

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020
IN THE MATTER OF AN ACCELERATED MISCONDUCT HEARING

RE. POLICE CONSTABLE 15254 STEFAN DOWNS

DETERMINATION OF CHIEF CONSTABLE SIMON BLATCHLY

Preliminary matters

1. The accelerated misconduct hearing for Police Constable Stefan Downs was held in public on 27th August 2026 at Derbyshire Police Headquarters, Ripley. The Appropriate Authority was represented by Ms Liz Briggs from East Midlands Police Joint Legal Services. The Officer was not legally represented, but was represented by Adam Galley of the Police Federation today.
2. PC Downs did not attend the hearing. There was a preliminary point raised by him in an email at 7:30am on the morning of the hearing. In that email he sought to adjourn the hearing as he had not been offered reasonable adjustments. This was clarified later by Mr Galley, who confirmed no such application was being advanced. In any event, the AA opposed any application to adjourn. In the circumstances, I decided not to adjourn today's hearing, as the Officer's representative confirmed that the Officer wished to withdraw his application, and that he was aware of the hearing and had voluntarily absented himself. He has provided a statement, titled "SD - GM Defence", which I have considered and treat as a Regulation 54 Response.
3. PC Downs was interviewed during the investigation and in both his interview and his Regulation 54 Response he admitted to making the posts, as alleged and set out in full in the Regulation 51 Notice. He denies breaching the Standards of Professional Behaviour. He denies that this amounts to gross misconduct or misconduct at all. He was not present to accept the allegations before me in the hearing, but his Federation Representative did so on his behalf. I have no

mitigating material put before me, save for that contained in his service record and in his accounts as mentioned above.

Allegations

4. On 10th August 2026, the Officer was served with a Regulation 51 notice of accelerated misconduct hearing proceedings outlining the allegations, which if proven, were assessed as amounting to gross misconduct.
5. In summary, the allegations are that on various unknown dates in 2025 and 2026, he posted comments on social media that were inappropriate and/or offensive and/or discriminatory and/or derogatory, in breach of Derbyshire Constabulary's policies on social media usage and safe use of the internet. He had also been served with a Written Improvement Notice about his social media usage in April 2025.
6. These allegations are said to amount to breach of the following four Standards of Professional Behaviour:
 - (a) Authority, Respect and Courtesy;
 - (b) Orders and Instructions;
 - (c) Equality and Diversity;
 - (d) Discreditable Conduct.

These are said to amount to gross misconduct individually and cumulatively.

Determination of conduct

7. In making my determination, I have assessed all relevant information made available to me in the supplied bundle. It was confirmed that all parties had access to the same information. I have considered all representations made on behalf of the Appropriate Authority by Ms Briggs. I have not heard any evidence from the Officer, but I am grateful to Mr Galley for his submissions on the Officer's behalf. I have utilised the relevant sections of the College of Policing Document

'Guidance on Outcomes in Police Misconduct Proceedings' in formulating the rationale for my determination.

8. Before making my determination, I reminded myself of the definition of misconduct and gross misconduct as prescribed by regulation 2.
9. My findings are that the allegations are proven, where admitted or otherwise, on the balance of probabilities, and that the Officer has breached the Professional Standards of:
 - (a) Authority, Respect and Courtesy;
 - (b) Orders and Instructions;
 - (c) Equality and Diversity;
 - (d) Discreditable Conduct.
10. His conduct constitutes gross misconduct.
11. The basis for my finding that the allegations are proven is:
 - (a) I have seen screenshots of the social media posts and the Officer's comments on them, as provided in the bundle. The Officer admits that he posted these comments, from his personal Instagram account, as alleged. He admits that he posted them intentionally and not, e.g. by accident.
 - (b) He made these admissions in interview and again in his Regulation 54 Response. In both of those accounts he attempts either to belittle and minimise his behaviour, or otherwise justify the contents of his comments.
12. The basis for my finding that the Officer has breached the Authority, Respect and Courtesy Professional Standard is:
 - (a) The conduct is, at the very least, fundamentally disrespectful and derogatory. In some instances, it is racist and sexist and otherwise discriminatory. All of the comments, in my decision, fall well below the standards that are expected of Officers, even when off duty.

13. The basis for my finding that the Officer has breached the Orders and Instructions Standard is that:

- (a) The Officer was subject to both the Safe Use of the Internet and Social Media by Police Officers and Police Staff policy and Derbyshire Constabulary's Social Media Policy. Both are clear, at various points, but in particular Sections 6.8 and 6.9 of the former document and page 7 of the latter are clear that the Officer's interactions on social media must not be offensive or inappropriate, discriminate against any group, encourage hatred or otherwise put him in breach of the Professional Standards. By acting in this way, he has breached both of those policies.
- (b) Moreover, he was made subject to a Written Improvement Notice in April 2025 and was advised that he would need to review the above policies, as well as his NCALT training and to complete the code of ethics training and apply the same to his social media practices. Therefore, he has already received a warning about his use of social media and referred to these policies prior to acting in the way that he did, at least for those comments he posted later in 2025 and in 2026.
- (c) The policies above make very clear that it is immaterial whether the Officer is on or off duty when using social media, and that he remains subject to the policies at all times.

14. The basis for my finding that the Officer has breached the Equality and Diversity Standard is that:

- (a) In relation to comment/image 1:
 - (i) The Officer used language to describe the child that was offensive, inappropriate and derogatory. It condones violence to be used against a child. I do not accept the Officer used the term "black" as descriptive. All of the language is unnecessary and in my view it is discriminatory.

(b) In relation to comment/image 3:

- (i) The Officer used a term that is offensive and derogatory. I do not accept that his lack of knowledge about the correctness of the term, as he had been warned to revise his knowledge of Derbyshire Constabulary policies on social media and by so doing ought to have known that posting on social media required him to understand what is and what is not a derogatory term, instead he chose to post the comment either knowing or being reckless as to knowing that it was offensive.
- (ii) In any event, the Officer's comment suggests that the type of video is made worse by an individual with a reduced stature, which is clearly discriminatory.

(c) In relation to comments/images 5, 6, 7 and 11:

- (i) The Officers comments and justifications for these in his various accounts bely a prejudice and it is derogatory towards the individual females and women generally.

(d) In relation to comments/images 9 and 13:

- (i) The Officer generalises about a group of people based on the colour of their skin and/or ethnicity.

(e) In relation to comment/image 14:

- (i) The Officer equates immigration with criminality, which is discriminatory and offensive.

15. To be clear, I do not accept any of the minimisation, explanations or justifications given by the Officer for making these comments. I find that his Article 8 and Article 10 rights are not infringed at all. I find, as above, that his words are discriminatory and offensive and contra to the attitudes required of policing, and so do not receive the protections otherwise afforded by his Article rights.

16. The basis for my finding that the Officer has breached the Discreditable Standard is that:

- (a) The Officer's actions significantly harm public trust and confidence. Any example of discrimination or offensive and insensitive/inappropriate attitudes is serious, and it is unacceptable for a serving officer to behave in this way, when they are expected to treat all members of the public with equal respect. His comments belie an attitude of prejudice that is antithetical to the standards that policing demands of its officers. The officers of Derbyshire Constabulary work hard to protect and treat all members of the public with respect and dignity. For a serving officer to act in this way and fall so far short of that, even when off duty, is completely unacceptable.
- (b) Indeed, cumulatively, these breaches exceed the threshold of purely unacceptable or improper behaviour and reach the threshold of being so serious that they justify dismissal.

Determination of outcome

17. Having determined that these proven allegations constitute gross misconduct, I invited representations from the Appropriate Authority and the Officer on the appropriate outcome in this matter.
18. I make clear: Derbyshire Constabulary holds itself to the highest standards in respect of the rule of law, the Code of Ethics and the Standards of Professional Behaviour, but also the standards expected by every member of our community that the police will operate with a higher level of trust as it is their duty to protect people. When an officer compromises that, it is important that a full and thorough investigation occurs, and an appropriate sanction is imposed that helps to restore any lost trust and confidence.

19. Any action I take today has been to balance the Officer's rights proportionately with the requirement to maintain public confidence, and the public interest that may be served by retaining an officer.
20. Having found earlier at stage one of proceedings that the conduct constitutes gross misconduct, I turn to stage two and the outcome, and so I perform a seriousness assessment, in line with the College of Policing Guidance on Outcomes.
21. There are only two options available to me: a final written warning and dismissal without notice. I keep in mind the threefold nature and purpose of police misconduct proceedings in making my determination and that in my approach to outcome, I must consider the least serious sanction first. In this case that would be a final written warning, through to dismissal without notice.
22. I conduct the exercise as per section 4 of the College of Policing's Guidance on Outcomes and adopt a three-stage process:
 - (a) assess seriousness;
 - (b) keep in mind the purpose of imposing sanctions; and
 - (c) choose the sanction that most appropriately fulfils the purpose for the seriousness of the conduct.

Seriousness

23. I have considered the seriousness of the misconduct that gave rise to these proceedings, in accordance with the Guidance.

Culpability

24. I have considered the Officer's culpability in this case, and I make the following observations:

(a) The Officer acted deliberately and intentionally, and he targeted certain groups.

(b) Some of his comments were consciously discriminatory, based on others':

(i) Disability;

(ii) Race;

(iii) Sex.

25. I therefore assess his culpability as high.

Harm

26. I have considered the harm caused by the Officer's actions in this case and make the following observations:

(a) Whilst it is unclear whether anyone was directly harmed by his comments, there is always the possibility that someone saw them and was offended, whether they themselves are a member of a group with those protected characteristics I have listed above or not.

(b) I am also centrally concerned that there would be serious harm to public trust and confidence in policing if a member of the public was aware of the full circumstances of this case.

(c) There is very well known and large scale concern on a national level about Officers sharing the attitudes he holds and has displayed.

27. I find, therefore, that the harm in this case is high.

Aggravating Factors

28. I have carefully considered the aggravating factors listed within the Guidance on Outcomes at paragraphs 4.76. I am careful not to double count any features already taken into account at the culpability stage. I find the following apply:
- (a) This was repeated and regular behaviour by the Officer, as demonstrated by the number of similar allegations.
 - (b) The Officer ought to have known what he was doing was wrong, given he had been reminded of the policies on social media use prior to these comments.
 - (c) Any element of unlawful discrimination is said to aggravate the conduct, but I am careful not to double count this.
 - (d) There are multiple proven allegations and/or breaches of the Standards of Professional Behaviour here.

Mitigation

29. The purpose of mitigation is to reduce the seriousness of the conduct. I have not been informed of any mitigation by this Officer, however, I do note that he accepted his conduct immediately when he was interviewed, albeit he tried to justify it and does not accept it was offensive and/or discriminatory, claiming he has the right to express his views freely.
30. Further, I note the only mitigating feature, as listed in the non-exhaustive list at paragraph 4.81 of the Guidance on Outcomes, that is relevant is:
- (a) I am aware that the Officer reports having mental ill health and/or a disability i.e. depression and PTSD. However, I have not been provided with any evidence by the Officer that a) he has any such medical conditions and b) that they are sufficiently linked so that it explains how his conduct was affected by them. Therefore, I take the view that I cannot take these into account at this stage.

31. In the circumstances, I do not find the present mitigating features lessen the seriousness of the conduct.

Personal Mitigation

32. I have taken account of the decision in *R (on the application of Williams) v Police Appeals Tribunal and another* [2016] EWHC 2708 as to the weight to be given to personal mitigation in police misconduct proceedings. I have also considered the comments of Mr. Justice Collins in *Giele v. General Medical Council* [2006] WLR 942.
33. I have not been provided with any character references and, unusually, I have not seen any positive comments said about this Officer, even by his supervisor in his service record. I note he was a serving Constable for around six years.
34. I have not heard submissions on personal mitigation about or from the Officer, other than what is contained within his Regulation 54 Response. I note what he says about his mental ill health, but again I have seen no medical evidence to confirm it or its extent. I can only take it into account what the Officer says about this, rather than confirming it by way of a diagnosis. In any event, I do take it into account in my decision.
35. His Federation Representative made the submission on the Officer's behalf that, due to other processes separate to these that the Officer's last day in this Service is the 3rd September. I am told, in fact, that he has already been dismissed with notice, but that he wishes to retain his position until his notice expires in order to receive further pay. I reject that submission as either relevant or a persuasive reason in my decision as to outcome.
36. I have considered carefully all of the material about this Officer. However, in my view, because of the importance of maintaining public confidence in and respect for the police service, the potential of any mitigation is necessarily limited. This is a case which significantly threatens the public's confidence in, and respect for,

the police service. This is because the conduct was discriminatory and severely affects the public trust and confidence in the service.

Determination

37. I keep in mind the nature and purpose of police misconduct proceedings in making my determination.
38. I find that the appropriate outcome in this case must be dismissal because:
- (a) I find that this behaviour was deliberate and discriminatory. It would seriously damage confidence in and the reputation of the police service if a member of the public saw any of these posts. I find that culpability and harm in this case are high. It is aggravated by the repeated nature of the conduct. There are no mitigating factors that reduce this. I do not find the Officer's personal circumstances, whilst relevant, can reduce the seriousness. In any event, I have not seen any medical evidence from him, such as a medical report that link his mental health conditions to this conduct.
 - (b) No other outcome than dismissal would be adequate to uphold public confidence in policing and maintain the high standards that I expect of officers of Derbyshire Constabulary.
 - (c) I am concerned to ensure that it is plain that such serious discreditable conduct by officers of Derbyshire Constabulary will not be tolerated, and to deter future misconduct by other officers. I consider that dismissal would help to prevent future misconduct. I need to send a very clear message that officers cannot use social media, even in their personal lives, to spread discriminatory and disrespectful attitudes. I cannot endorse this behaviour with anything less than the most serious sanction.
 - (d) I have also considered the need to prevent this Officer from committing future misconduct. That can only be achieved by dismissing him without notice.

39. As a consequence of the above, the Officer's details should be included within the Police Barred List (Regulation 3(2) of the Police Barred List and Police Advisory List Regulations 2017).
40. I am aware of the Officer's right to appeal in accordance with the Police Appeals Tribunal Rules 2020. The Officer should provide notice of his intention to appeal to the Appropriate Authority within 10 working days of receipt of this written determination

A handwritten signature in black ink, appearing to be 'S. Blatchly', with a long horizontal stroke extending to the right.

Chief Constable Blatchly
27th August 2026