

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Mr Gunjan Modi

Heard on: Wednesday, 16 September 2026

Location: Remotely by Microsoft Teams

Committee: Mr Gerard Wareham (Chair)
Dr David Horne (Accountant)
Ms Sue Heads (Lay)

Legal Adviser: Miss Juliet Gibbon

**Persons present
and capacity:** Mr Matthew Kerruish-Jones (ACCA Case Presenter)
Mr Gunjan Modi (Student of ACCA)
Miss Nicole Boateng (Hearings Officer)

Outcome: Allegations 1, 2 and 3(a) (Misconduct) proved
Sanction: Removal from ACCA's student register with
immediate effect

Costs: Order to pay ACCA's costs in the sum of £4,400.00

PRELIMINARY

1. The Disciplinary Committee (“the Committee”) convened to hear allegations of misconduct made against Mr Gunjan Modi. The hearing was conducted remotely through Microsoft Teams. The Committee had a Bundle of papers numbered pages 1-275, a Tabled Additional Bundle, numbered pages 1-27. It also had a Service Bundle, numbered pages 1 to 22. At the sanctions stage the Committee was provided with ACCA’s Detailed and Simple Costs Schedules and a Statement of Financial Position and various supporting documents setting out Mr Modi’s current financial means.
2. Mr Matthew Kerruish-Jones represented ACCA. Mr Modi attended the hearing but was not represented.

ALLEGATIONS

Gunjan Modi, an ACCA student:

1. On dates between 02 March 2026 and 17 July 2026, Mr Modi sent or caused to be sent emails containing inappropriate and/or offensive content to staff at Firm A and/or to ACCA which included comments as set out in Schedule A below.
2. Further to Allegation 1, Mr Modi engaged in conduct which he knew or should have known might discredit the profession and acted contrary to R115.1 of the ACCA Code of Ethics and Conduct (Fundamental Principle of Professional Behaviour).
3. By reason of any or all of his conduct as set out in Allegations 1 and 2 above, Mr Modi is:
 - a. Guilty of misconduct pursuant to Bye-law 8(a)(i); or in the alternative
 - b. Liable to disciplinary conduct pursuant to Bye-law 8(a)(iii).

Schedule A

In an email dated 2 March 2026 to Firm A and referring to Person A, you stated:

‘...

[PRIVATE] provided 6 session in total (Went to Holidays in between)’

In an email dated 5 March 2026 to Firm A, you stated:

[PRIVATE]

In an email dated 27 March 2026 to Firm A, you stated:

[PRIVATE]

In an email dated 2 April 2026 to ACCA and referring to Person A, you stated:

‘... And one more thing, When [Person A] came, and was answering my query on email, and trying to teach me something.

[PRIVATE]’

In an email dated 7 April 2026 to ACCA, you stated:

‘Kindley Check,
[PRIVATE]’

In an email dated 17 July 2026 to ACCA referring to Person B an ACCA member of staff, you sent a screenshot (LinkedIn profile image) and stated:

“[PRIVATE]”

In an email dated 17 July 2026 to ACCA referring to Person C, an employee of Firm A, you sent a screenshot (LinkedIn profile image) and stated:

[PRIVATE]

BACKGROUND

3. Mr Modi was admitted as a student of ACCA on 12 April 2022. As such, by virtue of Regulation 8(1) of The Chartered Certified Accountants' Membership Regulations 2014, as amended, he is bound by ACCA's Code of Ethics and Conduct, Bye-laws and Regulations.
4. On 02 March 2026, Mr Modi sent an email to Firm A stating the following about Person A:

'... I am trying to contacting you, via-Email, Via, Facebook, Instagram

[PRIVATE]

*Plus, I don't go in front of four people to negotiate, and send e-mail in [Firm A],
I came to [Firm A] all alone*

So I want to purchase rest of the applied skills paper, 3 are remaining ...'

5. On 05 March 2026, Mr Modi sent an email to Firm A stating the following about Person A:

'Good Morning Sir/Mam, Hope you are well!

What happen to my enrolment?

[PRIVATE]

It is a fitted coincedence that I'm pursuing this course.

Kindly respond to this ;) ;)

[PRIVATE]...'

6. On 06 March 2026 Person A emailed ACCA with a complaint about Mr Modi's behaviour. They attached various documents, including emails and social media messages sent by Mr Modi. In the email Mr Modi was described as 'a learner'

with Firm A. Person A stated that they were: *'very concerned that [Mr Modi] has tracked me down on social media and is now mentioning [PRIVATE] name'*.

7. ACCA was informed that Firm A had previously warned Mr Modi about similar conduct in 2024.
8. The Investigating Officer ('IO') wrote to Mr Modi on 27 March 2026, advising that he was employed by ACCA, setting out the emails received by Firm A and his references to Person A. He was advised that the comments made in his emails to Firm A of 02 and 05 March 2026 fell below what is expected of a student of ACCA and the accountancy profession. Mr Modi was asked if he accepted making the comments and whether he considered them to be inappropriate. He was asked to respond to the questions by 10 April 2026.
9. Mr Modi responded to the IO's email at 16:43 on 27 March 2026 stating:

'Dear Sir, Hope you are well!
[PRIVATE]...'

10. At 16:57 on 27 March 2026, Mr Modi emailed the IO stating:

'[PRIVATE]'

11. At 18:58 on 27 March 2026, Mr Modi emailed the IO stating:

'[PRIVATE]'

12. Mr Modi emailed the IO again at 00:43 on 28 March 2026 in which stated:

'... I have just opened what you have sent.

1. *You have made comments to a member of [Firm A's] Academic Support Team which appear to be inappropriate and derogatory. Why did you make these comments?*

2. *Do you accept the comments you made were inappropriate?*

Yes and No

It's real and it's based on Truth.

And Truth is bitter ...'

13. On 30 March 2026 the IO emailed Mr Modi acknowledging receipt of his emails of 27 and 28 March 2026. He stated:

'... In your second email of 27 March, you said, [PRIVATE]'

These comments are unacceptable and fall below what ACCA expects of its members'.

14. Mr Modi was informed by the IO that he had not adequately responded to question 2 and was asked to answer whether he accepted the comments made to a member of Firm A's Support Team were inappropriate.

15. Mr Modi responded to the email from the IO at 12:54 on 30 March 2026 stating:

'I accept that comments were inappropriate, and [PRIVATE]'

16. On 02 April 2026 Mr Modi sent a further email to the IO stating:

[PRIVATE]

17. On 04 April 2026 Mr Modi wrote to the IO stating:

[PRIVATE]

18. The IO emailed Mr Modi on 07 April 2026. Mr Modi was informed that referring to Person A as [PRIVATE] *was unacceptable and he was asked to refrain from making such comments.*

19. Mr Modi responded to the IO by email on the same day stating the following about Person A:

[PRIVATE]

20. ACCA's Investigation Officer ('IO') wrote to Person A on 13 May 2026 asking them about Mr Modi's reference to Person A's [REDACTED] name in his email to Firm A on 02 March 2026. Person A responded:

[PRIVATE]

21. Mr Modi sent a number of emails with similar content to the IO during May 2026.

22. On 02 June 2026 Mr Modi emailed the IO stating:

[PRIVATE]

23. The IO emailed Mr Modi on 22 June 2026 attaching a copy of the report of disciplinary allegations which was to be referred to the assessor for review on 07 July 2026. He was invited to make any comments that he wished to bring to the assessor's attention by that date.

24. Mr Modi responded by email on 22 June 2026 stating:

[PRIVATE]

25. Mr Modi sent another email to the IO on 22 June 2026, stating:

'1. Comply with the Laws and regulations.

Relevant Law is Contract law, Common Law in England.

if the relevant regulations are breached. then it should be parallel to the Common Law in England, then the Allegations are proved.

A regulation, Bye-Law itself is made to regulate internal workings of the organization, so bye-law should say, Breach of Contract Law as well, through Cheating, Mis-representation, Dishonesty then it becomes an offence.

Plus, Bye-law, rules and regulations, can't be used by the students, because the one who practices will tell us, where is the breach in common law. You cannot touch the innocent, and make him listen to your bye-law'.

26. On 24 June 2026 Person A emailed ACCA with evidence that Mr Modi had asked to follow them on Instagram.
27. Mr Modi continued to send emails to the IO during June 2026. The emails did not contain anything of relevance to the allegations.
28. On 01 July 2026 the IO emailed Mr Modi to remind him to provide any comments that he wished to bring to the Assessor's attention.
29. Mr Modi responded the same day, stating:

[PRIVATE].
30. Mr Modi sent a number of further emails to the IO in July 2026. Again, the emails did not contain anything of relevance to the allegations.
31. Mr Modi was informed by email on 16 July 2026 that the Assessor had decided to refer the disciplinary allegations to a hearing before ACCA's Disciplinary Committee. He responded the same day attaching a completed Case Management Form ('CMF').
32. Mr Modi denied the allegations in his completed CMF. In relation to Allegation 1 he stated: *'I do not accept this allegation, because, I feel there is a communication gap, and language barrier between me and tuition provider, I have been into [Firm A] from December 2023, but I haven't spoke to people*

from [Firm A], except for Academic Discussion and Course renewal, of any Difficulty with the subject etc..’.

33. In relation to Allegation 2 he stated: *‘Because, these laws are secondary to the foundation, based on which, I am Building this qualification i.e. Contract Law, and as per Contract Law, there must be an Intention to create legal relations, followed by performance obligation, so, I consider this relationship based on Contract Law and not a Picnic Spot, and I also added Love into this, wherever needed, I can admit that, I have to abide by the common law and the bye-law at the same time, while taking this qualification, then, I also want see how, this one is creating a breach in common law. As, Lawful Object (Intention) is also a part of Contract Law’.*

34. The name of ACCA’s Hearings Team Lead was referred to in the CMF. On 17 July 2026 Mr Modi emailed the IO with a link to the Hearings Team Lead’s LinkedIn profile stating:

[PRIVATE]

35. Mr Modi sent a ‘Written Representation & Defence Statement’, dated 05 August 2026, to ACCA for the Committee’s consideration.

36. Mr Modi was subsequently in email correspondence with the Hearings Officer (‘HO’) and sent her copies of some of his previous correspondence with Firm A. His last email to the HO, dated 15 September 2026, concluded with the words:

[PRIVATE]

HEARING

37. The HO read out the allegations at the start of the hearing and Mr Modi admitted that he had sent all of the emails, as set out in Schedule A, and that the content of those emails was ‘inappropriate’. He denied that the content of the emails was ‘offensive’ and denied misconduct.

SUBMISSIONS OF ACCA

38. Mr Kerruish-Jones took the Committee through the background of the case. He set out the legal framework for the Committee. In respect of misconduct, Mr Kerruish-Jones referred the Committee to the definition of misconduct given by Lord Clyde in the case of *Roylance v General Medical Council* (No 2) [2000] 1 AC 311. He also referred it to the case of *R (on the application of Remedy UK Limited) v General Medical Council* [2010] EWHC 1245 (Admin) in which Elias LJ stated: ‘... *Misconduct is of two principal kinds. First, it may involve sufficiently serious misconduct in the exercise of professional practice such that it can properly be described as misconduct going to fitness to practise. Second, it can involve conduct of a morally culpable or otherwise disgraceful kind which may, and often will, occur outwith the course of professional practice itself, but which brings disgrace upon the doctor and thereby prejudices the reputation of the profession*’.
39. In respect of Allegation 1, Mr Kerruish-Jones referred the Committee to the emails sent by Mr Modi to Firm A and ACCA. He invited the Committee to find that ACCA had proved, on the balance of probabilities, that the content of the emails, set out in Schedule A, was not only inappropriate, as admitted by Mr Modi, but was also offensive. He reminded the Committee that the content of the emails were racially, religiously and sexually offensive and discriminatory, that Mr Modi had [PRIVATE] and that he had also made derogatory comments about an ACCA member of staff.
40. Mr Kerruish-Jones submitted that Mr Modi had continued to send inappropriate and offensive emails over a period of five months and his conduct had persisted despite Firm A and the IO warning him not to send any further such emails.
41. In respect of Allegation 2, Mr Kerruish-Jones submitted that Mr Modi knew, or should have known, that the content of his emails might discredit the accountancy profession. He further submitted that Mr Modi had acted contrary to R115.1 of ACCA’s Code of Ethics and Conduct (Fundamental Principle of Professional Behaviour).

42. In respect of Allegation 3 Mr Kerruish-Jones submitted that Mr Modi's conduct, as set out in Allegations 1 and 2, fell below what is expected of a professional and had brought discredit to him, ACCA and the accountancy profession. He invited the Committee to find that Mr Modi lacked insight or any understanding into the gravity of conduct and that there were serious attitudinal issues and deeply held beliefs on his part. Mr Kerruish-Jones submitted that misconduct, as defined by Bye-law 8(c), was clearly made out in respect of Mr Modi's inappropriate and offensive conduct and his breach of the Code of Ethics and Conduct.

ORAL EVIDENCE OF MR MODI

43. Mr Modi informed the Committee that the inappropriate emails had been sent as a result of his frustration with Firm A. He stated that he had made a complaint about another student who had contacted him. Mr Modi stated that Firm A had then blocked him because of his inappropriate emails about the issue. He had then gone to another education provider who had not provided what he had expected them to so he reached out to Firm A again and had sent about 25 emails, but Firm A had not replied to him. Mr Modi said he then went to another provider.
44. Mr Modi stated that his relationship with Firm A, and ACCA, was governed by contract law under the India Contract Act of 1872. He informed the Committee that ACCA's bye-laws did not apply to him. He stated that his intention had always been to create legal relations with the provider and that he had previously received positive feedback from Firm A.
45. In relation to the remarks made about Person A's [REDACTED] name, Mr Modi stated that he had not 'tracked [them] down' but had searched for them on social media and found out the name of [REDACTED]. He stated that he did not think that was an offence. He accepted that Person A was feeling unsettled by the comments made in his email to Firm A when he referred to the name of [REDACTED].

46. Mr Modi informed the Committee that he had a friend in the United Kingdom and a tutor who are of [REDACTED]. He stated that he accepted that he had been inappropriate. He stated that his saying something out of frustration did not have any physical element and he reminded the Committee that he was not in the United Kingdom.
47. Mr Modi stated that he sent the emails because of 'the communication gap and the language barrier' between him and the provider. He stated '*I have said something because of the amount of money I sent, and I have been unemployed for 4-5 years*'. He repeated that he did not understand how ACCA's bye-laws applied to him.
48. Mr Modi was asked questions by Mr Kerruish-Jones. He stated that he did not dispute that he was a student of ACCA which was a professional body. He agreed that his intention was to become a professional accountant. He also agreed that as a student of ACCA he had to abide by its rules, bye-laws and regulations. Mr Modi did not accept that the language he used in his emails might bring the profession into disrepute.

DECISION ON FACTS

49. The Committee carefully considered all of the documentary evidence presented to it by ACCA and the oral evidence of Mr Modi. It also considered the submissions made by Mr Kerruish-Jones and Mr Modi. The Committee accepted the advice of the Legal Adviser and bore in mind that it was for ACCA to prove each of the allegations in dispute and that the standard of proof to be applied was the balance of probabilities.

Allegation 1 - Proved

50. The Committee noted that Mr Modi had partially admitted Allegation 1 at the start of the hearing in that he accepted that he had sent the emails set out in Schedule A and that the content of the emails had been inappropriate. The only

issue that remained in dispute in relation to Allegation 1 was whether the content of the emails had been offensive as well as inappropriate.

51. The Committee considered all of the evidence before it. In particular, it took account of the content of the emails sent by Mr Modi to Firm A and ACCA. It also took account of the submissions of Mr Kerruish-Jones and the oral evidence and submissions of Mr Modi.
52. The Committee considered the content of the emails sent by Mr Modi, as set out in Schedule A. It noted that the content of the emails included discriminatory racial, religious and sexual comments. Further, there had been [PRIVATE]. In the Committee's view, the content of the emails was clearly inappropriate and offensive.
53. The Committee, therefore, found Allegation 1 proved on the balance of probabilities.

Allegation 2 - Proved

54. The Committee determined that Mr Modi should have known that the comments made by him in his emails to Firm A and ACCA were inappropriate and offensive and that sending the emails was conduct that would bring discredit to the accountancy profession. Further, the panel was satisfied that Mr Modi's conduct had breached Rule 115.1 of ACCA's Code of Ethics and Conduct (Fundamental Principle of Professional Behaviour).
55. The Committee, therefore, found Allegation 2 proved on the balance of probabilities.

Allegation 3(a) – Misconduct Found

56. Having found Allegations 1 and 2 proved, the Committee went on to consider whether the facts found proved amounted to misconduct.

57. In the Committee's view, Mr Modi's conduct in sending emails to Firm A and ACCA with such inappropriate and offensive content demonstrated a clear disregard for ACCA's Code of Ethics and Conduct. It noted that Mr Modi had continued to send emails with inappropriate and offensive content after he had been warned not to by Firm A and ACCA and that his conduct had persisted over a period of five months.
58. In the Committee's view, Mr Modi's conduct was a serious departure from the standards expected of a student of ACCA and had brought discredit to him, the Association and the accountancy profession. Accordingly, the Committee found that Mr Modi's conduct was very serious and clearly amounted to misconduct under bye-law 8(a)(i).
59. Having found Allegation 3(a) proved, the Committee did not go on to consider Allegation 3(b) which was drafted in the alternative.

SUBMISSIONS ON SANCTION AND COSTS

60. Mr Kerruish-Jones informed the Committee that Mr Modi had no previous findings recorded against him. Mr Kerruish-Jones informed the Committee that ACCA did not make a sanction bid. He referred it to the aggravating features of the case, being that the misconduct was persistent over a period of five months and that Mr Modi's conduct had continued despite warnings given to him by the IO. Mr Kerruish further submitted that Mr Modi had demonstrated no genuine insight into the gravity of his conduct.
61. In respect of costs, Mr Kerruish-Jones referred the Committee to the two costs schedules. He submitted that the costs claimed by ACCA of £9148.50 had been reasonably incurred but he accepted that there should be some adjustment as the hearing had taken less than the time allowed for in the schedules.
62. Mr Modi informed the Committee that he would never send inappropriate emails again. He invited the Committee to take no further action in relation to sanction.

63. Mr Modi referred the Committee to his Statement of Financial Position and supporting documents. [PRIVATE].

SANCTION AND REASONS

64. In reaching its decision on sanction, the Committee considered the submissions made by Mr Kerruish-Jones and Mr Modi. The Committee referred to the Guidance for Disciplinary Sanctions issued by ACCA and bore in mind the fact that the purpose of a sanction was not to punish Mr Modi, but to protect the public, maintain public confidence in the profession and maintain proper standards of conduct and that any sanction it imposed must be proportionate. The Committee accepted the advice of the Legal Adviser.
65. When deciding on the appropriate sanction, the Committee carefully considered the aggravating and mitigating features of the case.
66. The Committee considered that the mitigating features of the case were that Mr Modi had no previous disciplinary findings recorded against him and he had made partial admissions to Allegation 1.
67. The Committee considered that Mr Modi's misconduct involved the following aggravating features:
- a. Mr Modi's conduct was deliberate and had continued over a period of five months.
 - b. Mr Modi's conduct had continued despite warnings from Firm A and the IO that he should not send emails with such content.
 - c. There was no evidence of any insight or remorse on the part of Mr Modi.
 - d. Mr Modi's conduct had the potential to undermine the integrity of, and public confidence in the accountancy profession and ACCA as regulator.

68. The Committee determined that Mr Modi's misconduct was very serious.
69. The Committee went on to consider what, if any, was the appropriate and proportionate sanction to impose in this case. It did not consider that it would be appropriate, or in the public interest, to take no further action or to order an admonishment in a case where a student of ACCA had sent such inappropriate and offensive emails to Firm A and ACCA.
70. The Committee then considered whether to reprimand Mr Modi. The guidance indicates that a reprimand would be appropriate in cases where the misconduct is of a minor nature; there appears to be no continuing risk to the public and there has been sufficient evidence of an individual's understanding; together with genuine insight into the misconduct found proved. The Committee did not consider that Mr Modi's misconduct was of a minor nature and there was no evidence of remorse or any insight into the impact of his conduct on Person A and Person B, the accountancy profession and ACCA, as regulator. Accordingly, the Committee concluded that a reprimand would not adequately reflect the seriousness of the misconduct in this case.
71. The Committee next considered whether a severe reprimand would adequately reflect the seriousness of the case. The guidance indicates that such a sanction would usually be applied in situations where the conduct is of a serious nature, but where there are particular circumstances of the case, or mitigation advanced, which satisfies the Committee that there is no continuing risk to the public and there is evidence of the individual's understanding and appreciation of the conduct found proved. The guidance suggests that this sanction may be appropriate where most of the following factors are present:
- a. The misconduct was not intentional and no longer continuing.
 - b. Evidence that the conduct would not have caused direct or indirect harm.
 - c. Insight into failings.
 - a. Genuine expression of regret/apologies.
 - b. Previous good record.
 - c. No repetition of failure/conduct since the matters alleged.

- d. Rehabilitative/corrective steps taken to cure the conduct and ensure future errors do not occur.
- e. Relevant and appropriate references.
- f. Co-operation during the investigation stage.

72. The Committee considered that apart from Mr Modi's cooperation in the investigation and his previous good record, none of the other factors were present. Accordingly, the Committee considered that a severe reprimand would not adequately reflect the seriousness of Mr Modi's misconduct.

73. The Committee was mindful that the sanction of removal from the ACCA student register was the most serious sanction that could be imposed. In the Committee's determination, Mr Modi's conduct in sending inappropriate and offensive emails over a five-month period and his clear lack of insight into, or appreciation of, the gravity of such actions was fundamentally incompatible with him being a student of ACCA. The Committee considered the guidance that this sanction was likely to be appropriate when the behaviour of the student was fundamentally incompatible with them being a student of ACCA.

74. The Committee also considered that a failure to remove a student who had behaved in this way would seriously undermine public confidence in the profession and in ACCA as its regulator. The public needs to know that it can rely on the professionalism of those who are studying to become members of ACCA.

75. The Committee therefore ordered that Mr Modi be removed from ACCA's student register.

76. The Committee did not deem it necessary to impose a specified period before which Mr Modi can make an application for readmission as a student of ACCA.

77. The Committee considered, in the particular circumstances of this case, that it was in the interests of the public to direct that the order shall have immediate effect so that Mr Modi cannot continue to hold himself out as a student of ACCA.

DECISION ON COSTS AND REASONS

78. The Committee was provided with two schedules of costs. ACCA applied for costs in the sum of £9,148.50 in respect of the investigation against Mr Modi and the hearing. Mr Kerruish-Jones, however, conceded that there should be a reduction because the hearing had concluded earlier than anticipated in the cost schedules.
79. The Committee was also provided with a Statement of Financial Position and supporting documents by Mr Modi showing [PRIVATE].
80. The Committee was satisfied that the costs sought by ACCA were appropriate and had been reasonably incurred. It determined, however, that the costs claimed should be reduced to [PRIVATE] the fact that the hearing had taken less time than accounted for in the schedules of costs.
81. The Committee determined that, in all the circumstances, it would be fair and proportionate to order Mr Modi to pay ACCA's costs in the sum of £4,400.00.

ORDER

- i. Mr Gunjan Modi shall be removed from ACCA's student register with immediate effect.
- ii. Mr Gunjan Modi shall pay ACCA's costs in the sum of £4,400.00.

Mr Gerard Wareham
Chair
16 September 2026