

**Nursing and Midwifery Council  
Investigating Committee**

**Registration Appeal Hearing**

**Thursday 30 October 2025 – Friday 31 October 2025  
Thursday, 27 November 2025**

Virtual Hearing

<b>Name of Appellant:</b>	Oluyemisi Omolade Animasaun
<b>Type of case:</b>	Registrations appeal
<b>Panel members:</b>	Gary Tanner (Chair, Lay member) Godfried Attafua (Registrant member) Georgia Kontosorou (Registrant member)
<b>Legal Assessor:</b>	Graeme Sampson Jayne Salt (27 November 2025)
<b>Hearings Coordinator:</b>	Hazel Ahmet Hanifah Choudhury (27 November 2025)
<b>Nursing and Midwifery Council:</b>	Represented by Uzma Khan, Case Presenter Represented by Robert Benzynie, Case Presenter (27 November 2025)
<b>Ms Animasaun:</b>	Present and unrepresented at the hearing
<b>Decision:</b>	<b>Appeal dismissed</b>

## **Decision and reasons**

The panel decided to dismiss your appeal against the decision of the Assistant Registrar of the Nursing and Midwifery Council (NMC).

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 15 January 2024, that you did not meet the character requirements for registration to the NMC register.

## **Decision and reasons on application to admit hearsay evidence**

The panel heard an application made by Ms Khan, on behalf of the NMC, under Rule 31 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules) to allow the written statements of documentary exhibits from Witness 4, Witness 5 and the anonymised witness statements of Witness 6 and Witness 7.

Ms Khan submitted that all of these written statements are created by individuals who are not going to be giving oral evidence at this hearing today; the contents of these are relevant, reliable and their admission being fair and necessary within the meaning of Rule 31 of the Rules.

Ms Khan submitted that the statements supplement and corroborate the extensive technical and documentary evidence that is already before the panel; however, these are not the sole or decisive evidence in support of this particular case. Ms Khan noted that the evidence, as applied for, reinforces the reliability of the objective findings by providing first hand contextual detail relating to how the proxy testing was occurring; they are corroborative and not determinative.

You submitted that you cannot agree or disagree with the submissions of Witness 4, Witness 5 and the anonymised statements of Witness 6 and Witness 7 as you were not at the Computer Based Test (CBT) centre at the time of their specific exams.

The panel heard and accepted the legal assessor's advice on the issues it should take into consideration in respect of this application. This included that Rule 31 provides that, so far as it is '*fair and relevant*', a panel may accept evidence in a range of forms and

circumstances, whether or not it is admissible in civil proceedings. In addition, the legal assessor made reference to the cases of *Thorneycroft v NMC* [2014] EWHC 1565 (Admin) and *Mansaray v Nursing and Midwifery Council* [2023] EWHC 730 (Admin).

The panel gave consideration to the application in regard to admitting the written statements and accompanying evidence of Witness 4, Witness 5 and the anonymised statements of Witness 6 and Witness 7. The panel noted that these witness statements had been prepared in anticipation of being used in these proceedings, were signed and contained the paragraph, *'This statement ... is true to the best of my information, knowledge and belief'*.

The panel considered whether you would be disadvantaged by allowing the witness statements into evidence. It noted that that the written statements of Witness 4, Witness 5 with summaries from candidates who have come forward to make admissions to the NMC and the anonymised statements of Witness 6 and Witness 7 related to the background and contextual circumstances of their own experiences at Yunnik. Neither of these witnesses took their tests on the same day as you and that their evidence was not about your specific case. The panel considered that both statements corroborated the information already before it.

The panel considered that the written statements of Witness 4, Witness 5 and the anonymised statements of Witness 6 and Witness 7 were not the sole and decisive evidence in your case. It noted that you were not disputing that there may well have been fraudulent proxy test taking at Yunnik but it was your case that you did not use a proxy. The panel considered that there were no relevant factors for you to cross-examine these witnesses on.

The panel was satisfied that there was no reason to suggest that the information given by these witnesses had been fabricated. It also determined that to have these witnesses attend in person, at each and every hearing relating to Yunnik fraud cases, would be onerous and disproportionate, given the sheer volume of cases that would be heard. In addition, the panel noted that you had been given prior notice that these witnesses statements were to be read.

In these circumstances, the panel was of the view that the statements were relevant, and that it would be fair to accept them into evidence. In due course the panel will determine what weight, if any, to attach to them.

## **Background**

On 16 March 2023, Pearson VUE, the NMC's CBT provider, alerted it to unusual data relating to tests taken at Yunnik Technologies Ltd test centre in Ibadan, Nigeria (Yunnik). 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 3, 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 was likely to have been widespread fraudulent activity at Yunnik probably through a proxy tester acting on behalf of test candidates.

On 3 August 2023 the NMC's Registrar decided to use, as a benchmark, the 1 in 2,500 threshold in order to identify tests that were taken at such a speed that it made it unlikely that they were conducted without using fraud (most likely proxy test taker).

The Pearson VUE raw data provided to Witness 3 had your times as follows:

- Numeracy: 4.33 Minutes (Time allocated for test: 30 minutes).
- Clinical: 6.33 Minutes (Time allocated for test: 150 minutes).

Following Witness 3's analysis, which excluded the times taken in introductory and review screens, he cited that the actual times taken to complete your CBT on 10 November 2022 were as follows:

- Numeracy: 3.95 Minutes (Time allocated for test: 30 minutes).
- Clinical: 5.20 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:
  - Expert report by Witness 3, Head of Data Analytics at OAC
  - Witness statement of Witness 1, Director of Information Security and Security Services at Pearson VUE
  - Witness statement of Witness 4, Executive Director of Professional Practice at the NMC
- From you:
  - Your email dated 28 December 2023
  - Letter from a consultant paediatric surgeon, dated 15 December 2023.

It is your case that you chose to sit your CBT at the Yunnik test centre in Ibadan and that when you attended to take the CBT, nothing out of the ordinary occurred. You referred to a security camera in the testing room which you have asked that the NMC view to validate that you took the CBT without the assistance of anyone else; however, as Yunnik was a Pearson VUE Authorised Test Centre (PVTC), it did not have CCTV.

You also stated that, despite personal circumstances and the stress of the NMC's CBT concerns, your CBT result from Yunnik was obtained honestly, and that by resitting and passing the CBT in the UK, you have demonstrated that you meet the standard of proficiency required for NMC registration.

The Assistant Registrar considered your explanation. The Assistant Registrar found that there is no clear explanation as to how you were able to obtain your test result from Yunnik in the time in which 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 15 January 2024, you were informed that the Assistant Registrar had refused your application onto the register. You then appealed this decision on 9 February 2024, within the 28 day time limit.

## **Submissions**

Ms Khan outlined the background to the case.

Ms Khan submitted that the odds of you having completed the numeracy test in 3 minutes and 57 seconds, equates to one in 29,000, or, 0.0034%. In terms of you having completed the clinical test in a total time of 5 minutes and 12 seconds, this equals an odd of one in 56,478, or 0.0008%. She submitted that, if all your timings were to be considered, it would equate to you having answered 115 questions one after another, in 4.8 seconds each. Ms

Khan noted that of the 115 questions answered, 100 of these were answered accurately, at such an alleged quick speed.

Ms Khan submitted that Pearson VUE have provided the same day data in respect of other candidates who also took these exams, at Yunnik, whose results also returned in the 'outlier' category. For example, one candidate only took five minutes in respect of their numeracy exam, and seven minutes in respect of their clinical exam. Ms Khan submitted that there is a speculation that staff members at the Yunnik centre in Nigeria were facilitating this fraud on this particular date. This is endorsed by the admissions of nurses who did falsify their exams. Ms Khan submitted that there is no room for suggestion that power failure might have played a role in the anomalous times achieved at Yunnik.

Consequently, Ms Khan submitted that having reviewed the totality of the evidence and the concerns regarding your particular CBT result, the panel can be satisfied, on the balance of probabilities, that it was obtained by fraud.

Ms Khan therefore invited the panel to dismiss this appeal and uphold the Assistant Registrar's decision to refuse your registration.

## **Evidence**

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

- Witness 1: Director of Information Security and Security Services at Pearson VUE.
- Witness 2: Senior Nursing Education Adviser at the NMC

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

- Witness 3: An independent Data Analyst who provided the NMC with an analysis of the data provided by Pearson VUE.
- Witness 4: Employed by the NMC as the Executive Director of Professional Practice.
- Witness 5: Deputy Director of Professional Regulations at the NMC.
- Witness 6: Band 5 nurse in the UK who provided her experience sitting an exam at the Yunnik centre;
- Witness 7: Band 4 Pre-registration nurse in the UK who provided her experience sitting an exam at the Yunnik centre.

The panel also heard live evidence from the following witness on your behalf:

- Witness 8 Deputy Manager at your current Employment.

You gave evidence to the panel under oath.

The panel accepted the advice of the legal assessor.



## **Panel's decision**

In making its decision, the panel first considered whether there was sufficient evidence from the NMC to prove its case that there was widespread fraud occurring at the Yunnik centre. The panel had sight of statements and analysis provided by Witness 1. It had sight of Witness 3's data analysis, including diagrams which evidence the times taken by candidates globally to complete CBT, including other test centres in Nigeria, compared to the times achieved at the Yunnik centre.

The panel also took into account Witness 4 and Witness 5's statements, which included summaries of admissions by a number of candidates who described proxy test takers at the Yunnik centre.

The panel also considered the witness statements of both Witness 6 and Witness 7. It noted that Witness 6 accepts that she used a proxy as she felt pressured to do so. Witness 7's experience was different as she stated she did not use the proxy at the test centre. However, she stated that she was being shouted at with answers, threatened and felt pressured. The panel considered that both witness statements provided some contextual background as to fraudulent activity occurring at the Yunnik test centre on the dates they attended.

In the panel's judgement, overall, the NMC evidence was evidence that provided the foundation for the facts behind the alleged frauds discovered and, in particular, helped the NMC to demonstrate your alleged role within the fraudulent matrix that had taken place at the Yunnik Centre.

In light of the above the panel was satisfied that the NMC had satisfied its evidential burden that widespread fraud in the form of proxy testing was taking place at the test Centre.

The panel went on to determine whether the NMC could prove on the balance of probabilities that you had obtained your CBT results through fraud. It bore in mind the speed in which you completed the Numeracy test on the CBT at Yunnik, which was completed in 3.95 minutes, and your Clinical test, which was completed in 5.29 minutes to answer 100 questions, was the key factor. The panel acknowledged there was no direct witness evidence, for instance from anyone at the Yunnik centre that day confirming you

had used a proxy test taker to obtain a fast time. The panel therefore considered other available evidence before it to determine whether it was more likely than not you had obtained your CBT result through fraudulent means.

The panel began by considering the statistical evidence on the day you sat your CBT at Yunnik. Six candidates, including yourself, sat the CBT at the centre that day. Five of those candidates, including yourself, recorded test times that fell well within the threshold of 1 in 2,500. The panel took into account that you recorded a numeracy test time of 3.95 minutes and a clinical skills test time of 5.29 minutes. The panel noted that the 5.29 minute clinical test time was the sixth fastest time recorded globally. When benchmarked against established performance data, these timings were identified as statistically abnormal. This comparison strongly suggested that proxy activity was more likely than not to have taken place.

The panel took account of the evidence you gave under oath, and that you disputed the authenticity and reliability of the data relied upon by the NMC. You described being shocked and confused when you first became aware of your recorded times and questioned whether the dataset could be trusted. You stated in your notice of appeal that you *'would not and cannot finish an exam of 180 minutes within 9:24 minutes.'* You suggested that there may have been errors within the system and stated that there had been several power outages while you were taking the CBT. You queried whether the NMC had reviewed Yunnik's CCTV footage and expressed concerns that the presence of outages could have interfered with the recorded timings. The panel carefully considered these assertions in determining whether they raised any legitimate concerns about the integrity of the data.

The panel reviewed the evidence of Witness 1 who explained in clear terms the processes in place to verify the integrity of test centre records. He confirmed that a full review had been undertaken and that there was no evidence of computer malfunction, corrupted data, or system anomalies. He further explained that the platform automatically logs any power outages or system failures and that, in the event of such an interruption, the test cannot resume without a unique restart code being issued. No restart code was generated, requested, or used on the day you took the CBT at Yunnik. The dataset demonstrated no irregularities of the type described by you. Accordingly, the panel accepted the evidence of

Witness 1 and was satisfied that the data accurately reflected the events on the day you took the CBT.

The panel identified inconsistencies between your account of the day and the evidence before it. You stated that you had travelled to Yunnik and arrived at 12:00, completing your identification checks before beginning the test. You told the panel that your CBT was booked for 13:05. However, the data recorded you as starting the test at 11:24, more than half an hour before your stated arrival time. The panel also noted that another candidate commenced their test at 12:10, which, when cross-checked with your timeline, made your account unreliable. When questioned further, you provided varying and contradictory explanations about your travel times and arrangements, the number of outages you said had occurred, and the length of time you believed you had spent on each part of the test. You accepted that your recorded test times were unusually fast but maintained that this was due to the power outages you described. Despite this assertion, you produced no independent or corroborative evidence to support the occurrence of any outages or system failures.

The panel took into account your explanation for choosing Yunnik. You told the panel that Yunnik was the nearest centre to you and that another nurse that you worked with at the time had used Yunnik for their CBT and recommended it to you. The panel accepted that this explanation was plausible and found no evidence to contradict your reasoning regarding the choice of Yunnik. However, this factor did not alleviate the concerns arising from the discrepancies between your account and the objective evidence.

The panel considered that, throughout your evidence you stated that you could not remember key details and that you provided inconsistent accounts on several significant points, including your time of arrival at Yunnik, the length of time it took you to complete the tests, the number of power outages and how long these lasted, and who was in the test room with you. These contradictions, combined with your inability to offer a coherent or reliable narrative of what took place at Yunnik on the day you took your CBT, undermined your credibility. The panel also had regard to the fact that you did not present any cogent evidence capable of supporting your claims about power outages or timing anomalies.

The panel concluded that you were unable to provide any reasonable and cogent explanations as to how you achieved such exceptional speed in completing your CBT without fraudulent means.

Furthermore, the panel also determined that ordinary decent people, having heard your explanations, would also conclude that you were dishonest and had fraudulently taken your CBT by proxy.

In light of the above and taken account of its finding that there was widespread fraud occurring at Yunnik at the relevant time, the panel was satisfied that, on the balance of probabilities, it was more likely than not that your CBT test results obtained at the test centre had been obtained through fraud.

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 met the character requirements for successful admission on the register, principally that you are capable of safe and effective practice. This is underpinned by the NMC Code of Conduct at 20.2: *'You must act with honesty and integrity at all times.'* In the panel's judgement fraudulent conduct is incompatible with UK registration as a nurse on the grounds of public protection and in the wider public interest.

The panel heard evidence from your deputy manager who provided a positive and compelling testimonial about your clinical practice. She described you as empathetic, trustworthy, and highly competent, stating that she had *'a lot of confidence'* in you and would *'put my own life in your hands.'* Your deputy manager said she was proud of you and regarded you as one of the best nurses on the team. The panel accepted this evidence and noted that it reflected well on your clinical skills, commitment to patient care, and professional relationships.

However, the panel also recognised that the matters before it did not concern your clinical competence or your ability to act with kindness and compassion toward patients. Rather,

the concerns related to honesty and integrity; fundamental tenets of the nursing profession. While the panel did not doubt your caring nature or your ability to deliver safe, effective care, these qualities could not mitigate the seriousness of concerns involving your truthfulness.

In light of the panel's findings, in relation to you obtaining the test result fraudulently, it determined that you have not proved on the balance of probabilities that you meet the good character requirements for admission to the register.

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 Sheriff Court within 21 days of this decision.

This will be confirmed to you in writing.

That concludes this determination.