Institute and Faculty of Actuaries

Disciplinary Tribunal Panel Hearing

28 July 2026

Institute and Faculty of Actuaries
Online Hearing

Respondent:	Audric Kanyinda Present and not represented
Category:	Lapsed Fellow
Region:	UK
IFoA Case Presenter:	Ayanna Nelson, Barrister instructed by the IFoA.
Panel Members:	Peter Wrench (Chair/Lay member) Li Mei FIA (Actuary member) Jules Griffiths (Lay member)
Legal Adviser:	Alecsandra Manning-Rees
Judicial Committees Secretary:	Julia Wanless

Preliminary matter

At the start of the hearing the IFoA made an application to amend Charge 1. The proposed amendments were minor adjustments of wording to ensure that the charge was fully consistent with relevant court documents. The changes were:

- in charge 1(b), delete “a property in breach of a term of a tenancy agreement” and insert “and/or ceased to occupy Property X as your only or principal home, in breach of the terms of your tenancy agreement”; and
- in charge 1(c), delete “March” and insert “May” and delete “representation” and insert “representations”.

The Respondent had no objection to the proposed changes, and the Panel was satisfied that it was fair to accept them.

It was subsequently realised that there was a minor typographical error in charge 3, with the words “contrary to” being duplicated. The parties had no objection to deleting one “contrary to” and so the Panel also made this amendment.

Charge:

As amended, the charge is as follows:

1. As set out in your conviction dated 28 April 2025 at Wolverhampton Crown Court

    (a) on, or around, 24 October 2019 you dishonestly made false representations to Dudley Metropolitan Borough Council on a “Dudley at Home” terms and conditions document which were, and which you knew, were untrue or misleading to make gain for self/another or cause loss to another/expose another to risk

    (b) between 9 December 2019 and 22 April 2024 you sublet and/or ceased to occupy Property X as your only or principal home, in breach of the terms of your tenancy agreement

    (c) on 22 May 2023 you dishonestly made false representations to Dudley Metropolitan Borough Council on a Right to Buy application in respect of Property X which you knew were untrue or misleading to make gain for self/another or cause loss to another/expose another to risk

2. Your actions at 1(a) and/or 1(c) were contrary to sections 1 and 2 of the Fraud Act 2006

3. Your actions at 1(b) were contrary to section 1(1)(a) and (b) of the Prevention of Social Housing Fraud Act 2013

4. Your actions at paragraphs 1(a) and/or 1(b) and/or 1(c) and/or 2 and/or 3 were in breach of the Compliance principle of the Actuaries' Code (version 3.0)

5. Your actions at paragraphs 1(a) and/or 1(b) and/or 1(c) and/or 2 and/or 3 were in breach of the Integrity principle of the Actuaries' Code (version 3.0)

6. Your actions, in all or any of the above, constituted Misconduct in terms of Rule 2.1 of the Disciplinary Scheme of the Institute and Faculty of Actuaries (Effective 1 August 2023).

Panel's Determination:

1. The Panel found all parts of the charge proved.
   The Panel determined that the most appropriate and proportionate sanction was:

   - Exclusion from membership of the IFoA for a period of four years. The Respondent may not apply for readmission for a period of four years

2. The Panel also ordered the Respondent to pay to the IFoA costs of £5,834.

Background:

3. On 7 October 2025 the Respondent made a self-referral to the IFoA following his conviction for three counts of fraud at Wolverhampton Crown Court in April 2025. He had previously notified the IFoA in May 2025 that he had pleaded guilty to these charges, but had subsequently been waiting to receive a copy of the memorandum of conviction. The Respondent said that he had taken on the tenancy of a council flat on the basis that he would not sublet it and notify the council of any changes in his personal circumstances. He had been buying a different property privately but did not report this to the council and he subsequently sublet his council flat without permission. He had then attempted to buy the council flat under Right to Buy, while

being ineligible to do so as a result of having breached his tenancy agreement. In July 2025 he had been sentenced to 24 months imprisonment suspended for two years, with 200 hours of unpaid work and rehabilitation activity requirements for 30 days. A confiscation order was also to be made under the Proceeds of Crime Act 2002. In his self-referral the Respondent expressed his remorse and said that, while he was currently working as a warehouse operative, he hoped one day to return to the actuarial profession.

4. The Respondent's membership of the IFoA lapsed on 7 January 2026 but the Disciplinary Scheme provides that he remains liable for disciplinary action in relation to conduct which took place while he was a member.

5. After the self-referral the IFoA began an investigation, and the Respondent has engaged with it. He has admitted to the charges from the start, subject to ensuring that the wording of charge 1 was accurate, given the issues with the phrasing of relevant court documents.

Findings of Fact:

6. The Panel was aware that the burden of proof rests on the IFoA, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that the facts will be proved if the Panel was satisfied that it was more likely than not that the events occurred as alleged. There is no requirement for the Respondent to prove anything.

7. After the amended charge was read out, the Respondent made admissions to it in its entirety. The Panel took account of those admissions in going on to consider the documentary evidence in this case together with the submissions of the IFoA's Case Presenter. The Panel accepted the advice of the Legal Adviser in relation to findings of fact and the standard to be applied in assessing Misconduct.

8. <u>Charges 1, 2 & 3</u>

The Panel accepted that Rule 6.1 of the Disciplinary Scheme provided that, following a criminal conviction, "the findings of fact made in those proceedings shall be conclusive proof of those facts". Given the court documents which it had seen, and taking account of the Respondent's admissions, the Panel was satisfied that these three charges were proved.

9. Charge 4

The Compliance Principle of the Code is that "Members must comply with all relevant legal, regulatory and professional requirements". The Code also makes clear that it applies to Members' conduct beyond their actuarial role if that conduct could reasonably be considered to reflect upon the profession. The Code's requirement that Members disclose any criminal conviction to the IFoA as soon as is reasonably possible (as the Respondent did in this case) is predicated on the fact that a criminal conviction may impact on the reputation of the profession. The Panel was satisfied that conduct of the sort set out in the earlier charges, which had resulted in a criminal conviction and a suspended sentence of imprisonment, were indeed breaches of a "relevant legal requirement" for the purposes of the Compliance Principle. It accordingly found Charge 4 proved.

10. Charge 5

The Integrity Principle of the Code is that "Members must act honestly and with integrity". Conduct leading to a criminal conviction of three counts of fraud is manifestly incompatible with this principle and so the Panel also found Charge 5 proved.

11. Misconduct Charge

The Panel then considered whether the charges found proved amounted to Misconduct. The Panel noted that the Respondent had not sought to dispute that they did, but the Panel needed to reach its own judgement on this point. In considering this matter, the Panel took account of the definition of Misconduct, which for the purposes of the Disciplinary Scheme, is defined as any act or omission or series of acts or omissions by a Member, in their professional or non-professional life, which falls significantly short of the standards of behaviour, integrity, competence or professional judgement which other Members or the public might reasonably expect of a Member (Rule 2.1). The Panel was satisfied that the conduct which led to the Respondent's conviction was sufficiently serious to merit the description of matters falling significantly below the standard that other members of the profession or the public would expect of an actuary.

Sanction:

12. In considering the matter of sanction, the Panel had regard to the oral submissions of the IFoA's Case Presenter and the Respondent and further documentation provided by the Respondent in relation to the continuing proceedings against him under the Proceeds of Crime Act 2002 (POCA). The Panel considered the advice of the Legal Adviser in relation to the matters to be considered. The Panel also had careful regard to the Sanctions Guidance (1 August 2023). The exercise of its powers in the imposition of any sanction is a matter solely for the Panel to determine and it is not bound by the Sanctions Guidance.

13. The Panel was aware that the purpose of sanction is not to be punitive although it may have that effect. Rather, the main objective of any sanction is to protect members of the public, to promote and maintain public confidence in the profession and declare and uphold proper standards of conduct and competence. The Panel is mindful that it should impose a sanction, or combination of sanctions necessary to achieve those objectives and in so doing it must balance the public interest with the Respondent's own interests.

14. In her submissions, the IFoA's Case Presenter said that the Respondent's motivation had clearly been financial, and he had pursued a course of conduct over a period of time. He had deprived the council of the ability to provide social housing to someone who needed it. The perceived damage to the reputation of the profession was serious.

15. In his submissions, the Respondent said he had reflected on his actions and realised that he had let his family and colleagues down. There had been particular family circumstances contributing to his initially taking the tenancy, but he had no excuse for then subletting it or seeking to buy it. He said that the POCA proceedings against him were unresolved and some of his assets were currently frozen. He had not worked as an actuary since resigning in April 2025 and, as things stood, his monthly income was less than his outgoings and he was having to borrow from friends and family.

16. In considering sanction, the Panel first considered the seriousness of the Misconduct. The Panel was satisfied that this was a very serious matter, with three separate decisions to be dishonest for financial gain sustaining a course of conduct over a period of several years. In addition to the obvious risk to the reputation of the profession, the Respondent had caused significant financial loss to a local authority and had also left the tenants to whom he had sublet without full legal protection.

17. The Panel took into account the following aggravating factors:

- the Misconduct had resulted in a criminal conviction;
- it had involved dishonesty and a lack of integrity;
- it had taken place over a lengthy period;
- it had been done for financial gain.

18. The Panel also took into account the following factors in mitigation:

- there were no previous disciplinary findings against the Respondent;
- he had self-reported the matter promptly and then co-operated fully with the IFoA;
- he had made guilty pleas in court and full admissions in the disciplinary proceedings, including acknowledging the impact of his actions on others.

19. The Panel considered whether this was a case that warranted no sanction. Having regard to the seriousness of the misconduct and the need to maintain public confidence in the profession, the Panel was satisfied that a sanction is required.

20. The Panel considered whether to impose a reprimand but was satisfied that this would not be a sufficient or proportionate sanction given the gravity of the misconduct.

21. The Panel considered whether to impose a fine and similarly concluded that this would not be an appropriate sanction in this case, given the continuing POCA proceedings and the resulting uncertainty about the Respondent's financial situation. It also considered that a fine would not sufficiently reflect the gravity of the misconduct or adequately address the wider public interest concerns arising from it.

22. The option of a period of education, training and/or supervised practice was not available to the Panel as the Respondent is not currently a member. It would not, in any event, be capable of addressing the issues raised by the misconduct in this case, which concerns fundamental issues of personal conduct rather than a lack of professional competence or knowledge. Nor was it open to the Panel to consider a period of suspension.

23. As the Respondent is no longer a member, the Panel then considered whether to impose a period of exclusion from membership of the IFoA up to a maximum period of

five years. It was satisfied that this could appropriately mark the seriousness of the Misconduct and decided that it was the appropriate sanction in this case.

24. In considering the duration of exclusion, the Panel noted that the Respondent had now demonstrated significant insight and a readiness to work towards a return to the profession, while recognising that, realistically, this would take some time.

25. Drawing these factors together, the Panel concluded that a period of exclusion of 4 years would be proportionate. It adequately reflects the seriousness of the misconduct, and ensures that the Respondent cannot seek readmission until a sufficient period has passed to satisfy the public interest in declaring and upholding proper professional standards.

Costs:

26. The IFoA made an application for costs of £5,834 incurred in preparation for the hearing and attendance at the hearing by the IFoA's Case Presenter. The Panel noted that costs included administrative costs and costs incurred by the Panel and Legal Adviser.

27. The Panel had regard to the Costs guidance (1 September 2025).

28. The Panel considered the costs sought to be at a reasonable level, and that the work done and costs incurred justified that amount of cost. The Panel accepted that the Respondent's current financial circumstances are not straightforward, but it noted that, once the current POCA proceedings are settled, the Respondent has significant financial assets which he should be able to restructure. The Panel therefore ordered the Respondent to pay the IFoA costs of £5,834.

29. In accordance with paragraph 8.1 of the costs guidance this is to be paid within 28 days of the determination being served, although it is open to the Respondent to make an application to the Judicial Committees Secretary for payment to be made by instalments.

Right to appeal:

30. In accordance with Rule 18 and the Appeals Regulations, the Respondent has 28 days from the date that this written determination is deemed to have been served upon him in which to appeal the Panel's decision.

Publication:

31. Having taken account of the Publication Guidance (1 August 2023), particularly in light of the Respondent's exclusion, the Panel determined that this determination will be published and remain on the IFoA's website for the period of four years for which the exclusion is in force. The Panel was satisfied that there was no particular reason in this case to depart from the general principle that it is in the public interest for the outcomes of hearings to be available in this way.

That concludes this determination.

Date of Publication: 29 July 2026