



Disciplinary Tribunal Panel Hearing

27 May 2020

Institute and Faculty of Actuaries, on-line hearing

Respondent:	Mahir Alam Not present and not represented in absence.
Category:	Lapsed member
ARN:	9550133
IFoA Case Presenter:	Stephen Ferson, Counsel instructed by the IFoA.
Panel Members:	Paul Housego (Chair/Lay member) Bryan Chalmers FFA (Actuary member) Robert Spain (Lay member)
Legal Adviser:	Graeme Watson
Judicial Committees Secretary:	Julia Wanless

Charge:

1. You submitted an application form for exemptions dated 15 January 2018 to Education Services at the Institute and Faculty of Actuaries and you included:
 - (a) a falsified certified copy of your academic transcript from the London School of Economics (“LSE”);
 - (b) a falsified letter from the Undergraduate Administrator at LSE dated 3 February 2017 which stated that you met the requirements set out by the Institute and Faculty of Actuaries to be recommended for exemption from subject CT8;
2. You misled the Institute and Faculty of Actuaries in correspondence between 30 April 2018 and 31 August 2018 in that you maintained that you believed you had been awarded a mark of 40 for ST302 when you were aware that you had been awarded a mark of 35 for ST302.
3. your actions at paragraphs 1 and/or 2 were dishonest;
4. your actions at paragraphs 1 and/or 2 were in breach of the Integrity principle of the Actuaries’ Code (version 2);
5. your actions, in each and all of the above, constituted misconduct in terms of Rule 4.2 of the Disciplinary and Capacity for Membership Schemes of the Institute and Faculty of Actuaries (effective 1 February 2018).

Proceeding in the absence of Mr Alam, and Mr Alam’s response to the allegations

1. Mr Alam did not appear and was not represented. He supplied detailed written submissions. He accepted that he had falsified the letter of 03 February 2017 and that this was dishonest, lacked integrity and was misconduct. He denied falsifying the academic transcript and misleading the IFoA.

2. Mr Alam's case is that in 2016 he downloaded a provisional academic transcript, and that was what he had provided to the IFoA with his application for exemptions, but that the final transcript had been different, and he had not accessed that before the IFoA drew his attention to it. He said also that he had submitted an exceptional circumstances application to the LSE within the week after the ST302 examination, based on the effect on him of stress and anxiety at the time of the ST302 examination. He stated that when he put in his application to the IFoA for exemptions he genuinely thought that he had passed ST302, and was correcting the letter of 03 February 2017, which he thought wrongly omitted CT8 from the list of exemptions to which he was entitled. He denied misleading the IFoA, attributing any inconsistency to lapses of memory.

3. Mr Alam asked for the hearing to proceed in his absence. Accordingly, and with reference to paragraph 3.6 of the Rules, and after receiving and accepting the advice of the legal assessor who referred the DTP to the case of GMC v Adeogba [2016] EWCA Civ 162, the DTP decided to proceed in the absence of Mr Alam. The DTP decided that the circumstances met the test in *Adeogba*, that he "*deliberately chose not to exercise their right to be present or to give adequate instructions to enable lawyers to represent them*". Mr Alam had requested that the hearing proceed in his absence, and was unlikely to attend any adjourned hearing as he had stated that he did not intend to attend the hearing.

4. He accepted the evidence of the witnesses whose statements the IFoA had provided to him (and which were provided to the DTP).

5. The DTP drew no inference adverse to Mr Alam from his non-attendance. It remained for the IFoA to prove its case, and the civil standard of proof applied, that is that the IFoA was required to show that what it alleged was more likely than not to have occurred. Where, as here, the allegations were serious, the DTP was required to give careful scrutiny to the cogency of the evidence tendered in support of the allegations. The DTP must not accept such evidence uncritically, but examine it carefully. In this case Mr Alam did not dispute the accuracy of the witness statements tendered by the IFoA, but the DTP examined all the evidence forensically notwithstanding that acceptance.

Facts

6. Mr Alam studied actuarial science for 3 years at the London School of Economics (“LSE”). He obtained a 2:1 degree at the end of the course. He passed all his exams, save one, ST302, a ½ unit paper on Stochastic Process. He obtained 35 marks, and the pass mark was 40. In the linked full unit paper, ST330, Stochastic Methods in Finance, he obtained 78 marks, which is a good pass. The IFoA recognises an LSE graduate’s exemption from CT8 only if both papers are passed.

7. At the conclusion of a student’s course of study the LSE provides an “*academic transcript*” which records all the papers taken, the marks achieved and the grade that mark represents, or that the paper was failed. The academic transcript for Mr Alam was dated 30 June 2016. Mr Alam stated that he received an email telling him of the academic transcript on 12 July 2016, and first accessed it on 16 July 2016.

8. An academic transcript contains the marks for all the papers taken in the 3 year course and the level of pass (as a numeral), or “F” for fail, and the final degree awarded. The academic transcript provided by the LSE records Mr Alam’s ST302 result as 35 marks and F.

9. On 01 February 2017 Mr Alam emailed the LSE to ask for a letter setting out the exemptions to which he was entitled. In reply he received a letter dated 03 February 2017 which stated that he was entitled to exemption from CT3 and CT7. He accepts that he altered that letter to add CT8 at the end of the line listing the two exemptions to which he was entitled, and sent the altered letter with and in support of his application for exemption from IFoA exams, including CT8.

10. On 18 January 2018 Mr Alam sought exemption from various requirements of the IFoA qualification process, by reason of his study at the LSE. Mr Alam tendered the altered letter and a copy academic transcript to the IFoA, which had been countersigned by his supervising actuary (she was the manager of his manager and he did not work with her).

That academic transcript shows that he obtained 40 marks in paper ST302, and the number “3”, being a grade 3 pass. It is alleged that Mr Alam altered this document also. Mr Alam denies doing so.

11. The LSE provides the IFoA with a list of names of those entitled to exemptions from IFoA examinations, detailing which exemptions apply to each student. The IFoA routinely checks applications for exemptions which it receives from LSE graduates against that list. When it did so with Mr Alam’s application, the LSE list did not show that Mr Alam was entitled to exemption from CT8 (or CT1, which he had also claimed).

12. This was checked with the LSE by email of 13 March 2018, and on 14 March 2018 the LSE replied to state that the list was correct, and that Mr Alam was not entitled to exemption from CT8. Further enquiries by the IFoA showed that the LSE’s academic transcript for Mr Alam showed 35 marks for ST302, and “F” for fail, not 40 and a grade 3 pass.

13. On 15 March 2018 the IFoA sent to the LSE that academic transcript provided by Mr Alam as part of his application for exemption, which showed that he had passed ST302 (and so would be entitled to the exemption from CT8, having passed ST330).

14. Mr Alam had been asked about this by the IFoA. He replied on 15 March 2018. He said that he was anticipating an exemption *“as I achieved a score of 78 (above 65) in ST302 and a pass mark in ST302”*. He stated *“As I achieved a score of 78 in ST330 (above 65) and a pass mark in ST302 I was anticipating an exemption from CT8.”* He attached the inaccurate academic transcript and the altered letter of 03 February 2017. He did not say that he had altered it.

15. On 16 March 2018 the LSE replied to the IFoA, and stated that students were able to download the transcripts, but this one appeared to have been altered, and the transcript

was signed by an external person (Mr Alam's supervising actuary) and not by someone able to access the source material to confirm its accuracy.

16. On 18 March 2018 Mr Alam emailed the LSE. He said that because ST 302 was a precursor to ST 330 the fact that he had scored 78, above the pass mark of 65, showed his competency in the subject. He also asked whether ST 302 and ST 304, both ½ units, could be paired to make a whole unit, because he got 45 marks in ST 304, and so with average 40 marks if they were taken as one full unit. In full he wrote:

"I have come to understand that the LSE and IFoA have an exemption agreement for the Core Technical exams based on a pre-arranged formula. Upon comparing my module scores and the boundaries for exemptions, it appears I am eligible for CT3 and CT7 passes. My queries relate to the possibility of being granted an exemption for CT8 whose criteria has been set out as:

'ST330 with a mark of 65 or more, with a pass mark in ST302, leads to an exemption for subject CT8'

Having achieved a score of 78 in ST330 (above 65) and a mark of 35 in ST302, I was hoping there may be some leniency here as I was quite close to the pass mark. The exams I took in the January 2016 sitting (ST302 and ST304) were adversely affected due to personal issues arising at the time that I felt I could cope with, but with hindsight, it was clear it had hindered my preparation for that examination period. From my three years studying at the LSE, this sitting had the lowest average in terms of marks gained when I know for sure that I would have performed better given a trouble-free period at the onset. As the content and methodology taught in ST302 is a pre- cursor to the subject material in ST330 (i.e. the theories in ST330 builds upon ST302 under more complex scenarios), I feel that the score of 78 achieved (above 65) here would serve as an example of my competency around the subject.

As ST302 and ST304 is paired together to form a full unit, would it be possible to average my scores across the modules to achieve a pass mark given that a score of 35 and 45 was attained respectively? Alternatively, would it be possible for you to recommend me for this exemption based on the points made above?"

17. It is apparent from this email that Mr Alam knew that his mark in the examination ST302 was 35, not 40. He did not mention an application for exceptional circumstances. He referred to hindsight explaining his mark in that exam. He sought an alternative way of being retrospectively given a pass mark in ST302.
18. On 30 April 2018 the IFoA set out the position to Mr Alam by letter sent by email at 12:19, and asked for his comments.
19. On 30 April 2018 Mr Alam emailed the IFoA at 17:58 stating that *"It is worrying and surprising to hear that my transcript is not accurate and does not corroborate with official records..."* He asked what discrepancies appeared so that he could query them with the university.
20. On 04 May 2018 Mr Alam emailed the IFoA and stated:

"I have contacted the University for clarification and they have confirmed that my mark for the subject ST 302 is 35 as opposed to 40... I had queried as to why there was a difference between the marks stated here and the copy that I had in my possession. The response was that the transcript I had was provisional subject to official release of transcripts online upon graduation (I had to visit student services at the time before graduation to receive a copy of my transcript for my employer, after degree classifications were released). It appears my application of mitigating circumstances for the January 2016 sitting... has caused this discrepancy between provisional and official results.... Regretfully, I was not aware that the copy given to me was not the final publication and as such had unknowingly submitted this in my exemptions application.... I will continue to query this as I was under the impression that I had achieved a pass mark for ST 302..."

21. On 10 May 2018 Mr Alam emailed to withdraw his application for exemption from CT8, as *“the final transcript suggesting I did not achieve the passmark for ST302 to obtain the full CT8 exemption...”* and because *“of the time it will take to sort this out”* and so that he could study for CT9 in July.

22. The IFoA sought the view of LSE on the email of 04 May 2018. On 14 May 2018 the LSE emailed the IFoA in reply and stated:

“Firstly I can see no evidence that the student has ever submitted any exceptional circumstances... there is no note of any exceptional circumstances, these will be noted under the medical/extenuating circumstances section. Additionally there is nothing mentioned in the minutes.

Secondly this student's suggestion that the transcript is provisional does not add up. The transcript has all marks entered for 2015/16 and also has an award documented. As you can see from the FAQs ... the school's dignitary transcript will be uploaded to the system within three weeks of receiving results. And that students will receive an automated email when it is ready for them to access and share. This would indicate that a student would not be able to access such a document until after he has received his marks, if this document was produced before this then the summer term exam marks would not be present nor the final award.

Additionally as you will see from the attached exam board marks frames the mark tabled at the meeting was 35, this would indicate it was never entered as 40 so would never of appeared as 35.”

23. After further correspondence, on 31 August 2018 Mr Alam emailed the IFoA. He wrote:

“However, regrettably I did amend the Letter of Recommendation that the university had sent to me via email which I then included in my exemptions application (16 January 2018). Originally, it stated I was exempt from exams CT3 and CT7. When I re-visited this email (upon gaining student membership with the IFoA on 4 January 2018) nearly a year after receiving it (3 February 2017), I had thought that CT8 was mistakenly omitted from the letter (as the transcript I had at the time suggested I met the exemption criteria for this exam; achieved over 65% in ST330 (78%) and thought I had achieved the pass mark for ST302, 40%) so I included this into the letter. I entirely accept this was wrong

and unprofessional of me and that I should have clarified this with the university. I genuinely thought this was an oversight on their part and due to the time constraints, I had rushed to submit the exemptions application for it to be processed before the April exam sitting (so I could plan and prepare my studies). After learning that there was an error in the transcript (1 May 2018), I withdrew my application for this exemption (CT8) in my email to [...] stating that I was not eligible for this exemption according to the latest transcript and had instead created a study plan to sit this exam in September 2018.

24. On 31 August 2018 Mr Alam emailed the IFoA after the allegation of falsifying the documents was made. He suggested that while he could not definitely explain why, he thought it might be by reason of mitigating/exceptional circumstances, and that he had handed in a form to the LSE “drop-box” at the student services centre shortly after the ST302 examination. He repeated this explanation in an email of 24 September 2018.

25. A member of the IFoA team emailed Mr Alam on 10 July 2019 and asked the following questions:

** On 18th March 2018 you sent an email to [...] at LSE stating that you received a mark of 35 for ST302 and asked if you could receive an exemption;*

** You were sent correspondence on 30 April from the IFoA which explained that the mark on the transcript you had provided to them in support of your exemption application was incorrect and you had not been awarded an exemption;*

** On the same date, 30 April 2018, you replied to the IFoA and expressed surprise that the transcript did not corroborate with official records. Yet you had acknowledged in your email to [...] on 18 March 2018 that you were aware your mark was 35.*

** On 31 August you emailed the IFoA and stated you had not accessed your transcript between 13 July 2016 and 1 May 2018, when the difference became apparent to you. Why then did you acknowledge in your email to [...] on 18 March 2018 that you received a mark of 35?”*

26. On 17 July 2019 Mr Alam emailed the IFoA and stated that:

“I agree that it does appear confusing and muddled up. During the period I received correspondence from the IFoA i.e. April to May, it was an extremely busy period of

the year for me which included sitting multiple exams, meeting end of financial year deadlines and submissions as well as balancing family commitments and personal problems. At times, I was sending 10 to 15 emails a day, often with many different people. I had forgotten majority of the emails I had sent out as a result of the accumulation of stress and intake of information over this period. I often write things down on notes to set reminders and actions, otherwise I find it difficult to recall from memory. When I received the email from the IFoA, it did actually catch me by surprise, hence my response. Consequently, having believed the mark on my transcript I had was final since graduating in July 2016, it was in my mind that this was the case, completely forgetting my email to [...] months prior. I am regretful I made a complete mess of the dates; it is hard for me to keep on top of things, especially when it's distressing. In my email on 31 August 18, I had thought I had not accessed my transcript after receiving my transcript via email upon graduation. But clearly, I had to have given my email to [...]. If I remember correctly, the time between March and April 18, I had also applied to a few graduate schemes having joined the company I was at via an entry-level job. It is possible that I would have accessed the transcript portal during the time I sent my email to [...] and as a result including a link to the transcript as part of my applications. It would have been then when I emailed [...], regarding the possibility of an exemption based on the score on the transcript, such as those I received for CT3 and CT7, months after my IFoA exemption application for CT1, CT3, CT7 & CT8 based on the transcript I had at the time. I hope you can understand that there have been a lot things, many personal, that went on in the past couple of years; it is difficult for me to recollect memories.”

27. In response to the allegation that he misled the IFoA, Mr Alam wrote on 06 May 2020:

“I disagree with the allegation that I deliberately misled the IFoA concerning the result that I achieved. I did truly believe my mark was 40 from when I was provided access to my transcript on 12 July 2016. When I received the email on 14 March 2018 from the IFoA mentioning I was not on the exemptions list for CT8, I responded that I was under the impression that I was eligible for this based on my belief that I achieved a score of 40 in ST302 at the time I submitted my exemptions application in January 2018. Upon this email, I must have checked the online transcript service for the first time since the email I received on 12 July 2016 following the release of results which then showed a score of 35 for ST302. After re-checking the results online, I emailed

[...] on 18 March 2018 to enquire about eligibility and the possibility of an exemption being granted. In this period up to early May, it was a very busy time period during my life following ongoing personal struggles, balancing work commitments and deadlines for the financial year-end as well as revising and preparing for the Spring exams. This did lead me to feel exhausted both physically and mentally. I am easily overwhelmed and my recollection and memory of details suffer greatly which had a negative impact on me. I find it very difficult to retain information and had a habit of keeping notes to remember anything of importance at work for example.. When I was told about the discrepancy in the transcript by the IFoA on 1 May 2018, I responded back on 4 May 2018 confirming the result of 35 for ST302 and provided a verified link to the online portal for them to check. I did not deliberately mislead or appear to mislead the IFoA as mentioned in paragraph 2 of the charge.”

Findings on allegation 1(a) (academic transcript)

28. The LSE evidence (which Mr Alam accepts) is that they do not issue “provisional” academic transcripts, and nor is there any reason why they should do so. Both the true document and that provided by Mr Alam are dated 30 June 2016, and that supplied by Mr Alam is not marked “provisional”. The only difference is the grades for ST302. Nor is it likely that the LSE would issue provisional academic transcripts and alter them later while leaving the date unaltered. This would mean two different results in what would look like the same document. In any event, the mark achieved was 35, as Mr Alam accepted, as he asked for leniency and an uplift to a pass and suggested two routes to that (amalgamating with ST304 and by reference to his mark in ST330). The LSE has no record of any mitigating/exceptional circumstances form, and Mr Alam points to no response to such a form, nor did he supply a copy of it. If he had submitted one, that can only be because he was worried about how he had done, and so he would have followed it up. In his later email (18 March 2018) he referred to realising “with hindsight” that his performance in ST302 was adversely affected by anxiety, which is inconsistent with his earlier statement that he submitted an exceptional circumstances form in the same week as the examination. Nor is the change in marks consistent with his account, for if it had been so the provisional would have been 35 and the final increased to 40, after consideration of the application for mitigation and exceptional circumstances (had one been made): that is, the change would be the other way round.

29. Mr Alam accepted that he altered the letter of 03 February 2017, and so there is nothing inherently unlikely in his altering a document. The alteration to the letter is undetectable on visual examination, and so plainly Mr Alam has the ability to alter a document as the academic transcript was alleged to be altered.

30. The DTP noted that the LSE responded within two days to Mr Alam's email of 01 February 2017 asking for a letter setting out his exemptions, providing exactly what he requested, and that the application was submitted to the IFoA on 15 January 2018, almost a year later. There was no reason why, if Mr Alam thought the letter of 03 February 2017 was incorrect, he could not have asked the LSE to amend it. But he did not think the letter was incorrect, because he knew that he needed a pass in ST302 to get the exemption, and that he had not got one. Mr Alam's email of 18 March 2018 stated that he hoped for leniency as he said he was close to the pass mark, meaning that he knew he had failed ST302. Mr Alam admits that he was dishonest in changing the letter. The DTP finds that the letter was altered to support the altered academic transcript, not to correct that letter, and that Mr Alam knew that he had not passed ST302 and that he was not eligible for exemption from CT8 for that reason.

31. In an email of 14 May 2018 Mr Alam also said that this was a ½ unit, and was paired with ST304, another ½ unit. Since he got 45 in ST304 he thought it should be paired with ST302 which would give him an average of 40 for both, which was a pass (and so another route to an exemption from CT8). They are not paired, and both papers are required to be passed individually. This was something Mr Alam had not raised before. Therefore it is not supportive of Mr Alam's claim that he was originally issued with an academic transcript containing a pass for ST302.

32. The observations set out by the LSE as to why the explanation not being credible or possible (set out above at paragraph 21, email 14 May 2018) are compelling and the DTP accepts them.

33. In summary the LSE's witness evidence is that no exceptional circumstances application was received from Mr Alam, that there is no "*provisional*" academic transcript, and that only one such document is made available to students and that is after all examinations are finally marked (and recorded on the academic transcript) and a final degree awarded. Mr Alam does not dispute that witness evidence. Further, the evidence of the LSE was that mitigating circumstances, if accepted, might permit a re-sit, but did not lead to a change from fail to pass, and so that would not explain the difference.

34. For these various reasons the DTP finds that Mr Alam altered the academic transcript as alleged.

Findings on Allegation 1(b) (letter of 17 February 2017)

35. Mr Alam admitted this, and it is found proved on that admission.

Findings on Allegation 2 (misleading the IFoA)

36. This is found proved. The DTP does not find the explanation given by Mr Alam to be credible, and finds this allegation proved, for the following reasons.

37. Mr Alam contends that when he emailed the IFoA on 04 May 2018 which states that he passed ST302 he had forgotten his email of 18 March 2018 to the LSE requesting that his fail mark of 35 be varied to a pass.

38. Mr Alam said in that email to the IFoA of 04 May 2018 that he thought that the "*provisional*" error may have arisen because he had asked that ST302 and ST304, both ½ units, could be paired as if so when averaged he achieved the pass mark. This cannot be correct, and not only because there is no such thing as a provisional transcript, but because Mr Alam asked for the pairing of the results in his email to the LSE of 18 March 2018, and not before. It follows that even if there was a provisional academic transcript,

that cannot have been the cause of a discrepancy in 2016, as he did not raise it until two years later.

39. In his email of 18 March 2018 to the LSE it is absolutely clear that Mr Alam knew that he had a mark of 35, not 40, and was seeking ways to have that increased to a pass. It was to mislead the IFoA to state that it was the LSE which was in error from the beginning. Mr Alam was seeking to persuade the LSE to award him a pass, two years later, to accord with the altered academic transcript submitted by him on 18 January 2018 showing that he had passed. He well knew that he had never been awarded a pass mark.

40. Mr Alam contends that the stresses on him account for him forgetting the email of 18 March 2018 when he wrote to the IFoA on 04 May 2020. It is not credible that he would have done so, having altered the letter of 03 February 2017 and sought to get the LSE to change its results for that paper retrospectively. In effect Mr Alam sought to minimise the consequences of his alteration of the letter of 03 February 2017 by attempting to show that he believed he was correcting it, rather than seeking an exemption to which he knew he was not entitled. It was the latter, not the former, and in his emails to the IFoA Mr Alam was misleading his regulator.

41. On 15 March 2018 Mr Alam sent another copy of the letter of 03 February 2017 to the IFoA stating, as a fact, that he had achieved a pass in ST302, again tendering the letter he had altered to try to prove it (and sending the altered academic transcript as well), when he had altered both (and admits altering the letter of 03 February 2017). He knew that he had not passed ST302 because the email to the LSE on 18 March 2018 expressly said so, and asked for retrospective "*leniency*". Even if (which the DTP does not accept) he did not know on 15 March 2018 he did three days later but did not tell the IFoA. This was to mislead the IFoA.

Dishonesty

42. Mr Alam admits that his alteration of the letter of 03 February 2017 was dishonest.

Plainly it was. He tendered to his regulator a letter which he had altered to his advantage. It is an alteration not detectable by examination by eye.

43. The alteration of the academic transcript must also be dishonest for the same reasons. It was altered by him to show something to his advantage which he knew not to be true.

That is dishonest.

44. The misleading of the IFoA was also dishonest: he was not truthful with the IFoA, as set out above, and knowingly telling untruths to attempt to evade regulatory sanction is not honest.

Lack of integrity

45. It is inevitable that someone found to be dishonest will also lack integrity, and the DTP finds this allegation proved also.

Misconduct

46. There is the moral opprobrium required by case law for misconduct to be established.

Further explanation is not necessary. Mr Alam accepted in his submissions to the DTP that his action in altering the letter of 03 February 2017 was “*deplorable*” (email 20 February 2020), and the DTP agrees. The action in altering the academic transcript is also deplorable, as is intentionally misleading a professional regulator.

Sanction

47. The DTP paid careful attention to its Indicative Sanctions Guidance, and to the advice of its legal adviser (as it did throughout). Mr Alam sought to portray his action in altering the letter of 03 February 2017 as regrettable lapse, but designed to correct an error of the

LSE. This was not true. This was a calculated plan to deceive the IFoA into granting exemption from IFoA examination requirements. It involved two sophisticated alterations to documents, and was a purported deception maintained over time. Mr Alam did not admit to the alteration of the letter of 03 February 2017 when the IFoA first raised concerns. He did so only late in the process. He has no, or very little, insight into the gravity of his actions, not being truthful to the IFoA or to the DTP about his deceit.

48. Mr Alam has no previous matter recorded against him, but he is a recent student member, and that is not a substantial mitigating factor. Mr Alam has ceased to work, and has allowed his membership to lapse by not paying his membership fee. The aggravating factors are the planning required, and the length and depth of the deception Mr Alam was attempting to perpetrate upon the IFoA. The mischief is that the deception was designed to enable Mr Alam to become an actuary without passing all the required examinations.

49. The DTP noted that sanctions are not intended to have a punitive effect, though this may be (and usually is) their effect. Sanctions are to protect the public, and to declare maintain and uphold professional standards and the reputation of the profession, and of the IFoA as the regulator. Dishonesty is a serious matter, and the reputation of the profession and the protection of the public mean that there will only be a small residual group of cases where removal from the professional exclusion from it does not follow from a finding of dishonesty. This case is not one of them. The actions of Mr Alam were not a momentary aberration, but a carefully planned and executed attempt to deceive the IFoA into permitting him to proceed towards full membership when he had not achieved the necessary academic standard. The DTP considered the available sanctions in order of seriousness, commencing with the lowest. In the circumstances of this case the DTP did not consider that lesser sanctions could meet the seriousness of the dishonesty of Mr Alam. The DTP determined that the only possible sanction to be imposed was exclusion from membership.

50. The DTP is required to specify a period of time, the maximum being five years, before which Mr Alam may be permitted to apply for readmission to the profession. The DTP

noted and took into account Mr Alam's submissions concerning the effect on him of health concerns (although these were not supported by medical evidence), and the fact that no member of the public was involved with, or disadvantaged by, the deception. While every instance of dishonesty, especially calculated dishonesty such as this, is serious, this is not the worst such example. The DTP considered that a disqualification period of three years was appropriate and so decided. Should Mr Alam seek readmission to the IFoA the decision on whether to readmit him will be a matter for a subsequent panel. This decision is not a recommendation that Mr Alam should be readmitted after that period.

Costs

51. The IFoA applied for costs. It supplied a detailed schedule of costs amounting to over £16,000. The case was well prepared and presented. The work that was done was reasonable and done in reasonable time, by appropriate people at appropriate charge out rates. The DTP considered the amount claimed as fair and reasonable.

52. Mr Alam provided a statement of means, and some bank statements. He stated that he lived with his parents [redacted], and had no income from employment, with no prospect of employment in the foreseeable future. The DTP noted that having found Mr Alam to be dishonest his submissions may not be reliable, but his former employer stated that he had left their employ in autumn 2018, and the DTP accepted that he was not a man of means. [redacted].

53. The DTP took careful note of the Guidelines for Disciplinary Tribunal Panels and Appeal Tribunal Panels on the award of costs of May 2020, in particular paragraphs 7.2 and 10.

54. The DTP noted that if Mr Alam does not pay the costs they fall on the profession. The means of a respondent are a relevant consideration. Mr Alam had caused the costs to be

larger than if he had been truthful from the beginning. Balancing these factors the DTP decided that Mr Alam should be ordered to pay a substantial contribution towards the costs of these proceedings of £10,000, within 28 days, and so orders. While this may not presently be enforceable, Mr Alam's financial circumstances may change for the better in the future.

Publication

55. The DTP ordered publication in accordance with the paragraph 6 of the IFoA Guidelines on Publication of May 2019 (Publication Guidance), namely publication on the website for a period of 5 years, and a summary in the Actuary Magazine. It did not consider that any further publication was required. The DTP applied appropriate redactions to the published determination in accordance with the Publication Guidance.

56. That ends this determination.