

Accelerated Misconduct Hearing – Finding

Officer: Former DI 1875 Emma Gardner

Case Reference: CM/33/22

Date of Hearing: 17th August 2026

Chair: Chief Constable Amanda Blakeman

Background

This matter was referred to an Accelerated Misconduct Hearing under the Police (Conduct) Regulations 2020 following the determination of the Appropriate Authority that the special conditions were met:

- There is sufficient evidence, in the form of written statements and documents, to establish on the balance of probabilities that the conduct constitutes Gross Misconduct.
- It is in the public interest for the officer to cease to be a police officer without delay.

In considering this matter, I have taken account of the contents of the misconduct bundle, the submissions made on behalf of the Appropriate Authority and the opportunity for any representations made on behalf of the former officer. I note that Former Detective Inspector Gardner resigned from North Wales Police and her final day of service was 10th August 2026.

I further note that the former officer is represented, had the opportunity to obtain legal advice and, importantly, accepted both the facts and that her conduct amounted to Gross Misconduct. During the hearing there was no dispute as to the underlying facts and therefore no requirement for the hearing to adjourn to establish those facts. The sole issue for determination was the appropriate assessment of the conduct and its seriousness.

This matter arises from the conviction of Former DI Gardner following a Crown Court trial. On 8th July 2026, at Caernarfon Crown Court, she was convicted of causing a computer to perform a function with intent to secure unauthorised access to a program or data, contrary to section 1(1) and (3) of the Computer Misuse Act 1990. The offence related to repeated unauthorised access to police systems between 19th January 2022 and 23th September 2022.

Allegation

It is alleged that Former DI Gardner breached the Standards of Professional Behaviour, namely:

- **Discreditable Conduct;** in that her conviction for an offence contrary to section 1(1) and (3) of the Computer Misuse Act 1990, together with the underlying conduct, brought discredit upon the police service and undermined public confidence in policing.

Legal Advice

On this matter I have not required any specific legal advice.

Findings

On the balance of probabilities, I find the allegation proven.

My starting point is that Former DI Gardner was convicted following a criminal trial before the Crown Court. That conviction provides conclusive proof that the conduct occurred. It is therefore neither necessary nor appropriate for this hearing to revisit the factual findings which have already been determined by a jury applying the criminal standard of proof.

The evidence before me establishes that Former DI Gardner intentionally caused police computer systems to be accessed without lawful authority over an extended period of approximately nine months. The misconduct involved repeated access to police systems and records relating to individuals known personally to her, together with the disclosure of information obtained from those systems. The criminal proceedings resulted in a conviction for unauthorised access to police information systems.

Police officers are entrusted with access to highly sensitive information. That access is provided solely for legitimate policing purposes and is founded upon trust. The public, victims, witnesses and colleagues are entitled to expect that police information will only be accessed where there is a lawful and proper policing purpose for doing so.

Former DI Gardner was not a junior officer. She held the rank of Detective Inspector and occupied a position of considerable responsibility and authority. As a senior officer, she was expected not only to comply with professional standards herself but to exemplify them for others.

The Standards of Professional Behaviour require police officers to behave in a manner which does not discredit the police service or undermine public confidence in policing, whether on or off duty. I find that a police officer who is convicted of a criminal offence involving unauthorised access to police systems has engaged in conduct that plainly damages the reputation of the police service and is capable of undermining public confidence in policing.

The public must be able to trust that police officers will use police systems appropriately and lawfully. A conviction arising from repeated unauthorised access to confidential police information strikes directly at that trust. Such conduct is fundamentally inconsistent with the professional and ethical standards expected of a police officer.

Accordingly, I find that Former DI Gardner breached the Standard of Professional Behaviour relating to Discreditable Conduct.

Assessment of Seriousness

In assessing seriousness, I have had regard to the Home Office Statutory Guidance, the Code of Ethics and the Standards of Professional Behaviour.

Paragraph 2.15 of the Home Office Statutory Guidance makes clear that discredit can be brought upon the police service either by the act itself or because public confidence in policing is undermined, or is perceived to be undermined. The guidance further recognises that where a

police officer has been convicted of a criminal offence, that conviction alone may justify disciplinary action. In every case it is necessary to articulate how the conduct discredits the police service.

The Code of Ethics further provides that police officers must maintain the highest standards of behaviour at all times and consider whether their actions may result in members of the public losing trust and confidence in the policing profession. The assessment is not confined to media attention but requires consideration of all of the circumstances.

In this case I find the following factors particularly significant:

- The conduct resulted in a criminal conviction following a contested Crown Court trial.
- The unauthorised access to police systems occurred repeatedly over a prolonged period of time.
- The investigation identified access to records on a significant number of separate occasions without a policing purpose.
- The officer held the senior rank of Detective Inspector and occupied a position of trust and responsibility.
- The misconduct involved access to confidential police information and conduct which was inconsistent with the standards expected of those entrusted with sensitive data.
- The conduct was deliberate, repeated and intentional rather than inadvertent or isolated.

I acknowledge that the former officer admitted the conduct, accepted that it amounted to Gross Misconduct and has resigned from the police service. However, those matters do not diminish the inherent seriousness of the criminal conduct itself.

In my determination, a reasonable and informed member of the public would be seriously concerned that a senior police officer had repeatedly accessed police systems without authority and had subsequently been convicted of a criminal offence arising from that conduct. Such behaviour has the clear potential to undermine confidence in the integrity of police information systems, individual officers and the wider police service.

Determination

Drawing all of these matters together, I find that Former DI Gardner's conduct represents a serious breach of the Standard of Professional Behaviour relating to Discreditable Conduct.

I am satisfied that her criminal conduct, culminating in a conviction for computer misuse, has brought discredit upon the police service and has undermined public confidence in policing.

The public must have confidence that police officers will access and use police information lawfully, responsibly and only for legitimate policing purposes. Former DI Gardner's conduct was wholly inconsistent with those expectations and with the standards required of a serving police officer.

I am satisfied that the conduct involves a serious abuse of the trust placed in police officers and strikes at the heart of public confidence in the integrity of policing.

For those reasons, and taking account of all of the circumstances of the case, I find on the balance of probabilities that the conduct amounts to Gross Misconduct.

Chief Constable Amanda Blakeman KPM

17th August 2026