

**Nursing and Midwifery Council
Investigating Committee**

**Registration Appeal Hearing
Tuesday, 25 November – Wednesday, 26 November 2025**

Virtual Hearing

Name of Appellant:	Chinwendu Adaku Emeh
Type of case:	Registrations appeal
Panel members:	Nariane Chantler (Chair, Registrant member) Darren Rice (Lay member) Leon Jacobs (Lay member)
Legal Assessor:	Gillian Hawken
Hearings Coordinator:	John Kennedy
Nursing and Midwifery Council:	Represented by Uzma Khan, Case Presenter
Ms Emeh:	Present and represented by Ray Short, (UNISON)
Decision:	Appeal dismissed

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 11 March 2024, that you 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 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 OAC analysis of the data in relation to your CBT shows that you achieved a pass in your test(s) in the following time(s):

- Numeracy: 6.85 Minutes (Time allocated for test: 30 minutes).
- Clinical: 10.85 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:

- Expert reports by Witness 5 Head of Data Analytics at OAC
- Witness statements of Witness 4, Director of Information Security and Security Services at Pearson VUE
- Witness statements of Witness 6, Executive Director of Professional Practice at the NMC
- Witness statements of Witness 1 and Witness 2
- Your statement entitled "*What I know About My CBT*" dated 28 February 2024

In your email to the Assistant Registrar you stated that you booked to sit your test at the Yunnik Centre because you had family who lived in Ibadan and that you passed the test because you were an experienced nurse and engaged with both physical and online studies to prepare for the CBT test.

The Assistant Registrar considered your explanation. 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 11 March 2024, you were informed that the Assistant Registrar had refused your application onto the register. You appealed the decision on 6 April 2024 within the 28 day time limit.

Evidence

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

You provided the panel with additional information to support the appeal, comprising:

- Two character references, dated 30 October 2025; and
- A written statement from you.

Submissions

Ms Khan, on behalf of the NMC, outlined the background to the case. She submitted that based on the evidence of the independent expert witnesses the most likely explanation for you being able to achieve such fast times in the CBT test is that you used a proxy tester. She submitted that by seeking to obtain entry to the NMC Register through dishonest means of using a false test result you do not meet the requirements of a good character expected of a registered nurse.

You gave evidence under oath. In your evidence you stated that you had practised as a nurse in Nigeria for 12 years and were able to pass the test swiftly because of your experience. In your written statement you said that you would have passed the CBT in a similar time as your Yunnik test at the resit you took in the UK. During cross-examination you introduced details of your resit test score as being comparable to the initial test you sat.

In light of your introduction of the resit test results Ms Khan submitted the full results and times of the resit test to the panel bearing in mind the following passage from the letter your representative signed on 7 November 2025:

“If you choose to rely on any information in this table, our case presenter will be entitled to ask questions about this table and/or make submissions where you say that these resit results support your case that your original CBT was not obtained through fraud.”

This table shows:

<i>Date of resit</i>	<i>Resit test score – Numeracy/Clinical</i>	<i>Resit test time taken – Numeracy/Clinical (Pearson VUE test time)</i>	<i>Resit test time taken – Numeracy/Clinical ([Witness 5] test time)</i>	<i>Pass or fail (N/C)</i>
05 December 2023	93/79	30/95	26.15/92.92	Pass

Mr Short submitted that you have told the truth in this hearing, that you are an honest nurse and that you did not engage in fraudulent activity when undertaking your CBT test at Yunnik. He reminded the panel that you have moved to the United Kingdom, together with your family, and that your immigration status, under a visa, depends on your registration. He submitted that the public interest requires that a good nurse be admitted to the NMC register. He invited the panel to treat the NMC's evidence in this case, all of which is hearsay evidence, with caution.

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 had sight of the analysis provided by Witness 5 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 took into account that Witness 4 noted several factors that suggest human interference rather than technical errors had occurred. Firstly, booking irregularities, as candidates frequently chose the Yunnik Centre over test centres closer to their residence, requiring long travel times to take their exams. Secondly, the speed of completion of exams were characteristic of a "*proficient proxy tester*" familiar with the exam content. Thirdly, the combination of low completion times and high scores implied that either an individual or a group, who is exceptionally proficient in taking the exams, completed them on the test taker's behalf.

The panel also considered the report by Witness 5, an independent expert in data analytics, who conducted an evaluation of Pearson VUE's CBT data at the request of the NMC, and which corroborated Witness 4's findings. It found statistically significant evidence that exam completion times at Yunnik were considerably faster than those within other centres in Nigeria and globally.

The panel also considered that the histograms, contained within Witness 5's report, illustrated that the anomalies in test performance in the CBT were unique to Yunnik test centre when compared to other centres in Nigeria and globally.

Ms Khan submitted that so far, 32 individuals have come forward and made admissions to using a proxy tester at the Yunnik Centre, and the panel accepted this. Additionally, the panel had before it the data from Pearson Vue with regards to the times taken to complete the CBT at the Yunnik Centre.

The panel also considered the witness statements of Witnesses 1 and 2, who both gave a detailed account of their respective experience in taking the CBT at the Yunnik Centre and how they were pressured into using a proxy tester to complete the exams. The panel accepted that this evidence was hearsay and could not be tested. However, it considered

that these witnesses would have no reason to invent their accounts of their experiences at Yunnik.

Having considered all the information before it, the panel determined, on the balance of probabilities, that there is evidence of widespread fraud and in all probability there was use of a proxy tester occurring at the Yunnik Centre during the period 15 March 2019 to 31 March 2023.

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 Witness 5's analysis of your specific data, which provided the following odds of how achievable your test times were:

“Evaluated Clinical Timing: 10.85 minutes: Odds less likely than 1 in 56,478

Evaluated Numeracy Timing: 6.85: less likely than 1 in 505.42”

The panel noted that there were five other candidates who took the test at the same date as you, and four of them plus yourself had similar unusually quick times that sat as significant outliers against the global average. The panel considered that within two hours on that day six candidates, including yourself, had started and finished the test which is scheduled for three hours per person. This raised concerns for the panel and suggested that a proxy tester may have been used that day. Given the history of fraud at the testing centre, it is very unlikely that five candidates sitting for the exam at the same time could complete it so rapidly without help.

The panel took into account the documents you submitted and found no explanation as to how you completed the test so quickly, other than stating that you prepared for a year and wrote the exam diligently. However, there was no supporting written evidence in relation to the physical and online preparation you did beforehand. Further, you explained that you were very successful and fast in exams in the past; however, you did not submit any written evidence that you have been an exceptional academic student in other tests. You claimed that you could do the test in the times you did because you have been a nurse in Nigeria for a long time and stated

“I strongly believe that the same time I used in UK for the second test will be the same time I finished the first test in Nigeria.”

The panel noted the results of the resit and while you scored similar in the scoring you took significantly longer on the resit, and in that occasion your results were well within the global average. The panel concluded that this test was approximately nine times slower than your initial CBT and this does not support your oral evidence where you stated you were fast in exams, hence your initial CBT result in Nigeria.

The panel considered that there were significant inconsistencies in your evidence. An example of this was why you chose to sit the test at Yunnik on the particular day, stating that you took a month of leave but that the 20 July 2022 was the only day you would be able to sit the test, stating you intended to visit your brother. Despite being asked you were unable to provide a plausible explanation as to why you could only attend on that day. Similarly, the panel was concerned that while you provided clear evidence of needing to arrive at the centre *“30 minutes early”* you could not provide the panel with the appointment time but within your written statement had indicated that you arrived at the Yunnik Centre in the *“early hours in the morning”* whilst the data shows you started the test at 11:36. In addition you stated that your fingerprints were taken before you sat the exam and within your oral evidence you said that maybe fingerprints were taken while you signed the tablet. The panel noted Witness 4’s statement that there were no fingerprints taken at Yunnik.

The panel considered why you were able to achieve such unlikely test times at Yunnik. In the absence of any plausible explanations from you for the exceptional times, it concluded that the only reasonable explanation was more likely than not that you obtained your test results 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 met the character requirements for successful admission on the register.

The panel considered that you provided three positive testimonials in relation to your work as a healthcare assistant; however, only one of these demonstrated awareness of the particular concern around obtaining the CBT results. The panel was mindful that you have consistently denied obtaining the CBT result fraudulently. Further, you have provided no reflective account to the panel demonstrating insight into the importance of a registered nurse acting honestly and having good character.

In any event, your clinical performance is not the subject of scrutiny in this matter. It is the panel's role to consider the issue surrounding your integrity and conduct in relation to the 2022 CBT at Yunnik. In light of its finding that it was more likely than not that you used a proxy test-taker to obtain your CBT results, the use of such results to gain entry onto the NMC Register constituted fraud and dishonesty on your part. The panel's focus is on your dishonesty, which is contrary to the NMC's guidance on health and character, specifically section 20 of the NMC 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 you 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.