

**Nursing and Midwifery Council
Investigating Committee**

**Registration Appeal Hearing
Monday, 27 October – Wednesday, 29 October 2025**

Virtual Hearing

Name of Appellant:	Bolanle Patricia Ademola
NMC PRN:	1021999929
Type of case:	Registrations Appeal
Panel members:	Amy Barron (Chair, Lay Member) Winfilda Ngoshi (Registrant Member) Nicola Harvey (Registrant Member)
Legal Assessor:	Attracta Wilson
Hearings Coordinator:	Angela Nkansa-Dwamena
Nursing and Midwifery Council:	Represented by Uzma Khan, Case Presenter
Mrs Ademola:	Present and represented by Marc Walker of What Rights
Decision:	Appeal dismissed

Introduction

This appeal is made under Article 37(1)(a) of the Nursing and Midwifery Order 2001 (the Order). You appealed the decision of the Assistant Registrar, dated 5 December 2024. The Assistant Registrar decided that you did not meet the character requirements for re-admission to the Nursing and Midwifery Council (NMC) register, having taken into consideration your statement, submissions from your representative at ERRAS, your employer reference dated 23 November 2023 and the documentation the NMC submitted including the Investigating Committee's (IC) decision that you fraudulently obtained your CBT result at the Yunnik test centre (Yunnik).

Background

On 16 March 2023, Pearson VUE, the NMC's computer-based test (CBT) provider, alerted it to unusual data relating to tests taken at Yunnik Technologies Ltd test centre in Ibadan, Nigeria. The CBT test is in two parts, numeracy and clinical. The data raised questions about whether some or all of the CBT results at Yunnik had been obtained through fraud and called into question the validity of all tests taken at Yunnik.

Following completion of the NMC's initial investigation into this issue it concluded that there was evidence of widespread fraud at the Yunnik centre, where a large number of candidates had allegedly fraudulently obtained their CBT. The NMC asked Pearson VUE to provide it with assurance that the data concerning tests taken at Yunnik were accurate, and not the result of a system error, cyber-attack, or other technical issue. Pearson VUE confirmed that, following a detailed investigation into the testing facility at Yunnik and review of the data, Pearson VUE were satisfied that there was no evidence of system error, cyber-attack, or other technical error and that the data was indicative of one or more proxy testers operating at the centre.

The NMC next asked an independent data analytics expert of OAC Limited (OAC), Witness 5, to provide the NMC with an objective analysis of the data provided by Pearson VUE. OAC looked at the times in which CBT candidates at Yunnik took to achieve their CBT pass, compared with times taken by CBT candidates from other test centres in Nigeria and globally. Using this data, OAC then calculated the probability that each CBT

candidate at Yunnik could achieve their CBT pass within the time it took them to complete the test. OAC's analysis of the data supports Pearson VUE's conclusion that there may have been widespread fraudulent activity at Yunnik probably through a proxy tester acting on behalf of test candidates.

The data in relation to your CBT shows that you achieved a pass in your tests in the following time(s):

- Numeracy: 9.30 Minutes (Time allocated for test: 30 minutes).
- Clinical: 18.53 Minutes (Time allocated for test: 150 minutes).

Comparing your time to complete your tests with times taken by candidates globally, it was considered very unlikely by the NMC that you could have achieved a pass in your tests within the times it took you to complete them.

Taking into account the times in which your tests were taken, in a centre in which the NMC allege there to have been widespread fraudulent activity, it was considered by the NMC to be more likely than not that your CBT result was obtained fraudulently.

When considering your application to the register, the Assistant Registrar took into account the following documentation:

- Your completed application
- The 'evidence bundle' consisting of:
 - Witness 5's expert report
 - Witness statement of Witness 4 from Pearson VUE
 - Witness statement of Witness 6 of the NMC
- Your statement
- Submissions from your representative at ERRAS
- Your employer reference dated 23 November 2023

In your correspondence you stated that you spent time to thoroughly prepare for the test, engaging in extensive reading and actively participating in various CBT study groups where past questions were comprehensively explored. You said the Pearson VUE Website clearly states that individuals who meticulously prepare for their CBT, particularly the numeracy section, should perform reasonably well. You further stated that there was a consistent pattern of questions in the test similar to those you observed during your revision. You went on to say that you believed that the NMC during its investigations and subsequent evaluations, did not factor in that many of the questions, such as weight conversion in drug calculations, did not require the use of a calculator.

You stated that you denied the allegations that you obtained your test result from Yunnik fraudulently as you said that you sat the test without any assistance from a proxy tester and that you finished in good time due to your knowledge and skills alongside your extensive preparation for the test. You informed the Assistant Registrar that you are currently working without any concerns raised about your practice and that this emphasised your competence and safe practice.

The Assistant Registrar considered your explanation. The Assistant Registrar stated:

'I considered your comments regarding the extensive preparation that you undertook for the CBT exam, and that it's because of this preparation that you achieved your pass in the time it took you. I note that you say you were familiar with the structure of the tests and had learned techniques to answer the questions quickly.'

'I accept that thorough preparation undertaken by any candidate may increase the likelihood that they would achieve a pass.'

However, in their view, this did not explain how you were able to obtain your test result from Yunnik in the time you did when comparing it against times taken by candidates globally. The Assistant Registrar was not satisfied that they had been presented with anything that changed the conclusion that you more likely than not obtained your CBT result fraudulently. The Assistant Registrar therefore determined that you did not meet the character requirements to be considered capable of safe and effective practice.

On 5 December 2023, you were informed that the Assistant Registrar had refused your application onto the register. You appealed the decision on 20 December 2023, within the 28-day time limit.

Evidence

The panel took account of live evidence and witness statements from the following witnesses on behalf of the NMC:

- Witness 3: The Deputy Director for Business Transformation and a member of the Executive Team for Professional Regulation.
- Witness 4: Director of Information Security and Security Services at Pearson VUE.
- Witness 7: Employed by the NMC as the Senior Nursing Education Adviser.

The panel also took account of the written evidence and witness statements from the following witnesses on behalf of the NMC:

- Witness 1: Band 5 nurse in the UK who provided her experience sitting an exam at Yunnik.
- Witness 2: Band 4 Pre-registration nurse in the UK who provided her experience sitting an exam at Yunnik.

- Witness 5: An independent Data Analyst who provided the NMC with an analysis of the data provided by Pearson VUE.
- Witness 6: Previously employed by the NMC as the Executive Director of Professional Practice.

You provided the panel with additional documentation to support this appeal including:

- A testimonial from your employer dated 21 November 2023;
- Two reference letters from the Ekiti State University dated 10 and 24 February 2025; and
- Your witness statement dated 24 November 2023.

Additionally, the panel heard from you under oath.

Submissions

Ms Khan, on behalf of the NMC, outlined the background, evidence and data that resulted in the conclusion that there was widespread fraudulent activity taking place at the Yunnik Centre.

Ms Khan submitted that your account of sitting the CBT at Yunnik was implausible and not credible. Your explanation of your rapid test completion, based on extensive preparation, your clinical experience and aptitude, was incompatible with the structure of the CBT, which uses randomized questions from a secure item bank. She submitted that your claim of 500 hours of revision was inconsistent and unsupported by evidence, with your timeline of how long you had to prepare and revise shifting under cross-examination. Ms Khan further stated that your assertion that you completed the test without the assistance of a proxy is undermined by the improbability of your performance and the lack of clarity around your preparation.

Ms Khan submitted that there were also concerns surrounding your registration for your CBT and your travel arrangements. She submitted that your explanation for using a third party to register due to currency limitations was contradicted by available voucher payment options. She submitted that your account of your travel to Ibadan and subsequently to the Yunnik Centre was inconsistent, with unexplained delays and shifting details about your journey to the test centre. These discrepancies cast doubt on the reliability of your evidence and suggested a lack of transparency.

Ms Khan went on to submit that your description of events on the day of the exam were implausible. She stated that you claimed to have arrived shortly before the exam and experienced a two-hour delay due to a generator issue, yet you provided no evidence to support this. She submitted that your account of being alone in the exam room and not seeing other candidates conflicted with verified data showing multiple candidates being present and having sat the CBT exam that same day. Ms Khan referred to the timing data of Witness 4 and the fact that there were only two available computer terminals at Yunnik, which indicated that only two candidates could be in the room at once. Yet your evidence failed to account for the presence of others at Yunnik during the time you were there.

Ms Khan submitted that statistical anomalies in the test results further undermine your account. She submitted that four candidates completed their clinical exams within a narrow 20–21 minute window, a pattern considered highly improbable and indicative of proxy testing. Ms Khan submitted that your explanation of being an exceptional candidate and having vast clinical experience did not address the broader pattern of rapid test completions at Yunnik on the same day, which suggested the presence of human proxies.

Ms Khan submitted that integrity and good character are important in nursing. She submitted that your inconsistent and implausible account, coupled with statistical and procedural evidence, suggests that your original CBT result was not obtained under genuine conditions. She submitted that while your later success in retaking the CBT is acknowledged, it does not negate concerns about the integrity of your initial result. Ms Khan urged the panel to uphold the Assistant Registrar's decision to dismiss your appeal to maintain public confidence and uphold professional standards.

The panel sought further clarification regarding Ms Khan's submission regarding the option to use a voucher to book exams. Ms Khan was unable to provide clarity as to whether vouchers were available for candidates sitting the test for the first time or whether they were limited to candidates resitting the exam.

Mr Walker, on your behalf, submitted that you did not engage in fraudulent activity when undertaking your CBT test at Yunnik. He submitted that while some test times recorded at Yunnik were implausibly short and indicative of the use of human proxies, your results did not fall within the most extreme outliers and could be credibly explained by your exceptional clinical knowledge and extensive preparation. He submitted that your test time, although slightly faster than the NMC's arbitrary benchmark of 1:2500 candidates, was not suspiciously short and does not, on its own, justify a presumption of fraud.

Mr Walker submitted that there were concerns surrounding the reliability of the NMC's evidence, particularly the summaries of anonymous witnesses' admissions. He submitted that these summaries were multiple hearsay, lacking transparency and proper documentation. He submitted that the NMC did not provide the original admission documents or redacted versions, nor did they seek consent from the individuals concerned. As a result, Mr Walker invited the panel to consider these summaries with caution and assign minimal weight to them.

Mr Walker also questioned the statistical benchmarks proposed by the NMC. He submitted that Pearson VUE initially flagged test times below 20 minutes as suspicious however, the NMC later adopted a more stringent benchmark without clear justification. He submitted that legitimate candidates in Nigeria, outside Yunnik, had completed the clinical test in under 16 minutes, demonstrating that rapid completion was humanly possible. Your time of approximately 11.1 seconds per question was only marginally faster than the NMC's threshold and should not be considered inherently fraudulent.

Mr Walker submitted that your professional background was presented as a credible explanation for your performance. He submitted that you had held senior roles such as, a principal nurse and clinical instructor, in which you are said to have supervised students, prepared exams, and acted as an external examiner for the Nursing and Midwifery Council

of Nigeria. He referred to your testimonials which attested to your exceptional clinical skills and academic contributions. He submitted that although this was your first experience as a witness under cross-examination, your evidence was consistent and not undermined by the NMC's witnesses.

Mr Walker referred to your oral evidence where you stated that you had undertaken 500 hours of preparation for your CBT. You stated that this occurred over two months, including daily sessions and intensive study during a month of leave. He submitted that this level of preparation was deemed reasonable given the high stakes of the exam and your professional standing. He further submitted that the NMC did not provide evidence to contradict your account of the test centre availability or the payment method you said you used.

Mr Walker submitted you were the last candidate to take the CBT test on the day in question, and there was no overlap with other candidates. He also submitted that you stated that you had no involvement in or visibility of any potential proxy activity. Your account of generator issues and travel delays was not undermined by the data provided by Witness 4. Mr Walker invited the panel to accept your credible and innocent explanation and to reject the NMC's allegation of fraud. He submitted that the Assistant Registrar's decision was incorrect and that you should be allowed to enter onto the NMC register.

The panel accepted the advice of the legal assessor.

Panel's decision

In making its decision, the panel first considered whether it had sufficient evidence before it to substantiate the NMC's case that there was widespread fraud occurring at the Yunnik Centre.

Assessment of the Weight of Evidence

The panel reviewed the documentary evidence before it and undertook an assessment to determine the appropriate weight that should be attributed to it.

The panel considered the evidence provided by both Witness 4 and Witness 5 and concluded that they were underpinned by independent statistical data. Their data sources and analytical processes were clearly articulated, and the statistical outputs were presented in a manner that allowed for the identification of relevant patterns, resulting in the conclusion that there had been widespread fraudulent activity taking place at Yunnik. The panel noted that both Witness 4 and Witness 5 were independent of the NMC and as experts in their fields, had provided strong, methodologically sound evidence.

With respect to Witness 3, the panel noted that their evidence relied mostly on hearsay evidence from unidentified witnesses (Witness 1 and Witness 2), as well as summaries that appeared to have been the NMC's interpretation of original witness statements. While it was stated that 18 witness statements existed, not all were made available to the panel. Witness 3 was unable to explain why summaries were provided instead of redacted versions of the original witness statements, beyond the need to protect the privacy of the witnesses. There were no efforts to call any of the witnesses to give any evidence, none of the witnesses were identified and their evidence is therefore anonymous hearsay. The panel considered that this lack of transparency limited the reliability of the evidence presented. The evidence presented did not include direct quotations, came from anonymous sources and there was no means of testing the evidence in any meaningful way. It represented a selective portion of the available material, and the panel was not able to determine whether the evidence had been selectively presented ("cherry-picked"), and as such, it treated this evidence as hearsay with limited probative value. The panel determined that this evidence supported the context of suspected fraud at Yunnik but was of no value beyond that.

In relation to Witness 7's evidence, the panel noted that this included statistical data, some of which was found to be inaccurate, when tested under cross-examination, during the course of the hearing. However, the panel decided that the inaccuracies identified were not materially significant. The analysis was based on a selection of practice materials rather than a comprehensive review of all exam questions. Nonetheless, Witness 7

maintained that the findings demonstrated a trend and that any form of practice would have been beneficial to an exam candidate, despite the presence of some questions that would have been considered ‘unhelpful’. Notwithstanding the inaccuracies identified in Witness 7’s evidence, the panel considered that her evidence supported the evidence provided by Pearson VUE relative to suspicious activity at Yunnik.

The panel noted that both Witness 3 and Witness 7 are employed by the NMC and although well placed to give evidence, could not be considered independent witnesses.

Widespread Fraud at Yunnik

The panel had regard of the Pearson VUE data provided by Witness 4, and the independent expert analysis of Witness 5. This included tables of data and graphs setting out the times taken globally and at other centres in Nigeria to complete the CBT. The panel noted the distinctly different time distribution plots, within Nigeria and globally, when compared to the times achieved by candidates at Yunnik.

The panel had sight of statements and analysis provided by Witness 4 and Witness 5, including diagrams which evidence the times taken globally, including other test centres in Nigeria, to complete the CBT, compared to the times achieved at the Yunnik centre. The panel considered that Witness 4’s findings were corroborated by Witness 5’s independent research which outlined the stark difference in the test times taken at Yunnik as opposed to globally. The panel also considered that Witness 4 confirmed that there were no cyber-attacks or software malfunctions at Yunnik test centre. This is supported by the statement of agreed facts between the NMC and Mr Walker, which states:

‘By contrast at Yunnik, the most common times were under 20 minutes – the graph for Yunnik has a spike which peaks around 10 minutes. The most common times at Yunnik were more than twice as quick as the times anywhere else in the world.’

The panel took particular note of the Pearson VUE evidence prepared by Witness 4 which identified patterns that were not found at other testing centres globally and the fact that the

number of fraudulent cases at the centre increased over time, both of which were indicative of the use of human proxies. The panel considered that a proxy's increased familiarity with taking the tests was more likely than not to increase their speed and use at the test centre.

Having considered all the information before it, the panel noted the compelling generic evidence of statistical anomalies and patterns of suspicious behaviour at Yunnik. This included:

- Unusually fast test completion times, suggesting human interference.
- Independent statistical analysis by Witness 5, confirming statistically significant discrepancies between CBTs taken in Nigeria (excluding Yunnik) and globally.

The panel also noted the evidence of Witness 4 detailing the pattern of proxy behaviour reported on days when the NMC have received admissions of fraudulent behaviour. The panel considered that the evidence of the witness statements of both Witness 1 and Witness 2, although hearsay in nature and not speaking of the day you took your test, provide contextual evidence that proxy activity was taking place at the Yunnik test centre and during the period in question. Again, the panel considered that these do not provide direct evidence of the day you took your test at Yunnik but provide further contextual evidence to support the proposition of fraudulent activity at Yunnik. The panel also noted that Witness 3's evidence was that, so far, 18 individuals have come forward and made admissions to using a proxy tester at the Yunnik Centre. 16 of those individuals remain anonymous.

Therefore, on the balance of probabilities, the panel found that it was more likely than not that there was widespread fraudulent activity taking place at the Yunnik centre.

The panel next considered whether it is more likely than not that you used a proxy test taker in obtaining a satisfactory test result from the Yunnik centre in Ibadan, Nigeria.

The panel considered your evidence that you chose Yunnik to sit your CBT as Ibadan was approximately four hours away from your residence and that there were no available test

centres in your home state of Ekiti. The panel note that the NMC did not present any evidence to undermine this explanation. The panel heard that you had delegated the booking arrangements for your CBT to 'a friend'. However, under cross examination, you then stated that was booked via a third party through your friend. The panel found your evidence in respect of this to be inconsistent.

The panel also noted that while you claimed to be an exceptional candidate with intensive study experience, this was not supported by other evidence as you had not provided evidence of formal academic records or examination transcripts to support your claim of prior academic achievement.

The panel noted that during your oral evidence, you unequivocally asserted that you had completed 500 hours of study. The panel considered this claim to have been implausible given the personal and professional commitments you described, including employment and caregiving responsibilities. Even with optimal time management and the one month leave you said you had taken, the panel concluded that it is unlikely that such a volume of study could have been reasonably achieved. Further, during the course of your evidence, your account in relation to the time spent by you on revision changed significantly.

The panel also noted that you had stated that you had participated in a revision course and accessed materials via a WhatsApp group, however, you did not provide evidence to verify the nature, quality, or relevance of these materials to the CBT. Additionally, you did not detail your study methods, materials used, or how your preparation aligned with the CBT requirements. Under cross-examination, your account of study time was inconsistent and was unsupported by documentation. The panel found your oral evidence to be unreliable and lacking in specificity.

You stated that you relied on your experience as a clinical instructor to answer the questions during the CBT and you felt that you had the correct answers, so you did not feel the need to review your answers. You said that this is why you were able to complete both sections of the test in around 30 minutes. The panel took account of the comments made by Rory Dunlop KC, in which he stated that an honest test-taker would have no incentive to complete the CBT with exceptional speed.

The panel noted that your completion times were unusually rapid and were noted by Witness 4 as:

'Evaluated Clinical Timing: 18.53 minutes: Odds 1 in 6275.33

Total time for Clinical Section: 18.73 minutes

'Evaluated Numeracy Timing: 9.3 minutes: Odds 1 in 62.06

Total time for Numeracy Section: 9.5 minutes'

The panel also noted that three other individuals achieved similarly fast results on the same day. The panel concluded that the statistical likelihood of four exceptional and rapid candidates, being present in the same centre and on the same day, was highly improbable and a strong indication of fraudulent activity and in all likelihood a proxy being in use at the centre at the time and date you took your test. The panel was satisfied that there is cogent evidence in relation to exceptionally fast completion times and the same day evidence at the Yunnik centre on that day.

Therefore, having found that there was, on the balance of probabilities, widespread fraudulent activity at Yunnik, the panel concentrated its mind on your individual case. Taking all the evidence put before the panel in relation to your case, the inconsistencies in your evidence and the lack of any supporting documentation to support your evidence, the panel determined that it was more likely than not that you obtained your CBT result fraudulently.

Finally, the panel went on to determine whether you meet the character requirements for admission to the NMC register. The panel had regard to the NMC guidance on health and character, in particular 'Factors that we take into account when considering character cases', last updated on 5 September 2024. The panel was aware that it was for you to satisfy the panel that you meet the character requirements for successful admission on the register.

The panel had regard to the two testimonials from Ekiti State University attesting to your clinical competence, both of which were complimentary. However, your clinical performance is not the subject of scrutiny in this matter. It is the panel's role to consider the issues surrounding your integrity and conduct in relation to the CBT, specifically whether the test was undertaken fraudulently.

The panel determined that based on its finding that it was more likely than not that you used a proxy test-taker to obtain your CBT results, that the use of such results to gain entry onto the NMC register constituted fraud. While you provided glowing testimonials regarding your clinical performance, the panel's focus was on dishonesty, which is contrary to the NMC's guidance on health and character, specifically Section 20 of the Code. The integrity of the NMC register is essential for public protection and entry onto the register through dishonest means undermines the integrity of the register and public confidence in the nursing profession and the NMC as its regulator.

The panel therefore decided to dismiss your appeal, to uphold the decision of the Assistant Registrar, thereby refusing your application to the NMC register.

You have the right to appeal this decision. If you appeal the decision, you must submit your appeal to the County Court within 21 days of this decision.

This will be confirmed to you in writing.

That concludes this determination.