

Accelerated Misconduct Hearing – Outcome

Officer: Former DI 1875 Emma Gardner

Case Reference: CM/33/22

Date of Hearing: 17th August 2026

Chair: Chief Constable Amanda Blakeman

I have already determined that the conduct of Former DI Gardner amounts to Gross Misconduct.

In reaching my decision on outcome, I have applied the structured approach set out in the College of Policing Guidance on Outcomes, namely:

- Assessing the seriousness of the misconduct;
- Keeping in mind the purpose of misconduct proceedings;
- Selecting the outcome which most appropriately fulfils that purpose.

I have carefully considered the circumstances of the case, the submissions made on behalf of the Appropriate Authority, the former officer's admissions and representations, the record of service available to me and all of the evidence contained within the bundle.

The purpose of police misconduct proceedings is to maintain public confidence in, and the reputation of, the police service, to uphold high standards of policing and to protect the public. Those considerations must take precedence over the personal consequences for the individual officer.

Assessment of Seriousness

Culpability

I find that Former DI Gardner's culpability is exceptionally high.

Former DI Gardner was convicted following a Crown Court trial of computer misuse. The conviction establishes beyond doubt that the criminal conduct occurred.

The College of Policing Guidance makes clear that it is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves. Any criminal conviction is serious and is likely to adversely affect public confidence in policing. The guidance further identifies misuse of police computer systems and confidential police information as a matter of particular concern because the public are entitled to expect that information obtained by police will be protected and used only for legitimate policing purposes.

This was not an isolated error or momentary lapse in judgment. The misconduct occurred over a prolonged period of approximately nine months and involved repeated unauthorised access to police systems on a significant number of occasions. The evidence before me demonstrates that the conduct was deliberate, intentional and sustained.

I attach significant weight to the fact that Former DI Gardner held the rank of Detective Inspector. As a senior officer she occupied a position of considerable trust and responsibility and was expected to lead by example. The College of Policing Guidance makes clear that leadership responsibility and seniority increase culpability where misconduct occurs.

The misconduct involved the misuse of privileged access to police information; disclosure of information obtained from police systems and conduct which directly undermined the trust placed in police officers to handle sensitive information lawfully and appropriately. In my judgment this represents a serious abuse of position and trust.

Harm

I find that the harm arising from this misconduct is substantial.

Whilst this case did not involve physical injury, the College of Policing Guidance makes clear that harm extends beyond direct personal impact and includes harm to public confidence, the reputation of policing and the integrity of police systems and investigations.

The public rightly expects police officers to access confidential information only where there is a legitimate policing purpose. Confidence in policing depends upon trust that sensitive information will not be accessed for personal reasons or disclosed inappropriately.

Former DI Gardner's conduct has damaged that trust. The misconduct had the potential to compromise investigations, undermine confidence in the security of police information and bring the reputation of North Wales Police and the wider police service into disrepute.

A reasonable and informed member of the public would be deeply concerned that a senior detective officer repeatedly accessed police systems without authority and was subsequently convicted of a criminal offence arising from that conduct. I find that the reputational harm caused by this misconduct is significant.

Aggravating Factors

I identify the following aggravating factors:

- The conduct resulted in a criminal conviction following a contested Crown Court trial.
- The conduct was deliberate, intentional and sustained over a lengthy period.
- The misconduct involved repeated unauthorised access to police systems on a significant number of occasions.
- The officer occupied a senior leadership position as a Detective Inspector and was expected to act as a role model for others.
- The misconduct involved confidential policing information entrusted to the officer solely for legitimate policing purposes.
- The conduct represented an abuse of trust and a significant departure from the standards expected of a police officer.

Mitigating Factors

I have carefully considered the mitigation available to Former DI Gardner.

I note that she completed in excess of 26 years' service with North Wales Police, rose through the ranks to become a Temporary Detective Inspector and received commendations and letters of appreciation during her career. I also note that she has no previous disciplinary findings recorded against her.

I further take into account that the former officer accepted the facts, admitted that her conduct amounted to Gross Misconduct and resigned prior to this hearing.

These are all matters properly capable of mitigation, and I have given them due consideration.

However, the College of Policing Guidance and established case law makes clear that personal mitigation carries limited weight where serious misconduct has been proven because the overriding consideration is the maintenance of public confidence and the reputation of policing.

Whilst Former DI Gardner's previous service is significant, it cannot outweigh the seriousness of criminal conduct involving the repeated misuse of police systems and information. Nor do I find any exceptional circumstances capable of justifying a lesser outcome.

Outcome Consideration

I have considered the full range of available outcomes.

In the case of a former officer appearing before an Accelerated Misconduct Hearing, the relevant question is whether the former officer would have been dismissed without notice had they remained a serving officer.

I have considered whether any lesser outcome could properly maintain public confidence in policing, uphold professional standards and protect the reputation of the police service.

I have concluded that it could not.

The College of Policing Guidance expressly identifies misuse of police data and confidential information as conduct that may merit dismissal in serious cases. The factors identified within the guidance as supporting a more serious outcome are present here, including repeated access, disclosure of information and misuse of sensitive police information for improper purposes.

I am satisfied that a reasonable and informed member of the public would expect dismissal in these circumstances. To reach any other conclusion would, in my view, seriously undermine public confidence in policing and fail to uphold the standards expected of holders of the office of constable.

Determination (Outcome)

Having carefully considered all the evidence, the submissions made, the former officer's admissions, the record of service, the College of Policing Guidance on Outcomes and the wider public interest, I am satisfied that the misconduct is fundamentally incompatible with continued service as a police officer.

The seriousness of the misconduct, the very high level of culpability, the significant harm caused to public confidence, the aggravating factors present and the limited weight that can properly be attached to the available mitigation lead me to the clear conclusion that dismissal is the only appropriate and proportionate outcome.

Accordingly, the outcome of this Accelerated Misconduct Hearing is that Former DI Emma Gardner would have been dismissed without notice had she still been serving as a police officer, and her name shall be placed on the College of Policing Barred List.

Chief Constable Amanda Blakeman KPM
17th August 2026