



Institute  
and Faculty  
of Actuaries

## Adjudication Panel Meeting

12 May 2026

Institute and Faculty of Actuaries, Held by Video Conference

**Respondent:** Mohammad Nazim Hussain FIA C.Act

**Category:** Fellow since 17 December 2025

**Region:** United Kingdom

**Panel Members:** Susan Ahern (Chair/Lay member)  
John Birkenhead FIA C.Act (Actuary member)  
Jules Griffiths (Lay member)

**Legal Adviser:** Bilaal Shabbir

**Judicial Committees Secretary:** Julia Wanless

## **Allegation:**

The allegation against Mohammad Nazim Hussain FIA C.Act (the Respondent) is:

- A1 On 15 May 2023 he caused serious bodily harm to others through negligence when he collided with another car whilst driving in the Poprad district of Slovakia.
- A2 His actions in A1 were in breach of sections 3(2)(a)(b), 4(1)(c), 9(1) and 137(2)(c)(l) of the Road Traffic Act (No.8/2009 Coll).
- A3 His actions in A1 were in breach of section 157 of the Criminal Code of Slovakia (Act No. 300/2005 Coll).
- A4 His actions, in all or any of the above, were in breach of the Compliance principle of the Actuaries' Code (version 3.0).
- A5 His 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 considered the Case Report and appendices and the Respondent's response to the Case Report. The panel also considered the advice of the Legal Adviser including advice on the role of an Adjudication Panel, the prima facie test, the effect of Rule 6.1, and the threshold for Misconduct under Rule 2.1.
2. The Panel was satisfied that it had sufficient information before it upon which to make a decision.
3. The Panel found that the facts supporting all of the Allegations were capable of being proved. The Panel noted that the Respondent admitted all five allegations. The Panel also noted that, by reason of Rule 6.1 of the Disciplinary Scheme, the findings of fact made by the District Court in Poprad were conclusive proof of those facts for the purposes of the Scheme.
4. The Panel determined that the matters referred to in the Case Report established a *prima facie* case of Misconduct. The Panel accordingly invited the Respondent to accept that there had been Misconduct and to agree to the imposition of the following sanction:
  - a reprimand; and
  - a period of education in the terms set out in this decision.

## Background:

5. The Respondent became a Member of the IFoA on 19 October 2021 and is currently employed as a Senior Actuarial Analyst at Just Group Plc.
6. On 15 May 2023 the Respondent collided with another car whilst driving in the Poprad district of Slovakia and this action caused serious bodily harm to others, namely to another driver, and four of the Respondent's family members.
7. On 7 November 2024, the Respondent was convicted of causing serious injury by negligence in a road traffic accident at the District Court, Poprad, under section 157 of the Criminal Code of Slovakia and was given a 12 month suspended sentence, and a driving ban for 18 months. Subsequently on 29 May 2025, he was ordered to pay the standard flat-rate costs of criminal proceedings.
8. Rule 6.1 of the Disciplinary Scheme (Appendix 23) states:

*“6.1 Where a Respondent:  
[...]  
has been convicted of a criminal offence before a court of competent jurisdiction;  
[...]  
the findings of fact made in those proceedings shall be conclusive proof of those facts, under this Scheme.”*
9. On 26 January 2026 the Respondent submitted a self-referral form to the IFoA. On 10 February 2026 a Complaint was made against the Respondent via an IFoA Executive Referral resulting in the IFoA Case Report and the issuing of the Allegations against the Respondent.
10. The Panel reminded itself that its task was not to conduct a full hearing or to decide sanction finally. Its task was to decide whether, on an initial examination of the material before it, there was sufficient evidence to establish a prima facie case of Misconduct. The Panel applied the civil standard of proof, namely the balance of probabilities.

## **Decision and Reasons on the Allegations:**

### **Allegation 1**

**A1** *“On 15 May 2023 he caused serious bodily harm to others through negligence when he collided with another car whilst driving in the Poprad district of Slovakia.”*

11. The Respondent admitted Allegation A1. He explained that in the incident in addition to the other driver, both he and his family sustained injuries (the nature and seriousness of which was disclosed in the Criminal Order) and required hospital treatment in Slovakia. He had to deal with a serious accident, medical issues and an unfamiliar foreign legal system, with a language barrier. The British Embassy in Slovakia provided assistance to him during this period and helped arrange legal representation locally. Following legal advice, he accepted the charges against him, which allowed him to return to the UK while the legal proceedings continued.
12. The Panel took that explanation into account. In light of the Respondent’s admission and the effect of Rule 6.1, the Panel was satisfied that there was sufficient evidence at the prima facie stage in respect of Allegation A1.

### **Allegation 2**

**A2** *“His actions in A1 were in breach of sections 3(2)(a)(b), 4(1)(c), 9(1) and 137(2)(c)(l) of the Road Traffic Act (No.8/2009 Coll).”*

13. The Respondent did not challenge the legal charges against him. Consequently, he admitted and was found guilty of a breach of sections 3(2)(a)(b), 4(1)(c), 9(1) and 137(2)(c)(l) of the Road Traffic Act (No.8/2009 Coll). He received a 12 month prison sentence, suspended for a period of 18 months and had to pay standard costs for criminal proceedings. The injured party also referred the matter to civil proceedings for damages under s288(1) Criminal Procedure Code of Slovakia. Under Rule 6.1, the Panel treated the findings of the Slovak court as conclusive proof of those facts.
14. The Panel was therefore satisfied that there was sufficient evidence at the prima facie stage in respect of Allegation A2.

### **Allegation 3**

**A3** *“His actions in A1 were in breach of section 157 of the Criminal Code of Slovakia (Act No. 300/2005 Coll).”*

15. The Respondent did not challenge the legal charges against him. He admitted and was found guilty of a breach of sections 157 of the Criminal Code of Slovakia (Act No. 300/2005 Coll). He received a 12 month prison sentence, suspended for a period of 18 months and had to pay standard costs for criminal proceedings. The injured party also referred the matter to civil proceedings for damages under s288(1) Criminal Procedure Code of Slovakia. Under Rule 6.1, the Panel treated the findings of the Slovak court as conclusive proof of those facts.
16. The Panel was therefore satisfied that there was sufficient evidence at the prima facie stage in respect of Allegation A3.

### **Allegation 4**

**A4** *“His actions, in all or any of the above, were in breach of the Compliance principle of the Actuaries’ Code (version 3.0).”*

17. The Compliance principle of the Actuaries’ Code (version 3.0 effective 19 May 2019, which was the version in place at the time of the conduct described at A1) (**Appendix 22**) states:  
  
*“Compliance 4. Members must comply with all relevant legal, regulatory and professional requirements.”*
18. The Respondent accepted that there was a conviction recorded against him in Slovakia arising from a road traffic accident in May 2023, that this resulted in a breach of local law and consequently he admitted that it was a breach of the Compliance principle of the Code. He both regretted the incident and the harm caused.
19. The Panel noted that the Respondent was, or at a later stage became aware of, the obligations imposed upon him by the Code and by reason of his admission in relation to Allegations A1, A2, and A3, the Panel was therefore satisfied that there was sufficient evidence at the prima facie stage in respect of Allegation A4.

## **Allegation 5**

**A5 “His 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).”**

20. The onus is on the Panel to decide whether a *prima facie* case of Misconduct is established against the Respondent. The Panel reminded itself that a breach of the Actuaries’ Code does not automatically amount to Misconduct. In this regard, Rule 2.1 of the Disciplinary Scheme (Appendix 23) defines Misconduct as follows:

*“Misconduct means 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 judgment which other Members or the public might reasonably expect of a Member.”*

21. For Misconduct to be found, it must be serious in nature. The conduct must fall significantly short of the standards expected of a Member. In terms of the seriousness of the Misconduct the Panel was referred to the following caselaw:

*Mallon v GMC [2007]* the Lord Justice Clerk stated: “*Descriptions of serious professional misconduct .....tend ...we think, to obscure rather than assist our understanding. In view of the infinite varieties of professional misconduct, and the infinite range of circumstances in which it can occur, it is better, in our opinion, not to pursue a definitional chimera. The decision in every case as to whether the misconduct is serious has to be made by the Panel in the exercise of its own skilled judgment on the facts and circumstances and in the light of the evidence...In a case such as this, “Misconduct” denotes a wrongful or inadequate mode of performance of professional duty*”;

*Calhaem v GMC [2007] EWHC 2626 (Admin) (at para. 39)* Mr Justice Jackson had regard to the applicable caselaw relating to an assessment of what constitutes “serious professional misconduct”, he referenced *Roylance v General Medical Council [2000] 1 AC 311, PC*, at 330F- 332E, where Lord Clyde noted that 'serious professional misconduct' is not statutorily defined and is not capable of precise description or delimitation. It may include not only misconduct by a doctor in his clinical practice, but misconduct in the exercise, or professed exercise, of his medical calling in other contexts, such as that here in the giving of expert medical evidence before a court. As Lord Clyde might have encapsulated his discussion of the matter in *Roylance v Clyde*, it must be linked to the practice of medicine or conduct that otherwise brings the

profession into disrepute, and it must be serious. As to seriousness, Collins J emphasised in *Nandi v General Medical Council [2004] EWHC (Admin)*, (at para. 31) the need to give it proper weight, observing that in other contexts it has been referred to as 'conduct which would be regarded as deplorable by fellow practitioners'. Finally, Jackson J, having distilling the applicable caselaw set out five principles which he considered relevant to the assessment of seriousness in a professional misconduct context:

*“(1) Mere negligence does not constitute “misconduct” within the meaning of section 35C(2)(a) of the Medical Act 1983. Nevertheless, and depending upon the circumstances, negligent acts or omissions which are particularly serious may amount to “misconduct”.*

*(2) A single negligent act or omission is less likely to cross the threshold of “misconduct” than multiple acts or omissions. Nevertheless, and depending upon the circumstances, a single negligent act or omission, if particularly grave, could be characterised as “misconduct”.*

*(3) “Deficient professional performance” within the meaning of 35C(2)(b) is conceptually separate both from negligence and from misconduct. It connotes a standard of professional performance which is unacceptably low and which (save in exceptional circumstances) has been demonstrated by reference to a fair sample of the doctor’s work.*

*(4) A single instance of negligent treatment, unless very serious indeed, would be unlikely to constitute “deficient professional performance”.*

*(5) It is neither necessary nor appropriate to extend the interpretation of “deficient professional performance” in order to encompass matters which constitute “misconduct”.*”

22. The Panel were mindful of its findings in relation to the established breach of the Compliance Principle. It also found that the act of negligent driving had been established and a relevant criminal sentence, which was suspended, was imposed upon the Respondent. While this was an act which occurred in the Respondent’s non-professional capacity, and the Panel were satisfied that it was not intentional, it was nevertheless an act from which serious injuries arose, including to the Respondent’s own family. Rule 2.1 expressly extends to conduct in a Member’s non-professional life where the required threshold is met. The Respondent’s actions fell significantly below the expected standards of a member of the IFoA.

23. The Respondent also admitted that his actions constituted Misconduct in terms of the Code. In this regard the Panel took cognisance of the admission while noting that there was a delay in disclosure to the IFoA until such time as the Respondent became aware that his criminal conviction in Slovakia would affect his DBS certificate in the United Kingdom, which was some time after his conviction. The Panel took those matters into account. They were relevant to insight, mitigation and sanction but they did not remove the seriousness of the underlying conduct.
24. Standing back, the Panel was satisfied that a criminal conviction for causing serious bodily injury through negligent driving, resulting in a suspended custodial sentence and driving ban, was capable of falling significantly short of the standards of behaviour which other Members and the public might reasonably expect of a Member.
25. The Panel determined that there was a *prima facie* case that the Respondent's actions constituted Misconduct under Rule 2.1 of the Disciplinary Scheme.

#### **Decision and Reasons on Sanction:**

26. Having determined that a *prima facie* case of Misconduct was established, the Panel considered whether to issue an invitation to the Respondent under Rule 13.4 and, if so, what sanction should be proposed. The Panel was provided with further information in relation to the financial position of the Respondent.
27. In reaching its decision, the Panel had 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.
28. 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 to 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 and act proportionately.

29. In considering the matter of sanctions the Panel was mindful that under Section 3.1 of the Sanctions Guidance it should refer to the guidance when it “*determines that a prima facie case of Misconduct is established and they are inviting the Respondent to resolve the case*” and that in looking at the sanction it should always start by considering the least severe sanction and work upwards.
30. The Panel considered the following factors in assessing what if any sanction should be imposed upon the Respondent. In doing so it had regard to the Sanctions Guidance of 1 August 2023 (the Guide).
31. The Panel considered the seriousness of the Misconduct. The misconduct arose from a serious road traffic accident and a criminal conviction. The injuries caused were significant. The sentence imposed by the Slovak court reflected that seriousness.
32. However, the Panel also took account of the particular features of this case. The conduct was negligent, not intentional. In terms of culpability the Panel noted that the Respondent’s actions were at the lower end of the scale of seriousness of misconduct. It was unlikely to reoccur. The Respondent expressed his remorse and was, in the view of the Panel, somewhat naïve in the manner in which he accepted the legal advice provided to him, in particular in relation to any consequences in the UK, without any apparent challenge or rigorous interrogation of the basis upon which it was provided. In addition, the Panel placed emphasis on the fact the Respondent is in the very early stages of his career, less than one year qualified as a Fellow, and the naivety of his actions demonstrated to the Panel a level of immaturity which had to be considered in terms of the culpability assessment.
33. In terms of harm, the Panel were of the view that the Respondent’s actions constituted limited harm to the reputation of the profession while not minimising that they fell short of the expected standards of behaviour of a Member of the profession. The breach was limited in nature and did not involve any financial loss. The Panel was satisfied that the risk of repetition or risk to the public was negligible and concluded that in the particular circumstances of this case, the Respondent’s level of departure from the expected standards was at the lower end of the scale. Members of the public would expect an IFoA Member to comply with the law and would be concerned by a criminal conviction resulting in a suspended custodial sentence, whether imposed in the UK or not. At the same time, the Panel accepted that the conduct was not connected to the Respondent’s

actuarial role and did not involve any financial harm to clients, nor gave rise to any financial gain for the Respondent.

34. In considering sanction, the Panel took into account the following aggravating factors:
- That this was a case where the Misconduct resulted in a criminal conviction with a custodial sentence (albeit suspended), noting that it was for a road traffic related matter in a foreign jurisdiction; and
  - That the Respondent did not show any particular level of insight with regard to the importance of complying with the Code (in terms of immediate self-reporting) and he appeared not to have given any great thought to the likely consequences of his actions upon his profession and/or his professional life.
35. The Panel also took into account the following factors in mitigation:
- There are no previous disciplinary findings against the Respondent;
  - The Panel noted the full and immediate co-operation of the Respondent with the IFoA disciplinary process. While the Respondent's self-referral happened sometime after the incident which precipitated the criminal sanction, the duration of the criminal proceedings had to be taken into account and to some degree, - although very limited weight ought to be given in the mind of the Panel - the legal advice that he relied upon. However at the earliest opportunity, once he became aware that the criminal sanctions would have notification effect in the UK and appeared on his DBS certificate he recognised that it was appropriate to disclose the matter and made the self-referral to the IFoA which then precipitated the referral and investigation stage being concluded (within six weeks of his notification of the IFoA proceedings). His co-operation has been exemplary and swift.
  - The Respondent made full admissions in relation to all of the Allegations which has assisted the process and made the work of this Panel much easier;
  - He has expressed his remorse for what occurred;
  - The Respondent is at a very early stage in his career and while this was a non-professional incident of misconduct, it demonstrated a degree of naivety by the Respondent in the way it was handled vis a vis reporting, and in terms of the level of understanding he demonstrated as to the consequences of his actions, for his injured

family members, and his career. The Panel considered that this may well be symptomatic of his age and experience at this juncture of his professional life;

- This was a one off departure and there is a negligible chance of re-occurrence; and
- The Respondent has already 'served' his time under the criminal sanction and had those very serious consequences imposed upon him. The shadow of which will remain with him through his DBS certificate for many years and form part of his actuarial career history.

36. The Panel considered whether no sanction would be appropriate. It concluded that a sanction was necessary. A finding of Misconduct arising from a criminal conviction for causing serious bodily injury could not properly be left unmarked. The Panel then considered whether a reprimand would be sufficient. The Panel concluded that a reprimand was appropriate and proportionate. It would mark the seriousness of the Misconduct, make clear that the conduct fell below the standards expected of a Member, and maintain public confidence in the profession.

37. The Panel considered whether a fine was required. It concluded that a fine was not necessary or proportionate in this case. The Respondent had already been subject to criminal sanction, including a suspended custodial sentence, a driving ban, and an order for costs. The Panel also considered that the disciplinary concern in this case could be adequately addressed by a reprimand and an education requirement. The Panel considered whether education or training was appropriate. It concluded that it was. The purpose of education was to ensure that the Respondent properly understands the Actuaries' Code, his professional obligations, and in particular his duty to disclose relevant matters promptly, including overseas convictions.

38. The Panel having considered all of the features above, (and all the sanctions available at the Adjudication Panel stage) found that the sanction that they considered was most appropriate to invite the Respondent to accept should be as follows:

- (i) a reprimand; and
- (ii) a period of education in the terms set out below:

39. The Panel requires the Respondent to;

- Identify and undertake an appropriate training course that addresses professional standards in the actuarial profession. The training must include specific content on the Actuaries' Code and the professional obligations of IFoA Members.
- In terms of outcome this should underscore for the Respondent his duties to himself, the profession and the public in upholding the six principles relating to the conduct of actuaries as prescribed in The Actuaries Code.
- Such course or combination of courses chosen by the Respondent should be for a minimum period of 5 hours of training and be capable of being evidenced.
- The Respondent shall pay the costs of the course(s).
- The Respondent shall submit a training proposal to the IFoA within 30 days of publication of this decision. This training proposal will be reviewed - and, if sufficient - approved by the IFoA and will be monitored to ensure it has been completed. The IFoA may refer the matter back to the Panel if the Respondent fails to satisfactorily meet the education sanction.
- The Respondent is obliged to confirm to the IFoA's Head of Legal Services when compliance has been achieved by writing to the Head of Legal Services and providing any documentary evidence relevant to his education sanction.

**Publication:**

40. Having taken account of the Publication Guidance (1 August 2023), the Panel determined that, if the Respondent accepted the findings of the Panel, this determination will be published and remain on the IFoA's website for a period of three years from the date of publication. A brief summary of the determination will also be published in the next available edition of *The Actuary* Magazine. The Panel did not consider there was any reason to depart from the normal period of publication as set out in the guidance.

## **Costs**

41. In accordance with Rule 13.7 the Adjudication Panel may make an order for costs against the IFoA or the Respondent. The Panel took account of the Costs Guidance (1 August 2023) and determined that it was appropriate to make a fixed costs award of £1,500 against the Respondent. In accordance with paragraph 8.1 of the Costs guidance; having considered the Respondent's disclosed financial position, this is to be paid within 4 weeks of the invitation being accepted.

That concludes this determination.

**Date of publication: 28 May 2026**