

**Nursing and Midwifery Council  
Investigating Committee**

**Registration Appeal Hearing  
Monday, 08 December 2025 – Tuesday, 09 December 2025**

Virtual Hearing

<b>Name of Appellant:</b>	<b>Mary Titi Chijioke</b>
<b>Type of case:</b>	Registrations appeal
<b>Panel members:</b>	Amy Barron (Chair, Lay member) Judith Shevlin (Registrant member) Howard Millington (Lay member)
<b>Legal Assessor:</b>	Suzanne Palmer
<b>Hearings Coordinator:</b>	Amira Ahmed
<b>Nursing and Midwifery Council:</b>	Represented by Uzma Khan, Case Presenter
<b>Ms Chijioke:</b>	Present and represented by Harry Dickens, instructed by the Royal College of Nursing (RCN)
<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). Ms Chijioke appealed the decision of the Assistant Registrar, dated 4 January 2024, that Ms Chijioke did not meet the character requirements for registration to the NMC register.

## **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 (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 (Richard Steele), 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 test(s) in the following time(s):

- Numeracy: 5.28 Minutes (Time allocated for test: 30 minutes).
- Clinical: 38.65 Minutes (Time allocated for test: 150 minutes).

Comparing your time to complete the 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
- Expert reports by Witness 4 Head of Data Analytics at OAC
- Witness statements of Witness 3, Director of Information Security and Security Services at Pearson VUE
- Witness statements of Witness 5, Executive Director of Professional Practice at the NMC

The NMC Registration Investigation Team B wrote to you on 15 November 2023 and included an evidence bundle. In their letter to you, the team gave you the opportunity to provide any comments you may have about the evidence, or any other information that

you would want the Assistant Registrar to have as part of their consideration of whether you met the character requirements to be considered capable of safe and effective practice. The team didn't receive anything from you and so the Assistant Registrar made their decision based on the evidence presented to them.

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 07 December 2023, you were informed that the Assistant Registrar had refused your application onto the register. You appealed the decision on 04 January 2024, within the 28 day time limit.

## **Evidence**

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

- Witness 3: Director of Information Security and Security Services at Pearson VUE.

The panel also heard oral evidence from you under oath.

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 4: Head of Data Analytics at OAC and provided the NMC with an analysis of the data provided by Pearson VUE.
  
- Witness 5: Employed by the NMC as the Executive Director of Professional Practice.
  
- Witness 6: The Deputy Director for Business Transformation and a member of the Executive Team for Professional Regulation.
  
- Witness 7: Senior Nursing Education Adviser and a member of the Executive Team in the Professional Practice Directorate

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

- Your CV
- Your appeal bundle which included testimonials from colleagues and your ward manager
- Certificates from educational institutions
- Your practice material bundle which included examples of mock CBT tests including questions and answers
- Your booking receipt from Pearson VUE for your CBT at the Yunnik centre.

You gave evidence under oath. You explained that you did not use a proxy test taker at the Yunnik test centre. You told the panel that you chose to take your CBT in Ibadan as it was the closest city to you with test centres and that you chose Yunnik as it came up first on your google search.

You explained that you can't compare the exams you had passed in Nigeria and the CBT exam that you undertook as they were completely different. When asked about a male individual at the Yunnik test centre on the day you took your test, you stated that you cannot remember whether he was inside the room with you or not. You explained that at the end of CBT, your computer shut down and you were handed your exam results by the man who had signed you into the Yunnik centre when you had arrived and he said 'congratulations'.

You explained that although the test was booked for 8am, there were difficulties around validation which resulted in you sitting the test several hours later.

You stated you have since sat and passed the test required to nurse in the USA and you completed this test in less time than was allocated to you.

## **Submissions**

Ms Khan on behalf of the NMC outlined the background to the case and in particular the data and evidence suggesting widespread proxy testing at the Yunnik centre. She submitted that your numeracy timing on the CBT test sits squarely within the fraudulent pattern shown by the NMC in the documentation, and your actual explanation is entirely inconsistent with the data, inconsistent with the expert evidence and inconsistent with the experiences of those candidates that made admissions to using a proxy test taker. She submitted that on the balance of probabilities, the only rational conclusion is that your CBT result was indeed obtained through fraud.

Ms Khan submitted that the panel must consider integrity, and that even now a number of years after that CBT, you have not been full, frank or consistent in your explanations and in fact continue to deny the undeniable and suggesting probabilities without evidential foundation. She submitted that the NMC must be able to rely upon the honesty of those that are seeking entry on to the register and where a candidate's account is incompatible with the objective evidence and where they maintain that account despite its implausibility

the panel cannot be satisfied that they meet the standards of integrity required for admission.

Ms Khan submitted that this appeal ought to be dismissed and that the Assistant Registrar's decision was entirely justified. She submitted that it was proportionate and firmly grounded in the evidence.

Mr Dickens on your behalf submitted the NMC's evidence and their case is such that it makes presumptions. He submitted that it fills in the gaps and assumes, because there are suspicions and admissions about other days at Yunnik test centre, that it therefore must apply to anyone else who falls under the umbrella of that one in two and a half thousand threshold.

Mr Dickens submitted that the NMC's case is a very risky way of approaching allegations of fraud. He submitted that it is clear that the cases should be assessed on an individual basis. He submitted that Witness 3 gave the panel information on what the records show or should do not show but he was not present on the day of the CBT and there isn't a Pearson VUE employee who was there to provide evidence as to what happened on that individual day.

Mr Dickens submitted that you have told the panel about your preparation and the seven months that you took to prepare for the exam, and that the actual experiences you have as a nurse for example, in terms of calculations allow you to perform and answer those questions effectively in the numeracy test. He submitted that that panel should consider the 14 years of nursing experience you have after sitting your exams at university and the practicalities that come with that and the experience a person picks up on the job, which is reflected in the testimonials you have provided.

Mr Dickens submitted that the panel should consider the evidence it has heard and come to the conclusion that you sat your exam legitimately. He submitted that you did not participate in any fraud and have been a cogent and candid witness. He invited the panel to allow this appeal and allow you to be placed on 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.

The panel took account of Witness 3's live evidence given under affirmation.

The panel had sight of the analysis provided by Witness 3 and Witness 4's data, including diagrams which evidence the time taken globally, including other centres in Nigeria, to complete the CBT, compared to the times achieved at the Yunnik Centre. The panel also considered that Witness 3 confirmed that there were no cyber-attacks or software malfunctions at Yunnik test centre. The panel considered that Witness 3's findings were corroborated by Witness 4's independent research which outlined the stark difference in the test times taken at Yunnik as opposed to globally.

The panel took particular note of the Pearson VUE evidence prepared by Witness 3 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 and absence of being discovered were more likely than not to increase their speed and use at the test centre.

The panel considered the witness statements of both Witness 1 and Witness 2, who describe attending for the CBT at the Yunnik Centre and subsequently being pressured into using a proxy tester.

The panel also noted the evidence of Witness 3 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. The panel also referred to Witness 5's statement that there were 32 other logged admissions of their experience of fraudulent activities and use of human proxies at the Yunnik 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 interference.
- Independent statistical analysis by Witness 4, confirming statistically significant discrepancies between CBTs taken in Nigeria (excluding Yunnik) and globally.

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 noted your times and the statistical odds of your CBT results at the Yunnik centre:

Evaluated Clinical Timing: 38.65 minutes: Odds 1 in 71.0

Evaluated Numeracy Timing: 5.28 minutes: Odds 1 in 3229.06

The panel recognised that only the numeracy test fell within the threshold of 1:2500 set by the NMC. The panel looked at the evidence that only 24 people achieved a similar time globally and only two other people in Nigeria excluding Yunnik achieved a time that was also within the threshold. Therefore, the panel focused on the result of the timing for the numeracy test for this appeal hearing. It also noted, however, that you achieved a score of 100% in the numeracy test and it considered it inherently improbable that you would have achieved such a high score coupled with such a fast completion time.

The panel noted that the data provided by Pearson VUE showed there was one other candidates who took the test at the same time as you, and they also finished it unusually quickly. The panel noted that in your oral evidence under oath you stated that there was no other candidates in the room at the time you took your test, however the data provided by Pearson VUE was encrypted data captured from the test computer and centrally

collated. The panel noted that you do not dispute your start time of 13:28 or the time taken for the test. The panel therefore decided that it was more likely than not another candidate was present on the day you sat your exam. This raised concerns for the panel as it concluded it was extremely unlikely that two candidates achieved such exceptional results on the same day at the same centre. Given the history of fraud at the testing centre, it is very unlikely that two candidates sitting for the exam at the same time could complete it so rapidly without help. Considering all this information, the panel was satisfied that there is enough evidence to support an inference that fraud was involved in your test result.

The panel noted that there were difficulties validating your ID on the day of the CBT and that you started your test at a later time than the allotted start time of 8am.

In your oral evidence, you provided limited detail on your methods of revision and stated that you did not complete timed revision tests or set aside significant periods of time for study. The panel determined that your study methods did not seem to suggest somebody who was an exceptionally fast and accurate test taker.

The panel noted your evidence that you prepared for your CBT with various types of practice material that you found online or through sharing in study groups. The panel considered that these resources would be available globally, and that this would suggest that other people globally or in other test centres in Nigeria who accessed similar practice material might have been able to complete the test fast enough to meet the fraudulent concerns threshold. However, the data provided does not indicate such frequent and fast times at any other test centre.

The panel also noted the evidence you provided of your academic performance and although the papers showed your qualifications there was nothing to suggest that you were an exceptional student or could complete exams in exceptionally fast times. Similarly, although you shared that you completed your NCLEX exam in less time than the time allotted you did not provide independent evidence to corroborate this. The panel further noted the testimonials you provided which discussed your clinical performance, professionalism and good character but did not make any reference to your ability to sit exams quickly or achieve high scores.

The panel determined that taking into account that there was widespread fraud occurring at Yunnik at the time, the exceptional quick time you achieved your results, and the fact that one other person completed the same test on the same day with exceptionally fast times as well, it was more probable than not that you achieved your results with the assistance of a proxy test taker.

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.

The panel had sight of the positive testimonials before it and your previous unblemished career but having found that you fraudulently obtained your CBT result and have maintained your position throughout your engagement with the NMC and the panel. The panel could therefore not be satisfied that you are of good character.

The panel had regard to 'The Code: Professional standards of practice and behaviour for nurses and midwives (2015)', in particular paragraph 20, which sets out that registered nurses are expected to uphold the reputation of the profession. The panel therefore concluded that, in all the circumstances of your case, you were not able to demonstrate this standard.

The panel therefore decided to dismiss your appeal and 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.