

**Nursing and Midwifery Council
Fitness to Practise Committee**

**Substantive Hearing
Monday 6 June 2025 to Friday 13 June 2025
2 September 2025 and 5 September 2025**

Virtual Hearing

Name of Registrant:	Sun-Il Yoon
NMC PIN:	14G0876E
Part(s) of the register:	Nursing Sub part 1 RNA, Registered Nurse - Adult 1 October 2014
Relevant Location:	Bournemouth
Type of case:	Misconduct
Panel members:	Darren Shenton (Chair, lay member) Gillian Tate (Registrant member) Georgina Foster (Lay member)
Legal Assessor:	Neil Fielding
Hearings Coordinator:	Ifeoma Okere
Nursing and Midwifery Council:	Represented by Anna Rubbi, Case Presenter
Miss Yoon:	Not present and unrepresented
Facts proved:	Charges 1, 2, 3, 4, 5, 6, 7, 8, 9a, 9b, 9c, 9d, 10a, 10b and 10c
Fitness to practise:	Impaired
Sanction:	Striking-off order
Interim order:	Interim suspension order (18 months

Panel Consideration of Recusal

At the outset of the hearing, the panel raised a matter of its own motion concerning its receipt of background information relating to Miss Yoon's previous interim order.

The panel confirmed that it had not sat on any previous hearings involving Miss Yoon. However, it had received documentation from the NMC that made reference to an earlier interim order relating to Miss Yoon. The panel wished to consider whether this could give rise to a perception of bias or any concern about its continued involvement in the current proceedings.

The panel noted that the information seen was limited and administrative in nature. It did not contain any findings of fact or assessments of Miss Yoon's credibility, and it was not relied upon in any previous determination. The panel was satisfied that its impartiality had not been compromised and that there was no real possibility of bias.

Ms Rubbi, on behalf of the Nursing and Midwifery Council, confirmed that she had no objection to the panel continuing to hear the case. She acknowledged the panel's careful consideration of the issue and submitted that there was no basis on which the panel was required to recuse itself. She agreed that the panel had appropriately applied the legal test and that the information received did not prejudice the fairness of the hearing.

The panel heard and accepted the legal advice of the legal assessor.

Having taken advice from the legal assessor and considered the matter carefully, the panel determined that it remained properly constituted and decided to proceed with the hearing.

Decision and reasons on application for hearing to be held partially in private

Ms Rubbi made an application for parts of the hearing to be held in private. The application was made pursuant to Rule 19 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules). She submitted that the application was limited to any parts of the hearing where reference may be made to [PRIVATE]. In such circumstances, she submitted that it would be appropriate, and

in accordance with the Rules, for those aspects to be heard in private in order to protect their right to confidentiality in relation to [PRIVATE]. Ms Rubbi also submitted that during the case she would also be referring to the personal details of a third party that should also be heard in private, to protect her confidentiality.

Accordingly, Ms Rubbi invited the panel to allow the application for only those limited parts of the hearing that involve reference to [PRIVATE] of Miss Yoon, [PRIVATE] to be heard in private session, as and when such matters arise.

The legal assessor reminded the panel that while Rule 19(1) provides, as a starting point, that hearings shall be conducted in public, Rule 19(3) states that the panel may hold hearings partly or wholly in private if it is satisfied that this is justified by the interests of any party or by the public interest.

The panel considered that it is in the interests of fairness and proportionality to protect sensitive information relating to [PRIVATE]. It was satisfied that the issues likely to arise in this context were limited and that a blanket private hearing was neither necessary nor justified.

The panel was mindful of the importance of public hearings and the overarching principle of open justice. It therefore determined to proceed on the basis that the hearing would remain in public, except where matters concerning Miss Yoon's [PRIVATE], were raised, or personal and confidential details of a third party (Person A) when referred to during the hearing. In those circumstances, the panel would consider in relation to each relevant instance whether to move into private session.

Accordingly, the panel granted the application in part and determined that it would rule on whether to go into private session as and when such issues arise.

Decision and reasons on service of Notice of Hearing

The panel was informed at the start of this hearing that Miss Yoon was not in attendance and that the Notice of Hearing letter had been sent to Miss Yoon's registered email address by secure email on 07 May 2025.

Ms Rubbi submitted that it had complied with the requirements of Rules 11 and 34 of the 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel accepted the advice of the legal assessor.

The panel took into account that the Notice of Hearing provided details of the allegation, the time, dates and that the hearing was to be held virtually, including instructions on how to join and, amongst other things, information about Miss Yoon's right to attend, be represented and call evidence, as well as the panel's power to proceed in her absence.

In the light of all of the information available, the panel was satisfied that Miss Yoon has been served with the Notice of Hearing in accordance with the requirements of Rules 11 and 34.

Decision and reasons on proceeding in the absence of Miss Yoon

The panel next considered whether it should proceed in the absence of Miss Yoon. It had regard to Rule 21 and heard the submissions of Ms Rubbi, on behalf of the NMC, who invited the panel to continue in the absence of Miss Yoon. She submitted that the panel had sufficient information before it to be satisfied that Miss Yoon was aware of the hearing and had voluntarily chosen not to attend. She referred to correspondence from Miss Yoon confirming that she had received the hearing information, as well as a written statement in which she indicated that she did not wish to participate. Ms Rubbi further confirmed that Miss Yoon had been properly notified of the hearing and that there was no suggestion she intended to attend or that an adjournment would be likely to secure her future attendance.

Ms Rubbi submitted that there was a clear public interest in the expeditious disposal of the case, and that it was both fair and appropriate to proceed in Miss Yoon's absence. She reminded the panel that Miss Yoon had been engaging with the process until the last case management hearing, the week before the substantive hearing but had not requested an adjournment.

Ms Rubbi referred the panel to email communication between Miss Yoon and the NMC after the case management hearing in which she said she was not going to attend the hearing and wanted it to continue in her absence confirming that she was not applying for an adjournment. The email, which Ms Rubbi drew to the panel's attention, indicated that Miss Yoon attributed her non-attendance at the hearing to the toll the proceedings had taken [PRIVATE]. However, she did not provide any [PRIVATE] to support this explanation.

Ms Rubbi also submitted that the panel could take into account the case of *R v Jones (Anthony) [2002] UKHL 5*, which confirmed that a defendant may waive their right to attend by deliberately absenting themselves, and that fairness may still be achieved through proceeding in their absence.

Accordingly, Ms Rubbi invited the panel to exercise its discretion to proceed in Miss Yoon's absence, on the basis that she had voluntarily absented herself and that doing so would not compromise the fairness of the proceedings. There was no reason to believe that an adjournment would secure her attendance on some future occasion.

The panel accepted the advice of the legal assessor.

The panel noted that its discretionary power to proceed in the absence of a registrant under the provisions of Rule 21 is not absolute and is one that should be exercised '*with the utmost care and caution*'. The panel also had regard to the guidance in *General Medical Council v Adeogba and General Medical Council v Visvardis [2016] EWCA Civ 162*.

The panel bore in mind the overarching objective of the NMC to protect the public and maintain confidence in the profession and the regulatory process.

The panel has decided to proceed in the absence of Miss Yoon. In reaching this decision, the panel has considered the submissions of Ms Rubbi, and the advice of the legal assessor. It has had particular regard to the factors set out in the decision of *General Medical Council v Adeogba and General Medical Council v Visvardis* [2016] EWCA Civ 162 and had regard to the overall interests of justice and fairness to all parties. The panel noted the following:

- Miss Yoon had informed the NMC that she had received the Notice of Hearing and confirmed she was content for the hearing to proceed in her absence;
- No application for an adjournment had been made by Miss Yoon, despite Miss Yoon being advised of this option;
- There was no indication that an adjournment would secure Miss Yoon's future attendance;
- Several witnesses were scheduled to attend the hearing to give live evidence;
- Adjourning the hearing would cause inconvenience to the witnesses and potentially delay the case further;
- The charges relate to events that occurred between 2018 and 2021;
- Further delay may adversely affect the ability of witnesses to accurately recall events;
- There is a strong public interest in the timely and fair disposal of regulatory proceedings.

The panel was satisfied that Miss Yoon had voluntarily absented herself from the hearing, that she had been given proper notice of the proceedings, and that she had clearly indicated her intention not to attend.

Having weighed the interests of Miss Yoon with the public interest in the expeditious disposal of the case, the panel concluded that it was fair and appropriate to proceed in her absence.

Accordingly, the panel granted the application and directed that the hearing should continue.

There is some disadvantage to Miss Yoon in proceeding in her absence. Although the evidence upon which the NMC relies will have been sent to her at her registered address, she has made no response to the allegations. She will not be able to challenge the evidence relied upon by the NMC in person and will not be able to give evidence on her own behalf. However, in the panel's judgement, this can be mitigated. The panel can make allowance for the fact that the NMC's evidence will not be tested by cross-examination and, of its own volition, can explore any inconsistencies in the evidence which it identifies. Furthermore, the limited disadvantage is the consequence of Miss Yoon's decisions to absent herself from the hearing, waive her rights to attend, and/or be represented, and to not provide evidence or make submissions on her own behalf.

In these circumstances, the panel has decided that it is fair to proceed in the absence of Miss Yoon. The panel will draw no adverse inference from Miss Yoon's absence in its findings of fact.

Decision and reasons on application to amend the charge

The panel heard an application made by Ms Rubbi to amend the wording of charges numbers 2, 5, 6, 7, 9 and 10, pursuant to Rule 28 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004.

Ms Rubbi submitted that the proposed amendments in this case are appropriate and just. The changes do not introduce any new allegations but are intended to clarify and particularise the existing charges in line with the documentary and oral evidence available. The overall scope and substance of the case remains unchanged.

Further, it was submitted that the proposed amendments would not cause any unfairness or prejudice to Miss Yoon. Rather, the amendments would enhance procedural fairness by clarifying the allegations she is required to meet.

The proposed amendments were summarised as follows:

- **Charge 2:** The wording was amended to add the phrase “on or around” before the date “22 October 2018”, to reflect the fact that the evidence does not identify a precise date on which Miss Yoon became aware that she had failed the Physician Associate National Examination.
- **Charge 5:** The charge was rephrased to specify that, on one or more occasions in November and December 2020, Miss Yoon provided inaccurate documentation in response to requests for evidence of her Physician Associate status. The charge also now clarifies that this was in respect of an application submitted in September 2019 to Buckinghamshire New University, and that the documents pertained to Person A and were intended to represent Miss Yoon as that person.
- **Charge 6:** The amendment clarifies the alleged dishonesty by stating that Miss Yoon provided the documents in order to mislead her employer into believing that she was Person A and that she held Person A’s Physician Associate status.
- **Charge 7:** The amendment corrects the name of the institution to “Buckinghamshire New University” and includes reference to Miss Yoon’s lack of the required status as an “advanced clinical practitioner”, in addition to not holding the Physician Associate qualification.
- **Charge 9:** The charge was expanded to include reference to contact with the Royal College of Physicians, in addition to the Faculty of Physician Associates. A new subparagraph (c) was inserted to reflect that Miss Yoon requested copies of Person A’s Physician Associate National Examination certificate(s) and/or membership card as if they were her own.
- **Charge 10:** The previous subparagraphs (a) to (d) were replaced with revised wording setting out Miss Yoon’s intent to create the impression that she was registered on the Physician Associates Managed Voluntary Register when

she was not entitled to be. The new wording clarifies the scope of the alleged dishonesty, including attempts to mislead the Faculty of Physician Associates, the Royal College of Physicians, and her employer, and to obtain access to another individual's personal information for her own benefit.

- **Charges 11 and 12:** These two charges were deleted in their entirety, respectively.

Ms Rubbi submitted that each of the proposed amendments is firmly grounded in the evidence disclosed in the case and is intended to clarify the existing allegations, rather than to broaden or expand them. She further submitted that the amendments do not alter the substance or scope of the charges, nor do they introduce any new matters. Instead, they serve to ensure that the charges are properly aligned with the evidence and facilitate the fair and efficient progression of the case.

Therefore, the proposed amended charges would read as follows:

“That you, a registered nurse:

- 1) On 20 November 2018, inaccurately represented in your interview for a position as Clinical Skills Demonstrator at Bournemouth University that you had passed your Physician Associate National Examination when you had not.
- 2) Your conduct at charge 1 was dishonest, in that you knowingly concealed from a prospective employer that you had failed the Physician Associate National Examination **on or around** 22 October 2018.
- 3) On 24 September 2019 and/or 16 October 2019, inaccurately represented to Colleague A that your name was that of Person A.
- 4) Your conduct at charge 3 was dishonest, as you sought to assume the identity of Person A to secure your employment at Bournemouth University, knowing that Person A's name appeared on the Physician Associates Managed Voluntary Register.

- 5) ~~On date/s unknown~~ **On one or more occasion in November and December 2020, in response to being asked to provide evidence of your Physician Associate status in respect of your application in September 2019 to Buckinghamshire New University for the role of Senior Lecturer, you provided ~~documentation~~ inaccurate documentation pertaining to Person A's Physician Associate status in order to mislead them as to your identity to represent yourself as Person A.**
- 6) Your conduct at charge 5 was dishonest, in that you knew the documents you supplied were false ~~as they belonged to Person A, not you~~ **and you provided them in order to mislead your employer that you were Person A and held her Physician Associate status.**
- 7) Between 21 October 2019 and 25 February 2021, were employed in the role of Senior Lecturer at ~~Buckingham New University~~ **Buckinghamshire New University** when you knew you did not have the required Physician Associate qualification **or status of "advanced clinical practitioner"** to fulfil that role.
- 8) Your conduct at charge 7 was dishonest, in that you knew you were not qualified for the role but sought to give the impression you were.
- 9) Between 24 October 2019 and 18 March 2021, contacted the Faculty of Physician Associates ~~under the pretence that you were Person A and/or the Royal College of Physicians under the pretence that you were Person A~~ **to:**
- a) Request the name and/or contact details ~~be changed on Person A's account to your own~~ **be changed on Person A's Royal College of Physicians online account to your own.**
 - b) Obtain access to Person A's ~~online account~~ **Royal College of Physicians online account.**
 - c) **Request copies of Person A's Physician Associate National Examination certificate(s) and/or membership card as if it were your own.**
- 10) Your conduct at charge 9a and/or 9b ~~was dishonest in that you:~~ **and/or 9c was dishonest in that you sought to create the impression that you were**

registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:

- ~~a) Sought to mislead the Faculty of Physician Associates as to your identity.~~
- ~~b) Sought to amend Person A's details so that you could mislead your employer, Buckingham New University, as to your identity.~~
- ~~c) Sought to amend the information in order to procure entry on to the Physician Associates Managed Voluntary Register.~~
- ~~d) Sought to gain access to Person A's online account to use her personal information to your own advantage.~~
- a) Mislead the Faculty of Physician Associates as to your identity and/or qualifications.**
- b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.**
- c) Mislead the Royal College of Physicians as to your identity and/or qualifications.**
- d) Obtain access to Person A's information for your own personal gain."**

The panel accepted the advice of the legal assessor and had regard to Rule 28 of 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004', as amended (the Rules).

The panel was of the view that such amendments, as applied for, were in the interest of justice. The panel was satisfied that there would be no prejudice to Miss Yoon and no injustice would be caused to either party by the proposed amendments being allowed. It also considered that the proposed changes:

- served to ensure clarity and accuracy in the drafting of the charges;
- better reflected the evidence already before the panel;
- corrected typographical and factual inconsistencies;
- improved the internal coherence of the charges across related particulars; and
- did not introduce new allegations or alter the fundamental nature of the case.

There was therefore no risk of unfairness or procedural disadvantage.

The panel was satisfied that the proposed amendments would not cause any injustice to Miss Yoon or to the NMC and would assist in the fair and efficient disposal of the case.

The panel therefore granted the application to amend the charges, and the amended charges are set out below:

“That you, a registered nurse:

1. On 20 November 2018, inaccurately represented in your interview for a position as Clinical Skills Demonstrator at Bournemouth University that you had passed your Physician Associate National Examination when you had not.
2. Your conduct at charge 1 was dishonest, in that you knowingly concealed from a prospective employer that you had failed the Physician Associate National Examination on or around 22 October 2018.
3. On 24 September 2019 and/or 16 October 2019, inaccurately represented to Colleague A that your name was that of Person A.
4. Your conduct at charge 3 was dishonest, as you sought to assume the identity of Person A to secure your employment at Bournemouth University, knowing that Person A's name appeared on the Physician Associates Managed Voluntary Register.
5. On one or more occasion in November and December 2020, in response to being asked to provide evidence of your Physician Associate status in respect of your application in September 2019 to Buckinghamshire New University for the role of Senior Lecturer, you provided inaccurate documentation pertaining to Person A's Physician Associate status to represent yourself as Person A.

6. Your conduct at charge 5 was dishonest, in that you knew the documents you supplied were false and you provided them in order to mislead your employer that you were Person A and held her Physician Associate status.
7. Between 21 October 2019 and 25 February 2021, were employed in the role of Senior Lecturer at Buckinghamshire New University when you knew you did not have the required Physician Associate qualification or status of “advanced clinical practitioner” to fulfil that role.
8. Your conduct at charge 7 was dishonest, in that you knew you were not qualified for the role but sought to give the impression you were.
9. Between 24 October 2019 and 18 March 2021, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:
 - a) Request the name and/or contact details be changed on Person A’s Royal College of Physicians online account to your own.
 - b) Obtain access to Person A’s Royal College of Physicians online account.
 - c) Request copies of Person A’s Physician Associate National Examination certificate(s) and/or membership card as if it were your own.
10. Your conduct at charge 9a and/or 9b and/or 9c was dishonest in that you sought to create the impression that you were registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:
 - a) Mislead the Faculty of Physician Associates as to your identity and/or qualifications.
 - b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.
 - c) Mislead the Royal College of Physicians as to your identity and/or qualifications.
 - d) Obtain access to Person A’s information for your own personal gain.”

Background

Ms Rubbi provided the panel with a summary of the background to the case concerning Miss Yoon. She submitted that the concerns in this case relate to allegations of dishonesty and misrepresentation of professional qualifications over a sustained period.

Ms Rubbi submitted that Miss Yoon was referred to the NMC by Person B, from the Royal College of Physicians (RCP), following the discovery of apparent irregularities linked to her use of documentation and communications under a false identity.

Ms Rubbi submitted that Miss Yoon applied for a position at Bournemouth University, during which she claimed that she had passed the Physician Associate National Examination (PANE) and that her Physician Associate Managed Voluntary Register (PA MVR) registration was awaited. However, it later emerged that she had failed the examination and was therefore ineligible to be on the register.

Ms Rubbi further submitted that Miss Yoon later applied for a senior academic post at Buckinghamshire New University. In Miss Yoon's application, she is alleged to have provided documentation which appeared to support her status as a Physician Associate. However, the documents were found to relate to another individual, referred to as Person A.

It is alleged that Miss Yoon engaged in further acts of deception during the course of her employment, including correspondence with the Faculty of Physician Associates and the Royal College of Physicians under the guise of Person A, with the aim of accessing confidential records and official certification.

Ms Rubbi submitted that the allegations reflect a deliberate and sustained attempt by Miss Yoon to obtain and retain employment through the use of false identity and fraudulent documentation. The conduct alleged involves dishonesty at multiple stages, including during application processes and subsequent professional interactions with external regulatory bodies.

Ms Rubbi submitted that the charges before the panel go to the heart of the standards expected of a registered nurse and raise serious concerns about Miss Yoon's honesty, integrity, and fitness to practise.

Decision and reasons on application to admit hearsay evidence of Witness 1

The panel heard an application made by Ms Rubbi under Rule 31 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004 to admit into evidence certain hearsay material contained within the witness statement of Witness 1.

Ms Rubbi submitted that the application related specifically to paragraphs 8 and 9 of Witness 1's statement. These passages referred to information communicated to Witness 1 by Colleague B, an external examiner, who had reviewed the Physician Associate register and raised concerns about Miss Yoon's registration status.

Ms Rubbi acknowledged that this portion of the statement constituted hearsay, as Colleague B had not provided a witness statement and would not be giving live evidence. However, she submitted that the hearsay element was limited in scope and not central to the NMC's case. It was intended to provide context for the concerns initially raised with Witness 1 and the subsequent actions she took in relation to Miss Yoon's employment. The material did not go to the core facts in issue but simply explained how the matter came to be investigated.

In support of her application, Ms Rubbi submitted that, despite being aware of the nature and relevance of Witness 1's evidence, Miss Yoon had chosen not to attend the hearing. In light of this, she argued that the admission of Witness 1's hearsay evidence would not give rise to any unfairness or prejudice to Miss Yoon.

The panel asked Ms Rubbi whether any steps had been taken to obtain a formal statement from Colleague B, or whether there had been an attempt to secure his attendance. Ms Rubbi responded that she had no instructions confirming that such efforts had been made. She submitted that, in view of the limited relevance and peripheral nature of the material, the NMC had considered it proportionate not to pursue Colleague B as a live witness. The information he provided, she stated, was only relevant as background and did not form the basis of any charge.

Ms Rubbi further submitted that the evidence in question was supported by contemporaneous documentation and could be considered alongside other first-hand evidence in the case. The panel could properly assess its weight and relevance in due course, and its inclusion would not cause unfairness to Miss Yoon.

In addressing fairness, Ms Rubbi acknowledged that Miss Yoon was not in attendance and was not represented. Nonetheless, she submitted that the hearsay evidence should be admitted on the basis that it was fair and relevant to do so, consistent with the principles set out in *Thornycroft v NMC* [2014] EWHC 1565 (Admin), particularly in relation to relevance, probative value, and procedural fairness.

Ms Rubbi concluded by inviting the panel to admit paragraphs 8 and 9 of Witness 1's witness statement, under Rule 31, on the basis that the evidence was relevant, limited in scope, and would assist the panel in understanding the context of the concerns raised, without causing any prejudice to Miss Yoon.

The panel accepted the advice of the legal assessor.

The panel carefully considered the application to admit into evidence paragraphs 8 and 9 of the written statement of Witness 1. The panel first considered whether the evidence is relevant and decided that it clearly was.

The panel next considered whether admitting the hearsay evidence would be fair to Miss Yoon, having regards to the criteria set out in *Thorneycroft v NMC*:

i. Whether the statements are the sole or decisive evidence in support of the charges.

The panel was satisfied that this is not the sole or decisive evidence in respect of any of the charges. It simply formed part of the body of evidence concerning the relevant issues.

ii. The nature and extent of the challenge to the contents of the statements.

The panel were informed that this evidence had been provided before the hearing to Miss Yoon. It noted that Miss Yoon had submitted a substantial response bundle totalling 119 pages, but had not raised any objection to or challenge against the evidence attributed to Colleague B.

iii. Whether there was any suggestion that the witnesses had reasons to fabricate their allegations

The panel were informed that the evidence was obtained during the course of professional employment. It is not aware of any reason to suggest that the information or the evidence has been fabricated or of any reasons why this might have been the case.

iv. The seriousness of the charge, taking account of the impact which adverse findings might have on the career of the registrant

The panel noted in the documentation sent to Miss Yoon before the hearing the sanction bid, should the allegations be found proved, was that of striking off order. These matters were very serious.

v. Whether there was a good reason for the non-attendance of the witnesses

The panel noted that the NMC had not sought the attendance of the witness, explaining that the NMC took the view that Colleague B's evidence was limited in nature and scope. It would therefore have been disproportionate to seek his attendance as a witness. In the circumstances, the panel agreed with this approach.

vi. Whether the NMC had taken reasonable steps to secure the attendance of a witness

The panel dealt with this matter in point v. above.

vii. Whether or not the registrant had prior notice of the application to admit hearsay evidence.

The panel heard that no prior notice had been given to Miss Yoon of the NMC's intention to seek to admit Colleague B's evidence as hearsay evidence. However, it

noted that Miss Yoon had been informed of the witnesses who were to be called to give live evidence in this case which included Witness 1. Miss Yoon was also provided with a copy of Witness 1's statement in advance and was fully aware of the nature of the evidence to be given. As noted above; despite submitting a defence bundle, Miss Yoon raised no objection or substantive challenge to this evidence.

The panel acknowledged that there was a public interest in the matters being examined fully and transparently, and that this supported the inclusion of all relevant and available material.

In light of all the above, the panel was satisfied that it was fair, and relevant to admit the hearsay evidence into proceedings.

The panel therefore allowed the application and admitted paragraphs 8 and 9 of Witness 1's statement into evidence.

Decision and reasons on application to amend charge 4

The panel heard an application made by Ms Rubbi to amend the wording of Charge 4 pursuant to Rule 28. She submitted that the proposed amendment was necessary to ensure that the charge accurately reflected the evidence and avoided potential ambiguity. The proposed amendment was to replace the words:

"...to secure your employment at Bournemouth University..."

with:

*"...to **maintain** your employment at Bournemouth University..."*

Ms Rubbi submitted that this change was consistent with the chronology of events and the supporting documentation, which showed that Miss Yoon had already been employed by Bournemouth University at the time of the alleged conduct. She stated that the amendment did not alter the substance of the charge but merely clarified the intent behind the alleged dishonesty.

Ms Rubbi also submitted that this correction would not prejudice Miss Yoon or amount to the introduction of a new allegation. Rather, it was aimed at promoting clarity and precision in the framing of the charges and ensuring fairness in the presentation of the case.

The panel accepted the legal advice of the legal assessor.

The panel considered the application to amend Charge 4 by replacing the phrase “to secure your employment” with “to maintain your employment.” The panel noted that while application for the amendment was made after the relevant witness had given evidence, the proposed change clarified rather than altered the substance of the charge.

The panel considered the original wording in the context of the surrounding charges, particularly Charge 3, and was satisfied that the intent of the charge had always been to reflect conduct occurring during the course of Miss Yoon’s employment, rather than at the point of securing it. The wording “maintain” more accurately described the conduct alleged during the relevant period.

Although the panel expressed concern at the late stage of the application, it determined that the amendment did not cause unfairness or prejudice to Miss Yoon. The factual basis for the charge had already been set out in full, the existing wording could arguably include the ‘maintaining’ her employment - the amendment was sought to alleviate ambiguity, and did not introduce new allegations or require Miss Yoon to answer an unfamiliar case. The panel therefore granted the application to amend Charge 4.

Decision and reasons on application to admit telephone notes and additional hearsay evidence of Witness 2

Ms Rubbi also made an application to admit supplementary documentary evidence, including telephone notes and internal records of communication between Miss Yoon and the Royal College of Physicians.

Ms Rubbi submitted that these materials included records of telephone calls and correspondence from the period during which Miss Yoon is alleged to have contacted the Faculty of Physician Associates and the Royal College of Physicians purporting to be another individual, referred to in the charge as Person A. The notes were created contemporaneously by Royal College of Physicians' staff and reflected Miss Yoon's attempts to change account details, request documentation, and confirm information connected to Person A's account.

Ms Rubbi acknowledged that the telephone notes constituted hearsay. However, she submitted that they were admissible under Rule 31 because they were reliable business records, compiled by professional staff in the course of their duties. She submitted that there was no realistic challenge to the authenticity or relevance of the documents, and they were consistent with the wider evidential picture, including emails and access requests already disclosed to Miss Yoon.

Ms Rubbi concluded that admitting the telephone notes and associated materials would not prejudice Miss Yoon, especially in light of her decision not to attend the hearing or contest the facts. Ms Rubbi invited the panel to admit these documents into evidence in support of the charges.

In addition to the telephone records, Ms Rubbi made a further application under Rule 31 to admit an additional hearsay document, a single email dated 5 January 2021 from the Royal College of Physicians. She confirmed that this document formed part of the updated exhibit bundle and had been disclosed in advance.

Ms Rubbi submitted that the email should be admitted as hearsay on the basis that it provided important context in relation to the telephone notes previously admitted into evidence. In particular, she submitted that the email clarified the sequence of communications and the nature of Miss Yoon's interactions with the Royal College of Physicians during the relevant period.

Ms Rubbi stated that this evidence helped complete the narrative of events and supported the overall reliability of the surrounding material. She therefore invited the panel to admit the 5 January 2021 email into evidence.

The panel accepted the legal advice of the legal assessor.

The panel considered the NMC's application to admit contemporaneous telephone notes prepared by the Royal College of Physicians. It noted that these records were dated and contained a clear log of contact with Miss Yoon.

The panel first considered whether the evidence is relevant and decided that it clearly was.

The panel next considered whether admitting the hearsay evidence would be fair to Miss Yoon, having regards to the criteria set out in *Thorneycroft v NMC*:

i. Whether the statements are the sole or decisive evidence in support of the charges.

The panel was satisfied that none of this evidence was sole or decisive in respect of any of the charges. It simply formed part of the body of evidence concerning the relevant issues.

ii. The nature and extent of the challenge to the contents of the statements.

The panel were informed that this evidence had been provided before the hearing to Miss Yoon. It noted that Miss Yoon had submitted a substantial response bundle totalling 119 pages but had not raised any objection to or challenge against the evidence attributed to Witness 2 or any of the documentary evidence to which she refers.

iii. Whether there was any suggestion that the witnesses had reasons to fabricate their allegations

The panel were informed that the evidence was obtained during the course of professional employment. It is not aware of any reason to suggest that the information or the evidence has been fabricated or of any reasons why this might have been the case.

iv. The seriousness of the charge, taking account of the impact which adverse findings might have on the career of the registrant

The panel noted in the documentation sent to Miss Yoon before the hearing the sanction bid, should the allegations be found proved, was that of striking off order. These matters were very serious.

v. Whether there was a good reason for the non-attendance of the witnesses

The panel noted that the NMC had not sought the attendance of the relevant witnesses, explaining that the NMC took the view that the other witnesses' evidence was limited in nature and scope. The evidence was documentary evidence produced contemporaneous during the course of the other witnesses' professional employment.

The panel considered that the only evidence that the witnesses would have been able to provide was derived from the documents they produced in any event. It considered it would therefore have been disproportionate to seek their attendance as witnesses. In the circumstances, the panel agreed with this approach.

vi. Whether the NMC had taken reasonable steps to secure the attendance of a witness

The panel dealt with this matter in point v. above.

vii. Whether or not the registrant had prior notice of the application to admit hearsay evidence.

The panel heard that no prior notice had been given to Miss Yoon of the NMC's intention to seek to admit witness 2's evidence as hearsay evidence. However, it noted that Miss Yoon had been informed of the witnesses who were to be called to give live evidence in this case which included Witness 2. Miss Yoon was also provided with a copy of Witness 2's statement and the documentary exhibits to which she refers in advance and was fully aware of the nature of the evidence to be given. As noted above; despite submitting a defence bundle, Miss Yoon raised no objection or substantive challenge to this evidence.

The panel acknowledged that there was a public interest in the matters being examined fully and transparently, and that this supported the inclusion of all relevant and available material.

While the panel acknowledged that the notes were unsigned, it was satisfied that they were created in the course of ordinary administrative activity and therefore appeared demonstrably reliable.

Given that Miss Yoon had not objected to the content or sought to highlight any specific issue taken with the material the panel concluded that there would be no unfairness in admitting the documents. The panel therefore allowed the application and admitted the telephone notes into evidence .

The panel also considered the NMC's application to admit an email from the Royal College of Physicians, dated 5 January 2021, which was addressed directly to Miss Yoon and confirmed the outcome of her Physician Associate examination.

Although the document was unsigned, the panel determined that it bore clear relevance, authenticity, and probative value. The content of the email had not been objected to or specifically challenged, and Miss Yoon had been given prior disclosure.

The panel accepted that the document provided important context to the surrounding allegations and that its absence would leave a gap in the narrative.

In those circumstances, the panel considered the document admissible under Rule 31 and granted the application.

The panel next considered the application to admit hearsay evidence consisting of emails attributed to Person A to be provided by Witness 2. The panel noted that Person A had not been called to give evidence and that no attempts had been made by the NMC to secure her attendance.

The panel first considered whether the evidence is relevant and decided that it clearly was.

The panel next considered whether admitting the hearsay evidence would be fair to Miss Yoon, having regards to the criteria set out in *Thorneycroft v NMC*:

i. Whether the statements are the sole or decisive evidence in support of the charges.

The panel was satisfied that none of this evidence was sole or decisive in respect of any of the charges and it appeared to the panel that it was demonstrably reliable. It simply formed part of the body of evidence concerning the relevant issues.

ii. The nature and extent of the challenge to the contents of the statements.

The panel were informed that this evidence had been provided before the hearing to Miss Yoon. It noted that Miss Yoon had submitted a substantial response bundle totalling 119 pages but had not raised any objection to or challenge against the evidence attributed to Person A provided by Witness 2 or any of the documentary evidence to which Witness 2 refers.

iii. Whether there was any suggestion that the witnesses had reasons to fabricate their allegations

The panel were informed that the evidence was obtained following communication by email from Person A to the RCP. It is not aware of any reason to suggest that the information or the evidence has been fabricated or of any reasons why this might have been the case.

iv. The seriousness of the charge, taking account of the impact which adverse findings might have on the career of the registrant

The panel noted in the documentation sent to Miss Yoon before the hearing the sanction bid, should the allegations be found proved, was that of striking off order. These matters were very serious.

v. Whether there was a good reason for the non-attendance of the witnesses

The panel noted that the NMC had not sought the attendance of Person A. The evidence was documentary evidence produced contemporaneous during the course of the other witnesses' professional employment.

The panel recognised that while Person A's evidence was important, it was not the sole or decisive basis evidence. The evidence could be considered alongside a broader body of documentary material, including the testimonies already received. The panel also noted that the content of Person A's emails was relatively limited in scope and, even if her evidence was given in person, would likely have been confined to confirming that she was unable to access her account and did not know Miss Yoon. On the basis of what is known of Ms Yoon's account of these events does not appear to be directly contentious.

vi. Whether the NMC had taken reasonable steps to secure the attendance of a witness

The panel dealt with this matter in point v. above.

vii. Whether or not the registrant had prior notice of the application to admit hearsay evidence.

The panel heard that no prior notice had been given to Miss Yoon of the NMC's intention to seek to admit Witness 2's evidence as hearsay evidence. However, it noted that Miss Yoon had been informed of the witnesses who were to be called to give live evidence in this case which included Witness 2. Miss Yoon was also provided with a copy of Witness 2's statement and the documentary exhibits to which she refers in advance and was fully aware of the nature of the evidence to be given. As noted above; despite submitting a defence bundle, Miss Yoon raised no objection or substantive challenge to this evidence.

The panel acknowledged that there was a public interest in the matters being examined fully and transparently, and that this supported the inclusion of all relevant and available material.

The panel considered that there was a material distinction from the previous hearsay application regarding the telephone notes of staff at the Royal College of Physicians.

In that instance, the panel accepted that it would have been impractical to call each staff member to give live evidence. However, in the case of Person A, the panel noted that her evidence appeared to be of central relevance to certain charges, particularly in relation to access to the online account and the registrant's alleged use of her identity.

Nevertheless, the panel took into account that the emails in question had been disclosed to Miss Yoon as part of the exhibit bundle in advance of the hearing. The panel noted that Miss Yoon had submitted a substantial response bundle totalling 119 pages but had not raised any objection to or challenge against the evidence attributed to Person A. There was no indication that Miss Yoon disputed the authenticity of the emails or the email address in question.

The panel was satisfied that admitting the hearsay evidence in this context would not cause unfairness to Miss Yoon. The panel therefore determined that the email evidence from Person A could be admitted as hearsay. It will consider what weight, if any, to attach to this evidence at the fact-finding stage.

The panel determined that the email evidence from Person A provided by Witness 2 is admitted as hearsay.

Decision and Reasons on the Application to Amend the Wording and Structure of Charge 10, Including the Merger of Particular 10(c) into 10(a) and the Renumbering of Subsequent Particulars

The panel heard an application from Ms Rubbi to amend the wording of Charge 10 by incorporating the content of particular 10(c) into 10(a), and to delete particular 10(c) in its entirety as it currently reads. Ms Rubbi further submitted that, should the amendment be granted, the existing particular 10(d) would be renumbered as 10(c) to maintain continuity in the charge sequence.

Ms Rubbi submitted that the amendments were necessary to clarify the institutional references in the charge, based on the oral evidence given by Witness 2, which distinguished between the Royal College of Physicians (RCP) and the Faculty of

Physician's Associates (FPA). The original wording referred to the RCP, but the evidence confirmed Miss Yoon's conduct in those instances involved the FPA.

Ms Rubbi stated that the proposed amendments would avoid the risk of double charging and ensure the charge accurately reflected the evidence. She confirmed that no new conduct was being introduced and that the overall nature and scope of the charge remained unchanged.

Accordingly, she invited the panel to approve the following amendment:

10) Your conduct at charge 9a and/or 9b and/or 9c was dishonest in that you sought to create the impression that you were registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:

- a) Mislead the Faculty of Physician Associates **and/or the Royal College of Physicians** as to your identity and/or qualifications.
- b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.
- c) ~~Mislead the Royal College of Physicians as to your identity and/or qualifications.~~
- d) Obtain access to Person A's information for your own personal gain.

The panel accepted the legal advice of the legal assessor.

The panel considered the application to amend the wording and structure of charge 10, including the merger of particular 10(c) into 10(a) and the renumbering of Subsequent Particulars

The panel noted that the amendment sought to reflect the oral evidence of Miss Finn regarding the distinction between the Royal College of Physicians and the Faculty of Physician Associates. The panel accepted that the amendment was being sought to avoid any confusion or risk of double charging.

The panel was satisfied that the amendment did not materially alter the nature of the allegation and did not give rise to any unfairness to Miss Yoon. It concluded that the proposed amendment was clear, fair, and in the interests of justice.

The panel therefore granted the application to amend the charge as sought.

The amended charge now reads as follows:

10) Your conduct at charge 9a and/or 9b and/or 9c was dishonest in that you sought to create the impression that you were registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:

a) Mislead the Faculty of Physician Associates and/or the Royal College of Physicians as to your identity and/or qualifications.

b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.

c) Obtain access to Person A's information for your own personal gain.

Decision and reasons on application to admit Paragraph 17 of Witness 3's Statement as Hearsay Evidence

Ms Rubbi made a further application under Rule 31 to admit paragraph 17 of the written statement of Witness 3 as hearsay evidence.

Ms Rubbi submitted that the paragraph had not been covered in oral examination but had been included in Witness 3's signed and verified statement, which was properly prepared for the purpose of these proceedings. She explained that the paragraph provided context regarding Witness 3's understanding of events and the registrant's conduct and therefore had probative value to the matters before the panel.

Ms Rubbi confirmed that the NMC had made a decision not to lead this part of the statement in oral evidence but, on further reflection, considered it relevant and helpful to the panel's assessment of the overall timeline and context.

Ms Rubbi therefore invited the panel to admit paragraph 17 of Witness 3's statement into evidence as hearsay.

The panel accepted the legal advice of the legal assessor.

The panel considered the application to admit paragraph 17 of Witness 3's statement into evidence as hearsay.

The panel first considered whether the evidence is relevant and decided that it clearly was.

The panel next considered whether admitting the hearsay evidence would be fair to Miss Yoon, having regards to the criteria set out in *Thorneycroft v NMC*:

i. Whether the statements are the sole or decisive evidence in support of the charges.

The panel was satisfied that this is not the sole or decisive evidence in respect of any of the charges. It simply formed part of the body of evidence concerning the relevant issues.

ii. The nature and extent of the challenge to the contents of the statements.

The panel were informed that this evidence had been provided before the hearing to Miss Yoon. It noted that Miss Yoon had submitted a substantial response bundle totalling 119 pages but had not raised any objection to or challenge against the evidence attributed to Witness 3.

iii. Whether there was any suggestion that the witnesses had reasons to fabricate their allegations

The panel were informed that the evidence was obtained during the course of professional employment. It is not aware of any reason to suggest that the

information or the evidence has been fabricated or of any reasons why this might have been the case.

iv. The seriousness of the charge, taking account of the impact which adverse findings might have on the career of the registrant

The panel noted in the documentation sent to Miss Yoon before the hearing the sanction bid, should the allegations be found proved, was that of striking off order. These matters were very serious.

v. Whether there was a good reason for the non-attendance of the witnesses

The panel noted that the NMC had not sought the attendance of the relevant witnesses, explaining that the NMC took the view that the other witnesses' evidence was limited in nature and scope. The evidence was documentary evidence produced contemporaneous during the course of the other witnesses' professional employment.

The panel considered that the only evidence that the witnesses would have been able to provide was derived from the documents they produced in any event. It considered it would therefore have been disproportionate to seek their attendance as witnesses. In the circumstances, the panel agreed with this approach.

vi. Whether the NMC had taken reasonable steps to secure the attendance of a witness

The panel dealt with this matter in point v. above.

vii. Whether or not the registrant had prior notice of the application to admit hearsay evidence.

The panel heard that no prior notice had been given to Miss Yoon of the NMC's intention to seek to admit Witness 3's evidence as hearsay evidence. However, it noted that Miss Yoon had been informed of the witnesses who were to be called to give live evidence in this case which included Witness 3. Miss Yoon was also provided with a copy of Witness 3's statement and documentary exhibits in advance

and was fully aware of the nature of the evidence to be given. As noted above; despite submitting a defence bundle, Miss Yoon raised no objection or substantive challenge to this evidence.

The panel acknowledged that there was a public interest in the matters being examined fully and transparently, and that this supported the inclusion of all relevant and available material.

The panel was satisfied that the content of the paragraphs as it related to the documentary exhibits was relevant and that admitting it would not cause any unfairness to Miss Yoon. The panel considered that the evidence had probative value and therefore should be admitted.

The panel therefore allowed the application to admit paragraph 17 of Witness 3's statement as hearsay evidence.

Decision and reasons on application to admit additional hearsay evidence (Email and Statement of Witness 2)

Ms Rubbi applied to admit an email and accompanying statement from Witness 2 as hearsay evidence under Rule 31 . She submitted that this material was obtained following a line of questioning during Witness 2's oral evidence, and that although she did not have instructions as to why the particular document had not been obtained or included earlier in the NMC's bundle, the document itself corroborated existing evidence within the bundle regarding the Physician Associate National Examination (PANE) result for Miss Yoon.

Ms Rubbi submitted that the document was not contentious and noted that the bundle already contained multiple references to Person A having passed the PANE and being included on the Physician Associate Managed Voluntary Register (PA MVR). She also submitted that this additional material merely replicated the result already in evidence, albeit in Person A's correct details, and was consistent with other records.

Ms Rubbi stated that there would be no unfairness to Miss Yoon in admitting the document. She told the panel that Miss Yoon herself had previously produced near-identical versions of the same result documents, bearing various formulations of her name. As such, Ms Rubbi stated that Miss Yoon was clearly aware of the document's true content, if not the specific version now being proposed for admission.

In light of the above, Ms Rubbi submitted that the document was neither sole nor decisive to the NMC's case and could be safely admitted as hearsay .

The panel accepted the legal advice of the legal assessor.

The panel considered to admit additional hearsay evidence in the form of an email and an accompanying statement from Witness 2. It noted that this material was obtained by the NMC following a question raised by the panel during Witness 2's oral testimony regarding whether a communication had been sent to Person A in 2018 confirming her Physician Associate National Examination (PANE) result.

The panel also noted that this application arose as a direct consequence of its own enquiry and that the NMC had taken prompt steps to obtain the relevant documentation from Witness 2. The panel considered that the material comprised an email apparently sent in the ordinary course of professional duties, along with a short accompanying statement. While the act of sending the email itself did not constitute hearsay (as it was originally sent by Witness 2), the content, specifically the confirmation of the exam result was hearsay in nature.

The panel took account of the legal advice received and applied the guidance set out in *Thornycroft v NMC [2014] EWHC 1565 (Admin)* as it had already done with respect to this witness for an earlier hearsay evidence application and adopted the findings that are outlined above in respect of this application.

The panel assessed the relevance and probative value of the document in the context of the case. The panel noted that the content of the email was consistent with other evidence already in the bundle and was not controversial in nature.

In all the circumstances, the panel was satisfied that the evidence had some probative value, was capable of assisting the panel in its determination of the issues, and that its admission would not cause unfairness to Miss Yoon.

Accordingly, the panel granted the application and admitted the email and accompanying statement from Witness 2 into evidence as hearsay.

Decision and Reasons on application to amend charge 9

During the panel's deliberations on the facts, the panel noted a discrepancy between the dates in Charge 9 and the documentary evidence, particularly the Customer Relationship Management (CRM) logs provided by the Royal College of Physicians (RCP). The charge, as originally drafted, alleged that the conduct occurred between 24 October 2019 and 18 March 2021. However, the panel observed that there was evidence of relevant activity occurring earlier, specifically on 18 February 2019, and that the last action attributable to Miss Yoon appeared to take place on 12 February 2021.

Ms Rubbi submitted that the revised start date reflected the date on which initial changes were made to Person A's account in the name of Miss Yoon, as evidenced in the exhibits. She further submitted that the proposed end date aligned with the final phone call attributed to Miss Yoon. She also referred to an email dated 11 February 2021, which the NMC considered to fall within the scope of the alleged conduct.

Ms Rubbi acknowledged that the underlying evidence had not changed but stated that a closer assessment had revealed that the communications in March 2021 appeared to have originated from Person A rather than Miss Yoon. She accepted that this had not been identified earlier and expressed the NMC's regret for the timing of the application.

Ms Rubbi submitted that the proposed amendments did not alter the nature of the allegation or introduce new evidence. She stated that Miss Yoon had been in possession of all relevant materials since at least the date of the notice of hearing, and therefore the amendment would not cause injustice or prejudice.

Therefore, the proposed amended charge 9 would read as follows:

9. Between ~~October 2019 and 18 March 2021~~ **18 February 2019 and 12 February 2021**, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:

The panel accepted the legal advice of the legal assessor.

The panel considered that the proposed amendment to change the charge period which more accurately reflected the evidence before it. The panel was satisfied that the underlying documentary material relied upon had already been disclosed to Miss Yoon prior to the hearing. While the oral evidence of Witness 2 was new, it was consistent with documents previously in her possession.

The panel determined that amending the charge in this way would not cause injustice to Miss Yoon. It did not introduce any new allegations but clarified the timeframe of the alleged conduct based on existing evidence. The panel was also mindful of its duty to protect the public and considered that the revised charge more accurately captured the potential seriousness and scope of the alleged misconduct.

For these reasons, the panel granted the amendment. Charge 9 was amended to state that the alleged conduct occurred “**Between 18 February 2019 and 12 February 2021.**” Therefore, the remainder of the charge remained unchanged.

Details of the Final Charges (as amended)

The final charges as amended now read as follows :

“That you, a registered nurse:

1. On 20 November 2018, inaccurately represented in your interview for a position as Clinical Skills Demonstrator at Bournemouth University that you

had passed your Physician Associate National Examination when you had not.

2. Your conduct at charge 1 was dishonest, in that you knowingly concealed from a prospective employer that you had failed the Physician Associate National Examination on or around 22 October 2018.

3. On 24 September 2019 and/or 16 October 2019, inaccurately represented to Colleague A that your name was that of Person A.

4. Your conduct at charge 3 was dishonest, as you sought to assume the identity of Person A to maintain your employment at Bournemouth University, knowing that Person A's name appeared on the Physician Associates Managed Voluntary Register.

5. On one or more occasion in November and December 2020, in response to being asked to provide evidence of your Physician Associate status in respect of your application in September 2019 to Buckinghamshire New University for the role of Senior Lecturer, you provided inaccurate documentation pertaining to Person A's Physician Associate status to represent yourself as Person A.

6. Your conduct at charge 5 was dishonest, in that you knew the documents you supplied were false and you provided them in order to mislead your employer that you were Person A and held her Physician Associate status.

7. Between 21 October 2019 and 25 February 2021, were employed in the role of Senior Lecturer at Buckinghamshire New University when you knew you did not have the required Physician Associate qualification or status of "advanced clinical practitioner" to fulfil that role.

8. Your conduct at charge 7 was dishonest, in that you knew you were not qualified for the role but sought to give the impression you were.

9. Between 18 February 2019 and 12 February 2021, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:

a) Request the name and/or contact details be changed on Person A's Royal College of Physicians online account to your own.

b) Obtain access to Person A's Royal College of Physicians online account.

c) Request copies of Person A's Physician Associate National Examination certificate(s) and/or membership card as if it were your own.

10) Your conduct at charge 9a and/or 9b and/or 9c was dishonest in that you sought to create the impression that you were registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:

a) Mislead the Faculty of Physician Associates and/or the Royal College of Physicians as to your identity and/or qualifications.

b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.

c) Obtain access to Person A's information for your own personal gain.

AND in light of the above, your fitness to practise is impaired by reason of your misconduct."

In reaching its decisions on the disputed facts, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Ms Rubbi on behalf of the NMC.

The panel has drawn no adverse inference from the non-attendance of Miss Yoon.

The panel was aware that the burden of proof rests on the NMC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not that the incident occurred as alleged.

The panel heard live evidence from the following witnesses called on behalf of the NMC:

- Witness 1: A member of staff at Bournemouth University;
- Witness 2: A representative from the Royal College of Physicians;
- Witness 3: A member of staff at Buckinghamshire New University.

In addition to the live testimony, the panel also considered the hearsay evidence admitted during the hearing

Before making any findings on the facts, the panel heard and accepted the advice of the legal assessor. It considered the witness and documentary evidence provided by the NMC.

The panel considered that these documents were reliable and consistent and that there was no challenge to their authenticity. In the absence of any direct challenge to the evidence from Miss Yoon and having found no indication of fabrication or inaccuracy, the panel was satisfied that it could place substantial weight on these documents when assessing the allegations.

The panel noted that the NMC's case was structured around several key assertions:

- That Miss Yoon and Person A are two entirely different individuals;
- That Miss Yoon failed the Physician Associate National Examination (PANE) required for entry onto the Physician Associate Managed Voluntary Register (PA MVR); and
- That Person A passed the PANE and was subsequently admitted onto the PA MVR.

The NMC further alleged that, having failed the PANE, Miss Yoon subsequently sought to assume Person's A identity in order to conceal her own ineligibility for registration as a Physician Associate and to gain employment under false pretences.

The panel also considered these allegations in the context of the totality of the evidence before it. Based on the documentation and oral evidence provided, the panel was satisfied on the balance of probabilities that Miss Yoon and Person A are two entirely different people. This conclusion was supported by numerous distinguishing factors, including their:

- Full names;
- Ethnicity;
- Dates and places of birth;
- Home addresses;
- Email addresses; and
- Educational and professional records.

The panel noted in particular that Person A passed the PANE in March 2018, whereas Miss Yoon was, by her own admission, still awaiting her examination results as late as October 2018.

The panel also accepted the evidence of Witness 2, who stated that all candidates were required to present valid photographic identification in order to undertake the PANE. It therefore follows that Miss Yoon could only have taken the examination under her legal name, Sun-Il Yoon, just as Person A undertook it under her own name. This is further corroborated by the panel's finding (on the basis of Ms Yoon's own admission in an email to her employers Buckinghamshire New University that Miss Yoon did not possess any photographic ID bearing any formulation of the name of Person A, and by Person A's provision of a passport in her legal name to the Faculty of Physician Associates (FPA).

The panel was therefore satisfied, on the balance of probabilities, that the notifications from the FPA accurately reflect that Miss Yoon undertook and failed the PANE in her own name, while Person A undertook and passed the examination in her name. These outcomes were separately recorded and documented by the FPA.

In assessing the evidence across multiple charges, the panel considered whether cross-admissibility or propensity arose but concluded that such analysis was unnecessary. The charges in this case are so intrinsically linked that evidence related to some earlier conduct is clearly relevant to subsequent conduct.

The panel therefore determined it would be artificial to deal with the matter as an issue of propensity rather than relevance.

The panel noted that the NMC's case was primarily documentary in nature, supported by the oral evidence of three witnesses. The exhibits included:

- Job application forms;
- Internal university emails and meeting notes;
- Transcripts of examination results;
- Identity documents; and
- Correspondence with the Faculty of Physician Associates and the Royal College of Physicians.

These materials were referenced throughout the hearing and extensively relied upon in the oral testimony of the NMC's witnesses.

Before making any findings on the facts, the panel reminded itself of its duty to assess each charge separately and on its own merits. It took care not to conflate allegations and considered only the evidence relevant to each individual charge. Where dishonesty was alleged, the panel applied the legal test set out in *Ivey v Genting Casinos (UK) Ltd* [2017] UKSC 67, considering:

1. Miss Yoon's knowledge or belief as to the facts; and
2. Whether her conduct would be considered dishonest by the standards of ordinary decent people.

Having done so, the panel proceeded to consider each of the disputed charges and made the following findings:

Charge 1

“That you, a registered nurse:

On 20 November 2018, inaccurately represented in your interview for a position as Clinical Skills Demonstrator at Bournemouth University that you had passed your Physician Associate National Examination when you had not.”

This charge is found proved.

In reaching this decision, the panel took into account the live evidence of Witness 1, who interviewed Miss Yoon on 20 November 2018 for the Clinical Skills Demonstrator role. Witness 1’s evidence was clear: “she asked whether Miss Yoon had passed the Physician Associate National Examination (PANE)” and Miss Yoon replied that she had.

The panel considered the application form that Miss Yoon had submitted on 15 October 2018, which stated “awaiting outcome of Physician Associate National Examination (PANE)”, “results due 19 October 2018.” The panel took into account the RCP transcript of results confirming that Miss Yoon failed the Physician Associate National Examination (PANE) on 19 October 2018.

The panel noted that by the time of Miss Yoon’s interview on 20 November 2018, she must have been aware that she had failed the examination, this is underlined by the fact that Miss Yoon made no suggestion that she was unaware of the results. Miss Yoon told Witness 1 that she had passed the PANE.

The panel was satisfied that Miss Yoon inaccurately represented that she had passed the Physician Associate National Examination (PANE) at the time of her interview on 20 November 2018 and therefore found the charge proved.

Charge 2)

“That you, a registered nurse:

Your conduct at charge 1 was dishonest, in that you knowingly concealed from a prospective employer that you had failed the Physician Associate National Examination on or around 22 October 2018.”

This charge is found proved.

The panel accepted the documentary and oral evidence that Miss Yoon had failed the Physician Associate National Examination (PANE). It had regard to the transcript of results dated 19 October 2018, which clearly showed that Miss Yoon had failed both components of the assessment.

The panel also considered the evidence from Buckinghamshire New University, which confirmed that Miss Yoon later produced a transcript purporting to show that she had passed the same examination in March 2018.

The panel determined that Miss Yoon knew at the time of her interview on 20 November 2018 that she had failed the examination. It was satisfied that Miss Yoon knowingly misrepresented her failure of the examination. The panel applied the test for dishonesty set out in *Ivey v Genting Casinos [2017] UKSC 67* and concluded that Miss Yoon’s conduct was dishonest by the standards of ordinary, decent people. This charge is found proved.

Charge 3)

“That you, a registered nurse:

On 24 September 2019 and/or 16 October 2019, inaccurately represented to Colleague A that your name was that of Person A.”

This charge is found proved.

In reaching this decision, the panel took into account the oral evidence of Witness 1, who stated that when she raised the issue with Miss Yoon, she explained that her

name was [PRIVATE]. The panel noted that this account was consistent with the contemporaneous email she sent on the same day.

The panel also took into account the evidence provided by Witness 2, which included an email from Person A dated 7 April 2021. In that email, Person A provided identification documents confirming her identity and expressly stated that she had never used any other name, nor had she ever referred to herself as [PRIVATE] or [PRIVATE]. She also stated that her only email address used in correspondence with the Royal College of Physicians and Faculty of Physician Associates was [PRIVATE].

The panel also considered the identity documents for both Person A and Miss Yoon. The passports were issued in different names and contained different dates and places of birth. The panel was therefore satisfied that Miss Yoon and Person A are two entirely different individuals.

The panel further considered an email dated 16 October 2019 from Colleague C, which summarised a meeting with Miss Yoon and recorded that she again stated her name was Sun-Il Yoon. The panel was satisfied that the contents of this email likely reflected a contemporaneous and accurate record of what was said at that meeting.

Accordingly, the panel found that on one or both of the specified dates, Miss Yoon inaccurately represented her name as that of Person A. This charge is found proved.

Charge 4)

“That you, a registered nurse:

Your conduct at charge 3 was dishonest, as you sought to assume the identity of Person A to maintain your employment at Bournemouth University, knowing that Person A’s name appeared on the Physician Associates Managed Voluntary Register.”

This charge is found proved.

Having found charge 3 proved, the panel went on to consider whether Miss Yoon's conduct was dishonest.

The panel was satisfied that Miss Yoon knew she was not on the PA register and, when directly asked by her employer why her name could not be located, she assumed the identity of Person A. Miss Yoon gave this false information in order to maintain her employment at Bournemouth University, knowing that Person A's name did appear on the PA register.

The panel accepted that Miss Yoon knew she was not Person A. It had already found, based on the comparison of identification documents, that they were different individuals. The panel therefore concluded that Miss Yoon's misrepresentation was deliberate and calculated.

Applying the objective test for dishonesty, the panel determined that Miss Yoon knowingly misrepresented herself as another registered individual, in order to preserve her employment, would be considered dishonest by the standards of ordinary, decent people. It therefore found this charge found proved.

Charge 5)

"That you, a registered nurse:

On one or more occasion in November and December 2020, in response to being asked to provide evidence of your Physician Associate status in respect of your application in September 2019 to Buckinghamshire New University for the role of Senior Lecturer, you provided inaccurate documentation pertaining to Person A's Physician Associate status to represent yourself as Person A."

This charge is found proved.

In reaching this decision, the panel had regard to a substantial body of documentary evidence and oral testimony. It considered that Miss Yoon produced several

documents, on more than one occasion between November and December 2020, in response to requests to demonstrate her Physician Associate (PA) registration status. The panel noted that these documents were created using the identity and professional registration details of Person A, whose name appears on the Physician Associate Managed Voluntary Register (PA MVR).

The panel accepted the evidence of Witness 2, including an email from Person A dated 7 April 2021, in which Person A confirmed that she had never used any alias or variation of her name and had never communicated with the Faculty of Physician Associates using any email address other than [PRIVATE]. The panel noted that the documents submitted by Miss Yoon were associated with a different email address and postal address.

The panel also considered the CRM activity logs and telephone notes from FPA staff, including Employee A and Employee B, which recorded that requests had been made to update the PA register entry for Person A. These changes included:

- Altering the name to [PRIVATE];
- Replacing the existing email address; [PRIVATE] with an email address linked to Miss Yoon; and
- Changing the address on the register to Miss Yoon's [PRIVATE].

The panel was satisfied that Miss Yoon was the person who made these requests and that the membership card subsequently issued in the name of [PRIVATE] was sent to Miss Yoon's address. Miss Yoon later submitted that card and associated documents to Buckinghamshire New University in support of her claim to be on the PA MVR.

The panel determined that the documentation Miss Yoon submitted was falsified to misrepresent the identity of the person entitled to hold it, and she did so in an attempt to represent herself as Person A. Accordingly, it found this charge proved.

Charge 6)

“That you, a registered nurse:

Your conduct at charge 5 was dishonest, in that you knew the documents you supplied were false and you provided them in order to mislead your employer that you were Person A and held her Physician Associate status.”

This charge is found proved.

The panel determined that the conduct found proved at charge 5 was dishonest. It noted that Miss Yoon took deliberate, sustained and calculated steps to obtain documents bearing Person A’s professional identity.

The panel also took into account that Miss Yoon manipulated the FPA records for Person A, including requesting changes to her name, date of birth, ethnicity, contact details, and address. These changes were recorded in the CRM logs and were made following telephone calls from a person purporting to be Person A but using a different email address and London-based contact details associated with Miss Yoon.

The panel also noted that Person A provided evidence that she had never authorised these changes and had never used any address or email other than [PRIVATE], in written correspondence with the RCP/FPA.

It considered the evidence in the CRM records and email exchanges involving FPA staff, including Employee A and Employee B, which recorded that a membership card had been reissued in the name of [PRIVATE] and sent to an address linked to Miss Yoon. The panel was satisfied that Miss Yoon had initiated the changes on the FPA system and had requested a reissued card under false details to mislead her employer into believing that she was a registered Physician Associate. It noted that these documents were submitted in response to requests for proof of PA status in connection with her ongoing employment at Buckinghamshire New University.

The panel also noted the documentary trail showing repeated engagement with the FPA, including telephone calls requesting alterations to registration records and email resets. These actions culminated in the creation and use of false documents

which Miss Yoon subsequently submitted to her employer. The panel considered that these actions went far beyond administrative error or misunderstanding and were undertaken with the intention to mislead her employer into believing that she was a registered Physician Associate.

The panel therefore found that Miss Yoon's conduct was dishonest. She knew the documents she supplied were false and acted with the intent to mislead her employer into believing that she was Person A and held the requisite Physician Associate credentials, actions that any ordinary, decent member of the public would find wholly dishonest. The panel determined that the conduct found proved at Charge 5 was dishonest.

Charge 7)

"That you, a registered nurse:

Between 21 October 2019 and 25 February 2021, were employed in the role of Senior Lecturer at Buckinghamshire New University when you knew you did not have the required Physician Associate qualification or status of "Advanced Clinical Practitioner" to fulfil that role."

This charge is found proved.

The panel considered the job description for the Senior Lecturer role, which made clear that applicants were required to either be on the PA MVR or hold Advanced Clinical Practitioner (ACP) status. The essential criteria as stated in the job advert required candidates to be in good standing with the PA MVR or to hold ACP qualifications and be working at that level.

The panel accepted the evidence of Witness 3, including his witness statement and the supporting exhibits, which demonstrated that Miss Yoon was appointed to the Senior Lecturer role on the basis that she had met this essential criterion. The panel noted that she was employed in the role between 21 October 2019 and 25 February 2021.

The panel took into account its earlier findings, including that Miss Yoon had not passed the Physician Associate National Examination (PANE) and was not included on the PA MVR. There was no evidence before the panel that she had acquired ACP status or was practising as an ACP. Her CV and supporting documents had inaccurately represented her qualifications and regulatory status.

The panel was therefore satisfied that Miss Yoon knew she did not hold the required PA or ACP status during the entire period of her employment at Buckinghamshire New University and found this charge proved.

Charge 8)

“That you, a registered nurse:

Your conduct at charge 7 was dishonest, in that you knew you were not qualified for the role but sought to give the impression you were.”

This charge is found proved.

The panel determined that Miss Yoon’s conduct, as found proved at charge 7, was dishonest.

The panel took into account that Miss Yoon knew she had not passed the Physician Associate National Examination (PANE) and was not included on the PA MVR. She also knew she did not hold ACP status. Despite this, she allowed herself to be appointed to and remain in a Senior Lecturer role that expressly required these qualifications. The panel noted that the false impression of her qualifications was central to her securing and retaining the post.

The panel was satisfied that Miss Yoon’s actions were a deliberate and sustained attempt to present herself as appropriately qualified when she was not. Her intent was to secure employment and financial gain by giving a false impression of her

professional status. The panel considered that any ordinary, decent member of the public would find such conduct dishonest and therefore found this charge proved.

Charge 9a)

“That you, a registered nurse:

9. Between 24 October 2019 and 18 March 2021, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:

a) Request the name and/or contact details be changed on Person A’s Royal College of Physicians online account to your own.”

This charge is found proved.

In reaching this decision, the panel took into account the evidence contained in the CRM records provided by the RCP, as well as the telephone attendance notes and live witness testimony. The panel noted that changes were indeed made to the name and contact details on Person A’s RCP account during the relevant time period.

The panel carefully examined the entries on the CRM, including the change on 18 February 2019 introduced by Employee C, an RCP staff member, which altered the name and address on Person A’s account to details associated with Miss Yoon, including [PRIVATE].

The panel considered the evidence that members of the FPA seeking to update their password or have a password reset or details updated by telephoning the FPA department that she would access their register on their behalf. Whilst there was no direct evidence to establish the identity of the person who contacted Employee C, the overwhelming inference determined by the panel is that it was Miss Yoon.

The panel reached this conclusion as the entries of CRM immediately after Employee C had altered the user’s name and password on the register remote

access with that user name and password was made immediately and altered the existing details of Person A to those of Miss Yoon.

The panel reminded itself of the hearsay evidence of Person A that it had already admitted in which Person A stated that the email, home address and name of Miss Yoon was not something she had ever used.

The evidence provides a clear motive for Miss Yoon to alter the register and therefore in all of these circumstances, it appears highly unlikely to have been anybody else.

The panel determined that the evidence established on the balance of probabilities that Miss Yoon personally made contact with the Faculty of Physician Associates (FPA) or the RCP between 24 October 2019 and 18 March 2021 specifically to request changes to Person A's name or contact details.

The panel found that the changes were consistent with an ongoing pattern of dishonest behaviour which included accessing and modifying Person A's account., As such, the panel concluded that the specific allegation in Charge 9a was found proved.

Charge 9b)

“That you, a registered nurse:

9. Between 24 October 2019 and 18 March 2021, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:

b) Obtain access to Person A's Royal College of Physicians online account.”

This charge is found proved.

In reaching this decision, the panel took into account the evidence from the RCP CRM system, telephone attendance notes, and witness testimony from Employee A and Witness 2. The panel considered that changes were made to Person A's RCP online account during the period stated in the charge which indicated unauthorised access.

The panel noted that on 24 October 2019, the registered email address on Person A's Royal College of Physicians account was changed from an email address associated with Person A [PRIVATE] to email addresses consistently used by Miss Yoon [PRIVATE]. This change was recorded in the CRM log and corresponded to the same mobile phone number attributed to Miss Yoon in university application forms and employment records.

Further evidence demonstrated that after the October 2019 change, access to the account was used to alter key biographical details such as name, address, date of birth, and ethnicity, amendments which aligned with Miss Yoon's own identity. These included a change of address to [PRIVATE], a known residence of Miss Yoon, and a date of birth that matched hers with only a one-day discrepancy.

The panel was satisfied that such changes could only have been made by someone who had obtained access to Person A's online account, whether through RCP staff via telephone or by logging in directly using credentials. The telephone notes corroborated that Miss Yoon had contacted the RCP seeking help with account access, claiming to be Person A. The panel concluded that Miss Yoon's actions were a deliberate attempt to gain control of Person A's account under false pretences.

In view of the consistent documentary trail linking Miss Yoon's known contact details to the changes made within the timeframe specified, the panel determined that the NMC had established on the balance of probabilities that Miss Yoon obtained access to Person A's RCP online account as alleged and as such this charge is found proved.

Charge 9c)

“That you, a registered nurse:

9. Between 24 October 2019 and 18 March 2021, contacted the Faculty of Physician Associates and/or the Royal College of Physicians under the pretence that you were Person A to:

c) Request copies of Person A’s Physician Associate National Examination certificate(s) and/or membership card as if it were your own.”

This charge is found proved.

In reaching this decision, the panel considered the documentary evidence provided by the Royal College of Physicians (RCP), including email correspondence and witness testimony from Employee A and Witness 2. The panel noted that Miss Yoon sent emails to the RCP using the email address [PRIVATE], an email address which is consistently attributed to her in other documents and employment records. Additionally, Miss Yoon requested that these documents be sent to her home address.

In these emails, Miss Yoon provided Person A’s Faculty of Physician Associates (FPA) membership number and RCP candidate number and requested copies of the PANE certificate and membership card in variations of the name “Sun-Il Yoon” [PRIVATE] and [PRIVATE]. These requests were made using identifiers that were not hers, but belonged to Person A. The panel noted that these requests were granted and resulted in the issuance of documents under false names but linked to Person A’s examination performance.

The panel was satisfied that these requests were made under the pretence that Miss Yoon was Person A, and the intention behind these communications was to obtain official documents that would lend credibility to a false professional identity. Accordingly, the panel determined that this charge was supported by clear documentary and testimonial evidence and found it proved.

Charge 10a)

“That you, a registered nurse:

10. Your conduct at charge 9a and/or 9b and/or 9c was dishonest in that you sought to create the impression that you were registered on the Physician Associates Managed Voluntary Register when you were not entitled to be, in order to:

- a) Mislead the Faculty of Physician Associates and/or the Royal College of Physicians as to your identity and/or qualifications.
- b) Mislead your employer, Buckinghamshire New University, as to your identity and/or qualifications.
- c) Obtain access to Person A’s information for your own personal gain.

This charge is found proved.

In reaching this decision, the panel carefully considered the factual findings it had already made in relation to Charges 9a, 9b and 9c, all of which were found proved. The panel was satisfied that the dishonest intent underpinning Miss Yoon’s actions in Charges 9a, 9b and 9c was clearly established. The panel therefore proceeded to consider whether Miss Yoon’s conduct in those charges was dishonest, having regard to the two-stage test for dishonesty as set out by the Supreme Court in *Ivey v Genting Casinos*.

At the first stage, the panel considered Miss Yoon’s actual knowledge and beliefs. The panel was satisfied that Miss Yoon knew at all material times that she had not passed the PANE and was therefore not eligible to be registered on the Physician Associate Managed Voluntary Register (PA MVR). Despite this, the panel found that Miss Yoon deliberately accessed and altered Person A’s RCP online account using identifiers known to belong to Person A, including her RCP candidate number, FPA membership number, and registered email address. These actions led to the substitution of Person A’s details with Miss Yoon’s own, including her name, home address, date of birth, and ethnicity. These amendments were recorded contemporaneously in the CRM system maintained by the Royal College of

Physicians and were corroborated by witness evidence from RCP staff, including Employee A and Witness 2.

Further, the panel noted that Miss Yoon sent multiple emails to the RCP requesting reissued copies of passing the PANE and FPA membership card, citing Person A's membership credentials while presenting variations of her own name. These requests were made from an email address known to be used by Miss Yoon, and the transcripts of the results were issued to her in names resembling both her own and Person A's. The panel was satisfied that Miss Yoon made these requests with the intention of obtaining documents that would create the false impression that she had passed the PANE and was legitimately registered as a Physician Associate.

The panel was further satisfied that Miss Yoon used these documents in support of her employment as a Clinical Skills Demonstrator and later as a Physician Associate, thereby misleading her employer and continuing in roles for which she was not qualified. The panel found that Miss Yoon derived professional and financial benefit from this deception, including employment opportunities and associated recognition, without having obtained the qualification required to do so.

At the second stage of the dishonesty test, the panel considered whether Miss Yoon's conduct would be regarded as dishonest by the standards of ordinary decent people. The panel was in no doubt that it would. A reasonable and informed member of the public would find it fundamentally dishonest for a registrant to assume another person's identity, alter official regulatory records, and obtain and use documents under false pretences in order to secure or maintain employment. The panel determined that Miss Yoon's actions, taken as a whole, constituted a deliberate and sustained course of deception over an extended period, designed to mislead regulatory bodies and her employer and to obtain access to Person A's professional records for her own gain.

Accordingly, the panel found that Miss Yoon's conduct in Charges 9a, 9b and 9c was dishonest in that she intended to mislead the Faculty of Physician Associates and the Royal College of Physicians, mislead her employer, and obtain access to and

use of Person A's identity and credentials for her own professional and personal gain. It therefore found this charge proved.

Resumption of Impairment stage hearing on 2 September 2025

The panel resumed its consideration of the impairment stage on 2 September 2025, having already made its findings of fact.

Notice of Hearing and Proceeding in absence at the impairment stage

Ms Rubbi submitted that service of the resumed hearing had been effective. She referred the panel to the notice of resumed hearing dated 14 August 2025, supported by the witness statement of an NMC staff member confirming that it had been sent to Miss Yoon's designated email address. She also referred to an earlier update dated 22 July 2025, which confirmed the resumed dates.

Ms Rubbi reminded the panel that the notice explained Miss Yoon's entitlement to attend and be represented and warned that the hearing could proceed in her absence. She submitted that Miss Yoon had not engaged with the NMC since the facts stage in June 2025, had not requested an adjournment, and had provided no reason for her absence. In those circumstances, she had voluntarily absented herself.

The panel asked Ms Rubbi to clarify whether the panel's determination on facts had been sent to Miss Yoon. Ms Rubbi confirmed that she had before her a letter dated 16 June 2025 sent by the case coordinator informing Miss Yoon of the adjournment, together with the notices of 22 July 2025 and 14 August 2025. She did not, however, have a screenshot confirming that the full facts determination had been sent.

The panel asked the Hearings Coordinator to explain the usual process where a registrant is absent at hand-down. The Hearings Coordinator explained that in such circumstances the determination is handed down to the NMC on the day and is then sent to the registrant by the case officer once it has been quality assured and uploaded. The panel considered it reasonable to assume that Miss Yoon had received the panel's determination.

Panel's consideration and Legal Assessor's advice

The panel reminded itself that as this was a resumed hearing following an adjournment, the relevant provision was Rule 32 of the Nursing and Midwifery Council (Fitness to Practise) Rules 2004. Rule 32 requires that the Practice Committee notify the parties of the date, time and venue of the resumed hearing as soon as practicable. The panel reminded itself that there is no requirement for 28 days' notice and the notice need not be in writing.

The Legal Assessor affirmed that Rule 32 was the correct rule and advised that the panel's task was to determine whether notice of the resumed hearing had been given as soon as practicable. If satisfied on service, the panel should then consider whether to proceed in Miss Yoon's absence under Rule 21(2). In exercising its discretion, the panel should bear in mind the guidance in *R v Jones [2002] UKHL 5*, that such discretion should be exercised with caution, and in *Adeogba v GMC [2016] EWCA Civ 162*, that the overarching purpose of regulatory proceedings is the protection of the public and the efficient, expeditious disposal of cases.

Following this clarification, the panel invited Ms Rubbi to return and make any final submissions.

Ms Rubbi submitted that the panel had sufficient evidence to be satisfied that service of the resumed hearing had been properly effected in accordance with Rule 32. She reiterated that the notices of 22 July 2025 and 14 August 2025 were sent to Miss Yoon's designated email address and supported by a witness statement from an NMC staff member.

The panel determined that service has been effected in this case. It then went on to consider the NMC application to proceed in the absence of Miss Yoon.

Ms Rubbi submitted that Miss Yoon had chosen not to engage with the regulator, had not requested an adjournment, and had provided no explanation for her absence. She therefore invited the panel to exercise its discretion under Rule 21(2) to proceed in her absence, as it had done at the facts stage, on the basis that the

public interest in the expeditious and efficient disposal of the case outweighed any potential prejudice to her.

The panel accepted the advice of the Legal Assessor.

The panel was satisfied that Miss Yoon had been notified of the resumed hearing as soon as practicable in accordance with Rule 32. It noted that the notice of resumed hearing dated 14 August 2025 was sent to her designated email address, supported by a witness statement from an NMC staff member, and that an earlier notice dated 22 July 2025 had also been sent.

The panel considered whether to adjourn but concluded there was no indication that an adjournment would secure Miss Yoon's attendance. She had not requested an adjournment, had not engaged with the NMC since June 2025, and had not provided any reason for her absence.

The panel determined that Miss Yoon had voluntarily absented herself. While it recognised that there was some potential unfairness in proceeding without her, the panel determined that this was outweighed by the wider public interest in the fair, economical and expeditious disposal of proceedings.

Accordingly, the panel determined to proceed in Miss Yoon's absence under Rule 21(2).

Post-hearing correspondence

Following the hearing, Miss Yoon sent an email to the Hearings Coordinator confirming that she would not be attending and thanking the Coordinator for letting her know that the hearing had gone ahead. The panel noted this correspondence, which confirmed its view that she had voluntarily absented herself.

Fitness to practise

Having reached its determination on the facts of this case, the panel then moved on to consider, whether the facts found proved amount to misconduct and, if so, whether Miss Yoon's fitness to practise is currently impaired. There is no statutory definition of fitness to practise. However, the NMC has defined fitness to practise as a registrant's ability to practise kindly, safely and professionally.

The panel, in reaching its decision, has recognised its statutory duty to protect the public and maintain public confidence in the profession. Further, it bore in mind that there is no burden or standard of proof at this stage and it has therefore exercised its own professional judgement.

The panel adopted a two-stage process in its consideration. First, the panel must determine whether the facts found proved amount to misconduct. Secondly, only if the facts found proved amount to misconduct, the panel must decide whether, in all the circumstances, Miss Yoon's fitness to practise is currently impaired as a result of that misconduct.

Submissions on misconduct

In coming to its decision, the panel had regard to the case of *Roylance v General Medical Council (No. 2) [2000] 1 AC 311* which defines misconduct as a '*word of general effect, involving some act or omission which falls short of what would be proper in the circumstances.*'

Ms Rubbi submitted that misconduct is not defined in law but is considered in case law to be a word of general meaning in the regulatory context. She invited the panel to take the view that the facts found proved amount to serious misconduct. Ms Rubbi also reminded the panel that although not all breaches of the NMC Code amount to serious misconduct, multiple and/or grave breaches have been found to be indicative of misconduct.

Ms Rubbi acknowledged that Miss Yoon was not working in a clinical setting. However, she submitted that the Code applies to all registered nurses, and Miss Yoon's conduct must be judged against the foundational standards of the profession.

Ms Rubbi submitted that Miss Yoon's conduct engaged the following provisions of *The Code: Professional standards of practice and behaviour for nurses and midwives (2015)*:

- **Section 8** – to work cooperatively. Miss Rubbi submitted that Miss Yoon failed to maintain effective communication with colleagues, and that the panel had found multiple instances of dishonesty aimed at confusing and deceiving colleagues who were trying to establish the qualifications of their staff.
- **Section 20** – to uphold the reputation of the profession at all times, Ms Rubbi referred specifically to:
 - **20.2** – act with honesty and integrity at all times, treating people fairly.
 - **20.3** – be aware at all times of how your behaviour can affect and influence the behaviour of other people
 - **20.8** – act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to.
 - **20.10** – use all forms of spoken, written and digital communication, including social media networking sites, responsibly.

Ms Rubbi submitted that Miss Yoon's actions fell well below these standards. Miss Yoon's conduct undermined the established rules and processes around competencies for physician associates, showed no integrity, and undermined her role as an educator. Miss Yoon acted dishonestly, diverted colleagues' time and resources, and put Person A's career and prospects in danger by misusing her physician associate registration.

Ms Rubbi submitted that these breaches of the Code were grave and extensive. Even though only limited areas of the Code were engaged, the seriousness of those breaches meant that they plainly amounted to serious misconduct.

Submissions on impairment

Turning to impairment, Ms Rubbi submitted that if the panel accepted that the 10 charges found proved amounted to serious misconduct, the next stage was to

analyse whether you remain fit to practise as a nurse. She referred the panel to *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant [2011] EWHC 927 (Admin) and Cohen v GMC [2008] EWHC 581 (Admin)*.

Ms Rubbi reminded the panel that in *Grant*, the test is whether a regulated professional has in the past or is liable in the future to:

- a) ...
- b) has in the past brought and/or is liable in the future to bring the profession into disrepute; and/or
- c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession; and/or
- d) has in the past acted dishonestly and/or is liable in the future to act dishonestly.

Ms Rubbi submitted that Miss Yoon's behaviour was fundamentally dishonest, entirely lacked integrity, and brought the profession into disrepute.

In relation to *Cohen*, Ms Rubbi submitted that the panel must consider three questions:

- a) whether the misconduct is easily remediable;
- b) whether it has in fact been remedied; and
- c) whether it is highly unlikely to be repeated.

Ms Rubbi submitted that none of these questions could be answered positively in Miss Yoon's case. She further stated that;

- Miss Yoon have not engaged with the proceedings, and there is no evidence of mitigation.
- There is no evidence of reflection, insight, or remorse, particularly regarding the impact of Miss Yoon's conduct on Person A.
- Dishonesty is considered particularly difficult to remediate, and her dishonesty was premeditated and sustained.

Ms Rubbi submitted that in the absence of any evidence of remediation, there is no basis upon which the panel can be reassured that Miss Yoon is not liable to act dishonestly again. She stated that Miss Yoon's behaviour was so grave that the panel is bound to mark it with a finding of impairment in order to protect the public and uphold confidence in the profession.

The panel accepted the advice of the legal assessor which included reference to a number of relevant judgments. This included: *Cheatle v GMC [2009] EWHC 645 (Admin)*.

Decision and reasons on misconduct

When determining whether the facts found proved amount to misconduct, the panel had regard to the terms of the Code.

The panel was of the view that Miss Yoon's actions did fall significantly short of the standards expected of a registered nurse, and that Miss Yoon's actions amounted to a breach of the Code. Specifically:

'Promote professionalism and trust

You uphold the reputation of your profession at all times. You should display a personal commitment to the standards of practice and behaviour set out in the Code. You should be a model of integrity and leadership for others to aspire to. This should lead to trust and confidence in the profession from patients, people receiving care, other health and care professionals and the public.

20 Uphold the reputation of your profession at all times

To achieve this, you must:

20.1 keep to and uphold the standards and values set out in the Code

20.2 act with honesty and integrity at all times, treating people fairly and without discrimination, bullying or harassment

20.3 *be aware at all times of how your behaviour can affect and influence the behaviour of other people*

20.4 ...

20.5 ...

20.6 ...

20.7 ...

20.8 *act as a role model of professional behaviour for students and newly qualified nurses, midwives and nursing associates to aspire to*

20.9 ...

20.10’

The panel was satisfied that the gravity of the breaches of section 20 was sufficient to establish serious professional misconduct.

The panel then turned to each charge.

In relation to **charges 1 and 2**, the panel noted that these involved Miss Yoon dishonestly misrepresenting her qualifications at interview. Miss Yoon knowingly stated that she had passed the Physician Associate examination when she had not. The panel considered that this was deliberate, premeditated dishonesty in a professional context, designed to secure employment. The panel determined that this was serious professional misconduct.

Turning to **charges 3 and 4**, the panel considered that these charges represented the beginning of the identity theft element of her misconduct. Miss Yoon dishonestly misrepresented herself to colleagues as another individual who was legitimately on

the Physician Associate register. The panel found that this was dishonest, premeditated, and calculated, and was a further example of the systematic deception in which she engaged. The panel concluded that these charges also amounted to serious professional misconduct.

The panel next considered **charges 5 and 6**, which concerned Miss Yoon's provision of inaccurate documentation to support her false identity. The panel considered that this compounded her dishonesty by producing documents she knew to be false in order to sustain the deception. This demonstrated not only deliberate dishonesty but also a persistence in perpetuating the deception by manufacturing supporting evidence. The panel determined that this was serious professional misconduct.

In relation to **charges 7 and 8**, the panel found that Miss Yoon continued in employment secured by dishonest means over an extended period of time. She knowingly remained in post when she was not entitled to practise as a Physician Associate and was untruthfully holding herself out as qualified. The panel considered that this perpetuated her dishonesty, because she not only misrepresented herself to obtain employment but continued in that role dishonestly for a sustained period. In doing so, she also misled students whom she was teaching, notwithstanding that she was not qualified to hold herself out as a role model in that area. The panel determined that this conduct amounted to serious professional misconduct.

Finally, the panel considered **charges 9 and 10**, which it regarded as the most serious examples of Miss Yoon's dishonesty. These charges involved her misuse of another person's registration in order to continue to deceive employers. The panel considered this to be particularly serious professional misconduct, representing the culmination of a long-standing, deliberate, and systematic pattern of dishonest behaviour. The panel noted that Miss Yoon's actions placed Person A's professional reputation and career at risk.

The panel was satisfied that each of the charges found proved, individually and collectively, amounted to serious professional misconduct. It found that Miss Yoon's conduct represented a sustained, premeditated, and self-serving course of dishonest behaviour for personal and financial gain. The dishonesty was not a one-off incident

but persisted over a period of years and across multiple employers. The panel considered that this dishonesty struck at the heart of the standards of honesty and integrity which are fundamental tenets of the nursing profession.

Accordingly, the panel found that Miss Yoon's actions did fall seriously short of the conduct and standards expected of a nurse and amounted to misconduct.

Decision and reasons on impairment

The panel next went on to decide if as a result of the misconduct, Miss Yoon's fitness to practise is currently impaired by reason of her misconduct.

In coming to its decision, the panel had regard to the Fitness to Practise Library, updated on 27 March 2023, which states:

'The question that will help decide whether a professional's fitness to practise is impaired is:

"Can the nurse, midwife or nursing associate practise kindly, safely and professionally?"

If the answer to this question is yes, then the likelihood is that the professional's fitness to practise is not impaired.'

The panel reminded itself that nurses occupy a position of privilege and trust in society and are expected at all times to be professional. Patients and their families must be able to trust nurses with their lives and the lives of their loved ones. To justify that trust, nurses must be honest and open and act with integrity. They must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession.

In this regard the panel considered the judgment of Mrs Justice Cox in the case of *CHRE v NMC and Grant* in reaching its decision. In paragraph 74, she said:

'In determining whether a practitioner's fitness to practise is impaired by reason of misconduct, the relevant panel should generally consider

not only whether the practitioner continues to present a risk to members of the public in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.'

In paragraph 76, Mrs Justice Cox referred to Dame Janet Smith's "test" which reads as follows:

'Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her/ fitness to practise is impaired in the sense that S/He:

- a) has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d) has in the past acted dishonestly and/or is liable to act dishonestly in the future.'*

The panel applied this test. It determined that limb (a) was not directly engaged, as the misconduct occurred in an educational rather than a clinical setting and there was no evidence of direct risk of harm to patients. However, the panel found that limbs (b), (c) and (d) were clearly engaged. Miss Yoon's actions brought the profession into disrepute, breached fundamental tenets of honesty and integrity, and involved serious, deliberate, and long-standing dishonesty.

The panel considered the guidance in *Cohen v GMC*, which requires panels to consider whether the misconduct is remediable, whether it has been remedied, and whether it is highly unlikely to be repeated. The panel determined that dishonesty of this kind is inherently difficult to remediate. The dishonesty in this case was extensive, systematic and self-serving, and persisted over a number of years.

The panel noted that Miss Yoon has not engaged with these proceedings in any meaningful way. She has provided no explanation for her behaviour and no evidence of reflection, remorse, or insight. She has not acknowledged the impact of her actions on Person A, whose professional registration she misused, or on public confidence in the nursing profession. In the absence of any evidence of insight or remediation, the panel concluded that there is a real risk of repetition.

The panel was satisfied that a finding of impairment was necessary on the grounds of public protection. While patients were not directly put at risk in this case, the persistence, complete absence of integrity and scale of Miss Yoon's dishonest conduct creates a significant risk that similar behaviour could be repeated in a professional setting. The panel noted that such conduct could expose the public, colleagues, or students to harm, whether in an academic or clinical environment.

The panel bore in mind that the overarching objectives of the NMC; to protect, promote and maintain the health, safety, and well-being of the public and patients, and to uphold and protect the wider public interest. This includes promoting and maintaining public confidence in the nursing and midwifery professions and upholding the proper professional standards for members of those professions.

The panel determined that a finding of impairment on public interest grounds was also required. Nurses must uphold proper professional standards and maintain the confidence of the public in the profession. Miss Yoon's misconduct represented a sustained, deliberate and serious departure from these standards. The panel concluded that public confidence in the profession would be seriously undermined if a finding of impairment were not made in this case.

In addition, the panel concluded that public confidence in the profession would be undermined if a finding of impairment were not made in this case and therefore also finds Miss Yoon's fitness to practise impaired on the grounds of public interest.

Having regard to all of the above, the panel was satisfied that Miss Yoon's fitness to practise is currently impaired.

Sanction

The panel has considered this case very carefully and has decided to make a striking-off order. It directs the registrar to strike Miss Yoon off the register. The effect of this order is that the NMC register will show that Miss Yoon has been struck-off the register.

In reaching this decision, the panel has had regard to all the evidence that has been adduced in this case and had careful regard to the Sanctions Guidance (SG) published by the NMC. The panel accepted the advice of the legal assessor.

Submissions on sanction

Ms Rubbi informed the panel that in the Notice of Hearing, dated 14 August 2025, the NMC had advised Miss Yoon that it would seek the imposition of a striking-off order if it found her fitness to practise currently impaired. She reminded the panel that the misconduct found proved is extremely serious and submitted that a striking-off order remains the only appropriate and proportionate sanction in light of the panel's findings.

Ms Rubbi submitted that the panel had found that Miss Yoon engaged in repeated, premeditated dishonesty over a significant period of time. This dishonesty included misrepresenting her qualifications, impersonating another individual, and misleading both employers and colleagues in order to obtain professional opportunities. She emphasised that this pattern of conduct was not a single lapse or an isolated incident, but a sustained course of deliberate and calculated behaviour.

Ms Rubbi submitted that dishonesty of this nature strikes at the heart of the trust placed in professionals and regulators. In regulatory terms, dishonesty is considered particularly grave because it undermines public confidence in the profession and the integrity of the regulatory process. Ms Rubbi reminded the panel that dishonesty has repeatedly been described by the courts as “difficult to remediate” and, in some cases, “fundamentally incompatible with continued registration.”

Ms Rubbi further submitted that there has been no engagement by Miss Yoon with these proceedings, save for minimal contact during the early stages. There is no evidence of insight, reflection, remorse, or remediation. The absence of any such evidence means there is a real risk of repetition and no basis on which the panel could conclude that Miss Yoon has recognised the seriousness of her actions.

Turning to the available sanctions, Ms Rubbi submitted that taking no action would be wholly inappropriate given the seriousness and persistence of the dishonesty. It would fail to protect the public and would undermine confidence in the NMC as a regulator. She submitted that a caution order is equally inappropriate, as it is only suitable where the misconduct is isolated, limited, or at the lower end of the spectrum of seriousness. This case involves sustained dishonesty across multiple settings and is therefore far beyond the threshold where a caution could be considered.

Ms Rubbi also submitted that a conditions of practice order would not be workable or sufficient. The concerns in this case are not clinical or technical in nature but relate to attitudinal failings, namely sustained dishonesty. There are no conditions which could adequately address or remediate such conduct.

Ms Rubbi told the panel that a suspension order may be considered where the misconduct is serious but where there is some evidence of remediation, engagement, or a realistic prospect of Miss Yoon returning to safe practice. In this case, there has been no engagement, no acceptance of wrongdoing, and no demonstration of insight. A period of suspension would serve no useful purpose and would not protect the public or uphold confidence in the profession.

In conclusion, Ms Rubbi submitted that the only sanction capable of meeting the public protection and public interest requirements of this case is a striking-off order. She stated that anything less would fail to reflect the seriousness of the sustained dishonesty, would not adequately protect patients or the wider public, and would risk undermining confidence in the nursing profession and in the NMC as its regulator.

Decision and reasons on sanction

Having found Miss Yoon's fitness to practise currently impaired, the panel went on to consider what sanction, if any, it should impose in this case. The panel has borne in mind that any sanction imposed must be appropriate and proportionate and, although not intended to be punitive in its effect, may have such consequences. The panel had careful regard to the SG, including the sections identified during deliberations (SAN-1, SAN-2 and SAN-3, including SAN-3e). The decision on sanction is a matter for the panel independently exercising its own judgement.

The panel considered the following to be aggravating features:

- A sustained and escalating pattern of dishonest conduct over an extended period, including concerted and repeated attempts to assume the identity of another person.
- Deceit and lack of integrity involving misrepresentation to multiple parties across two academic institutions and those responsible for administering a professional register.
- Placing a professional colleagues career and reputation in jeopardy by seeking to assume their identity. Which led to their effective removal from the PA MVR causing significant anxiety to an innocent third party.
- Conduct that the panel considered to be at the most serious end of the spectrum of dishonesty, being premeditated, systematic and practised over time, and associated with breach of trust and personal financial gain.

- Lack of insight into failings and the wide-ranging impact on public confidence in the profession and on the multiple colleagues, particularly Person A affected by Miss Yoon's deceit.

The panel also considered whether there were any mitigating features. However, it was unable to identify any relevant mitigation on the evidence before it. There was no evidence of insight or of steps taken to address the concerns. While an early reference was made to personal matters, there was no independent evidence or specific information to demonstrate how any such issues had a bearing on the proven conduct, nor any acknowledgment or acceptance of the matters alleged.

The panel also noted it had not been presented with any concerns about a previous fitness to practise history but did not consider this a mitigating factor in light of the nature of the charges the panel found proved and the attitudinal issues identified.

The panel first considered whether to take no action but concluded that this would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to take no further action.

It then considered the imposition of a caution order but again determined that, due to the seriousness of the case, and the public protection and public interest issues identified, an order that does not restrict Miss Yoon's practice would not be appropriate in the circumstances. The SG states that a caution order may be appropriate where *'the case is at the lower end of the spectrum of impaired fitness to practise and the panel wishes to mark that the behaviour was unacceptable and must not happen again.'* The panel considered that Miss Yoon's misconduct was not at the lower end of the spectrum and that a caution order would be inappropriate in view of the seriousness of the case. The panel decided that it would be neither proportionate nor in the public interest to impose a caution order.

The panel next considered whether placing conditions of practice on Miss Yoon's registration would be a sufficient and appropriate response. The panel is of the view that there are no practical or workable conditions that could be formulated that could address the grave attitudinal nature of the dishonesty found proved, and conditions

would not adequately address the seriousness of the case. It also decided that the misconduct identified in this case was not something that can be addressed through retraining. Furthermore, the panel concluded that the placing of conditions on Miss Yoon's registration would not adequately address the seriousness of this case and would not protect the public.

The panel then went on to consider whether a suspension order would be an appropriate sanction. In doing so, it considered the SG factors, of which the SG states that suspension order may be appropriate where some of the following factors are apparent:

- *A single instance of misconduct but where a lesser sanction is not sufficient;*
- *No evidence of harmful deep-seated personality or attitudinal problems;*
- *No evidence of repetition of behaviour since the incident; and*
- *The Committee is satisfied that the nurse has insight and does not pose a significant risk of repeating behaviour.*

The panel noted that these factors were not present in this case. The conduct, as highlighted by the facts found proved, represented a serious and sustained departure from the standards expected of a registered nurse. The panel considered that Miss Yoon's actions involved a serious breach of the fundamental tenets of the profession and were fundamentally incompatible with her continued registration.

Accordingly, the panel determined that a suspension order would not be a sufficient, appropriate or proportionate sanction.

Finally, in looking at a striking-off order, the panel took note of the following paragraphs of the SG:

- *Do the regulatory concerns about the nurse or midwife raise fundamental questions about their professionalism?*

- *Can public confidence in nurses and midwives be maintained if the nurse or midwife is not removed from the register?*
- *Is striking-off the only sanction which will be sufficient to protect patients, members of the public, or maintain professional standards?*

Miss Yoon's actions were significant departures from the standards expected of a registered nurse and are fundamentally incompatible with her remaining on the register. The panel was of the view that the findings in this particular case demonstrate that Miss Yoon's actions were so serious that to allow her to continue practising would not protect the public and would significantly undermine public confidence in the profession and in the NMC as a regulatory body.

The panel also considered the personal impact on Miss Yoon but was satisfied that nothing less than removal would protect the public sufficiently and maintain confidence in the profession.

Balancing all of these factors and after taking into account all the evidence before it during this case, the panel determined that the appropriate and proportionate sanction is that of a striking-off order. Having regard to the effect of Miss Yoon's actions in bringing the profession into disrepute by adversely affecting the public's view of how a registered nurse should conduct herself, the panel has concluded that nothing short of this would be sufficient in this case.

The panel considered that this order was necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standard of behaviour required of a registered nurse.

This will be confirmed to Miss Yoon in writing.

Interim order

As the striking-off order cannot take effect until the end of the 28-day appeal period, the panel has considered whether an interim order is required in the specific circumstances of this case. It may only make an interim order if it is satisfied that it is necessary for the protection of the public, is otherwise in the public interest or in Miss Yoon's own interests until striking-off sanction takes effect.

Submissions on interim order

The panel took account of the submissions made by Ms Rubbi. She submitted that there is currently no information regarding Miss Yoon's whereabouts or her employment status.

Ms Rubbi reminded the panel of its earlier findings that Miss Yoon's behaviour represented a serious and fundamental departure from the standards expected of a registered nurse. She highlighted that the panel had determined her behaviour to be fundamentally incompatible with her remaining on the register.

Ms Rubbi submitted that, in the absence of any evidence of insight or remediation, the risks identified remain undiminished. She therefore invited the panel to impose an interim suspension order to ensure public protection and to maintain public confidence in the profession and the regulatory process.

Ms Rubbi submitted that the interim suspension order should be imposed for a period of 18 months to allow sufficient time for any appeal to be lodged and determined by the High Court.

The panel accepted the advice of the legal assessor.

Decision and reasons on interim order

The panel was satisfied that an interim order is necessary for the protection of the public and is otherwise in the public interest. The panel had regard to the seriousness of the facts found proved and the reasons set out in its decision for the substantive order in reaching the decision to impose an interim order.

The panel concluded that an interim conditions of practice order would not be appropriate or proportionate in this case, due to the reasons already identified in the panel's determination for imposing the substantive order. The panel therefore imposed an interim suspension order for a period of 18 months due to the serious nature of the findings it had made against Miss Yoon, which resulted in a striking-off order. These included findings of dishonesty and behaviour fundamentally incompatible with continued registration.

The panel was of the view that, given the gravity of its findings, it would be inconsistent and contrary to its duty to protect the public if it did not impose an interim suspension order to cover the period during which an appeal may be made.

The panel determined that an interim order was necessary for the protection of the public. It also determined that it was otherwise in the public interest to maintain public confidence in the profession and in the NMC as a regulator. The panel considered that the need to protect the public and maintain confidence in the nursing profession outweighed the interests of Miss Yoon in this case.

In deciding the length of the interim order, the panel took into account that an appeal must be lodged within 28 days and that an 18-month period would allow sufficient time for any such appeal to be heard and determined by the High Court. Accordingly, the panel determined to impose an interim suspension order for a period of 18 months.

If no appeal is made, then the interim suspension order will be replaced by the striking off order 28 days after Miss Yoon is sent the decision of this hearing in writing.

That concludes this determination.