subsequently provide the detailed responses sought by ACCA.

Committee's Decision and Reasons

35. The Committee accepted the advice of the Legal Adviser. It reminded itself that ACCA bore the burden of proving the allegations on the balance of probabilities. It considered the examination footage for itself and did not treat ACCA's descriptions of the footage as findings of fact. It also took account of Ms Solanki's written response and reminded itself that her absence from the hearing was not evidence against her.

Allegation 1

36. The Committee found Allegation 1 proved. Having viewed the footage, it considered there to be compelling evidence that another person was present in the examination room. The Committee observed Ms Solanki repeatedly looking away from the screen and, most significantly, a hand other than hers bringing a mobile telephone into view and positioning it towards the examination screen. The position of Ms Solanki and of her own hands was inconsistent with her holding the device herself.
37. The Committee could identify no reasonable alternative explanation for the appearance and movement of the additional hand and telephone. It was therefore satisfied on the balance of probabilities that a third party was present in the room and that Ms Solanki had caused or permitted that person to be present, contrary to Exam Regulation 19.

Allegation 2

38. The Committee found Allegation 2 proved in respect of both Exam Regulations 5(a) and 5(b). The footage clearly showed a mobile telephone being used by the third party and positioned towards the examination screen. The Committee was satisfied from the presence, position and movement of the device that it was an unauthorised mobile telephone with a camera and that Ms Solanki had caused or permitted the third party to use it during the examination.

Allegation 3

39. The Committee found Allegation 3 proved in respect of both Exam Regulations 11 and 13. It considered this allegation separately from the finding that the mobile telephone had merely been present or used.
40. The Committee placed particular weight upon the orientation and positioning of the telephone. It was held facing the examination screen and positioned in a manner consistent with the camera being used to capture the material displayed upon it. The Committee considered whether there was any other reasonable explanation for the device being held in that way during an examination and could identify none. It was therefore satisfied, on the balance

of probabilities, that the telephone was being used to photograph and/or record examination content.

Allegation 4

41. The Committee found Allegation 4 proved. It had seen Ms Solanki speaking during the examination and had heard passages of whispering or speaking aloud on the recording. The contemporaneous proctor communications were consistent with what the Committee observed: Ms Solanki was warned on more than one occasion not to whisper or mumble but continued to do so.
42. The Committee considered the possibility that a candidate might on occasion read something aloud to herself. However, having regard to the repeated nature of the conduct, the warnings given by the proctor and the wider circumstances of the examination, it was satisfied that the conduct went beyond an isolated or inadvertent instance of reading aloud and constituted a breach of Exam Regulation 15.

Allegation 5(a)

43. The Committee found Allegation 5(a) proved. In applying the test in *Ivey v Genting Casinos*, it first considered Ms Solanki's actual knowledge and belief as to the circumstances. It was satisfied that she knew the examination rules prohibited another person being present in the room, prohibited the use of an unauthorised mobile telephone and prohibited whispering or speaking aloud. Those requirements had been communicated before and during the examination, and she had received repeated warnings from the proctor.
44. The Committee took account of Ms Solanki's written assertion that she had not intended to breach the rules or obtain an unfair advantage. However, she had provided no explanation capable of accounting for the presence of the third party, the additional telephone being positioned towards the examination screen, the photographing or recording of examination content, or her continued speaking despite warnings.

45. In those circumstances, the Committee was satisfied that the proper inference from the evidence was that the conduct was intended to obtain an unfair advantage for Ms Solanki and/or others. It considered that ordinary decent people would regard such conduct as dishonest. The Committee therefore found Allegation 5(a) proved.
46. Allegation 5(b), alleging a lack of integrity, had been pleaded in the alternative. Having found Allegation 5(a) proved, the Committee did not consider it necessary to determine Allegation 5(b).

Allegation 6

47. The Committee found Allegation 6 proved. It considered the correspondence relied upon by ACCA and was satisfied that Ms Solanki had been given repeated opportunities to provide a full response to the investigation.
48. The Committee recognised that Ms Solanki did respond on 16 March 2026 and did not therefore proceed on the basis that she had made no response at all. However, that response amounted essentially to a general denial and did not answer the detailed questions which had been put to her. When the Investigating Officer wrote again on 17 March 2026 expressly asking for full and detailed responses, no further response or acknowledgement was received.
49. The Committee was therefore satisfied that Ms Solanki had failed to co-operate fully, or at all as applicable, with the correspondence dated 16 January, 17 February, 09 March and 17 March 2026 and had thereby breached Regulation 3(1) of the Regulations.

Allegation 7(a) – Misconduct

50. Having made its findings on Allegations 1 to 6, the Committee went on to consider whether the conduct amounted to misconduct. It accepted the advice of the Legal Adviser that a regulatory breach did not automatically amount to misconduct and that it was required to make a separate evaluative judgment as to the seriousness of the conduct.

51. The Committee considered that the proved conduct represented a serious departure from the standards expected of an ACCA student. It involved deliberate third-party participation in a professional examination, the use of an unauthorised mobile telephone, the photographing and/or recording of examination content, repeated speaking during the examination, dishonesty intended to obtain an unfair advantage and a subsequent failure to co-operate with ACCA's investigation.
52. The Committee considered that such conduct undermined the integrity and security of ACCA's examination process, risked undermining public confidence in ACCA and the accountancy profession and brought discredit upon Ms Solanki herself. It was therefore satisfied that the conduct was sufficiently serious to amount to misconduct and found Allegation 7(a) proved.
53. As Allegation 7(b) was pleaded in the alternative to misconduct, the Committee did not consider it necessary to determine Allegation 7(b).

SANCTION(S) AND REASON(S) [if applicable]

ACCA Submissions

54. Ms La Roche referred the Committee to ACCA's Guidance for Disciplinary Sanctions and submitted that the misconduct found proved was very serious. She relied upon the findings of dishonesty, the involvement of a third party in a professional examination, the use of a mobile telephone to photograph and/or record examination content, and Ms Solanki's subsequent failure to co-operate with ACCA's investigation. ACCA submitted that the conduct undermined the integrity of its examination process and the confidence which could properly be placed in its qualifications.
55. Ms La Roche submitted that dishonesty was a particularly serious feature of the case and referred the Committee to the relevant section of the Sanctions Guidance. ACCA submitted that there were no sufficiently remarkable or exceptional mitigating circumstances which would justify an outcome other than removal from the student register.

Committee's Decision and Reasons

56. The Committee accepted the advice of the Legal Adviser and had regard to ACCA's Guidance for Disciplinary Sanctions dated 10 February 2026. It reminded itself that the purpose of sanction was not to punish Ms Solanki, but to protect the public interest, maintain confidence in ACCA and the accountancy profession, and declare and uphold proper professional standards. The Committee considered the available sanctions in ascending order of seriousness and sought to impose no more restrictive a sanction than was necessary and proportionate.
57. The Committee considered the misconduct to be very serious. This was not an isolated or technical breach of the examination regulations. Ms Solanki had permitted a third party to be present during a remotely invigilated professional examination, permitted that person to use an unauthorised mobile telephone, permitted examination content to be photographed and/or recorded, repeatedly whispered and/or spoke aloud, acted dishonestly with the intention of obtaining an unfair advantage for herself and/or others, and subsequently failed to co-operate fully with ACCA's investigation.
58. The Committee identified as aggravating features that the conduct was deliberate, involved a third party and a degree of planning, involved the use of technology to capture ACCA examination content, and created a risk to the integrity and security of the examination process extending beyond Ms Solanki's own examination. It also took account of the seriousness of the dishonesty and the failure to co-operate with the regulator, whilst taking care not to double count matters which already formed part of its findings of misconduct.
59. By way of mitigation, the Committee noted that no previous disciplinary findings had been brought to its attention. It also took account of Ms Solanki's apology for the delay in responding to ACCA and her statement that she had decided to discontinue her ACCA studies for personal reasons. However, the Committee attached limited weight to the apology because it related to the delay rather than to the misconduct itself. Ms Solanki had not accepted the conduct found proved and there was little evidence before the Committee

demonstrating insight or remorse. No rehabilitative or corrective steps, testimonials or other evidence of remediation had been provided.

60. The Committee first considered taking no further action but concluded that such an outcome would plainly fail to reflect the seriousness of the misconduct or satisfy the public interest. It similarly considered an admonishment and a reprimand but concluded that neither would adequately address deliberate and dishonest examination misconduct of this nature or maintain confidence in ACCA's examination and regulatory processes.
61. The Committee next considered whether a severe reprimand would be sufficient. It concluded that it would not. The misconduct was deliberate and dishonest, involved a third party and several distinct features within the examination, and required a degree of planning. There was little evidence of insight or remorse, no evidence of remediation and limited engagement with ACCA's investigation. Although the Committee took account of the absence of any previous disciplinary finding, it did not consider that the mitigation was sufficient to justify Ms Solanki remaining on the student register.
62. The Committee therefore considered removal from the student register. It was satisfied that Ms Solanki's dishonest conduct in a professional examination, involving third-party assistance and the photographing and/or recording of examination material, together with her subsequent failure to co-operate with ACCA, was fundamentally incompatible with continued registration. The Committee found no sufficiently exceptional mitigating circumstances which would justify a lesser sanction. It therefore determined that removal from the student register was the necessary and proportionate sanction.
63. The Committee also considered whether to impose any additional period during which an application for readmission could not be considered, or any other additional order available in relation to a registered student. It concluded that no such additional order was necessary or proportionate in the circumstances.

COSTS AND REASON(S)

64. ACCA applied for costs in the sum of £6,939. Ms La Roche submitted that those costs had been reasonably incurred in the investigation, preparation and presentation of the case. She invited the Committee to make such adjustment as it considered appropriate to reflect the fact that the hearing had taken less time than originally anticipated.
65. Ms Solanki made no submissions in relation to costs and provided no documentary evidence as to her financial circumstances or ability to pay.
66. The Committee accepted the advice of the Legal Adviser and had regard to ACCA's Costs Guidance. It considered that the costs claimed were, in principle, reasonably incurred. However, it scrutinised the schedule rather than simply accepting the amount sought and took account of the actual duration of the hearing.
67. The Committee considered that the estimated hearing costs should be reduced to reflect the shorter duration of the hearing. It therefore reduced the amount claimed from £6,939.00 to £5,979.00
68. The Committee had received no documentary evidence as to Ms Solanki's financial circumstances. In accordance with ACCA's Costs Guidance, it therefore inferred that she was able to meet the costs as assessed by the Committee. Having considered all the circumstances, the Committee ordered Ms Solanki to pay ACCA's costs in the sum of £5,979.

EFFECTIVE DATE OF ORDER

69. The Committee considered the effective date of the order for removal and determined that it should take effect upon the expiry of the period for appeal. The Committee did not direct that the order should take immediate effect.

Ms Sahima Qamar
Chair
06 October 2026