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HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Mr Naman Keshava**
Heard on:	**Tuesday, 13 October 2026**
Location:	**Remotely by video conference**
Committee:	**Mr Gerard Wareham (Chair)** **Mr George Wood (Accountant)** **Ms Sue Heads (Lay)**
Legal Adviser:	**Mr Andrew Granville Stafford**
Persons present and capacity:	**Ms Katriona King (ACCA Case Presenter)** **Ms Anna Packowska (Hearings Officer)**
Summary:	**Allegations 1, 2, 3, 4, 5, 6(i), 6(ii) and 7(i) proved** **Removal from the student register with immediate effect**
Costs:	**£5,871**

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PRELIMINARY

1. The Disciplinary Committee of ACCA ('the Committee') convened to consider a report concerning Mr Naman Keshava. Mr Keshava is a student member of ACCA and is resident in India.

2. The Committee had before it a bundle of documents (151 pages), a service bundle (18 pages) and a video recording of the exam in question. The Committee was also provided with a case management form which Mr Keshava had not completed.

3. Mr Keshava did not attend the hearing and was not represented.

PROCEEDING IN ABSENCE

4. The notice of hearing was sent by email to Mr Keshava's registered email address on 15 September 2026. ACCA provided the Committee with a confirmation of delivery notification.

5. There has been no response from Mr Keshava to the notice of hearing. The Hearings Officer emailed Mr Keshava on 8 and 12 October 2026, asking him to confirm whether he intended to attend the hearing. There has been no reply. She also attempted to telephone Mr Keshava twice on 12 October 2026, but her call was not answered.

6. The Committee was satisfied that the requirements of regulations 10(1) and 22(1) of the Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014 ('CDR') as to service had been complied with.

7. Having satisfied itself that service had been effected in accordance with the regulations, the Committee went on consider whether to proceed in the absence of Mr Keshava. The Committee bore in mind that the discretion to do

so must be exercised with care and in light of the public interest in dealing with matters such as this fairly, economically and expeditiously.

8. Mr Keshava has not engaged throughout. There is no application for an adjournment and, furthermore, the Committee considered that no useful purpose would be served by adjourning this hearing. The Committee determined that, in the interests of justice and the public interest, the hearing should proceed in Mr Keshava's absence.

PRELIMINARY APPLICATION

9. Ms King, on behalf of ACCA applied, to amend Allegation 2. She applied to change the words 'Further to Allegation 3' to read 'Further to Allegation 1'. Ms King submitted that this was essentially a cosmetic amendment and would not change the nature of the case against Mr Keshava.

10. CDR 10(5) permits the Committee to amend an allegation at any stage, provided that the member is not prejudiced in the conduct of his defence. The Committee was satisfied that this was a minor amendment which would not cause any prejudice, and that it was in the interests of justice to allow it.

ALLEGATIONS AND BRIEF BACKGROUND

11. The allegations against Mr Keshava, as amended, were as follows:

On 10 September 2025, Mr Naman Keshava, an ACCA student, in relation to a remotely invigilated Strategic Business Reporting ('SBR') exam:

1. *Failed to adhere to ACCA's Examination Guidelines and/or the Proctor's instructions by failing to keep his mobile phone out of arm's reach, contrary to Exam Regulation 1 and Exam Regulation 2.*

2. *Further to allegation 1 gave false or misleading information, to the Proctor, in that when asked to show the Proctor his mobile phone, he replied it was*

in his drawer when in fact it was within arm's reach of him, contrary to Exam Regulation 3.

3. *Used an unauthorised item, namely a mobile phone with a camera, throughout the examination attempt, contrary to Exam Regulation 5(a) and/or 5(b) and therefore intended to gain an unfair advantage in the Exam and/or future exam within the meaning of Exam Regulation 6(b).*

4. *Used the above referenced unauthorised item to take photographs and/or recordings of the Exam content, contrary to Exam Regulation 13.*

5. *Contrary to Regulation 3(1) of the Complaints and Disciplinary Regulations 2014 (as amended), failed to co-operate with the investigation of this complaint, in that he did not respond to any or all of ACCA's correspondence sent on:*

   (a) *14 November 2025;*
   (b) *1 December 2025;*
   (c) 19 December 2025;
   (d) 7 January 2026.

6. *Any or all of Mr Keshava's conduct in respect of 1 – 4:*

   i. *Was dishonest in that he untruthfully stated to the exam Proctor that he was not using his mobile phone during his examination attempt, when that was not the case.*

   ii. *Was dishonest in that he used an authorised item intending to gain an unfair advantage for himself in the Exam and/or future Exam by taking photographs and/or recordings of the Exam content, and/or in the alternative.*

   iii. *Such conduct demonstrates a failure to act with integrity.*

7. *By reason of the above conduct, Mr Keshava is:*

   i. *Guilty of misconduct pursuant to bye-law 8(a)(i) in respect of any or all of the conduct above or, in the alternative,*

   ii. *Liable to disciplinary action pursuant to bye-law 8(a)(iii) in respect of allegations 1 to 4 above.*

12. Mr Keshava was admitted to student membership on 27 January 2021.

13. On 10 September 2025, Mr Keshava sat the ACCA Strategic Business Reporting examination. This was a computer-based exam, remotely invigilated by a proctor through the camera on the candidate's computer.

14. Prior to examinations, all candidates are provided with a copy of ACCA's Examination Regulations and Examination Guidelines. These include the following regulations.

    1. *You are required to adhere at all times to ACCA's Rulebook, the Exam Regulations and Exam Guidelines. If you are found to be in breach of any of the Exam Regulations or fail to adhere to the Exam Guidelines, you may become liable to disciplinary action pursuant to ACCA's bye-law 8, which could result in your removal from the student register. You are liable to disciplinary action in accordance with the bye-laws, regulations and guidelines in force at the time of the breach. However, all disciplinary proceedings, shall be conducted in accordance with the byelaws and Complaints and Disciplinary Regulations in force at the time of such proceedings.*

    2. *You are required to promptly comply in all respects with any instructions issued by ACCA, the exam supervisor(s), invigilator(s), remote invigilator(s), proctor(s), or any ACCA personnel before, during and at the conclusion of an exam.*

3. You must not give false or misleading information to the exam supervisor(s), invigilator(s), proctor(s) or any ACCA personnel.

5(a). The use of dictionaries, electronic devices, and/or translators of any kind is not permitted during the exam by you or any other person. You must not have on or at your desk a calculator which can store or display text. Further, the use of any electronic communication device, camera, smart watch, or any other item with photographic, recording or smart technology functionality, including mobile phones, is not permitted by you or any other person (unless the exam is being conducted remotely in which case the mobile phone must only be used only in accordance with ACCA's Exam Guidelines). Such items are regarded as 'unauthorised items' and are taken into the examination room at the candidate's own risk.

5(b). 'Unauthorised items' must not be worn, or placed on your desk, in pockets of clothing, in your bag or personal belongings, or be kept anywhere else on or about your person or desk by you or another person. If you, or another person, bring 'unauthorised items' to the exam, you must declare them to the exam personnel prior to the start of the exam. For Centre-Based exams, mobile phones (or communication devices of any type), smartwatches or other wearable technology, must be switched off and stored as directed by the examination personnel.

6(b). If you breach exam regulation 5(a) and/or 5(b) or permit another person to act contrary to those exam regulations, it will be assumed that you, and/or the other person, intended to use the 'unauthorised items' to gain an unfair advantage for you or others in the exam and/or a future exam. In any subsequent disciplinary proceedings, you will have to prove that you, and/or the other person, did not intend to use the 'unauthorised items' to gain an unfair advantage for you, or others, in the exam and/or a future exam.

13. Exam content (questions, scenarios, format) is owned by ACCA. You are prohibited from copying, photographing, videoing or reproducing in any

manner exam content (questions, scenarios and/or format) or permitting another person to do the same. You are strictly prohibited from distributing or seeking to exploit for commercial/personal gain and/or any other reason, copies of exam questions or scenarios to any person including other ACCA registered candidates.

15. ACCA's case was that Mr Keshava used his mobile phone during the exam, in breach of these regulations.

16. The Committee was provided with a video recording taken via the camera on Mr Keshava's computer during the exam. The timings below are in the format hour – minute – second taken from the start of the recording.

17. Prior to the exam commencing, Mr Keshava was required to use his phone as part of the check in procedure. Having done that, the proctor asked him to put his phone on silent and place it out of reach. He confirmed he had done so.

18. Between 00:57:00 and 00:59:09, Mr Keshava appears to be looking down at something, and there is a blue light reflected in his glasses. He moves an item that seems to be a mobile phone toward his laptop screen, and he appears to hold it horizontally. The edge of what appears to be a mobile phone is seen at the bottom of video recording on more than one occasion.

19. Between 00:59:23 and 1:01:44 Mr Keshava is seen to be looking down, and again a blue light is reflected in his glasses. ACCA's case is that this is a reflection from his mobile phone.

20. From 01:11:00 to 01:11:36, Mr Keshava speaks with the proctor. The proctor asks him where his mobile phone is, and Mr Keshava says it is 'in the drawer'. He was asked to take and show his phone to the proctor, which he did. He was allowed to continue the exam.

21. However, between 01:15:35 and 01:16:05, Mr Keshava is once again seen to be looking down and a blue light can be seen reflected in his glasses, which ACCA again says is the light from his mobile phone.

22. During the exam, Mr Keshava was warned by the proctor about looking down during the exam. Mr Keshava told the proctor that he is looking down at his keyboard in order to type.

23. Following the exam, a report was made to ACCA of alleged use of a mobile phone during the exam. Mr Keshava was notified by ACCA on 21 October 2025 that his conduct during the exam was the subject of an investigation.

24. On 14 November 2025, ACCA advised Mr Keshava of the allegations against him and asked him to provide his response.

25. On 16 November 2025, Mr Keshava replied by email. He simply stated:

    'I saw my video during the exam please tell me whether I done wrong during exam or not'.

26. As Mr Keshava had not provided a substantive response to the questions in ACCA's letter of 14 November 2025, ACCA wrote again to Mr Keshava on 17 November 2025. He was informed that, in order to investigate whether he had breached ACCA regulations, he was required to provide his answers to all the questions in ACCA's 14 November 2025 letter.

27. There was no response, and ACCA wrote again to Mr Keshava on 1 December 2025. He was warned that, pursuant to CDR 3, he was required to cooperate with the investigation and that a failure or partial failure to do so may render him liable to disciplinary action. ACCA also attempted on this date to phone Mr Keshava on the telephone number he had registered with ACCA. However, there was no answer to the phone call.

28. ACCA sent further emails to Mr Keshava on 19 December 2025 and 7 January 2026, again without any reply.

DECISIONS ON ALLEGATIONS AND REASONS

29. The Committee considered the documents before it, the submissions of Ms King on behalf of ACCA and the advice of the Legal Adviser. The Committee bore in mind that the burden of proving an allegation rests on ACCA and the standard to be applied is proof on the balance of probabilities. However, where a student is found to be in possession of unauthorised material during an exam the burden is reversed and the student is presumed to have intended to use the material to gain an unfair advantage unless the contrary is proved (Exam Regulation 6(b)).

30. The key factual issue for the Committee to determine in this case was whether Mr Keshava used his mobile phone during the exam.

31. Mr Keshava can be seen on the video recording of the exam holding an item which is pointing towards his computer screen. It appears to be held in both hands. Though he is looking down, the sound of typing cannot be heard at that point. Although only the edge of the object can be seen, it has the appearance of a mobile phone. The blue light reflection in his glasses, though not of itself determinative, is nonetheless consistent with the object he is holding being a mobile phone.

32. On the balance of probabilities, the Committee considered that this is more likely to be a mobile phone than anything else. Further, if there was an alternative explanation, Mr Keshava could have provided it, but has not done so. In light of that finding, the Committee went on to consider each of the Allegations.

Allegation 1

33. Having found that Mr Keshava used his mobile phone during the exam, it followed that he had failed to keep it out of arm's reach. This is a breach of the Examination Guidelines and of the instructions given to him by the proctor at the start of the exam. The Committee therefore found Allegation 1 proved.

Allegation 2

34. The Committee noted that Mr Keshava had told the proctor during the exam that his phone was in a drawer and that it was '*far away from me'*.

35. Given that the Committee had found he had used his phone during the exam, these statements cannot have been true. Therefore, the Committee was satisfied that he had given false and misleading information to the proctor, which is a breach of Exam Regulation 3. The Committee found this Allegation proved.

Allegation 3

36. A mobile phone is an unauthorised item for the purposes of ACCA exams. Therefore, the use of the phone by Mr Keshava constitutes a breach of Exam Regulations 5(a) and 5(b).

37. In light of those findings, by reason of Exam Regulation 6(b), the Committee must assume Mr Keshava intended to use his phone to gain an unfair advantage in this or a future exam unless he proves the contrary. There had been no explanation by Mr Keshava of his conduct. His only response had been in his email of 16 November 2025. Whilst this did not amount to an admission by Mr Keshava, the Committee also noted he had not actually denied wrongdoing.

38. The Committee was satisfied that Mr Keshava's intention in using the phone in the exam was to gain an unfair advantage.

39. The Committee noted that this Allegation alleged that Mr Keshava had used his phone 'throughout' the exam. It was satisfied that this did not mean that he had used his phone constantly during the entirety of the exam, but that he had used in on occasions during the exam. The Committee was satisfied that Allegation 3 was proved.

Allegation 4

40. Mr Keshava can be seen in the video holding his phone lengthways, pointing towards his computer screen. He is holding it in both hands.

41. One reason for looking at a phone in an exam is to research an answer. However, if that had been Mr Keshava's purpose, there would be no need for him to hold the phone in this way. Indeed, he would have kept it down and well below the line of the camera if that had been his purpose.

42. The Committee was therefore satisfied, on the balance of probabilities, that Mr Keshava was using his phone to take a photograph or record the exam content. This is a clear breach of Exam Regulation 13. Therefore, the Committee found this Allegation proved.

Allegation 5

43. The Committee was satisfied that Mr Keshava was under a duty under CDR 3 to co-operate with the investigation of this complaint by answering the investigator's questions.

44. The Committee was provided with copies of the correspondence from ACCA listed in Allegation 5. Mr Keshava had replied to the first email on 16 November

2025, but this did not constitute a substantive response to the questions he had been asked. There was no response at all to the other three communications.

45. Therefore, the Committee was satisfied that Mr Keshava had failed to co-operate with the investigation as required by CDR3(1). It found this Allegation proved.

Allegation 6

46. Having found Allegations 1 to 4 proved, the Committee went on to consider whether this conduct was dishonest. It applied the test set out in Ivey v Genting Casinos.

47. The Committee first considered Mr Keshava's state of mind. The Committee was satisfied that Mr Keshava knew he should not be using his phone in the exam and that he had lied to the proctor when he said he was not doing so. Self-evidently, lying to the proctor was dishonest and would be regarded as such by ordinary and honest people.

48. The Committee had found that Mr Keshava's purpose in using the phone was to gain an unfair advantage. Cheating in an exam would be regarded as dishonest by ordinary and reasonable members of the public.

49. The Committee therefore found that Mr Keshava's actions as set out in Allegations 1 to 4 were dishonest and it found Allegations 6(i) and 6(ii), which exemplified that conduct, proved.

50. Allegation 6(iii) was put in the alternative and therefore there was no need for the Committee to make a finding in respect of it.

Allegation 7

51. Allegations 1 to 4 and 6 encompassed cheating in an exam and lying to the proctor during the course of that exam. Allegation 5 constituted a failure by Mr

Keshava to co-operate with his regulator, which in itself is a serious departure from expected standards.

52. The Committee was satisfied that this behaviour would be regarded as deplorable by fellow members of the profession. It was satisfied that these Allegations amounted to misconduct and therefore found Allegation 7(i) proved.

53. Allegation 7(ii) was put in the alternative and therefore there was no need for the Committee to make a finding in respect of it.

SANCTION AND REASONS

54. The Committee considered what sanction, if any, to impose taking into account ACCA's Guidance for Disciplinary Sanctions ('GDS') and the principle of proportionality. The Committee bore in mind that the purpose of sanctions was not punitive but to protect the public, maintain confidence in the profession and declare and uphold proper standards of conduct and behaviour.

55. The Committee considered that the allegations found proved constituted serious misconduct. Honesty is the bedrock of any profession. Cheating in an exam undermines the reputation of the profession and the integrity of the exam system. There is obvious potential for harm to the public interest where students cheat and as a result pass exams that they should not have passed.

56. There was no evidence of any insight on the part of Mr Keshava. That apart, the Committee considered that there were no aggravating features which went beyond the nature of the allegations themselves.

57. The Committee took into account that no previous findings had been made against Mr Keshava. However, the Committee considered this provided limited mitigation, given the relatively short period he had been a member of the Association.

58. Having found that Mr Keshava's actions amounted to misconduct, taking no further action was clearly not appropriate. The Committee therefore considered the available sanctions in ascending order of seriousness.

59. The Committee considered the guidance in the GDS in relation to an admonishment and a reprimand. It was satisfied that neither would be an appropriate sanction. The conduct in question is far too serious to justify either admonishing or reprimanding Mr Keshava.

60. The Committee considered whether a severe reprimand would be an appropriate sanction. However, this misconduct was deliberate and there was no evidence of insight. Mr Keshava had not co-operated with the investigation. The GDS indicates that these factors suggest that a severe reprimand would not be an appropriate sanction. Moreover, a severe reprimand would not provide any protection to the public.

61. The Committee therefore determined that the only appropriate and proportionate sanction was removal from the student register. The Committee noted that the GDS makes it clear that it will only be in exceptional circumstances that a member, who is found to have been dishonest, will not be excluded from membership. In the absence of any engagement from Mr Keshava, there was no basis for finding that there were any exceptional circumstances in this case justifying a lesser sanction.

62. Therefore, the Committee made an order under CDR 13(4)(c) of the Disciplinary Regulations removing Mr Keshava from the student register.

63. The Committee did not consider that the public interest in this case required it to additionally make an order under CDR 13(4)(c) restricting Mr Keshava's right to apply for readmission beyond the normal minimum period.

COSTS AND REASONS

64. ACCA applied for costs against Mr Keshava in the sum of £6,391. The application was supported by a schedule providing a breakdown of the costs incurred by ACCA in connection with the hearing.

65. The Committee found that there was no reason in principle not to make an order for costs in ACCA's favour. Nor did it consider that the application was for an unreasonable amount, save that it was appropriate to make a small reduction to reflect the actual rather than estimated length of the hearing.

66. Mr Keshava had been given the opportunity to provide information about his financial circumstances but had not done so.

67. In the circumstances, the Committee ordered Mr Keshava to pay ACCA's costs in the sum of £5,871.

EFFECTIVE DATE OF ORDER

68. The Committee determined that, in order to protect the reputation of the profession, the order for removal should have immediate effect. Therefore, pursuant to Regulation 20 of the Disciplinary Regulation, the order removing Mr Keshava from student membership will take effect immediately.

Mr Gerard Wareham
Chair
13 October 2026