

**Nursing and Midwifery Council
Investigating Committee**

**Registration Appeal Hearing
Monday, 9 March 2026 – Tuesday, 10 March 2026**

Virtual Hearing

Name of Appellant: **Mandla Bhebhe**

Type of case: Registrations appeal

Panel members: Godfried Attafua (Chair, registrant member)
Rajesh Jayadevan (Registrant member)
Howard Millington (Lay member)

Legal Assessor: Caroline Hartley

Hearings Coordinator: Hanifah Choudhury

Nursing and Midwifery Council: Represented by Jerome Burch, Case Presenter

Mr Bhebhe: Present and represented by Harry Dickens,
instructed by the Royal College of Nursing (RCN)

Decision: **Appeal dismissed**

Decision and reasons

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

This appeal is made under Article 37 of the Nursing and Midwifery Order 2001 (the Order).

In reaching its decision, the panel considered all of the evidence in this case, as well as the submissions made by Mr Burch, on behalf of the NMC, and the submissions made by Mr Dickens on your behalf.

Background

You began your application to join the NMC register as an overseas-trained nurse on 27 October 2023. You travelled to the UK in May 2024 and commenced work as a healthcare assistant (HCA) in a care home setting on 10 May 2024. In June 2024 you completed the required Objective Structured Clinical Examination (OSCE). On 21 October 2024 the NMC received an email containing supporting documentation for your registration application, including a certificate of good standing purportedly issued by the Nurses Council of Zimbabwe (NCZ). On 7 January 2025 the NMC International Registration Team contacted the Zimbabwe regulator to verify the certificate.

On 9 July 2025 the NCZ responded, confirming your qualifications but stating that you were not currently in good standing because a fake certificate of good standing had been submitted to the NMC. Subsequent correspondence took place between the NMC and yourself, including your initial response to the Assistant Registrar dated 25 July 2025, an explanation request sent to the NMC on 19 August 2025 and your further response dated 26 August 2025 in which you denied knowledge of the fraudulent document. Further supporting documents were submitted in September 2025.

After reviewing all the evidence, the Assistant Registrar refused your application on 16 October 2025 on the basis that the character requirements to be admitted onto the register had not been met.

You submitted a Notice of Appeal on 11 November 2025, asserting that you had no motive to submit a fraudulent document, that insufficient weight had been given to your

explanations and positive character evidence, and that you continued to engage with the Zimbabwe regulator after the document was submitted.

Decisions and reasons on admitting further documentation into evidence

Mr Dickens submitted that the panel may recall that issues were raised in cross-examination regarding the email addresses used in communications relating to the certificate of good standing between yourself and the NCZ. He submitted that those instructing him had served a screenshot of a 2019 email referring to one of the email addresses discussed in evidence. This document was provided after you had given evidence to the panel and before parties were due to give closing submissions.

Mr Dickens made an application for the document to be admitted for the panel's consideration, acknowledging that it was produced late but submitting that the panel has a wide discretion to admit relevant evidence.

Mr Dickens submitted that any potential prejudice to the NMC could be addressed by permitting questions to be put to you about the document and allowing cross-examination if required. He therefore invited the panel to exercise its discretion to admit the document into evidence for consideration in its deliberations.

Mr Burch submitted that the NMC does not agree to the admission of the email. He submitted that you must establish your case on character based on the evidence already before the panel and it is not appropriate to admit a document so late in the hearing simply because an issue arose during questioning.

Mr Burch further submitted that the objection relates to the lateness of the submission rather than its content. He acknowledged that the panel has discretion to admit evidence but emphasised that the document was produced only after all evidence had been heard and questions asked and therefore its admission is not agreed by the NMC.

The panel accepted the advice of the legal assessor.

The panel noted that the email screenshot references an email address which formed part of the line of cross-examination and demonstrates that it originates from a legitimate NCZ email address.

Although the document had been submitted late in the proceedings, the panel found that it related to a relevant issue and that you have been cross-examined on it. The panel also noted that it has also been referred to several documents within the evidence in connection with this email. The panel also considered that Mr Burch would have the opportunity to cross-examine you on this document.

Accordingly, the panel decided to admit the email into evidence.

Submissions

Mr Burch submitted that the appeal should be dismissed. He submitted that the central issue in this case concerns the submission of an unauthentic certificate of good standing purportedly issued by the NCZ to the NMC. Mr Burch submitted that the explanation provided by you is not credible and that you have failed to satisfy the panel that you were an innocent victim of fraud. He further submitted that the evidence indicates that the certificate was obtained through unofficial channels, including the use of an unverified email address and the involvement of an intermediary whose role was not identified until a much later stage. Further, there is an absence of reliable documentary evidence to support the account provided, including evidence of communications, verification, or payments.

Mr Burch submitted that, when applying the principles set out in *Ivey v Genting Casinos UK Ltd* [2017] UKSC 67, you knew that the route taken to obtain the certificate was unofficial and that, when judged by the standards of ordinary decent people, such conduct would be considered dishonest. While the panel may take into account the character references and supporting documentation provided, Mr Burch submitted that these do not address the central issue of honesty and integrity. Accordingly, he submitted that you have not demonstrated that you meet the character requirements necessary for registration and that the appeal should therefore be dismissed.

Mr Dickens submitted that it is for you to satisfy the panel, on the balance of probabilities, that you are of good character. He submitted that, aside from the allegation concerning the certificate of good standing, there is no challenge to your character. He submitted that the allegation of fraud is one for the NMC to establish and that there is no credible motive for you to obtain a fraudulent document, given your longstanding professional career, clean record, and the evidence of qualifications, practising certificates and references from multiple jurisdictions, including the NCZ. Mr Dickens submitted that the documentary evidence demonstrates that you had successfully obtained certificates and regulatory documentation from other countries and had continued to pursue a legitimate certificate of good standing through official channels.

Mr Dickens submitted that your persistent attempts to contact the Zimbabwean regulator, your requests for updates, and your complaint to authorities in Zimbabwe were inconsistent with the behaviour of someone who had knowingly participated in fraud. He submitted that the evidence suggests you were attempting to progress your application legitimately and may instead have been misled by a third party. He also submitted that the references and supporting documentation before the panel demonstrate a consistent record of professional practice and integrity over many years.

Accordingly, Mr Dickens submitted that the panel could be satisfied that you are of good character and invited it to allow the appeal and direct that your name be admitted to the register.

Evidence

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

- A bundle which included your nursing qualification certificates, character references and correspondence between you and the NCZ.
- Further documentation of email correspondence.
- A circular from the NCZ in relation to the issuing of fake certificates.

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

- Witness 1: Investigator at the NMC

The panel heard live evidence from the following witness called by your representative, on your behalf:

- Witness 2: Your niece.

You also provided evidence to the panel under oath.

The panel accepted the advice of the legal assessor.

Panel's decision

The panel has carefully considered all of the information before it, including all oral and documentary evidence presented. The panel noted that there is no dispute that a fraudulent certificate of good standing was submitted to the NMC. The issue before the panel is whether you are of sufficient good character to be admitted to the register in light of the inauthentic certificate. The panel was mindful that the burden rests on you to establish that you are of good character.

The panel noted that you maintain that you did not intend to mislead the NMC and were not aware of any falsity in the certificate until February 2025 when you formally pursued a complaint to the NMC. You provided documentary evidence in support of your appeal and sought to explain the steps you took to obtain a certificate of good character, including engaging with the NCZ, the Swaziland Nursing Council, and the NMC itself. You submitted correspondence showing multiple attempts to contact the NCZ and a formal complaint to the Ministry of Health in Zimbabwe. You also provided evidence from Witness 2 who assisted in collecting documentation and liaising with third parties on your behalf, as well as details of your ongoing efforts to obtain the required certificate despite delays and lack of responsiveness from the NCZ.

The panel considered your stated motivation for obtaining the certificate, namely, to register with the NMC and continue your professional practice in the UK. The panel also noted the evidence that you were residing in the UK at the relevant time, undertaking work as a healthcare assistant and had completed all necessary examinations and registration requirements in other jurisdictions, including Swaziland. The panel took into account the argument that, if you had knowingly submitted a fraudulent certificate, you would have had little incentive to continue persistent engagement with both the NCZ and the NMC, including instructing Witness 2 to follow up, sending repeated emails, and raising formal complaints to government authorities.

The panel also considered the role of Mr 1, a person you stated assisted with the submission of your application to the NCZ. The evidence before the panel demonstrated a lack of clarity regarding his involvement, the funds transferred to him, and the subsequent lack of communication. The panel took into account that there is no direct correspondence between you and Mr 1 regarding the certificate and no receipts were produced for the sums of money allegedly provided to him for his part in submitting your application.

The panel observed inconsistencies between your account and that of Witness 2 concerning the nature of Mr 1's relationship to you, whether a school friend or work colleague, and was not persuaded by the account given regarding why documentation was submitted to him rather than directly to the NCZ. The panel also noted inconsistencies and gaps regarding the resubmission of forms and the lack of clarity on who submitted certain documents which reduces the overall credibility of the explanations provided. Further, the panel queried why, when all documentation could have been supplied to the NCZ online, all these visits with hard copies to the NCZ were necessary.

The panel noted that there were documented delays and irregularities from the NCZ in responding to requests for the certificate as well as confusion regarding multiple email addresses. Nonetheless, the panel considered that these factors do not entirely explain the inconsistencies and gaps in the accounts of both you and Witness 2. The panel noted that despite these frustrations alternative explanations for the events, including the involvement of Mr 1 and the resubmission of forms, remain unclear and partially unsubstantiated. The panel found that it was implausible that you could not recall certain

key details, particularly regarding how your documents were resubmitted in December 2024, given the level of involvement and effort described in relation to all other matters.

The panel also took into account evidence of broader fraudulent activity at the relevant time and the circulation of a warning by the NCZ.

The panel considered that, on the balance of probabilities, it is more likely than not that you were aware that a fraudulent certificate had been submitted in support of your application.

Finally, the panel went on to determine whether you meet the character requirements for admission to the NMC register.

The panel had regard to the NMC guidance on health and character, in particular 'Factors that we take into account when considering character cases', last updated on 5 September 2024. The panel was aware that it was for you to satisfy the panel that you met the character requirements for successful admission on the register, principally that you are capable of safe and effective practice. This is underpinned by the NMC Code of Conduct at 20.2: '*You must act with honesty and integrity at all times.*' In the panel's judgement fraudulent conduct is incompatible with UK registration as a nurse on the grounds of public protection and in the wider public interest.

The panel carefully reviewed your character references which span an extended period and include both Swaziland and UK referees. While these references attest to your general character and professional competence, the panel noted that none of them address the specific allegation relating to the certificate of good standing. The panel also considered police records and documentary evidence relating to your professional qualifications which do not raise questions of misconduct or integrity. However, the panel was mindful that the references would not have been privy to the alleged issues with the certificate and therefore provide limited insight into this specific allegation.

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

The panel therefore decided to dismiss your appeal, to uphold the decision of the Assistant Registrar, thereby refusing your application to the NMC register.

You have the right to appeal this decision. If you appeal the decision, you must submit your appeal to the Sheriff Court within 21 days of this decision.

This will be confirmed to you in writing.

That concludes this determination.