



HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of: Miss Junhan Liu

Heard on: Tuesday, 04 March 2025

Location: The hearing was conducted remotely by Microsoft Teams

Committee: HH Suzan Matthews KC (Chair)
Ms Sue Gallone (Accountant)
Ms Alison Sansome (Lay)

Legal Adviser: Miss Juliet Gibbon

**Persons present
and capacity:** Mr Mazharul Mustafa (ACCA Case Presenter)
Miss Mary Okunowo (Hearings Officer)

Outcome: Allegations 1a, 1b, 2a, 2b, 2c, 3, 4a, 4b, 4c, 4d and 6 (misconduct)
proved.

Sanction: Exclusion from membership of ACCA with immediate effect.

Costs: Order to pay a contribution to ACCA's costs in the sum of £5,000.

PRELIMINARY

1. The Disciplinary Committee (“the Committee”) convened to hear allegations of misconduct against Miss Liu. The hearing was conducted remotely through Microsoft Teams. The Committee had a bundle of papers numbered pages 1-286, a separate bundle, numbered pages 1-52, and an additional bundle, numbered pages 1-46. It also had a service bundle, numbered pages 1 to 17.
2. Mr Mustafa represented ACCA. Miss Liu, who is resident in [REDACTED], did not attend the hearing and was not represented.

SERVICE AND PROCEEDING IN ABSENCE

3. The notice of hearing, containing all the requisite information about the hearing, was sent to Miss Liu by email on 03 February 2025 to the email address notified by Miss Liu to ACCA. ACCA produced a receipt confirming delivery of the email to that address.
4. The Committee was satisfied that the requirements of Regulations 10(1) and 22(1) of the Chartered Certified Accountants’ Complaints and Disciplinary Regulations 2014, as amended (‘the Regulations’) as to service had been complied with.
5. Having satisfied itself that service had been effected in accordance with the Regulations, the Committee went on to consider whether to proceed in the absence of Miss Liu. It accepted the advice of the Legal Adviser. The Committee bore in mind that whilst it had a discretion to conduct a hearing in the absence of the relevant person, it should exercise that discretion with the utmost care and caution. The Committee paid due regard to the factors set out in the cases of *Hayward & Others* [2001] 3 WLR 125 and *R v Jones* [2002] UKHL 5 and to the case of *The General Medical Council v Adeogba and Visvardis* [2016] EWCA Civ 162.
6. The Committee noted that in her Case Management Form (“CMF”), dated 09 October 2024, Miss Liu had ticked the boxes indicating that she did not intend to attend the hearing and would not be represented. She also ticked the box to consent to the Committee dealing with her case in her absence.

7. The Committee was mindful that there is a public interest in dealing with regulatory matters expeditiously. It noted that Miss Liu had not requested an adjournment, and, in her CMF, she had indicated that she consented to the hearing proceeding in her absence. In all the circumstances the Committee was of the view that there was no evidence before it to suggest that an adjournment of today's hearing would result in Miss Liu's attendance on a future date.
8. The Committee determined that it was in the public interest to proceed in Miss Liu's absence.

ALLEGATIONS

Junhan Liu ('Miss Liu'), at all material times an ACCA trainee:

1. On or about 20 September 2021 in relation to her ACCA Practical Experience Training record caused or permitted a third party:
 - a. To register Person A as her practical experience supervisor and further
 - b. To approve in Person A's name 29 months of qualifying experience.
2. On or about 20 September 2021 in relation to her ACCA Practical Experience Training record caused or permitted a third party:
 - a. To register Person B as her practical experience supervisor and further
 - b. To approve in Person B's name 11 months of qualifying experience and further
 - c. To approve in Person B's name her nine performance objectives.
3. Applied for membership to ACCA on or about 20 September 2021 and in doing so purported to confirm in relation to her ACCA Practical Experience Training record she had achieved the following Performance Objectives:

- Performance Objective 1: Ethics and professionalism
- Performance Objective 2: Stakeholder relationship management
- Performance Objective 3: Strategy and innovation
- Performance Objective 4: Governance, risk and control
- Performance Objective 5: Leadership and management
- Performance Objective 6: Record and process transactions and events
- Performance Objective 7: Prepare external financial reports
- Performance Objective 9: Evaluate investment and financing decisions
- Performance Objective 13: Plan and control performance.

4. Miss Liu's conduct in respect of the matters described above was:-

- a. In relation to Allegation 1a and/or 2a, dishonest, in that Miss Liu knew her supervisors, Person A and/or Person B, had been falsely registered as her practical experience supervisors.
- b. In relation to Allegation 1b and/or 2b, dishonest, in that Miss Liu knew her supervisors, Person A and/or Person B, had not approved her qualifying experience.
- c. In relation to Allegation 2c, dishonest in that Miss Liu knew her supervisor, Person B, had not approved her nine performance objectives.
- d. In relation to Allegation 3, dishonest in that Miss Liu knew she had not achieved all or any of the performance objectives as described in the corresponding performance objective statements or at all.
- e. In the alternative, any or all of the conduct referred to in Allegations 1, 2 and 3 above demonstrates a failure to act with integrity.

5. In the further alternative any or all of the conduct referred to in Allegations 1, 2 and 3 above was reckless in that:

- a. Miss Liu failed to ensure that her Practical Experience Training record was approved in all material respects by her practical experience supervisors.
 - b. Miss Liu paid no or insufficient regard to ACCA's requirements to ensure that the statements corresponding with the performance objectives referred to in Allegation 3 accurately set out how each objective had been met.
6. By reason of her conduct, Miss Liu is guilty of misconduct pursuant to ACCA bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 5 above.

ADMISSIONS

9. Mr Mustafa invited the Committee to find Allegations 1a, 1b, 2a, 2b, 2c and 3 proved on the basis of the admissions made by Miss Liu in the amended CMF. The Chair, therefore, announced the facts of Allegations 1a, 1b, 2a, 2b, 2c and 3 proved in accordance with Regulation 12(3)(c) of the Regulations.

BACKGROUND

10. Miss Liu was admitted as an affiliate of ACCA on 01 August 2020 and became a member of ACCA on 23 September 2021.
11. Once an ACCA student has completed all their ACCA examinations, they become an ACCA affiliate. Regulation 3(a)(ii) of ACCA's Membership Regulations 2014 provides that an affiliate cannot become a member of ACCA until they have completed 36 months practical experience in a relevant role, in accordance with ACCA's Practical Experience Requirement ("PER"). A person undertaking practical experience is referred to as an ACCA trainee.
12. ACCA's PER is based on the International Federation of Accountants' ("IFAC") International Education Standard 5, PER. ACCA's PER develops the professional knowledge, values, ethics and behaviours required to become a professionally qualified accountant.
13. ACCA's PER has three components: First, to achieve five "Essential" Performance Objectives ("POs") and any four "Technical" POs by gaining the experience required to

achieve the necessary elements and to complete a statement for each PO, which is signed off by the trainee's Practical Experience Supervisor ("PES"). Secondly, to complete 36 months' work experience in one or more accounting or finance-related roles, which must be verified by the trainee's PES. Thirdly, to regularly record their PER progress in the online "MyExperience" recording tool, which is accessed via ACCA's online portal "myACCA".

14. Once all nine POs have been approved by the trainee's PES and their minimum of 36 months of practical experience has been signed off by their PES, the trainee is eligible to apply for ACCA membership.
15. A PES has the personal responsibility of approving the trainee's POs if the trainee has met the required standard. A qualified supervisor means a qualified accountant who has worked closely with the trainee and who knows the trainee's work. A qualified accountant means a member of an IFAC member body and/or a body recognised by law in the trainee's country. If a trainee's line manager is not a qualified accountant, they can sign off or approve the trainee's time in their relevant role, but the trainee must nominate a qualified PES to sign off their POs. If a PES is not a trainee's line manager, then the PES should consult with the trainee's line manager to validate their experience.
16. Trainees must enter the PES's details into the MyExperience recording tool and send their PES an invitation to register as their PES. If the PES accepts the invitation, then they are required to record their details using the same recording tool. Trainees cannot submit anything to their PES until the PES is registered with ACCA.
17. POs are designed to set the minimum standard of work that a trainee is expected to achieve and the level of competence they will need to demonstrate to their qualified supervisor. They set out the kind of work activities a trainee may carry out and highlight the values and attitudes ACCA trainees are expected to possess and to demonstrate as a trainee accountant.
18. Each PO is comprised of three parts. First, a summary of what the PO relates to. Secondly, five elements outlining the tasks and behaviours that a trainee must demonstrate to be able to achieve the objective. Thirdly, a 200 to 500-word concise personal statement in which the trainee must summarise how they have achieved the PO. Trainees must provide

examples of tasks they have been involved with to illustrate their personal statement. Trainees' statements should be unique to their own work experience.

19. ACCA's Customer Services Team in China provide support to ACCA Affiliates residing in China. Affiliates are invited to regular webinars provided by ACCA staff who advise on the PER process. There are also webinars in relation to ACCA's membership application process. The advice given includes that an Affiliate must:

'... Record 36 months of accounting-related work experience in myACCA, and complete 9 Performance Objectives, which will be confirmed online by your Supervisor ...'.

20. Affiliates in China are also encouraged to join the ACCA WeChat group of their regional service group and provided with details of how to join. In the WeChat groups, ACCA trainees can ask ACCA staff questions about the PER process.

21. ACCA China also uploads articles in relation to the membership process to its WeChat platform. These include *'How to become an ACCA Member Series 1 / Practical Experience Requirement (PER) Quick Guide'*, dated 15 January 2020. The article refers to a mentor, which is the same as a supervisor. Under the heading *'Find a Mentor'* it is stated:

'Your experience must be under the supervision of a mentor to count towards PER. You must find a mentor with real work experience to monitor and confirm your work hours and performance goals ...'.

22. Under the heading *'Determine performance goals'* it is stated:

'You have to choose which performance goals to accomplish, here are some points to keep in mind:

- *You need to complete 9 performance goals, including all 5 core goals and any 4 technical goals.*
- *Work with your practical experience mentor to develop a plan to achieve performance goals.*
- *Choose technical goals that are relevant to your day-to-day work, as they are easier to achieve ...'.*

23. During 2023 it came to the attention of ACCA's Professional Development Team that the PESs registered to 91 ACCA trainees shared one of three email addresses despite the names of the PES for each trainee being different. This was of concern to ACCA as it would not expect a PES to share an email address with any other supervisor or any other person.
24. Further analysis of the cohort of 91 trainees confirmed the following:
 - a. Most of the trainees were registered with ACCA as being resident in China.
 - b. Although each statement supporting a PO should be a description of the trainee's experience, and therefore unique, many of the PO statements within the cohort of 91 trainees were identical or strikingly similar. ACCA, therefore, concluded that the 91 trainees had copied their PO statements from others.
 - c. Of the 91 trainees, the earliest date a PES with one of these three email addresses is recorded as approving a trainee's PER Training record was August 2021 and the latest date was March 2023.
25. All PESs have to be registered with ACCA. During the period August 2021 and March 2023 when the PESs approved the POs for the 91 trainees most of them claimed to be IFAC qualified line managers for the trainees and the majority recorded that they were members of the Chinese Institute of Certified Public Accountants ("CICPA"), an IFAC body and provided their membership number. The majority of the PESs also uploaded a CICPA membership registration card but the membership number on the card did not match that provided by the PESs. Furthermore, the name recorded on the CICPA membership registration card and the photograph were pixelated and, therefore, unidentifiable.
26. The 91 trainees, which included Miss Liu, were referred to ACCA's investigation Team for investigation.
27. Miss Liu's PER Training record records that she obtained her practical experience while employed at two firms. It is recorded on her PER training record that Miss Liu was employed by Firm A from 01 November 2016 to 30 March 2019 in the role of [REDACTED]. Miss Liu

claimed 29 months of relevant practical experience in relation to this employment. It is recorded on the PER Training record that Miss Liu's supervisor at Firm A was Person A who was authorised to approve Miss Liu's experience / time claim only. Miss Liu requested Person A to approve her practical experience on 20 September 2021 and it was approved on the same day. The supervisor details for Person A appear to indicate that they registered on 20 September 2021 as Miss Liu's 'non IFAC qualified line manager'. The supervisor details record that Person A registered with one of the three common email addresses shared amongst the PESs of the cohort of 91 trainees.

28. Miss Liu's PER training record records that she was employed by Firm B in the role of [REDACTED] from 20 October 2020 to 20 September 2021. Miss Liu claimed 11 months of relevant practical experience in relation to this employment. The supervisor details appear to indicate that Person B registered as Miss Liu's IFAC qualified line manager at Firm B on 20 September 2021. The supervisor details record that Person B registered with one of the three common email addresses shared amongst the PESs of the cohort of 91 trainees.
29. Miss Liu requested Person B to approve her practical experience and her nine POs on 20 September 2021 and these were approved on the same day. Person B provided the supervisor CICPA membership number [REDACTED]. The membership number on the card, however, is [REDACTED] and the name and photograph on the card were pixelated. This is the same card that has been uploaded by many of the trainees PESs, who shared one of the three common email addresses.
30. ACCA carried out an analysis comparing the POs of each of the cohort of 91 trainees. In relation to Miss Liu, the analysis revealed that none of her nine PO statements were the first in time and all of them were either identical or strikingly similar to the PO statements previously submitted by other ACCA trainees in the cohort.
31. In particular, Miss Liu's PO1 statement was identical or strikingly similar to that of one other trainee; her PO2 statement was identical or strikingly similar to those of two other trainees; her PO3 statement was identical or strikingly similar to that of three other trainees; her PO4 statement was identical or strikingly similar to those of three other trainees; her PO5 statement was identical or strikingly similar to those of three other trainees; her PO6 statement was identical or strikingly similar to those of three other trainees; and her PO7

statement was identical or strikingly similar to those of two other trainees; her PO9 statement was identical or strikingly similar to those of three other trainees and her PO13 statement was identical or strikingly similar to that of one other trainee.

32. ACCA wrote to Miss Liu on 08 March 2024 setting out the complaint and attaching the relevant documents. Miss Liu was asked to respond to the questions asked of her by 22 March 2024. Miss Liu responded on 11 March 2024 confirming that she would cooperate with the investigation. She emailed ACCA on 21 March 2024 attaching a number of documents including her response to the complaint. In her email Miss Liu stated:

'...1.The matter is true that I was employed by [Firm A] from [REDACTED], and at [Firm B] from [REDACTED].

Evidence to support:

a. [Firm B] : (1) Termination of labor contract (2) Honorary certificate (3) Social security payment record

(Awfully sorry about not being able to submit my related employment contract for misplacing the original when I moved to the city of [REDACTED])

b. [Firm B] : (4) Labor Contract (5) Honorary Certificate (6) Social Security Payment Record

2. While I was working at [Firm B], [Person B] has always been my direct supervisor, guiding and supervising my daily work, including financial statements, cost analysis, business reports, etc. But it was my fault not to remind [Person B] to register as my supervisor sooner.

The following is the relevant proof: (7) (8) Email; (9) Information;

3.Regarding the PO statement, when I was working on it, due to lack of experience, when I had just switched back from non-accounting work to accounting work in the city of [REDACTED], I had to turn to my teachers and my friends for help. I was even unaware that there would be possibility that my PO statement is similar or identical to the other members.

I have rewritten the PO and I hope it would help to determine whether my performance objectives have been achieved.

4. In the course of my work at [Firm A], [Person A] has been indeed my direct superior, but since it has been a long time, the company has been bankrupt and restructured in 2020. What makes it worse is that my former colleagues have all resigned from the former department, and I am unable to log into my email account. However, I am glad to find that some chat records have been reserved and I hope it would be useful to verify my previous working experience. Just like this (10) (11)

5. Certainly, I was supervised by [Person B] and [Person A]. Besides, I have worked diligently in both companies and have earned peer recognition for my dedication and commitment...' (sic)

33. ACCA sent a further email to Miss Liu on 16 April 2024 which included putting to her that she had engaged a third party to complete her PER training record in the name of her supervisors. In an email to ACCA on 22 April 2024 Miss Liu stated the following, which was contrary to the information given in her previous email:

'... This incident does indeed involve a third party. The reason why I didn't mention [them] last time was because it has been almost 3 years and I can't find [their] contact information. We haven't been in touch for a long time, and I think mentioning [them] may not solve your question. But now I believe that only by speaking out the entire process of the incident can I explain this matter clearly. I have committed serious negligence and mistakes, which I must dare to face.

When I completed 3 years of work experience, I found that my supervisor, [Person B], did not have IFAC qualifications and I couldn't find anyone else to help me approve po. Through Baidu Tieba, I found an ACCA bar filled with people learning ACCA. I wrote an article seeking help in the Tieba. At this point, a person contacted me and claimed to be a member of the ACCA Mentor Program. [They] said that the purpose of the Mentor Program is to help students who have difficulty obtaining certification POs. [They] can let me join this program, but the prerequisite is that I have sufficient competence. Therefore, after communicating with [Person B] [they] agreed to contact this mentor to assist me in

completing the PO review without disclosing company secrets I provided [them] with a lot of documents to prove that I met the requirements of ACCA. In the end, [they] agreed and promised to help me approve po. [They] said [they] will represent [Person B] to help me complete the approve, and I just need to write the PO. [They] gave me a set of PO templates and asked me to modify them based on my work experience. [Person B] and [they] also participated in the modification and review. In the end, I uploaded the PO and added [Person B] as a superior, using the email provided by the supervisor, which is [...]. The approve was ultimately completed.

When I came into contact with [them], I did a few things to confirm whether what [they] said was true:

- 1. I did find a plan on the ACCA official website, and the purpose of this plan is indeed to help students who cannot find a PO reviewer.*
- 2. Besides me, there are many other ACCA students participating. Many people have successfully applied for membership through [their] help and shared their membership certificates, which has further deepened my trust in [them].*
- 3. When [they] reviewed me, I provided a lot of documents and also wrote some work experiences to [them]. This process made me feel that [they] was very professional and serious.*
- 4. With [their] help, I also successfully applied. This has made me think in recent years that the whole thing is in accordance with the procedure, and I have not taken this matter to heart' (sic).*

34. Miss Liu also stated in her email that she had made efforts to try and confirm that what the third party had said was credible. She stated that if what ACCA said about the third party was true then *'both myself and the other students would be victims, but I still can't understand [their] purpose for doing so'*. Miss Liu stated that when applying for membership she wrote a complete set of POs but *'I am not sure why there were lots of duplicates in the end. Perhaps I uploaded the wrong version and directly submitted the template [they] gave me ... I can no longer find the PO I wrote before, so I wrote a new set of POs to provide proof for myself'*. She explained that the numbers in the POs were different from the previous one because she had randomly selected a few of the most familiar ones to write about. Miss Liu stated that she had attempted to find the ACCA Tieba, but it had been closed. She stated that she had communicated with the third party through private chat on

Tieba and had, therefore, lost all contact with them. Miss Liu stated: *'I feel very guilty and saddened that such a situation occurred due to my carelessness. I also hope that the association can accept my apologies and give me another chance to correct my mistakes'*.

35. ACCA wrote to Miss Liu again on 16 May 2024 and she responded to the further questions asked of her on 23 May 2024. She was asked to provide the name of the third party that had assisted her in completing her PER training record. She replied *'I only remember [their] name is ACCA Mentor Program. At first, when [they] contacted me, I checked [their] name and also read [their] articles. All [their] information is called ACCA Mentor Program'*. She stated that due to the length of time that had elapsed she was unable to find any documentation of her communication with the third party. Miss Liu stated that both Person A and Person B existed, and she had given the email addresses for them under the guidance of the third party who had told her that they could represent her superiors.
36. On 31 May 2024 ACCA wrote to Miss Liu asking her to confirm if it was the third party who had approved her relevant practical experience at Firm A and Firm B. She responded on 06 June 2024 stating: *'What you said is correct'* but went on to emphasise that she had nevertheless been employed at both firms. She also stated that *'I was deceived by the ACCA Mentor Program (you called as the third party), After evaluating me, [they] believed that I was qualified. I completed it under the guidance of this ACCA Mentor Program, [they] said [they] can represent my superiors and [they] could authorize my supervisor and ask me to fill in [their] email, which caused my email to be duplicated with others'* (sic).
37. In her amended CMF, Miss Liu, for the first time, stated: *'I have the corresponding ability, and the PO I wrote at that time was replaced by a third party'*.

SUBMISSIONS

38. Mr Mustafa took the Committee through the background of the case, the PER requirements and ACCA's membership application process.
39. Mr Mustafa submitted that the documents submitted by Miss Liu did not prove that she had worked at Firm A or Firm B. He referred the Committee to the inconsistencies in the various accounts given by Miss Liu in her responses to ACCA, for example in respect of the POs,

she had initially stated that she had to turn to teachers and friends for help. She subsequently stated that having been supervised by Person B, and worked for a period of three years, she became aware that Person B was not IFAC qualified and, therefore, could not approve her POs. She then found a third party online who agreed to approve her POs in the name of Person B.

40. Mr Mustafa submitted that Miss Liu would have known that the third party could not approve her PER. He referred the Committee to the fact that all nine of the PO statements were identical or strikingly similar to those submitted by other trainees and submitted that Miss Liu must have known that the PO statements had been copied from other trainees and were not statements relating to her own experience when she submitted them to ACCA.
41. Mr Mustafa referred the Committee to the fact that Miss Liu initially stated that she may have uploaded the wrong PO statements, or the template provided by the third party by mistake which contradicted the information that she subsequently gave in her CMF that the third party had uploaded the PO statements. He submitted that the information Miss Liu had given to ACCA was inconsistent and not credible.
42. Mr Mustafa referred to the fact that both PESs had been invited to be Miss Liu's PES on 20 September 2021, that both had accepted on the same day, and both had approved her qualifying experience on the same day. He also referred to the fact that Miss Liu requested Person B to approve her 9 POs on 20 September 2021 and they were approved the same day.
43. Mr Mustafa invited the Committee to find that Miss Liu falsely registered Person A and Person B as her PESs, a third party had falsely approved her qualifying experiences in those names and the third party also falsely approved her 9 POs. He invited the Committee to find that Miss Liu had not achieved the 9 POs because she had not been supervised by Person A or Person B in accordance with ACCA's PER.
44. Mr Mustafa further submitted that the evidence demonstrated that Miss Liu was complicit with the third party in submitting a false training record. Mr Mustafa invited the Committee to find that with reference to the test for dishonesty set out in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 ("*Ivey*"). He submitted that Miss Liu had

attempted to deceive her regulator by her premeditated dishonest conduct and that she would have known that she was acting dishonestly in doing so. Mr Mustafa further submitted that such conduct would clearly be regarded as dishonest by the standards of ordinary decent people.

45. Mr Mustafa submitted that Miss Liu's pre-meditated and dishonest conduct brought discredit on Miss Liu, ACCA and the accountancy profession and clearly amounted to misconduct.

DECISION ON FACTS

46. The Committee considered all of the documentary evidence presented to it, including the witness statements of a Professional Development Team Manager at ACCA and a Senior Administrator in ACCA's Member Support Team. It also considered the submissions made by Mr Mustafa. The Committee accepted the advice of the Legal Adviser and bore in mind that it was for ACCA to prove each of the remaining disputed allegations made against Miss Liu and that the standard of proof to be applied was the balance of probabilities.

Allegation 4a, 4b, 4c and 4d - Proved

47. The Committee noted that Miss Liu denied that she had acted dishonestly in the CMF. It considered whether the conduct found proved in Allegations 1a and/or 2a was dishonest, applying the test set out by the Supreme Court in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67. The Committee could not be satisfied on the evidence before it that Miss Liu had been employed by Firm A or Firm B at the relevant times or that she had been supervised by Person A or Person B. The Committee was, therefore, satisfied, on the balance of probabilities, that neither Person A nor Person B had acted as Miss Liu's PES for the purposes of her PER. It was also satisfied that Miss Liu would have known that Person A and Person B had been falsely registered on her PER training record as her PESs. The Committee determined that such conduct would be considered dishonest in accordance with the test for dishonesty as set out in the case of *Ivey*. The Committee therefore found Allegation 4a proved.
48. The Committee next considered whether the conduct found proved in Allegation 1b and/or 2b was dishonest, applying the test set out in *Ivey*. The Committee could not be satisfied

on the evidence before it that Miss Liu had been employed by Firm A or Firm B at the relevant times or that she had been supervised by Person A or Person B. The Committee was, therefore, satisfied, on the balance of probabilities, that neither Person A nor Person B could have approved any qualifying experience at Firm A or Firm B. It was also satisfied that Miss Liu would have known that the approval on her PER training record of 29 months of qualifying experience at Firm A and 11 months of qualifying experience at Firm B was false. The Committee determined that such conduct would be considered dishonest in accordance with the test for dishonesty as set out in the case of *Ivey*. The Committee therefore found Allegation 4b proved.

49. The Committee next considered whether the conduct found proved in Allegation 2c was dishonest, applying the test set out in *Ivey*. The Committee was satisfied that the POs had not been approved by Person B as set out in Miss Liu's training record. The Committee was further satisfied, on the balance of probabilities, that Miss Liu had been complicit in arranging for a third party to approve the nine POs in the name of Person B. The Committee determined that such conduct would be considered dishonest in accordance with the test for dishonesty as set out in the case of *Ivey*. The Committee therefore found Allegation 4c proved.
50. The Committee next considered whether the conduct found proved in Allegation 3 was dishonest. It noted the inconsistent information provided by Miss Liu in relation to why the nine PO statements submitted were the same or strikingly similar to those of other trainees in the cohort of 91 trainees. She had initially not mentioned a third party to ACCA at all. She had then stated that she had submitted the wrong POs or even the templates provided by the third party by mistake. Miss Liu had then subsequently stated that she had been deceived by the third party and that they had submitted the false POs.
51. The Committee was satisfied, on the balance of probabilities, that Miss Liu was aware that she had not achieved the POs 1, 2, 3, 4, 5, 6, 7, 9 and 13, as described in the corresponding PO statements but she had purported to confirm that she had by submitting the nine false POs for approval. The Committee considered that the only reason for Miss Liu to act in this way was to falsely gain membership of ACCA in the knowledge that she had not completed the requisite PER. The Committee determined that such conduct would be considered

dishonest in accordance with the test for dishonesty as set out in the case of *Ivey*. The Committee therefore found Allegation 4d proved.

52. The Committee noted that in her completed CMF Miss Liu denied Allegation 4e, failing to act with integrity. It also noted that she had admitted Allegations 5a and 5b, that her conduct had been reckless. Having found Allegations 4a, 4b, 4c and 4d proved, however, the Committee did not go on to consider Allegation 4e or Allegations 5a and 5b, which were pleaded in the alternative.

Allegation 6 - Misconduct Found

53. Having found Allegations 1a, 1b, 2a, 2b, 2c, 3, 4a, 4b, 4c and 4d proved, the Committee then considered whether the facts found proved amounted to misconduct.
54. In the Committee's view, Miss Liu's dishonest conduct demonstrated a clear disregard for ACCA's PER. It also considered that such dishonest conduct had the potential to undermine the integrity of ACCA's membership process and the good standing of ACCA. It also meant that Miss Liu had become a member of ACCA when she was not properly qualified so to do and, in the Committee's view, there was therefore a risk of harm to the public because she was not a properly qualified accountant.
55. The Committee determined that Miss Liu's conduct had brought discredit to her, the accountancy profession and ACCA as her regulator. The Committee determined that Miss Liu's premeditated dishonest conduct was very serious and clearly amounted to misconduct.

SUBMISSIONS ON SANCTION AND COSTS

56. Mr Mustafa informed the Committee that Miss Liu had become an affiliate of ACCA on 01 August 2020 and, solely by reason of her dishonest conduct, she had become a member of ACCA 23 September 2021. Mr Mustafa informed the Committee that Miss Liu had no previous findings recorded against her, for which she should receive credit. Mr Mustafa submitted, however, that dishonesty lies at the top of the spectrum of misconduct. He further

submitted that Miss Liu's dishonesty involved an element of premeditation and planning and that the dishonest conduct was solely for her own benefit.

57. Mr Mustafa referred the Committee to ACCA's 'Guidance for Disciplinary Sanctions' and, in particular, section E2 which provides guidance on dishonesty cases.
58. In respect of costs, Mr Mustafa referred the Committee to the two costs schedules. He submitted that the costs claimed by ACCA of £6,699.50 had been reasonably incurred but that there should be some adjustment as the hearing had taken less than the time allowed for in the schedules. He referred the Committee to Miss Liu's statement of financial means and submitted that as the attached document setting out her income had not been translated into English then it should be given little weight by the Committee. He accepted, however, that ACCA had not translated the document and had not asked Miss Liu to obtain a translation of it.

SANCTION AND REASONS

59. In reaching its decision on sanction, the Committee considered the submissions made by Mr Mustafa. The Committee referred to the Guidance for Disciplinary Sanctions issued by ACCA and had in mind the fact that the purpose of a sanction was not to punish Miss Liu, 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.
60. When deciding on the appropriate sanction, the Committee carefully considered the aggravating and mitigating features of the case.
61. The Committee considered that the only mitigating features in the case were that Miss Liu had made some admissions to the Allegations and that she had no previous disciplinary findings recorded against her.
62. The Committee considered that the misconduct involved the following aggravating features:

- a. This was premeditated dishonest conduct that involved a degree of planning and collusion with at least one other third party.
 - b. There was no evidence of insight or remorse on the part of Miss Liu.
 - c. Miss Liu's dishonest conduct had the potential to undermine the integrity of, and public confidence in, ACCA's PER and membership processes.
 - d. Miss Liu's dishonest conduct had the potential to place members of the public at risk of harm as she had gained membership of ACCA when she was not properly qualified to act as a professional accountant.
63. The Committee went on to consider what, if any, was the appropriate and proportionate sanction to impose in this case. It did not think it appropriate, or in the public interest, to take no further action or to order an admonishment in a case where a member had disregarded the membership requirements and had acted dishonestly when submitting her PER, which had led to her wrongly being admitted as a member of ACCA.
64. The Committee then considered whether to reprimand Miss Liu. 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 Miss Liu's misconduct was of a minor nature and there was no evidence of any insight into her dishonest behaviour or the impact thereof on the reputation of the profession and ACCA, as the regulator. The Committee noted that when addressing factors relevant to seriousness in specific case types, ACCA's Guidance indicates that misleading ACCA is considered to be very serious. Accordingly, the Committee concluded that a reprimand would not adequately reflect the seriousness of the conduct in this case.
65. The Committee then 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 satisfy 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.

66. The Committee considered that apart from Miss Liu's 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 Miss Liu's dishonest misconduct.
67. The Committee noted that ACCA provides specific guidance on the approach to be taken in cases of dishonesty, which is regarded as a particularly serious matter, even when it does not result in direct harm and/or loss, because it undermines trust and confidence in the profession. The guidance states that the courts have consistently supported the approach to exclude members from their professions where there has been a lack of probity and honesty and that only in exceptional circumstances should a finding of dishonesty result in a sanction other than exclusion. The guidance also states that the public is entitled to expect a high degree of probity from a professional who has undertaken to abide by a code of ethics. The reputation of ACCA and the accountancy profession is built upon the public being able to rely on a professional accountant to do the right thing in difficult circumstances. It is 'a cornerstone of the public value which an accountant brings'.
68. The Committee bore in mind these factors when considering whether there was anything remarkable or exceptional in Miss Liu's case that warranted anything other than exclusion from membership of ACCA. The Committee was of the view that there were no exceptional circumstances that would allow it to consider a lesser sanction and concluded that the only appropriate and proportionate sanction was to exclude Miss Liu from membership of ACCA.

69. Miss Liu had provided ACCA with the names of two PESs, neither of whom had supervised her practical experience or were qualified to approve her POs. She had allowed the third party to falsely approve her qualifying experience in the names of the two PESs and she had submitted PO statements that had been copied from other trainees' PO statements. This had led to her being admitted as a member of ACCA on a false premise when she was not properly qualified to be a member. In the Committee's determination, Miss Liu's conduct was fundamentally incompatible with her being a member of ACCA. In the Committee's view the PER is a very important part of becoming a properly qualified member of ACCA, and the requirements of the PER must be strictly adhered to by those aspiring to become members of ACCA.
70. The Committee was mindful that the sanction of exclusion from membership was the most serious sanction that could be imposed. The Committee took into account the guidance that this sanction was likely to be appropriate when the behaviour of the member was fundamentally incompatible with being a member of ACCA. The Committee was satisfied that Miss Liu's dishonest conduct had reached that high threshold.
71. The Committee also considered that a failure to exclude a member 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 integrity, ability and professionalism of those who are members of ACCA.
72. The Committee therefore ordered that Miss Liu be excluded from membership of ACCA and that it was in the interests of the public for this to have immediate effect.
73. The Committee did not deem it necessary to impose a specified period before which Miss Liu can make an application for readmission as a member of ACCA.

DECISION ON COSTS AND REASONS

74. The Committee was provided with two schedules of costs. ACCA applied for costs in the sum of £6,699.50 in respect of the investigation against Miss Liu and the hearing.

75. The Committee was satisfied that the costs sought by ACCA were appropriate and had been reasonably incurred. It determined that the costs claimed should be reduced, however, to reflect the fact that the hearing had taken less time than accounted for in the schedules of costs and to reflect Miss Liu's [PRIVATE] Statement of Financial Position.
76. The Committee determined that, in all the circumstances, it would be fair and proportionate to order Miss Liu to pay a contribution to ACCA's costs in the sum of £5,000.00.

ORDER

- i. Miss Junhan Liu shall be excluded from membership of ACCA with immediate effect.
- ii. Miss Junhan Liu shall pay ACCA's costs in the sum of £5,000.00.

HH Suzan Matthews KC
Chair
04 March 2025