

Professional justice

By Mickey Lowther and Jonathan Mort

Presented at the Actuarial Society of South Africa's 2023 Convention
Sandton Convention Centre 11–12 October 2023

ABSTRACT

A Code of Conduct and a related Disciplinary Scheme are features often established by professional bodies. This paper explores what the authors term 'Professional Justice' – rationales and jurisprudence relevant to designing a professional disciplinary scheme, particularly in the actuarial profession. Principles for this design are derived from the claim of the profession to serve the public interest, from legal requirements, and from other professions, especially the extensive project recently completed by the Institute and Faculty of Actuaries in the UK. These principles are then used to inform a number of design issues in a rational and proportional manner.

KEYWORDS

Professional discipline, disciplinary process, code of professional conduct

CONTACT DETAILS

Mickey Lowther, University of Cape Town; Email: actuary@mweb.co.za

1. INTRODUCTION

1.1 A Code of Conduct and a related Disciplinary Process are features often established by professional bodies. This paper explores what the authors term ‘Professional Justice’ – rationales and jurisprudence relevant to designing a professional disciplinary process, particularly in the actuarial profession.

1.2 The authors serve on the Actuarial Governance Board (‘AGB’) of the Actuarial Society of South Africa (‘ASSA’). The AGB is charged with designing and overseeing ASSA’s Disciplinary Process as well as approving the related Code of Professional Conduct. This paper is written in the authors’ personal capacities and is not an AGB publication. However, researching these issues, and obtaining feedback thereon, will assist the AGB to carry out its mandate.

1.3 Lowther and McMillan (2006) explored the concept of professionalisation: how self-regulated professions can be seen as dynamic, offering different types and strengths of features to their public from time to time. These features can be conveniently grouped into technical, ethical and professional oversight strands. Accordingly, subject to any relevant national legislation, a profession can decide whether it should have a disciplinary process, and if so, the details thereof.

1.4 Internationally, the actuarial profession has chosen to have Codes of Professional Conduct and related Disciplinary Processes. The International Actuarial Association (‘IAA’) has minimum requirements for such processes (IAA, 2017) which are mandatory for affiliated national actuarial associations to adopt. The IAA acknowledges a responsibility to the public interest, not least because of the many reserved roles that actuaries carry out in financial services. Louw and Mulaudzi (2023) explain that the public interest duties of members may be limited to compliance with standards, whereas national actuarial associations may be more pro-active in the public interest. Researchers in the accounting profession (e.g. Canning and O’Dwyer, 2001) suggest that ineffective disciplinary schemes become a smokescreen to protect members rather than the public. These concepts are explored in Section 2.

1.5 Section 3 examines the concept of ‘professional justice’ inherent in a profession’s disciplinary process, especially under a rights-based constitution such as South Africa’s. This concept differs from criminal jurisprudence or the law of contract. A complainant has a limited role to play – merely bringing the alleged misconduct to the attention of the profession, so that the profession can take steps to protect its reputation.

1.6 The Institute and Faculty of Actuaries in the UK (‘IFoA’) have recently introduced a revised disciplinary scheme. This revised scheme was informed by an extensive research

project, and is very up-to-date, which makes it particularly relevant to this study, and is therefore dealt with at length. Their work identified five principles of best practice for a disciplinary scheme that would assist the IFoA to maintain high standards and confidence, namely:

- public interest and independence,
- good regulatory practice,
- clarity of communication,
- flexibility by separating out detailed regulations, and
- simplicity, with a focus on material issues.

Section 4 explains how these principles were carried through into practice.

1.7 A disciplinary process is linked to a Code of Professional Conduct. Section 5 briefly looks at interactions between these items.

1.8 Section 6 deals with some specific and sometimes controversial issues that professions must consider when designing and reviewing their disciplinary processes. The theory and principles set out in the preceding sections may then be used to make rational and informed decisions on these issues.

2. IN THE PUBLIC INTEREST

2.1 ‘The International Actuarial Association exists to encourage the development of a global profession, acknowledged as technically competent and professionally reliable, which will ensure that the public interest is served’ (IAA, 2023).

2.2 To implement this vision of ‘contributing to the well-being of society’, the IAA has criteria that national actuarial associations must meet (IAA, 2017). These include a Code of Professional Conduct and a Disciplinary Process.

2.2.1 The Code should cover at least:

- perform services with integrity, skill and care,
- act in a manner that fulfils the profession’s responsibility to the public,
- act in a manner that upholds the reputation of the profession, and
- competence, communication, conflicts of interest, and conformance to standards.

2.2.2 The Disciplinary Process should cover at least:

- be accessible to anyone,
- fair rights of defence,
- independent appeal process,
- appropriate sanctions, and
- publicity.

2.3 Accordingly, actuarial associations such as ASSA are obliged to have a disciplinary process; and the outcome thereof should be to uphold the vision and reputation of the profession to contribute to the well-being of society.

2.4 Louw and Mulaudzi (2023) explore this public interest undertaking. They conclude that the profession's responsibility to the public interest is greater for the profession itself with its own agency, as opposed to a more limited role for individual members. A Code of Professional Conduct could confirm that a member meets public interest requirements by adhering to the Code and related technical and ethical standards.

2.5 Louw and Mulaudzi found several instances where this limited conception of a member's public interest duties is made explicit. For example, Clause 25 of ASSA's Code of Professional Conduct states that

provided members meet the requirements of the applicable Law, the Constitution of the Society and any applicable Standards of Practice and the Code, they will be deemed by the Actuarial Society to have met the expectations of the profession with respect to the public interest. (ASSA, 2015)

Similar wording was found in the documents of actuarial associations in Europe, UK, USA and Canada.

2.6 In the accounting profession, Canning and O'Dwyer (2001) critiqued disciplinary processes in Ireland. They suggested that, in order to support the public interest claims of the profession, the disciplinary process needed to be accountable, transparent and consistent. Inadequacies in this regard would make the process a smokescreen, serving the members and not the public. Canning and O'Dwyer quote Ward et al. (1993) that a Code of Conduct and Disciplinary Process should

act as a vehicle aimed at assuring the public and the state authorities that members are competent, have integrity, and that the profession intends to maintain and enforce high standards.

Accordingly, the disciplinary process must be effective, and seen to be so, if a profession is serious about its public interest undertaking.

2.7 Codes of Professional Conduct commonly require that members should report misconduct observed in other members' work, e.g., Clause 22 of ASSA's Code of Professional Conduct (ASSA, 2015). Parker (1994) bemoans the general reluctance of professionals to report such misconduct, and how this weakens the public interest claim of professions.

2.8 We conclude that the aim of the disciplinary process is for the profession to demonstrate to its public and to its members that members will be held accountable for material breaches of the agreed-on standards. It is not a criminal process, nor to do with compensation, as discussed in the next section. Details of the process can be assessed against this aim.

3. PROFESSIONAL JUSTICE

3.1 ASSA exercises a public function because there are some Acts of Parliament which require membership of ASSA to carry out an actuarial service.¹ When actuaries perform such actuarial services in terms of these Acts, ASSA performs a public function in regulating its members. As such, even though ASSA is a private organisation, it is bound by the Constitution. It is also bound by the Constitution because the Constitution applies not only to protect citizens from the state but also between private entities in terms of section 8(2).

3.2 The relevance of being bound by the Constitution is that ASSA must respect the Bill of Rights in its arrangements. Thus, for example, it must allow freedom of speech amongst its members. However, because membership of ASSA is contractual by nature, ASSA may restrict such freedom of expression within the limits that the Constitution may lawfully permit. What such restrictions might lawfully be is beyond the scope of this paper – but there probably needs to be a *nexus* or connection between the restricted behaviour and the interests of the profession. It suffices to say that in approving the Code of Conduct and deciding the Disciplinary Procedure, ASSA through the AGB does not have an open-ended discretion because there are limitations imposed by the Constitution. Beyond this limitation, the Procedure is what Cousins et al. (2000) describe as ‘a private system of law’. Similarly, the South African Institute of Chartered Accountants (‘SAICA’) state that:

The Institute’s complaints procedure and disciplinary process is based on the rules of justice. Though a disciplinary process is neither a civil nor a criminal process but a *sui generis* process, the processes followed satisfy the rules of justice in that they offer both the complainant and the accused the right to be heard and to present their case in a fair manner. (SAICA, 2023)

3.3 As discussed in Section 2 above, a Code of Professional Conduct and the related concept of ‘misconduct’ or ‘unprofessional conduct’ are fundamentally about ensuring that public trust in the profession is protected and promoted. This raises the issue of whether

1 See the Unemployment Insurance Act, No 63 of 2001, where in terms of section 9(1) an actuary who reviews the financial soundness of the UIF must be a member of ASSA; also section 1 of the Pension Funds Act, No 24 of 1956, which defines a valuator as a person admitted as a member of ASSA.

all conduct by an actuary may potentially impair such public trust, even if unrelated to actuarial work. Conduct may be unlawful in that it breaches a binding obligation, even if not criminal. Thus an actuary who cheats on the golf course, or fails to pay the plumber for services properly rendered for work at a residence, acts unlawfully. Driving without a licence, because it has lapsed, is technically criminal conduct. Do such unlawful or criminal acts warrant ASSA sanction if they do not relate in any way to the technical skills or work of an actuary?

3.5 There are, it is submitted, certain private acts of an actuary which may detrimentally affect the public's trust in the profession. An obvious example is dishonesty in financial matters, and this should inform the legitimate boundaries of restrictions that ASSA may impose on actuaries within the protections afforded by the Constitution. ASSA's current disciplinary procedure specifically includes conviction for any fraud or dishonesty within the definition of unprofessional conduct at Clause 2.1.6 (ASSA, 2022):

Conviction within South Africa or elsewhere of an offence involving fraud or dishonesty shall amount to *prima facie* evidence of Unprofessional Conduct.

Apart from this, however, ASSA appears to limit the application of the Code of Professional Conduct to the workplace (ASSA, 2015):

The Code covers both the work and the conduct of members towards their clients, their employers, regulators, the Society and its members, and includes the rendering of actuarial services.

Note that this clause is not well drafted, as the words *towards their clients, their employers, regulators, the Society and its members* may or may not be intended to qualify the word *work*. Nevertheless, non-professional activities seem to be excluded from the Code of Professional Conduct. This differs from the new IFoA disciplinary process which applies explicitly to acts or omissions in a member's professional or non-professional life (IFoA, 2023).

3.6 The Constitution is also relevant in respect of the process to be followed when any disciplinary process is initiated. The reason for this is that the disciplinary process may have a detrimental consequence for a member, and as such their rights, as contained in the Bill of Rights, may be prejudiced. This includes the laws of natural justice which are well established in South African law, and include specifically, for example, the *audi alterem partem* rule: that the person against whom a complaint is made has a right to state his or her side of the story. But such a process must also be fair not only to the defendant, but also the complainant and ASSA itself which, as observed above, has a real interest in a valid complaint.

4. THE REVISED DISCIPLINARY SCHEME OF THE IFOA

4.1 A working party of the IFoA recently completed an extensive review of their disciplinary scheme (IFoA, 2023). The purpose of the disciplinary process was identified as assisting the IFoA to maintain high standards and confidence. Five principles leading to this end were established.

4.1.1 **Public interest and independence of disciplinary enforcement** – the public interest obligations of the Royal Charter of the IFoA, and the independence of the disciplinary enforcement arrangements for the IFoA, are central to its identity and shall continue to be upheld in every aspect of disciplinary process and procedure.

4.1.2 **Consistency with the principles of better regulation** – the revised disciplinary scheme should follow the principles of better regulation, i.e., be transparent, accountable, proportionate, consistent, and targeted.²

4.1.3 **Clarity of communication** – the revised disciplinary scheme should be drafted in clear terms which are understandable for the members and all users, bearing in mind the IFoA's international membership.

4.1.4 **Scope for flexibility in the governance of process and procedures** – the more detailed procedures about how mechanisms such as Disciplinary Tribunals work in practice should be contained within regulations, rather than the disciplinary scheme itself. This will enable the disciplinary process to be improved on a more regular basis, where appropriate.

4.1.5 **Simplicity, and allowing for streamlined processes where appropriate** – where appropriate, measures should be introduced to allow cases to be concluded more efficiently or remove them from consideration altogether. This will allow time and resource to be focussed on more serious cases.

4.2 Some of the changes made by the IFoA as a result of applying these principles are set out in the following paragraphs.

4.3 Misconduct has been defined as any act or omission 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. It is interesting to note that only significant or material shortcomings are targeted – but these shortcomings can be in the member's non-professional life.

4.4 A triage process has been introduced to allow all complaints to be assessed at the outset to determine whether they should be investigated. This assessment is carried out by an administrative officer, but if a complaint is not accepted, this decision has to be confirmed by an Assessment Panel. This process allows resources to be focused on more

2 This principle echoes the requirements of Canning and O'Dwyer at ¶2.6 above.

serious cases, and reduces stress and costs for members where the matter should clearly not be dealt with.

4.5 Investigators will only be appointed if appropriate to the facts of the matter.

4.6 Although a member will not avoid an allegation by resigning, they can agree to a guilty finding and exclusion from future membership. This will avoid the need for a Tribunal.

4.7 An extensive set of regulations has been promulgated, as well as separate guidance on publicity, costs and sanctions.

5. INTERACTION OF THE DISCIPLINARY PROCESS WITH THE CODE OF PROFESSIONAL CONDUCT

5.1 Many contemporary Codes of Professional Conduct have been changed from ‘rules-based’ to ‘principles-based’. The IFoA made this change some years ago, and ASSA partly followed suit in 2015. The Actuaries Institute in Australia moved to a principles-based code more recently (Actuaries Institute, 2023). The Australians made a study to determine how the new code was working, and in particular whether it was still possible to discipline misconduct effectively against their short set of principles (integrity, compliance, competence and care, objectivity, speaking up, communication) rather than a long list of specific prohibited behaviours. The study (*ibid.*) observed no noticeable change in the frequency or nature of complaints, although noting that it might still be too early for a reliable result.

5.2 Of course, detailed technical requirements are set out in the various technical practice standards that actuaries need to comply with in terms of the code. Non-compliance with technical standards should be somewhat easier to establish.

5.3 A disciplinary process exists to enforce the Code of Professional Conduct. For fairness and clarity, and the avoidance of circularity, the disciplinary process should not introduce further behavioural requirements for members. Thus the definition of misconduct might best be set out in the Code of Professional Conduct.

6 SPECIFIC ISSUES

6.1 Section 6 deals with some specific and sometimes controversial issues on which the AGB needs to take a view when reviewing ASSA’s disciplinary processes. The theory and principles set out in the preceding sections may then be used to make rational and informed decisions on these issues. Although the AGB has the power to amend the process unilaterally, consideration of feedback from members at ASSA’s 2023 Convention would enhance the AGB’s regulatory practice in respect of the Disciplinary Process.

6.2 Definition of misconduct

6.2.1 As mentioned in Section 4 above, ‘Misconduct’ has been defined in the revised IFoA scheme as

any act or omission 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. (IFoA, 2023)

Only significant or material shortcomings are targeted – but these shortcomings can be in the member’s non-professional life. ASSA’s disciplinary process defines Unacceptable Conduct as

any failure by a Member (whether committed in South Africa or elsewhere) to comply with the standards of behaviour, integrity, competence or professional judgment which may reasonably be expected of Members, having regard to any advice or guidance or statement or memorandum on professional conduct, practice or duties given or published by the Society, and to all other relevant circumstances.

6.2.2 ASSA’s process also has a definition of Unprofessional Conduct, which is identical save for the addition of the words ‘*in a material respect*’. Having two definitions of misconduct has often puzzled members and adjudicators. Many of the five principles mentioned in Section 4 above would be served by deleting the concept of Unacceptable Conduct and thereby concentrating on material issues. If misconduct is not material, would it not be better resolved in other ways than a disciplinary forum?

6.2.3 One can also question the need for the wording ‘*having regard to any advice or guidance ...*’. This is because, using the jurisprudence of interpreting legislation, the presence of these words could be used to argue that work or conduct not covered by ‘*any advice or guidance ...*’ was of lesser relevance. Is it not the case that ‘*any advice or guidance ...*’ is already covered by the standards of behaviour etc in the preceding words? This issue is also relevant with the ever-widening areas in which actuaries may be working, often with no technical duties. A related issue is the changing nature of professional work – for example, where an actuary is part of a multi-professional team, how responsible are they for the team’s output?

6.3 Mediation

6.3.1 In modern jurisprudence, alternative dispute resolution is a common and desirable process. South African courts require litigants to attempt to settle disputes before litigating. Should there be an option to refer a case to mediation, even at the Tribunal

stage? A variety of matters come into the disciplinary process – and of these, some may be suitable for mediation, always bearing in mind the purpose of the disciplinary process, which is to uphold the standing and reputation of the profession.

6.3.2 Careful thought needs to be given to the role of the complainant in a mediation. If the mediation is seen as settling a dispute between the complainant and respondent, so that the complaint can be withdrawn (see next paragraph), then the complainant should play a full role. However, if the mediation is between ASSA and the respondent, then the complainant seems to have little role to play. The IFoA use the term ‘referrer’ and not ‘complainant’ (IFoA, 2023), which emphasises the purpose of the disciplinary process as the profession investigating whether the respondent has materially breached its standards.

6.3.3 The IFoA does not make provision for mediation. It seems their view is that once an allegation of misconduct has been accepted (and not rejected by the assessment committee) it must be decided, in order to uphold the reputation of the IFoA.

6.3.4 On the other hand, the IAA checklist for disciplinary schemes (IAA, 2008) includes the option that there could be conciliation processes. And SAICA has decided that where possible, the Institute shall, at its sole discretion, seek to apply alternate dispute resolution measures such as mediation (SAICA, 2023).

6.3.5 Mediation may also well be a more appropriate mechanism for dealing with a complaint by one actuary against another, whether to do with technical actuarial issues or in respect of the conduct of the respondent, especially where a member of the public has not raised the issue and which may not impair the trust of the public in the profession.

6.4 Withdrawal of a complaint

6.4.1 Related to mediation would be the ability of a complainant to withdraw a complaint. This could happen *inter alia* as a result of mediation, or because the alleged misconduct has been resolved privately by the respondent with the complainant, in what might be termed ‘restorative justice’. If it were then considered that no damage had been done to the reputation of the profession, the principles outlined in Section 4.1 above would seem to encourage the withdrawal of the complaint.

6.4.2 On the other hand, this facility could be seen to weaken the profession’s public interest claim – shoddy work will be fixed only if there is a complaint!

6.5 Reviews and appeals

6.5.1 The IFoA believe that a robust and comprehensive disciplinary process should include a mechanism for the parties involved in a case to be able to appeal a decision (IFoA, 2023). Their revised scheme allows for:

- a complainant to request a *review* of the dismissal of a complaint at the triage stage (see ¶4.4 above);

- a complainant or the IFoA to request a *review* of the dismissal of a complaint after the investigation stage; and
- the respondent or the IFoA to *appeal* the findings of a Tribunal.

Requests for reviews or appeals must comply with specific requirements. A review has limited grounds, and a successful outcome merely refers the decision back for reconsideration. An appeal is a rehearing of the matter by a separate forum.

6.5.2 There seem to be positive and negative aspects to offering multiple reviews and appeals. On the one hand, and especially in a rights-environment such as South Africa, fair administrative action is to be promoted. On the other hand, under ‘professional justice’ the complainant is merely bringing the alleged misconduct to the attention of ASSA.³ For this reason, complainants do not have a right of appeal after a matter has been fully aired at a Tribunal. Complainants could also consider using the courts, mediation, arbitration or other methods as more suitable forums for resolving certain types of disputes. In the same vein, the Australian study into Principles-based Codes of Conduct (AI, 2023) noted a concern that the principles were too broad, and thereby brought into the disciplinary process disputes that were better resolved in other forums.

6.6 Anonymous complaints

6.6.1 Disciplinary processes – and jurisprudence in general – usually require the complainant to identify themselves when submitting their complaint. However, there may be circumstances when a member, or some other person, wishes to make an allegation of misconduct but is prevented by fear of retribution or by some non-disclosure requirement. So the question arises as to whether anonymous complaints may be accepted if ‘whistleblowing’ requirements are relied on.

6.6.2 Guidance on whistleblowing includes various possible ways to highlight the alleged misconduct. It could possibly be acceptable for an anonymous whistleblower to make a report to the CEO of ASSA and for that officer to be the complainant if the CEO considered this to be justified.

6.6.3 It should be borne in mind that some of the actuarial codes of conduct which Louw and Mulaudzi (2023) surveyed included a positive duty on actuaries to speak out and not remain silent in certain circumstances.

6.7 Simplifying the process – guidance and regulation

6.7.1 The recent work of the IFoA illustrates how a disciplinary process can be modernised and simplified, guided by the five principles set out in Section 4 above. Almost all the principles are served by moving detailed arrangements, such as the operation of a

³ As mentioned above, the IFoA use the term ‘referrer’ and not ‘complainant’. This seems to reflect better this limited role.

tribunal, from the main document and placing them in regulations. Similarly, separate guidance notes could be compiled on topics such as

- how to lodge a complaint / what to expect / your rights as a complainant;
- criteria for accepting a complaint;
- guidelines on publicising the proceedings and outcomes of disciplinary cases;
- guidelines for consistent and fair sanctions; and
- guidelines for the award of costs for or against a member.

It should be borne in mind that the IFoA has a large membership and substantial resources. In South Africa, organisations like SAICA also have a much bigger footprint, in terms of membership and resources, than ASSA, with its 4700 members (in 2022). Of relevance is that during the period January 2021 to June 2023, only 15 complaints were finalised by the Disciplinary Committee, as set out in Table 1, with a few more still in process.

TABLE 1 ASSA complaints resolved January 2021 to June 2023

ASSA – Complaints resolved*			
January 2021–June 2023			
Nature	Dismissed	Upheld	Total
Service	6	2	8
Competence	2	0	2
Dishonesty	0	2	2
Behaviour	2	0	2
Negligence	1	0	1
	11	4	15
*excludes examination infringements by students			

6.7.2 This raises the question of whether smaller associations such as ASSA have the physical and financial resources for a ‘Rolls Royce’ disciplinary process. If the members want such, they will have to pay for it in subscriptions, and work for it in volunteer committees! Section 3 above explores the legal environment in which professional disciplinary processes exist and suggests that they are a ‘private system of law’ to which members bind themselves, subject to minimum constitutionally fair practice. Nevertheless, a well-resourced respondent might still choose to challenge the process. Unlike the courts, a small society will not have the financial resources for lengthy jurisdictional litigation. This is especially relevant if the issue is not one which affects the public and so might not require a public resolution in a tribunal, or if it is an issue that would be better resolved in the courts.

6.7.3 Regarding guidelines for publicity, Gray et al. (1996) define ‘being accountable’ as responsibility for both an action and giving account of that action. Thus, a disciplinary process must carefully consider the extent to which findings are publicised. For example, in terms of the by-laws of SAICA, the findings of their disciplinary committee must be published on the Institute’s website and their publication, *Accountancy SA* (SAICA, 2023).

6.8 Independence

The principle of independence is well addressed by ASSA. Sir Derek Morris (2005) reviewed the governance of the UK actuarial profession. His report inspired ASSA to promote the independence of its disciplinary process by creating the AGB (with a majority of non-actuaries) and giving it complete discretion over the design of the disciplinary process. Furthermore, in terms of the current process, the Disciplinary Committee processes complaints and Council is only involved in appointments and sanctions.

7. CONCLUSION – THE WAY AHEAD

7.1.1 This paper has explored what the authors term ‘Professional Justice’ – rationales and jurisprudence relevant to designing a professional disciplinary scheme, particularly in the actuarial profession. The principles of good practice emerging from the research have been used as a guide to informing a number of design issues in a rational and proportional manner.

7.1.2 The research will be exposed to the membership at ASSA’s annual convention in October 2023. Practical outcomes that are anticipated include:

- contributing to a logical and fit-for-purpose disciplinary process;
- raising awareness of how the AGB serves the members;
- member input and buy-in to the disciplinary process; and
- highlighting related changes that may need to be made.

ACKNOWLEDGEMENTS

The authors would like to thank all those colleagues who have assisted us with fruitful discussions and useful suggestions. Our particular appreciation goes to Arthur Els for his detailed and insightful review of the paper, as well as the IFoA who gladly shared insights from the development of their revised disciplinary process.

REFERENCES

- Actuaries Institute (2023). Principles-based Codes of Conduct. How are they working? Convention paper presented at the International Congress of Actuaries, Sydney.
- ASSA (2015). Code of Professional Conduct. <https://www.actuarialsociety.org.za/download/professional-conduct>.
- Canning, M & O'Dwyer, B (2001). Professional accounting bodies' disciplinary procedures: accountable, transparent and in the public interest? *European Accounting Review*, **10**(4), 725–749. DOI: 10.1080/09638180127398.
- Cousins, J, Mitchell, A, Sikka, P, Cooper, C & Arnold, P (2000). *Insolvent Abuse: Regulating the Insolvency Industry*, Association for Accountancy & Business Affairs, Basildon, UK.
- Gray, RH, Owen, DL & Adams, CA (1996). *Accounting and Accountability: Changes and Challenges in Corporate Social and Environmental Reporting*. Hemel Hempstead: Prentice-Hall.
- IFoA (2023). Revised disciplinary scheme. <https://actuaries.org.uk/about-us/governance-and-structure/other-boards-and-committees/disciplinary-committee/revised-disciplinary-scheme>.
- IAA (2008). Professionalism committee paper on considerations in the design of a discipline process. <https://www.actuaries.org/iaa/IAA/Committees/Professionalism/IAA/Committees/Professionalism>.
- IAA (2017). Membership criteria. <https://www.actuaries.org/iaa/IAA/Committees/Membership/IAA/Committees/Membership>.
- IAA (2023). Vision and mission. https://www.actuaries.org/iaa/IAA/About_the_IAA.
- Louw, S & Mulaudzi, L (2023). Serving the public interest. Convention paper presented at the International Congress of Actuaries, Sydney.
- Lowther, M & McMillan, W (2006). Planning lifelong professionalisation learning for actuaries. *SAAJ*, **6**(2006), 1–17.
- Morris, D (2005). Morris review of the actuarial profession. https://webarchive.nationalarchives.gov.uk/ukgwa/20081230220814/http://www.hm-treasury.gov.uk/morris_review_actuarial_profession.htm.
- Parker, LD (1994). Professional accounting body ethics: In search of the private interest. *Accounting, Organizations and Society*, **19**(6), 507–526.
- SAICA (2023). Lodge a complaint. <https://www.saica.org.za/about/general/governance-structure-and-disciplinary-process/lodge-a-complaint>.
- Ward, SP, Ward, DR, Deck, DR & Alan, B (1993). Certified public accountants: Ethical perceptions, skills and attitudes on ethics education. *Journal of Business Ethics*, **12**, 601–610.