

**Nursing and Midwifery Council
Investigating Committee**

**Fraudulent/Incorrect Entry Hearing
Wednesday 2 April 2025 – Thursday 3 April 2025
Monday 2 February 2026 – Tuesday 3 February 2026
Tuesday 7 April 2026 – Wednesday 8 April 2026**

Nursing and Midwifery Council
2 Stratford Place, Montfichet Road, London, E20 1EJ

Name of Registrant: Uchechukwu Chinyelu Nrabalu

NMC PIN: 23A17490

Part(s) of the register: Registered Nurse – Sub Part 1
Adult Nursing – (January 2023)

Relevant Location: Nigeria

Type of case: Incorrect/Fraudulent entry

Panel members: Nariane Chantler (Chair, Registrant member)
Kathryn Evans (Registrant member)
Stephanie Hayle (Lay member)

Legal Assessor: Graeme Henderson (2 – 3 April 2025)
Nicholas Baldock (2 – 3 February 2026 and 7 – 8 April 2026)

Hearings Coordinator: Charis Benefo (2 – 3 April 2025 and 7 – 8 April 2026)
Emily Mae Christie (2 – 3 February 2026)

Nursing and Midwifery Council: Represented by Benjamin D’Alton, Case Presenter (2 – 3 April 2025)
Represented by Mousumi Chowdhury, Case Presenter (2 – 3 February 2026 and 7 – 8 April 2026)

Miss Nrabalu: Present and represented by Catherine Collins, Counsel instructed by the Royal College of Nursing (RCN)

Outcome: **Registration entry fraudulently procured**

Direction: The panel directs the Registrar to remove Miss Nrabalu's entry from the register in accordance with Article 26(7)

Interim order: No interim order

Decision and reasons on application to exclude parts of Witness 4's evidence

At the outset of the hearing, Ms Collins, on your behalf, made an application for the panel to exclude specific paragraphs from Witness 4's witness statement dated 16 September 2024, the Pearson VUE report comparing practice material with the Computer Based Test (CBT) material and Witness 4's comparison report.

Ms Collins referred the panel to her written skeleton argument dated 12 March 2025 in respect of this application. She submitted that Witness 4, in his reports and written evidence, had referred to material which had not been disclosed to you or the RCN.

Ms Collins submitted that it was not fair for this evidence to be before the panel in the absence of disclosure of the material that Witness 4 had considered for his reports, and on this basis, it was therefore not admissible under Rule 31 of 'Nursing and Midwifery Council (Fitness to Practise) Rules 2004' (the Rules), which requires admission of only relevant and fair evidence. She informed the panel that a request by the RCN to the Nursing and Midwifery Council (NMC) for your actual CBT was made in November 2024, however this was refused by the NMC on the basis that it would risk the integrity of the current CBT questions bank. Ms Collins stated that the RCN then agreed to no longer seek disclosure of your actual CBT paper, but that the issue surrounding the admissibility of Witness 4's statement would be raised in the appropriate cases.

Ms Collins submitted that Witness 4 had made it clear that he only looked at two sets of materials and he had not looked at the wider range of material that has been available for the public and nurses revising for the CBT. She asked the panel to consider whether it was valid for Witness 4 to give an expert opinion when he had only looked at a small proportion of the practice material.

Ms Collins submitted that it is a fundamental aspect of any hearing that the parties have the opportunity to know the basis on which one party makes a decision or forms their evidence. She referred to the case of *Al Rawi v Security Service* [2011] UKSC 34 and submitted that there are essential features to a trial, which includes natural justice, that is a party having the right to know the case against them and the nature on which it stands. Ms Collins submitted that whilst you know the nature of the case against you, you do not know

the evidence on which Witness 4's witness statement and reports are based, and the manner and extent of the detail in which he considered it. She submitted that as this information has not been disclosed, questions could not be put to Witness 4 about the specifics of his consideration of the material, and how his decision making and opinions were impacted.

Ms Collins submitted that it may be suggested by the NMC that the RCN could have instructed their own expert. She submitted that this would not assist because she still would not have been able to see the actual CBT questions that you sat, in order to ask Witness 4 questions. Ms Collins submitted that the expert the NMC had put forward was a member of an organisation that works with the NMC. She submitted that this company could therefore not be seen as an appropriate or fair choice of expert. Ms Collins submitted that it may also be suggested by the NMC that it is a requirement for an expert to assess the similarity of the practice material with your actual CBT. However, in her submission, it did not take an expert to compare the practice material with the actual CBT questions and make a decision that they are sufficiently similar, so as to enable a candidate to recall whether they saw questions in their preparation.

Ms Collins referred to the case of *Infederation Ltd v Google LLC* [2020] EWHC 657, and submitted that the only fair approach in circumstances of this nature, would be either for the NMC to disclose the material if it chooses to rely on Witness 4's evidence, or else to not rely on it.

Ms Collins therefore invited the panel to exclude those parts of Witness 4's evidence.

Mr D'Alton, on behalf of the NMC, indicated that the application was opposed. He submitted that the admissibility of Witness 4's evidence was in line with Rule 31, and that it was both relevant and fair.

Mr D'Alton submitted that it was not necessary or proportionate for you to be provided with the material considered by Witness 4 for the purpose of his reports. He submitted that there was no obvious basis for his knowledge or expertise to be doubted. Mr D'Alton submitted that the disclosure of the data would potentially compromise the integrity of the current CBT at enormous cost to the NMC. He submitted that the data could only

realistically and properly be analysed by an expert, as the volume of the material is so great that it requires expert technical analysis.

Mr D'Alton submitted that you could have instructed your own expert to consider the data. He submitted that similar to civil litigation where one party has instructed an expert and one has not, fairness would be met if the other party has the opportunity to instruct their own expert. Mr D'Alton submitted that you had been provided that opportunity, but had chosen not to do so.

Mr D'Alton submitted that in light of the numerous cases that are being heard in respect of these allegations, the wider implication of disclosing data in one case is that disclosure would have to be made to all cases, of which there are many, and thus compromising the current CBT question bank. He submitted that this would be wholly disproportionate to the benefit any registrant or appellant would obtain from examining their own CBT.

Mr D'Alton therefore invited the panel to refuse Ms Collins' application in respect of Witness 4's evidence.

The panel accepted the advice of the legal assessor.

The panel was satisfied that the specific paragraphs of Witness 4's witness statement dated 16 September 2024 (namely paragraphs 8 and 52 – 57), the Pearson VUE report comparing practice material with the CBT material and Witness 4's comparison report were relevant to this case, as they commented on your position that your preparation for the CBT allowed you to achieve fast test times.

In relation to fairness, the panel noted the concern that neither you nor the RCN had been provided with the evidence that Witness 4 relied on in his assessment. However, it noted that the RCN had been provided the opportunity to instruct an expert to consider the data used in Witness 4's statement, but chose not to do this. The panel noted the risk of compromising the NMC's current CBT question bank if registrant and appellants' actual CBTs were disclosed to them and the RCN. The panel also noted that it would be hearing evidence from another witness who was commenting on the suitability of the practice material used by you.

The panel took into account the fact that the exhibits produced by Witness 4 contained material which went beyond the issue of the direct comparison of question terminology, and related to the length of questions, for example:

'On average, the Clinical MCQ question stems are 142 characters (~24 words) and the answer options are 48 characters (~8 words), so you would not be able to simply glance at them.'

The panel determined that it would be unsafe to exclude this evidence at this stage. The panel could not be satisfied that it was manifestly unfair to refuse admitting this evidence.

In these circumstances and on the balance of fairness to both parties, the panel decided to refuse Ms Collins' application to exclude parts of Witness 4's evidence. The panel determined to identify the appropriate weight, if any, to attach to this evidence following all submissions and will bear in mind Ms Collins' submissions when considering the weight.

Details of charge

That you, as part of your application to join the NMC register:

1. Submitted or caused to be submitted, a Computer Based Test result, obtained at Yunnik Technologies Limited test centre (the test centre) on 23 May 2022, that had been obtained through fraud.

And, in light of the above, your entry on the NMC register, in the name of Uchechukwu Chinyelu Nrabalu, PIN 23A1749O, was fraudulently procured.

Or, in the alternative,

That you, as part of your application to join the NMC register:

2. Submitted or caused to be submitted, a Computer Based Test result, obtained at Yunnik Technologies Limited test centre (the test centre) on 23 May 2022, that was

subsequently declared void by the NMC due to concerns about the manner in which tests were being conducted at the test centre.

And, in light of the above, your entry on the NMC register, in the name of Uchechukwu Chinyelu Nrabalu, PIN 23A17490, was incorrectly made.

Background

Pearson VUE have a contract with the NMC as their CBT provider which has been in place since 2014. The CBT is one part of the NMC's Test of Competence (ToC) and is used by the NMC to assess the skills and knowledge of people wanting to join the NMC's register from overseas as a nurse, midwife or nursing associate or re-join the register after a long period away from practice. The second part of the ToC is an objective structured clinical examination (OSCE) – a practical examination which takes place in the UK.

The current CBT, created on 2 August 2021, is split into two parts (Part A and Part B). Part A contains a numeracy test consisting of 15 short answer questions and 30 minutes is allowed. Part B is a clinical test consisting of 100 multiple-choice questions and 2 hours and 30 minutes is allowed. All questions are scored as either correct or incorrect.

Pearson VUE contracted with a third party, Yunnik Technologies Limited (Yunnik), in relation to a Pearson VUE Authorised Test Centre (PVTC) in Ibadan, Nigeria. This testing centre is where the concerns in this matter relate.

Pearson VUE has control over the technology, but the environment is owned/controlled by the test centre and personnel are test centre employees. PVTCs are contractually required to adhere to specific Pearson VUE standards for delivery and operations.

Other types of test centres (Pearson Professional Centres and PVTC Selects) have additional security measures of biometrics (palm vein) and CCTV footage.

On 16 March 2023, Pearson VUE identified that Yunnik was delivering exams for multiple candidates who were completing the clinical part of the CBT in 10 minutes (2.5 hours is allowed for this part of the exam). The number of candidates was initially unknown.

The NMC was notified, and the Pearson VUE results team ran a report for all NMC exams that were delivered at Yunnik in 20 minutes or under. This report identified a suspicious level of activity.

Pearson VUE conducted a thorough and detailed investigation into Yunnik and identified testing anomalies. They found that the data set for the period between 15 March 2019 and 31 March 2023 indicated a specific pattern of potentially fraudulent behaviour. Pearson VUE assert that this is likely to be linked to proficient proxy testing which was not present at other testing centres globally. Pearson VUE stopped accepting NMC bookings for Yunnik.

Pearson VUE's investigation also concluded that there was no technical error at Yunnik that had led to the data set and alleged that human interference was involved.

The NMC commissioned a report from Witness 5, instructed as an independent expert to analyse and report on data provided by the NMC. His conclusion was that there were a significant number of exceptionally quick test times at Yunnik, compared to global test times.

On 3 August 2023, the NMC's Registrar decided to use as a benchmark the 1 in 2,500 percentile, in order to identify tests which were taken at such a speed that it is likely that the results had been fraudulently obtained (most likely utilising a human proxy test taker).

Because of the evidence of widespread fraudulent activity at Yunnik, the NMC was unable to be confident with any of the CBT results obtained at the testing centre. The Registrar therefore declared all CBT results obtained there to be void and that the safest, fairest, and most proportionate way to deal with this was to ask everyone who sat their CBT at Yunnik, to take a new CBT. In the absence of a valid CBT an individual should not have been allowed entry to the NMC register.

On 23 May 2022, you completed the CBT Test at Yunnik. The data in relation to your CBT shows that you achieved a pass in your test in the following times:

- Numeracy: 5.15 Minutes (Time allocated for test: 30 minutes).

- Clinical: 13.55 Minutes (Time allocated for test: 150 minutes).

Comparing your time to complete your test with times taken by candidates globally, it was considered very unlikely by the NMC that you could have achieved a pass in your CBT within the time it took you to complete it, without the use of a proxy test taker.

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

Decision and reasons on application for adjournment

Following your oral evidence under oath, Mr D'Alton made an application for the hearing to be adjourned under Rule 32(2), which states that:

'32. —(1) The Chair of the Practice Committee may, of her own motion, or upon the application of a party, postpone any hearing of which notice has been given under these Rules before the hearing begins.

(2) A Practice Committee considering an allegation may, of its own motion or upon the application of a party, adjourn the proceedings at any stage, provided that—

(a) no injustice is caused to the parties; and

(b) the decision is made after hearing representations from the parties (where present) and taking advice from the legal assessor.'

Mr D'Alton submitted that during your oral evidence, you told the panel that you annotated one of the practice material bundles ('UNC10'), which you had provided as part of your documentary evidence, and that you went on to confirm this to the panel during questions.

Mr D'Alton highlighted that this information was not previously part of your case, and amounted to a material change from your previous position. In your witness statement dated 5 January 2025 (regarding 'UNC10') you said that it was annotated by your friend.

Mr D'Alton submitted that this practice material had been relied on by other registrants and appellants in their own hearings as material they had used in preparation for their CBTs. He referred further to your oral evidence where you said that you had sent this annotated practice material to one friend after your CBT in May 2022. Mr D'Alton submitted that the veracity of your assertions were a critical point that would speak to your credibility in a case where fraud is alleged.

Mr D'Alton submitted that the NMC has a duty to fully investigate matters of concern, and that this matter would need to be explored further. He submitted that Witness 4 may be able to identify from these particular practice materials, when and by whom the annotations were made. Mr D'Alton submitted that it would also be necessary to obtain information as to when other individuals involved in their own proceedings said that they received these materials. He therefore invited the panel to adjourn proceedings to allow the NMC to explore and deal with these matters. Mr D'Alton referred to the case of *PSA v NMC & Jozi* [2015] EWHC 764 (Admin) and confirmed that this option was available to the panel.

Mr D'Alton submitted that these matters would need to be explored properly before closing submissions could be made, as any closing submissions may need to address it, and there may be a need to call further witnesses or recall witnesses. He submitted that an adjournment at this stage was therefore necessary.

Mr D'Alton submitted that taking into account fairness to you, even if the panel were to decide not to adjourn, looking at the time of day, the hearing would not conclude within the time scheduled in any event. He submitted that it was not a matter of whether the hearing should adjourn part-heard, but rather a matter of which stage it will adjourn part heard.

Mr D'Alton submitted that the NMC did not have an exact time frame of how long its investigations might take, but it was understood that Witness 4 likely has the knowledge to assist, and has previously spoken of being able to provide a more in depth and appropriate analysis of pdf documents. He submitted that whilst the adjournment being sought would likely not be a long one, given the short notice of this information coming to light, he would not be in a position to provide an indication of how long it might take. Mr D'Alton asked the

panel to allow the adjournment, after which further correspondence between the NMC and RCN as to an appropriate time to resume would take place.

Ms Collins indicated that the application to adjourn the hearing was opposed. She submitted that whilst she accepted it was unlikely the hearing would conclude within the scheduled time, an adjournment for the purpose Mr D'Alton had suggested was not necessary.

Ms Collins submitted that whilst credibility was also at the forefront of the panel's consideration, it had what it needed to make an assessment of credibility and a decision in this case. She submitted that even an honest witness can be mistaken as to matters in the evidence they give, and that there had obviously been a mistake, whether this was in your written or oral evidence. Ms Collins submitted that the panel would have to make a decision on whether regardless of your mistake, you are credible.

Ms Collins submitted that it was not clear how Witness 4 would be able to check the meta data (relating to who made the annotation and when it was made) in respect of the practice material in question. She submitted that it also was not clear whether the documents submitted were a scanned copy of the practice material or the original digitally annotated document.

Ms Collins submitted that you have waited a long time for these proceedings, having first received letters about these concerns in 2023. She submitted that fortunately you have been able to work as a nurse, but that one could only imagine the stress and difficulty that anyone facing proceedings of this nature will go through, as well as the allegations of fraud which may also affect your visa status.

Ms Collins informed the panel that her availability between April and September 2025 is limited. She submitted that if parties were able to proceed with closing submissions, the resuming hearing could take place sooner as although not ideal, a different representative could represent you in the hearing for the panel's decision on the facts, and if necessary, make submissions on any other matters; which would benefit you. Ms Collins submitted that if proceedings were to adjourn, the resuming hearing could be delayed due to her limited availability which would be unfair to you.

The panel accepted the advice of the legal assessor.

The panel had regard to Rule 32(2). It first considered the public interest in the expeditious disposal of this case and Ms Collins' submissions regarding her availability going forward, and that by allowing an adjournment, this may delay the conclusion of this case.

The panel considered Ms Collins' submission about your "*mistake*", but it noted that she did not provide further information on the nature of your mistake. It considered that the NMC had made a reasonable request for an adjournment to explore the matter relating to the annotated practice material further. The panel determined that the public would also expect a fair process, with potentially relevant evidence being available. The panel considered that there was also a public interest in the panel considering this case thoroughly and was uneasy with the suggestion that the "*mistake*" issue should be decided without further investigation.

The panel also considered that there was no risk to the public as you are currently working without concern.

The panel next considered inconvenience and determined that no inconvenience would be caused to any witnesses as the only live NMC witness in this case had concluded her evidence.

In relation to fairness to you, the panel considered that you are currently practising as a nurse, and have been doing so since the concerns were communicated to you by the NMC on 5 May 2023. The panel accepted that any delay may cause continued stress for you but at the time of the request for the adjournment it was apparent that your case was not going to conclude within its allotted time. However, it considered that since it would be making a decision on the balance of probabilities, it would be important for the panel to have all the relevant facts and information before it to ensure that you have a fair hearing.

The panel therefore decided to adjourn proceedings to allow the NMC the opportunity to investigate the matters which had been raised further.

The hearing adjourned on 3 April 2025.

The hearing resumed on 2 February 2026.

Decision and reasons on application to admit Witness 8's written statement

At the outset of the resuming hearing, in February 2026, Ms Chowdhury, on behalf of the NMC, made an application pursuant to Rule 31 to admit the witness statement and evidence of Witness 8 into evidence. She submitted that it was relevant to the reasons the panel previously adjourned the hearing, as it related to the annotations in your documentary evidence. Ms Chowdhury submitted that Witness 8's statement and documentary evidence were sent to the RCN on 21 January 2026, and Witness 8 would be available in the afternoon to give oral evidence.

Ms Collins submitted that there has been no explanation for why it took the NMC nine months to serve the statement and evidence on you, and that the NMC had only given you 10 days to consider the document before the hearing resumed. She submitted that she would have questions for Witness 8 in light of their statement.

The panel accepted the advice of the legal assessor.

The panel determined that the statement and evidence of Witness 8 were relevant to the ongoing issues in this case and to the reason for the previous adjournment. The panel was concerned that the NMC had had nine months to produce the statement and evidence but only served it on you with 10 days to consider it and considered that the delay was unsatisfactory. However, in the balance of fairness and the interests of justice, the panel determined that it was fair and relevant to admit the statement and documentary evidence of Witness 8 into evidence.

Decision and reasons on application to admit Witness 4's supplementary statement and exhibits into evidence

Ms Collins made an application pursuant to Rule 31 to admit the supplementary witness statement and evidence of Witness 4 into evidence following late disclosure of it by the NMC and the subsequent decision not to rely on it themselves. She submitted that Witness 4's supplementary statement and evidence were relevant to the reasons the panel

had previously adjourned the hearing. She submitted that the evidence related to the quality of the practice materials and how an individual who has had access to them may be able to answer questions quickly. Ms Collins also informed the panel that she would be calling Witness 4 to give oral evidence in order to challenge his conclusions in his supplementary report. She acknowledged the length of time it had taken to get to this point of the hearing; however, she submitted that it would be fair to you to admit the additional evidence of Witness 4, as it needed to be properly contextualised and examined so that it could be understood in its entirety.

Ms Chowdhury did not oppose the application by Ms Collins and submitted that it was a matter for the panel to determine.

The panel accepted the advice of the legal assessor.

The panel determined that the supplementary statement and evidence of Witness 4 were relevant as they related to the ongoing issues in this case that needed to be contextualised. The panel was concerned that the NMC had only produced Witness 4's supplementary statement and exhibits at 15:00 on the first day of the resuming hearing, or day three of the hearing, which the panel noted was unsatisfactory. However, in the balance of fairness and the interests of justice, the panel determined that it was fair and relevant to admit Witness 4's supplementary statement and exhibits into evidence.

Your evidence

The panel heard oral evidence from you, under oath, on day 2 and subsequently on day 5 of the hearing.

You provided the panel with documentation to support your case, which included:

- A reference from your current manager dated 26 March 2025;
- Your witness statement dated 5 January 2025;
- Evidence of your registration with the Nursing and Midwifery Council of Nigeria as a general nurse dated 3 March 2020, and as a midwife dated 18 June 2021; and
- Various CBT preparation materials.

You described how you used your CBT preparation materials. You explained that you told a friend you were preparing for the CBT, and they told you about a group you could join. You joined both a WhatsApp and a Telegram group with other nurses from Nigeria who you understood were preparing for the CBT. You were unsure if there were nurses from other countries in these groups. You explained that you knew some of the people in the group as they were your colleagues.

The groups would discuss either by phone, in the chat, or via voice notes. They would share questions throughout the day in the chat, but you would spend about one to two hours in a call with them for further discussions. You would join these groups every evening for phone discussions, reading the questions and then answering them. If you found a question that did not make sense, you would go away and do research, then come back to answer it.

You were asked why some of the practice material had answers written digitally on them, and you explained that either you had written on them, others had been given to you in that way, or it would have been a colleague who had written on them.

You explained that a large amount of your CBT practice material came from these groups or your colleagues, and you would use them to practise. You said that you agreed that some questions within the practice material did not make sense or were overly truncated. When you practised with these questions, you would have to do a lot of research to understand them. You would also practise using the material on the Pearson VUE website.

You said that you prepared for the CBT for over six months, working between 30 minutes and two hours every evening, both on your own and using the groups you had mentioned. Although you found the CBT easy, you said that you wanted to be prepared for it.

You stated that you had passed your International English Language Testing System (IELTS) but had no UK job offer; you applied for jobs, as you had verification from the NMC confirming that you were a registered nurse in Nigeria. You applied for NMC verification in March 2022 but were not verified until 6 May 2022. By this time, you were in Ibadan at your uncle's house.

You accepted that the CBT was a very important test in order to allow you to move to the UK. You said that you were unable to pay for the CBT in naira, and you did not have a bank account that would enable you to make payments in pounds or dollars, so you asked your friend in the UK to make the booking for you. You told the panel that they gave you the list of Pearson VUE centres in Ibadan, and you picked the one closest to you and at the time that suited you. The information you were given in advance was that you had to arrive at the centre 30 minutes before the exam.

You said that on the day of your CBT, your uncle dropped you off at Yunnik. On arrival at the centre, you went upstairs to the second floor, went in, and met one of the staff members. You stated that they took you to a room to verify your identity and they checked your passport, took your digital signature and then took a photograph of your face.

You told the panel that the examination room had two computers next to each other. You said that when you went in and completed your CBT, you were on your own. You were aware of the amount of time you were allowed to complete the CBT. Despite this, you accepted that you still completed the test very quickly and had no reason to take more time than you needed, but you also accepted that you had no reason to rush either. You explained that it was one of the easiest tests you have completed, and some of the questions were either exactly the same or very similar to those in your CBT preparation material. After completing the CBT, you said you were satisfied with your answers and did not see any point in reviewing them.

You told the panel that you are an honest person, you wrote the exam yourself, and you did not and would never use a proxy.

You said that once you had completed the CBT, you collected your bag and were handed your results on a piece of paper by a man who worked at the centre. As you were leaving, you saw a girl sitting in the lobby; however, you did not know whether she was waiting to take the exam.

You now know that someone took the test slightly before you at 09:02 on the morning of your exam; however, you explained that you did not see them take the exam, and the same goes for the person who took their exam after you.

You explained that you gave the CBT preparation material ('UNC10') which included the digital annotations you said you made, to a friend/colleague after using them. You stated that your evidence contained in your witness statement to the effect that your friend made those annotations "*must have been an error on [your] part*", because it was you who made the annotations and gave them to your friend/colleague afterwards. You do not know what your friend did with the materials once you passed them on.

You said that you had been living in Scotland since November 2022 and felt sad and uneasy when you received the letter from the NMC informing you of its investigation into your test times. You understood that Yunnik was an approved centre with the NMC and Pearson VUE, so you were surprised to hear allegations of fraud.

You had found settling in Scotland was not easy, which was made harder by the communications from the NMC alleging that you had acted fraudulently. You explained that your manager raised it in a morning meeting, which made you feel embarrassed.

You said that you were given the opportunity to resit the CBT in the UK. In relation to your preparation, you explained that you were better prepared when you took the CBT in Nigeria because you worked different shift patterns than you do in the UK, giving you more time to prepare. You did not have as much time to prepare for the resit in the UK as you were distressed by the allegations and [PRIVATE], which affected your ability to apply your mind and concentrate.

When you resat the CBT, you completed Part A in 13.38 minutes and Part B in 34.58 minutes. You said that if you were in your normal frame of mind, you would have completed the test faster; however, due to your personal circumstances at the time, you were not able to. You accepted that you took significantly longer on both parts of the resit, yet you performed significantly better despite having less time to prepare. You explained that you were just aiming to achieve a pass and get it done with. You said that if you had not passed, people would say you definitely used a proxy tester. You confirmed that the resit questions were not the same as those in the CBT you took at Yunnik.

At the resuming hearing on 7 April 2026, you were recalled to give evidence to deal with the rebuttal evidence introduced by the NMC and Ms Collins.

You were referred to the practice material you say you made annotations to ('*UNC10*') and the evidence of Witness 4 and Witness 8 in respect of this. You told the panel that you recalled using this material again in 2023 when preparing for the resit CBT in the UK, but you could not remember whether the annotations were made in 2022 or 2023. You said that when it was time to start revising for the 2023 resit CBT, you asked your friend to send you the practice materials again, so she scanned them and sent them to you on WhatsApp. The materials she sent to you were the same ones you used in 2022, and you knew this because you read them thoroughly and know the materials when you see them.

You stated that you did not only use the materials that had been placed before the panel. You said that there was also a CBT app, however you cannot find this anymore, as well as the Pearson VUE website and the Telegram and WhatsApp groups. You did not know that some of the questions contained in the practice materials were photographs from the live examination pool, and you had thought they just came from the Pearson VUE website.

In response to questions from Ms Chowdhury, you confirmed that you made the annotations to practice material '*UNC10*' but could not recall exactly when you made them, although you think it was before you took your resit CBT in the UK in December 2023. You were referred to your oral evidence from day 2 of the hearing where you had stated that you made the annotations before giving the material to your friend, to which you responded that you could not recall whether you made the annotations before the CBT at Yunnik in May 2022, or before the resit CBT in the UK in December 2023.

You told the panel that you could not remember when you were first asked to take the resit CBT in the UK, but you think it was in September 2023. You then said that you had previously given your hard copy of the practice materials to your friend/colleague and other people, and the materials you provided to the NMC as part of your case was what your friend/colleague had sent back to you as a scanned copy via WhatsApp.

You were referred to Witness 4 and Witness 8's data as to when the annotations on '*UNC10*' were made, namely, dates in October 2021, February 2022, March 2022, June 2023, January 2025 and some unknown dates. You were then asked by the panel why you think the annotations dated June 2023 had been made, considering this was before you had been informed by the NMC that you would have to take the resit CBT in September

2023, and you indicated that you had “*no response to that*”. You then stated that you had also sent digital copies of the materials to people.

In re-examination by Ms Collins, you stated that you could not remember whether the annotations were made in the exact hand that you had done when you sent them to people. You then said that you received them again as digital copies and could not say where the copies that were sent in October 2023, before you began your preparation for your December resit, originated from.

Closing submissions

Ms Chowdhury submitted that nothing the panel had heard outweighed the compelling evidence that you likely obtained your CBT result from Yunnik through fraud. She referred the panel to the generic evidence of widespread proxy test-taking at Yunnik.

Ms Chowdhury then took the panel to the specific evidence which, in her submission, suggested that it was more likely than not that you used a proxy for your CBT on 23 May 2022. She submitted that your test times were exceptionally fast when compared to others who took the same test around the world.

Ms Chowdhury submitted that credibility was an important consideration in a case involving fraud. She referred to your evidence about having prepared thoroughly for the CBT using practice materials, which allowed you to complete the CBT quickly, but submitted that there was evidence in respect of these materials that challenged your credibility. Ms Chowdhury referred the panel to your written evidence and your oral evidence from day 2 (3 April 2025) and day 5 (7 April 2026) about the annotations in ‘*UNC10*’, which had changed multiple times. She therefore submitted that your version of events was simply not true, and even if you were mistaken as to who made the annotations on this material, the dates of the annotations showed that they were not there when you were preparing for your CBT at Yunnik. Ms Chowdhury submitted that Witness 8’s evidence about the dates of these annotations was supported by that of Witness 4. She therefore invited the panel to consider that you did not make the annotations on ‘*UNC10*’ to prepare for your CBT at Yunnik and in any event, this did not prove that you were able to complete the exam quickly.

In addition, Ms Chowdhury highlighted your evidence that you did not see any other candidates taking the test at the same time as you, but submitted that based on the test times of the candidate who took their CBT before you that same day, they would still have been present at Yunnik by the time you started your CBT.

Ms Chowdhury submitted that you gave oral evidence that you would never use a proxy and you are a very honest person, however, your oral evidence had been highly inconsistent and did not stand against the other evidence before the panel. She submitted that even if the panel were to accept that you are a fast test-taker, the likelihood of three candidates taking the CBT within a few minutes of each other at the same centre and all being quick, is unlikely. She asked the panel to consider how likely it was that only you, out of those three candidates, completed the test quickly using your own skill and practise.

In conclusion, Ms Chowdhury submitted that the evidence before the panel showed that it was more likely than not that your result from Yunnik was obtained through fraud. She therefore asked the panel to find that your entry on the register was fraudulently procured.

Ms Collins submitted that the evidence presented by the NMC was "*thin on the ground*" and not sufficient to allow the panel to safely draw inferences in relation to your likely behaviour on the day of the CBT at Yunnik. She submitted that the only evidence from the NMC was that of your test times and the same day test data from 23 May 2022. Ms Collins reminded the panel of Witness 5's evidence that he could not define or determine why a particular individual obtained times within the threshold offered by the NMC as he did not have qualitative information about the candidates. She submitted that the NMC had not provided any information about the educational background, professional background, responses to the concerns, or the preparation of the other two candidates who took the CBT on the same day as you.

Ms Collins submitted that the NMC sought to say that it did not matter how the proxies operated, but this was wrong, as it was important to understand what was being said about you and how your CBT was taken. She took the panel through the different experiences provided by candidates who made admissions to proxy use at Yunnik and submitted that it would have to be very careful before inferring that, even if there was a proxy at Yunnik on

the day of your CBT and there were “*back-to-back exams*”, you had used a proxy. In addition, the panel could not be sure how or where proxies worked.

Ms Collins submitted that you finish examinations quickly. She highlighted your resit test times and submitted that for the clinical part of the CBT, you were within the top 400 fastest candidates worldwide. Ms Collins also reminded the panel of the pressures you were facing at the time of your resit CBT in the UK, which you did not have in Nigeria. She submitted that even with those pressures, you were still one of the fastest in the world.

Ms Collins submitted that you have been consistent throughout your written and oral evidence that some of the questions from your actual CBT at Yunnik were exactly the same as those contained in your practice materials, and Witness 4’s analysis had confirmed that. She highlighted Witness 4’s finding that 28 of the questions from the clinical part of your CBT could be found in the practice materials you used. Ms Collins submitted that Witness 4 had stated that the practice material would have been of no assistance in helping a candidate take the test faster, but then also stated that the proxy would have been able to achieve fast test times because of the frequent viewing of questions. She submitted that there was no evidence that it could be said that you, having spent six to seven months to prepare for the CBT, would not have been able to identify that the questions you saw in your CBT were questions you saw in your practice material and that therefore you knew the answers.

In relation to your evidence on the annotated practice material ‘*UNC10*’, Ms Collins submitted that there was no reason to suggest that your account could not be true. She submitted that you could not say whether the annotations on ‘*UNC10*’ were exactly the same annotations you made when you were preparing for the CBT for May 2022.

Ms Collins submitted that this has been a stressful experience where you have had to remember times, dates and the likes. She submitted that an honest witness can be mistaken, and this did not mean that the whole of your evidence was undermined, nor that you did not use a wide variety of materials to prepare, nor that this did not assist you in achieving the times you did at Yunnik.

Ms Collins asked the panel to consider why you would leave it to someone whose ability you did not know, to sit the CBT for you. She submitted that the panel had been provided with testimonials which commented on you being a competent and careful nurse of good character, and this was relevant and something positive to rely on in its consideration of your credibility.

In conclusion, Ms Collins submitted that the panel would have to examine the evidence carefully. In her submission, the specifics of the NMC's evidence was lacking and as such, the panel could not draw the inferences that the NMC was asking it to draw. Ms Collins submitted that you have provided a credible explanation of how you achieved fast times without the use of a proxy for your CBT at Yunnik.

Decision and reasons on the facts

At the outset of the hearing, Ms Collins informed the panel that you made a full admission to charge 2 in accordance with the agreed statement of facts dated 28 January 2025.

The panel therefore found charge 2 proved, by way of your admission.

In reaching its decision on the disputed facts in charge 1, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Mr D'Alton and Ms Chowdhury, on behalf of the NMC, and by Ms Collins, on your behalf.

The panel accepted the advice of the legal assessor upon which neither Ms Chowdhury nor Ms Collins had any observations.

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

- Witness 1: Band 5 nurse in the UK who provided her experience of sitting an exam at Yunnik;
- Witness 2: Band 4 Pre-registration nurse in the UK who provided her experience of sitting an exam at Yunnik;
- Witness 3: The Deputy Director for Business Transformation and a member of the Executive Team for Professional Regulation at the NMC;
- Witness 5: An independent data analyst who provided the NMC with an analysis of the data provided by Pearson VUE; and
- Witness 6: Executive Director of Professional Practice at the NMC.

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

- Witness 4: Director of Information Security and Security Services at Pearson VUE;
- Witness 7: Senior Nursing Education Adviser and member of the Executive Team in the Professional Practice Directorate at the NMC; and

- Witness 8: Paralegal within the Registration Investigation Team (RIT) at the NMC.

Charge 1

That you, as part of your application to join the NMC register:

1. *Submitted or caused to be submitted, a Computer Based Test result, obtained at Yunnik Technologies Limited test centre (the test centre) on 23 May 2022, that had been obtained through fraud.*

And, in light of the above, your entry on the NMC register, in the name of Uchechukwu Chinyelu Nrabalu, PIN 23A17490, was fraudulently procured.

This charge is found proved.

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

The panel took account of the '*generic*' evidence of proxy test taking at Yunnik.

The panel had sight of the Pearson VUE data from Witness 4 and the analysis provided by Witness 5, including tables of data and graphs setting out the times taken globally and at other centres in Nigeria to complete the CBT compared to times taken in Yunnik. It noted that this data and analysis identified patterns of exceptionally quick test times which were not found at other testing centres nationally or globally.

The panel was of the view that there was compelling generic evidence of statistical anomalies, witness statements and patterns of suspicious behaviour at Yunnik. This included:

- Witness statements describing specific personal accounts of proxy test taking and intimidation at Yunnik from April 2022.
- A consistent pattern of exceptionally fast test completion times by multiple candidates who took their CBT at Yunnik, with multiple candidates taking their tests within a few minutes of each other, suggesting interference.
- Independent statistical analysis by Witness 5, confirming significant discrepancies.

Considering all this information, the panel was satisfied that there was sufficient and compelling evidence to support the NMC's case that widespread fraud, by way of human proxy testing, occurred at Yunnik, at least from late 2021 and over a substantial period of time. The panel concluded that it was very likely to have been the case.

The panel bore in mind that the burden of proof was on the NMC to go further and prove, more specifically, that you used a proxy for your CBT on 23 May 2022.

The panel noted that, other than your test times for the CBT you took at Yunnik on 23 May 2022, there was no direct and specific evidence before it, either from a witness or even CCTV footage, that you used a proxy tester that day.

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

'Evaluated Clinical Timing: 13.55 minutes: Odds 1 in 28239.0

'Evaluated Numeracy Timing: 5.15 minutes: Odds 1 in 3632.69'.

The panel noted that your times for both parts of the CBT fell within the threshold of suspicious test times set by the NMC, namely 1 in 2,500, which called into question whether you obtained your CBT result fraudulently.

The panel noted that your CBT test times were so fast, that they put you in the top three of candidates globally. The panel noted that you did not dispute the test times presented by the NMC. You had attributed your fast test times to your thorough preparation using extensive practice materials which made you familiar with the question format and enabled you to skim read the exam questions to quickly identify or eliminate answers from the

options provided. The panel acknowledged that you spent a significant amount of time preparing and studying for the CBT using practice materials you had received from different sources. It considered, however, that candidates all over the world would have likely had access to the same materials and resources as you, but they did not achieve similarly outstanding times.

The panel noted the evidence from Witness 4 that 25 of the clinical questions from your actual CBT at Yunnik featured in the practice materials you used in your preparation. The panel was not convinced by his evidence that seeing the material in your preparation would not have helped you. However, neither was it convinced that this would have given you an advantage to the extent of being one of the fastest candidates globally.

Having found that there was widespread fraud occurring at Yunnik, the panel determined that due to the exceptionally quick times in which you achieved your CBT result, it was highly unlikely that you would have achieved this without the assistance of a proxy. In coming to this decision, the panel noted the odds of you achieving the times you did in both tests.

The panel was not satisfied that, in light of the exceptionally fast completion times (which included 77% of your clinical questions being answered in 10 seconds or less) and the apparent lack of benefit to you from completing the test quickly, that you had completed the test without the assistance of a proxy. There was limited evidence or explanation about why you would practise extensively for an exam and then do a three-hour exam in such a short time. The panel was not convinced by your justification of the fast times being solely based on the ease of the exam which was so important to your future professional career. When looking at the comparison between your times and those of the global candidate population, from a test centre where there was widespread fraud, the panel considered that the only plausible explanation for you achieving your pass in the time that you did, was that you either used a proxy or had the assistance of a proxy.

The panel considered the same day data relating to your CBT on 23 May 2022. This data indicated that two other candidates took their CBTs at Yunnik on the same morning as you, and both finished their CBTs at times that were considered suspicious by the NMC. The first of those candidates started their test at 09:02 with Pearson VUE test times of five

minutes (numeracy) and 14 minutes (clinical), followed by your test at 09:24 with Pearson VUE test times of five minutes (numeracy) and 14 minutes (clinical), and a third candidate who started their test at 09:48 and had Pearson VUE test times of four minutes (numeracy) and 12 minutes (clinical). The panel noted that all three CBTs taken at Yunnik that day, including yours, were taken within a period of approximately one hour. It considered that even if you were an exceptionally fast honest test-taker and among the three fastest people in the world to achieve such quick test times, the fact that two other candidates at Yunnik achieved such similar times to you, made this less likely to be the case.

The panel appreciated, as per Ms Collins' submissions, that it was possible for a proxy to be used by some but not all candidates at Yunnik on the same day, however, in your case it considered that your timings were strikingly similar to the timings of the other two candidates, such that it was more likely than not that a proxy/proxies were available at Yunnik on 23 May 2022 and that you used them.

The panel had regard to the evidence you provided about your resit CBT in the UK. You took a resit of the CBT in the UK on 13 December 2023 after the concerns had been raised, and you passed on the first attempt within 13.38 minutes for the numeracy part and 34.58 minutes for the clinical part. From your resit in the UK, it was evident that you maintained high scores and achieved relatively fast test times when compared to the global benchmarks, and which, according to Ms Collins placed you within the top 400 candidates in the world for the clinical part of the CBT. However, the panel noted that your times in the resit were still not as exceptionally fast as your times taken at Yunnik, and you took more than double the time for each part, albeit you stated you were stressed and facing increased levels of pressure due to the allegations and [PRIVATE], and you did not have as much time to prepare.

The panel considered your evidence in respect of the practice material, 'UNC10'. In your witness statement dated 5 January 2025, you stated that your *'friend had marked her answers which [you] checked'*. However, in your subsequent oral evidence in April 2025 you stated that you must have been mistaken as you had annotated the material yourself and that after using the practice materials to prepare for your CBT, you sent it to one colleague/friend. The panel noted that in your oral evidence in April 2026, your accounts in

respect of this evidence changed multiple times, including whether you made the annotations in preparation for the Yunnik CBT in May 2022 or the resit CBT in December 2023; whether you had sent the practice materials to just one person or multiple people; and whether the copy of 'UNC10' you had placed before the panel was the exact same copy you had provided to your colleague or not. The panel noted that if 'UNC10' had been sent back to you as a scan of a hard copy, then there would be no annotation meta data detectable prior to September 2023. The panel did not find your evidence relating to 'UNC10' credible.

In addition, the panel took into account the meta data analysis from Witness 4 and Witness 8 which was sought in light of your oral evidence in April 2025. This data indicated that digital annotations were made to the document on dates in October 2021, February 2022, March 2022, June 2023, January 2025 and some unknown dates. In particular, the panel noted your evidence that you made the annotations in preparation of either your Yunnik CBT or your resit CBT. It found, however, that the June 2023 annotations were added after your CBT at Yunnik and sometime before you were asked to take a resit CBT by the NMC in September 2023. The panel had not been provided with a credible explanation as to why the document had annotations dating back to October 2021, June 2023 and January 2025. It considered that in light of when you prepared for the CBT at Yunnik and then the resit in the UK, it was less plausible that these annotations were, in fact, made by you.

The panel was satisfied that you had been consistent with some parts of your evidence, for example your choice of Yunnik as a test centre and the amount of preparation for the CBT. It considered, however, that your account in relation to the annotations on practice material 'UNC10' had changed so often in your evidence that this spoke to the question of your credibility, such that the panel was not convinced that this was the case of an honest but mistaken witness, or an issue in relation to your recollection of what had occurred in the past.

The panel considered that you are currently working in the UK as a registered nurse, and there was no evidence before the panel of any issues having been raised about your practice or previous dishonesty, both in the UK and in Nigeria. It took into account the character reference you provided from your current manager, which attested to your professionalism, as well as your competent clinical abilities. The panel also took into

account the evidence you had provided in relation to your qualification as a nurse and midwife in Nigeria, as well as your extensive preparation for the CBT. The panel had no doubt that you are capable of completing and passing the CBT as you did in the UK in December 2023.

However, the panel found that the NMC's evidence in respect of your specific case was compelling, in particular:

- Your exceptionally fast clinical and numeracy test times from Yunnik;
- The same day test data from 23 May 2022;
- Your inconsistent evidence in respect of the practice material you say you used and annotated in preparation for the CBT; and
- Your resit CBT being more than double the time of your Yunnik CBT.

The panel was not satisfied that your evidence and explanations provided a plausible or credible alternative account for this compelling evidence.

In considering all the evidence, the panel determined that it was more likely than not that you used a human proxy in the completion of your CBT at Yunnik on 23 May 2022. The panel was therefore satisfied that, on the balance of probabilities, you submitted or caused to be submitted, a CBT result, obtained at Yunnik test centre on 23 May 2022, that had been obtained through fraud.

Accordingly, the panel found charge 1 proved.

Decision on Incorrect/Fraudulent Entry

The panel decided, for the above reasons, that in respect of charge 1 the entry on the register in your name was fraudulently procured.

The panel accepted the advice of the legal assessor who referred it to the case of *Ivey v Genting Casinos* [2017] UKSC 67, in which Lord Hughes stated:

'When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.'

The panel bore in mind that for an entry to be fraudulent there must have been a deliberate attempt to mislead whereas an incorrect entry involves a mistake or genuine error. From the panel's findings, it was clear that you must have known that using a proxy to undertake or assist you with an examination to gain entry to the NMC register was dishonest. The panel was also satisfied that objectively this would be considered dishonest by any ordinary decent person.

The panel therefore found that the entry on Sub Part 1 of the NMC register in the name of Uchechukwu Chinyelu Nrabalu, PIN 23A17490 was fraudulently procured.

Decision and reasons on direction

Having determined that you had fraudulently procured an entry on the NMC's register, the panel went on to decide what direction, if any, to make under Article 26(7) of the 'Nursing and Midwifery Order 2001' (the Order).

Article 26(7) states:

'...If the Investigating Committee is satisfied that an entry in the register has been fraudulently procured or incorrectly made, it may make an order that the Registrar remove or amend the entry and shall notify the person concerned of his right of appeal under article 38.'

The panel was mindful that the options available to it are:

- To direct the Registrar to remove your entry on the register
- To direct the Registrar to amend your entry on the register
- To take no action at all.

Ms Chowdhury invited the panel to direct the Registrar to remove your entry from the NMC register following its decision that your entry was fraudulently obtained. She asked the panel to consider the NMC's overarching objectives of protecting the public, upholding the integrity of the register and maintaining public confidence, require taking action when a registration has been procured dishonestly.

Ms Chowdhury referred to the NMC guidance titled '*What actions can we take if we prove an allegation of fraudulent or incorrect entry?*' and submitted that the panel must consider whether the fraud was perpetrated by you or a third party. She submitted that in this case, the fact that your application to gain registration was supported by deliberately misleading information is likely to be a strong factor in favour of removing the entry because the NMC's duty to maintain the register is a vital part of protection of the public. Ms Chowdhury submitted that at the time of your initial application and being granted your PIN by the NMC, you did not hold a CBT result that had been honestly obtained.

Ms Chowdhury submitted that you demonstrated poor decision-making in circumstances where it was important for you to have integrity. In addition, she submitted that you had maintained your position despite being presented with evidence to the contrary, which demonstrated concerns about your character. Ms Chowdhury submitted that your continued registration would undermine the public's trust in the accuracy of the register.

Ms Collins informed the panel that you wanted to reflect on the circumstances of this case and how you would avoid being embroiled in a similar situation again. She submitted that in the event of a decision to remove you from the register, you would provide a detailed reflection for a future application. Ms Collins submitted that you are aware of the NMC Code, in particular Rule 20, and that you are seen to be a dedicated, careful and considerate nurse who operates within the required standards of the NMC since you gained employment in the UK.

Ms Collins submitted that even where fraudulent entry has been found, it is not an automatic result that a registrant is removed, and this is a matter that requires careful consideration.

Ms Collins asked the panel to consider background that has been established through the hearsay evidence, for example, in relation to what candidates faced when they arrived at Yunnik. She highlighted that there had been no criticism of your decision to choose Yunnik as a test centre, nor any finding that you were aware from the moment of your booking that it was a test centre that had acted in a fraudulent and sometimes threatening way to those who legitimately approached them to take a CBT test. Ms Collins reminded the panel that Witness 1 and Witness 2, who had both made admissions, are currently registered following a careful decision by the Registrar in light of the information before them.

Ms Collins submitted that the panel was in a position to make a decision on your registration as it had heard and considered all the evidence and the nuances of that evidence. She accepted that the panel would view dishonesty as a serious matter, but it was also aware that even in fitness to practise proceedings where dishonesty had been found, suspension or striking-off were not automatic outcomes. Ms Collins asked the panel to take a considered approach, taking into account the background about what it had heard about Yunnik, your character and your ability to practise in the UK.

Ms Collins submitted that there have been no ongoing or fresh concerns since you came to the UK. She submitted that this is an isolated example relating to your character, which has not been repeated throughout your time in the UK, and which could be said to be exceptional in terms of the circumstances in which individuals appeared to have found themselves when arriving at Yunnik.

Ms Collins submitted that you can accept the panel's finding without accepting the conduct. She asked the panel to consider its finding, the background and whether or not it is absolutely necessary to remove you from the register.

In response to panel questions, Ms Collins submitted that she had not been provided with an updated testimonial from your manager. She submitted, however, that no concerns had been raised about your practice and there was no reason to suggest that the information set out in your manager's reference dated 26 March 2025 is not current and does not apply to your practice in the last year.

The panel accepted the advice of the legal assessor. The panel also had regard to the NMC guidance relating to incorrect and fraudulent entries.

The panel considered that, having found that your entry on the NMC register was fraudulently procured, it would be inappropriate to take no action as the finding was not trivial or immaterial.

The panel also considered that it would not be appropriate to amend your entry on the NMC register as your entry on the register was found to have been fraudulently procured as a whole, rather than an annotation that had been made in error or simply required correction.

The panel was satisfied from your manager's reference that you are a '*competent, ethical and skilled professional*'. You were able to pass the resit CBT with high scores and a relatively fast time, and you have been practising since 2023 in the UK with no complaints or concerns. It noted Ms Collins's submission on your behalf that you would do what you can to avoid being embroiled in a similar situation and that you take accusations of dishonesty seriously. The panel was also mindful of the exceptional background

circumstances and culture at Yunnik, which had been described in the hearsay evidence before it.

However, the panel considered that honesty is a fundamental value of the nursing profession. It considered that you were found to have been dishonest in how you obtained your clinical CBT result at Yunnik, and as a result, your character, integrity and trustworthiness have been brought into question. Furthermore, the panel determined that this had been compounded by your lack of credibility during these proceedings when discussing aspects of your evidence regarding '*UNC10*' whilst under oath.

The panel considered that this appeared to be an isolated situation that was out of character for you and that you had found yourself in exceptional circumstances, however, up to this point in April 2026, you have maintained your account to the panel. The panel has rejected that account.

The panel considered that the public should be able to trust that registered nurses are entitled to practise in line with the expectations set by the NMC, and it was clear that until you passed your resit CBT in December 2023, you worked as a nurse in the UK with a fraudulently obtained registration.

The panel determined that your dishonest conduct was incompatible with the professional standards of honesty and integrity expected of a registered nurse. It was not persuaded that the public would retain confidence in the profession if no action were taken in light of such findings.

In considering the proportionality of removal, the panel acknowledged that this might have a serious personal and professional impact on you. However, it concluded that the need to protect the public, uphold public confidence in the profession and maintain the integrity of the register, outweighed these factors.

The panel determined that to allow an individual to remain registered when their entry in the NMC register was obtained through fraud would undermine trust in the nursing profession and the NMC as a regulator, both in respect of the wider public and nursing professionals who gained entry in the NMC register legitimately.

In all the circumstances the panel decided, with the information before it at this time, that the only appropriate order is to direct the Registrar to remove your entry from the register, in light of the seriousness of the fraud and the fundamental concerns raised about your honesty and integrity as a registered nurse.

The panel took into account Ms Collins' submission that you intended to provide a detailed reflection for any future application, however it did not have any such reflection before it today.

You will be notified of the panel's decision in writing. You have the right to appeal the decision under Article 38 of the Order. This order cannot take effect until the end of the 28-day appeal period or, if an appeal is made, before the appeal has been concluded.

Decision and reasons on interim order

Having directed that the Registrar remove your entry from the register, the panel then considered whether an interim order was required under Article 26(11) of the Order, in relation to the appeal period.

The panel took account of the submissions made by Ms Chowdhury. She invited the panel to impose an interim suspension order to cover any appeal period until the panel's direction takes effect. She informed the panel that you were put on notice of the possibility of the imposition of an interim order in the notice of hearing dated 12 March 2026.

Ms Chowdhury submitted that an interim order is necessary on public protection and public interest grounds. She submitted that the panel had found that your entry on the NMC register was fraudulently procured and that your removal is the right course of action. Ms Chowdhury submitted that an interim order should be imposed to stop you from practising with immediate effect.

The panel was referred to the NMC guidance titled '*Imposing an interim order following an order of amendment/removal*' which states that:

'Where the Committee has decided that a register entry has been fraudulently procured and that removal from the register is therefore the right course of action, the Committee will need to consider carefully whether an interim suspension order should be imposed to prevent the individual concerned from practising with immediate effect. Among the factors to be considered will be:

- where the professional concerned has been found to have participated in fraudulent activity, the public protection issues that could arise from allowing someone who has engaged in fraud to continue practising*
- whether it is consistent with the Committee's overall decision and will maintain public confidence in the integrity of the register to allow an individual whose entry on the register has been secured by fraud to continue practising.'*

Ms Chowdhury submitted that both factors are applicable in this case, given the findings in respect of your Yunnik CBT.

The panel also took into account the submissions of Ms Collins. She referred to the NMC guidance on making interim orders and submitted that an interim order should only be made if it is necessary to protect the public, rather than merely desirable. Ms Collins submitted that the panel would have to consider whether in light of the concerns in this case, it is necessary to make an interim order.

Ms Collins submitted that parliament had found that it is not necessary to make an interim order where there has been a fraudulent entry decision. She submitted that this would be a reasonable and proportionate response in order for there to be a period in which you and your employers can resolve the difficulties arising from your removal from the register.

Ms Collins submitted that there had been no repetition and no prior acts of fraud by you, either in Nigeria or during the career which you have worked hard to maintain in the UK. She submitted that when looking at the protection of the public, the panel ought to consider your testimonial which supports your ability to meet the standards of patient care and safety, and to uphold the standards of the profession.

Ms Collins submitted that in the short period of four weeks until you are removed from the register, unless you lodge an appeal, the public would be in the same situation it has been in since the concerns were raised. She submitted that you have caused no issues to the public or the patients you have been looking after.

Ms Collins submitted that it was also in the public interest to allow individuals who are capable to be nurses to work unrestricted during the appeal process. She reminded the panel that you have worked throughout the NMC's investigation and the duration of the hearing. Ms Collins informed the panel that you work in a nursing home with 30 beds on the unit. She stated that you work as a day nurse, and there is a manager and a clinical care leader, who are both nurses, and who work with you at all times. Ms Collins told the panel that you work with elderly patients suffering with dementia and the home employs five nurses in total. She submitted that there would be significant concern if you were not able to work in the next four weeks as the rota has already been drawn up and safe staffing levels need to be maintained. Ms Collins submitted that there would be an impact on your employer and the residents who rely on you to meet their needs at the home if 20% of its nursing workforce cannot work. She submitted that there is a familiarity among the staff at the home, of which you are a long serving member, and to propose a change and perhaps cause them to employ agency nurses who do not know the residents as well as you do, would not help the residents or their families.

Ms Collins therefore submitted that an interim order is not necessary in this case.

Ms Collins reminded the panel that you have passed the resit CBT and there is no concern about your competence and indeed, when you took the resit, you passed with very high results. She submitted that the panel could be satisfied that you are capable and this had been evidenced in practice and in theory.

Ms Collins submitted that if the panel was minded to make an interim order, it could make an interim conditions of practice order, requiring that you are not the only nurse on shift and that you are supervised by another nurse at all times.

Ms Collins then addressed the panel on your personal circumstances. [PRIVATE].

[PRIVATE]

Ms Collins submitted that the guidance does not say that it should automatically follow that there should be an interim order after the findings have been made. She submitted that the concerns in relation to the fraud are that you did not have the suitable CBT qualification, however that was remedied in 2023, and you have worked since then. Ms Collins submitted that confidence in the register would be maintained due to the effect of the panel's determination. She submitted that a member of the public would understand, in relation to the period of time allowed, and knowing all the information available to the panel, would not have any concern in relation to the four-week period before the direction comes into effect, or indeed if you were to appeal. She submitted that they would take into account that there has been a period of nearly three years since the NMC first had concerns in relation to Yunnik and no interim orders have ever been sought to protect members of the public during the currency of that investigation. She submitted that it was not necessary or proportionate to have an interim order, notwithstanding the panel's direction.

In response to panel questions, Ms Collins informed the panel that your next shift is tomorrow at 08:00.

The panel accepted the advice of the legal assessor.

The panel determined that an interim order is not necessary on the grounds of public protection. Despite the dishonesty elements of your fraudulent procurement, it considered there to be no public safety risks or concerns raised about your practice at this time and no concerns since the successful completion of your UK CBT in December 2023. The panel found that the seriousness of your fraudulent procurement had been marked by its decision to direct the Registrar to remove your entry from the register. In addition, the panel took into account the positive testimonial from your manager in the UK.

The panel also took into account the information that you are due to work a shift tomorrow from 08:00 and it considered that preventing 1/5 of your employer's nursing workforce from working immediately and at such short notice, would potentially adversely impact colleagues and vulnerable patients.

The panel considered that the risk of repetition is low in relation to fraudulently obtaining a test result and noted that you have resat and passed the CBT as required on 13 December 2023.

As such, whilst the panel had regard to the seriousness of the finding of a fraudulent entry, it did not consider the necessity test for public protection was met.

The panel then considered whether the high bar for public interest in this case is met. The panel had regard to its own findings that you had sought to procure an entry onto the NMC register by fraudulent means on 23 May 2022, almost four years ago. The panel considered any finding of a fraudulent entry to be serious. However, since the incident you have been working for your current employer in the UK with no restrictions. It noted that it is only today that the finding of a fraudulent entry has been made. The panel noted that there had been no evidence before it of concerns in relation to your clinical practice, and you had retaken and passed the CBT in the UK in December 2023. The panel also noted the length of time since the concerns were raised about your Yunnik CBT and the duration of this hearing without an interim order.

The panel considered the potential damage to the reputation of the nursing profession by not imposing an interim order during the appeal period, following the finding of your fraudulent entry to the register. However, the panel noted the particular circumstances of this case, involving a registrant who has been practising unsupervised and with no concerns being raised about your practice, throughout the period of the NMC's investigation since 2023. The panel considered that the public would not be shocked if you were allowed to practise unrestricted at this time, during the period of the appeal process. The panel therefore determined that an interim order is not in the public interest.

Accordingly, the panel determined that an interim order in this case is not necessary for the protection of the public or otherwise in the public interest during the period of appeal.

That concludes this determination.