

ONTARIO POLICE ARBITRATION & ADJUDICATION COMMISSION

**IN THE MATTER OF a hearing held in accordance with section 202(1) of the
*Community Safety and Policing Act 2019, S.O. 2019, C.1***

OPAAC File 9123

BETWEEN:

PEEL REGIONAL POLICE

Applicant

AND

SERGEANT HARINDER SOHI, #3071

Respondent

PENALTY DECISION

Adjudicator: Graeme Turl

Counsel for the Prosecution: Sharon Wilmot
Peel Regional Police

Counsel for the Defence: Harry Black, Q.C.

Hearing Date: November 18, 2025

Prior to commencing sentencing in this matter, I would like to thank the prosecuting counsel, Ms. Sharon Wilmot, and Mr. Harry Black QC, defence counsel, for their submissions and exhibits tendered, all of which have assisted me in reaching my decision.

The Hearing:

A two-day hearing was held at Peel Regional Police Headquarters and one day virtually in August 2025 for an allegation of misconduct against Sergeant Harinder Sohi #3701 where he plead not guilty. It was alleged Sergeant Harinder Sohi #3071 did commit misconduct as per the *Community Safety and Police Act, 2019, Ontario Regulation 407/23 – Code of Conduct for Police Officers*, section 10 (1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing. The particulars of the misconduct were also read into record as follows:

“On October 18, 2024, Sergeant Harinder Sohi attended a protest in the City of Toronto supporting the Khalistan movement. Video of the incident showed Sergeant Sohi, who was identifiable as a PRP police officer, desecrating the Indian flag by standing on it while pretending to beat the Indian Prime Minister with a shoe.

On November 3, 2024, Sergeant Sohi, who was identifiable as a PRP police officer attended a protest at the Hindu Sabha Temple in the City of Mississauga in support of the Khalistan movement. Shortly after arriving at the protest Sergeant Sohi became involved in a physical altercation with a member of the temple. Although video of the incident confirmed that Sergeant Sohi did not instigate any altercations, many members from his group unlawfully stormed the temple grounds, assaulted members of the temple, and committed other acts of violence, which required significant police response. Sergeant Sohi’s involvement in these matters undermined the public trust in policing.”

In a written decision, dated September 20, 2025, Sgt. Sohi #3071 was found guilty of misconduct in relation to his attendance at the two noted protests. A penalty hearing was

convened and held virtually on November 18, 2025. Submissions from defence were for a penalty of 40 hours or 5 days forfeiture and the prosecution seeking a demotion from Sergeant to 1st Class Constable for a period of 6 months and then a return to the rank of Sergeant.

Penalty Submissions:

Defence:

Mr. Black began by reviewing an email Sgt. Sohi had completed in relation to his role within the organization since his reinstatement from suspension. Although there was no defined role for him, they were able to create work for him. This consisted of the following:

- January 2025: assist in the on-line communication reports, reviewing the reports, preparing the documents for next steps and forwarding to the appropriate department.
- February 2025: oversee and review the Special Constable Program to ensure that they were being used in the appropriate manner beneficial to the Service, determine if there were improvements and report his findings.
- Undertake an investigation involving significant damage to a cruiser that had not been reported. Investigation was completed and report submitted.
- May 2025: reviewed the 4 X annual Retail Blitz program that works in conjunction with the Retail Counsel of Canada in an attempt to deter retail thefts.
- Currently in charge of the Holiday Retail Blitz program taking place in December 2025.
 - Works with retail stakeholders,
 - Ensuring monies from the provincial grant are spent accordingly and meeting grant targets,
 - Co-ordinating districts and CIBs,
 - Preparing paid duties,
 - Preparing social media campaign, and
 - Look for improvements.

Mr. Black stated that Sgt. Sohi was a valued addition and member to the Peel Regional Police Service. That he acted professionally and worked proficiently for the Service.

Mr. Black then went through the “Materials Relied Upon by Sergeant Sohi (Penalty), in relation to Sgt. Sohi’s employment record. Tab’s 1 through 6 are commendations as a Constable and Tab 7 as a Sergeant. Tabs 8 – 11 are evaluations and appointments and the remainder, tabs 12 - 33 are additional commendations as a Constable.

Mr. Black then went to acknowledge that at times, Sgt. Sohi did fulfill the role of A/S/Sgt when required particularly in 2023. He further reiterated that Sgt. Sohi left a successful established career in the IT world to join Peel Regional Police as that had been a lifelong dream of his. Sgt. Sohi also chose to live in the area he policed, which many members do not, and that he is a proud member of the Service and would not go out purposely to tarnish his reputation.

Mr. Black then went through his Book of Cases, 9 of which are demonstration cases and the others pertaining to social media matters.

The first case, Tab 16, being *Peel Regional Police vs Sergeant Paul Brown*, by Superintendent (Retired) Peter Lennox, May 8, 2023. Sgt. Brown received a reduction in rank for a period of 12 months. Sgt. Brown was involved in three instances in relation to the anti-mask movement in Ontario during the COVID pandemic. The first instance was while on duty where Sgt. Brown attended a location to keep the peace, where he was seen taking photos and hugging anti-mask protestors, captured on video, which were posted, stating he did not agree with the EMC PA regulations and failed to address the safety of reporters and By-Law personnel. Sgt. Brown then attended a Freedom Rally at Queens Park despite a stay at home order, introduced as Sergeant Brown and as being a supporter of the anti-mask movement. Thirdly, he attended Ottawa and was depicted as participating in the Freedom Rally there.

The Hearing Officer described Sgt. Brown’s behaviour as “unconscionable” and that it

was not up to him to determine whether the law was unconstitutional or not. Sgt. Brown's actions and comments were in direct contradiction to the orders of his superiors. He knew he was supporting an illegal convoy and additionally made it known that he was a police officer. Mr. Black contends that this situation has no comparison to the one involving Sgt. Sohi.

In the matter of *Mulligan v. Ontario Provincial Police, 2017 ONCPC 19*, Tab 4, Mr. Black advises that Sgt. Mulligan was ordered not to attend an event and do a presentation in relation to the upcoming Cannabis legislation changes. Sgt. Mulligan was approached at the event by an Inspector of the O.P.P. who asked him if he understood that he'd been ordered not to attend and speak, which he acknowledged. Sgt. Mulligan gave his presentation. Sgt. Mulligan was ordered to forfeit 40 hours.

Mr. Black then went through the following cases explaining the situations and outcomes:

- Tab 11, informal discipline from Peel Regional Police, attendance at the Freedom Rally – 8 hours forfeit
- Tab 12 – same as above – 8 hours forfeit
- Tab 13 *Ottawa Police Service v. Constable Kristina Neilson #2259* – donated money to the Ottawa occupation, knowing it was illegal and unlawful – 8 hours forfeit
- Tab 15 – *Durham Regional Police v. Constable Erin Howard #3824* – attended a COVID rally – spoke publicly at COVID 19 Rally against mandates: disclosure of a confidential police matter, posting of inappropriate social media supporting the Freedom Rally – demotion from 1st class to 2nd class Constable for three months.
- Tab 14 – *Durham Regional Police v. Constable Clayton Harnum III #638* – posted video of Cst. Howard in her uniform expressing support for the unlawful convoy – 60 hours forfeit
- Tab 17 – *Waterloo Regional Police Service v. Constable Steven McKenna #1395* – protested Ontario regulation requiring proof of vaccination to attend public settings and facilities, including arenas. Invited to attend and address city council – advised not to do so as he would be seen as a representative of WRPS.

Organized an event as a form of protest – told by the Service he was not to speak in fear he would be believed to representing the Service. Did so anyways and was captured on video. – 45 hours forfeit

- Tab 18 – *Windsor Police Service v. Constable Michael Brisco* – made donation to Freedom Convoy when knowing the protests were illegal. Was on unpaid leave due to failing to comply with COVID 19 requirements – 80 hours forfeit.

Mr. Black then went on to expound that Sgt. Sohi, in comparison, attended what he believed to be a lawful and peaceful demonstration until he and the group he was with were assaulted. The demonstration he was at was reiterating the comments made in Parliament by then, Prime Minister Trudeau, the R.C.M.P. Commissioner and the Minister of External Affairs.

Sgt. Sohi was assaulted without any provocation and immediately left the area. He was off duty, not in uniform, not in violation of any orders. Any publicity that came out as a result of the demonstrations, were not his doing or fault. The publicity was exaggerated and misleading, much of it from India, a state-controlled media.

In relation to social media cases, Mr. Black referred to the following:

- Tab 1 – *Provincial Constable B.B. Bowes v. Ontario Provincial Police*. Cst. Bowes posted offensive and unprofessional remarks on Facebook. He was identified as an O.P.P. member on his profile. 160 hours (20 days) forfeit.
- Tab 2 – *Constable Holmes #10301 v. Toronto Police Service* – inappropriate comment on Facebook – 8 hours forfeit
- Tab 3 – *Constable Fred Dewinne #1278 v. York Regional Police* – posted on 2 occasions on Facebook references to operational matters, finding dismembered body parts and about persons with mental health issues – 18 hours forfeit on each count (2 counts).
- Tab 5 – *Constable Sasa Sljivo v. Toronto Police Service* – heard mocking and joking about an individual with Down Syndrome during a traffic stop. 16 hours (2 days) forfeit.

- Tab 6 – *Thunder Bay Police Service v. Constable Rob Steudle #260* – internet postings in relation to comments made by a Grand Chief – comments were profane, offensive and insulting to the indigenous. 40 hours forfeit.
- Tab 7 and 8 – *Greater Sudbury Police Service v. Constable Robert Rheume #9084* – media posts to discredit the reputation of involved managers of the GSPS suggesting their pay increases were not merited. 90 hours forfeit.
- Tab 10 – *Windsor Police Service v. Constable Tim Kettlewell #2007* – inappropriate Facebook posts regarding Arby's and their employees service – 40 hours (5 days) forfeit.

Mr. Black advises that with respect to the above social media cases there is no comparison between Sgt. Sohi's matter and are not similar. Sgt. Sohi did not post anything on social media. All postings were done by others, and he was the victim of false and misleading posts. He did not make any unprofessional or offensive remarks, did not threaten or make threats, did not refer to injured persons, did not mock anyone due to their condition or physical ailments, did not make comments as to race, did not besmirch anyone in his service or persons senior to himself and did not smear the reputation of anyone.

In relation to the commonly held disposition criteria, Mr. Black identified the following points:

Seriousness of the Misconduct: Sgt. Sohi attended what he believed to be a peaceful, lawful demonstration. He took what the Prime Minister and the R.C.M.P. Commissioner stated to heart and is not responsible for any false, misleading or exaggerated information.

Public Interest: Sgt. Sohi believed he was attending a peaceful demonstration with a lawful purpose, supporting the message of the Prime Minister.

Recognition of Seriousness of Misconduct: Sgt. Sohi understands what happened and why and that he is not going to go to another demonstration again.

Provocation: what is relevant, is that his conduct was entirely lawful and that he was assaulted without cause.

Employment History: Sgt. Sohi has an excellent employment history. He was chosen to be the face of the Peel Regional Police in a highly diverse population, when in Corporate Communications.

Potential to Reform: There is no issue about this. He knows what happened.

Effect on himself and his family: Unfortunately, it is the same as everyone else and their family, when he thought he was doing something good.

Consistency of disposition: This is so different than Brown and Mulligan, the demotion cases.

Mr. Black submissions are that the penalty in this matter should be 5 days or 40 hours, which would be in keeping with other cases relevant to demonstrations. The Police Service cannot punish Sgt. Sohi for any false or misleading statements made about him by someone else. He is not responsible for the media in India or elsewhere else, state-controlled media. The Service needs to address that.

Sgt. Sohi is the victim of the false and misleading articles, as is the Service. He is not responsible for the breach of the peace or fighting at the Temple. He is an innocent victim attending what he thought would be a lawful protest. This has all to do with the India Gov't and its delegates. It has nothing to do with Hindu vs Sikh. He went to a peaceful demonstration and was the victim of assault.

Prosecution:

Ms. Wilmot began by reviewing the video from the protest on November 3, 2024, that Sgt.

Sohi attended. Ms. Wilmot asserts that there were two groups of counter-protesters: those from the Temple and those with Sgt. Sohi. This was not a quiet and peaceful protest as stated by the Defence. There were two groups shouting at each other and Sgt. Sohi can be seen at the front holding one of the flag signs. A member from Sgt. Sohi's group appears to step forward and the assaults begin.

He is an experienced police officer, a Sgt. and is trained in de-escalation, should understand and recognize the basic concepts in de-escalation and is not an unprovoked victim in this case. Sgt. Sohi acknowledged that there was a tug of war with the sign he was holding.

Ms. Wilmot advises that the Prosecution is seeking a demotion for a period of 6 months.

Ms. Wilmot advises that a lot of the case law used by Defence will also be referred to by the Prosecution, however, disagrees with Mr. Black on how the cases presented are characterized and perceived. The demotion is fair and reasonably well within range of the cases presented. The 6-month demotion is not at the top or bottom but in the middle range and believes that it is a fair treatment of Sgt. Sohi.

Ms. Wilmot acknowledges that the Service has been more than fair with Sgt. Sohi and created a position for him because he was unable to be returned to the front lines and that his usefulness at that time had been annulled. Sgt. Sohi should have known that this was not a place to be with it being highly political charged and tense situation, however he chose to stay. He should have known that shouting at a Temple would not be taken well, and the whole matter was a provocation.

The primary considerations for the Prosecution for the Hearing to consider are the Seriousness of misconduct, Public Interest, Damage to the reputation of the Service, recognition of the seriousness of the misconduct, employment history, need for specific and general deterrence and the ability to reform and rehabilitate the police officer.

Prosecution contends that Sgt. Sohi's misconduct is clearly serious. He attended two events both of which were found by the Tribunal to be of disrespect. One where he stood on the flag of another country and another where he incited significant tension, enflamed tension, outside of a Hindu Temple.

Sgt. Sohi didn't ask for permission to attend but surely had he asked he would have been ordered not to go. He was found to be actively participating, he was not standing by quietly, he was at the front line of the conflict. This was an event that was predictably tense, that ultimately turned criminal and very serious. Although not on the scale or length of problem the Freedom convoy, but it certainly did cause significant problems for days, where our public order unit was called out for multiple days after due to the fallout of the protests that resulted. Prosecution is not suggesting Sgt. Sohi could have predicted the events that followed. Sgt. Sohi does have to live with the outcome of his poor judgement that led to this.

The Service clearly acknowledges there has never been an allegation that Sgt. Sohi committed any criminal conduct himself, but the fact that the Service needed to attend and intervene at the demonstration, that was deemed unlawful as were the ensuing demonstrations, showed a significant lack of judgement and reinforces the seriousness of the misconduct.

It is inconceivable, that someone with his breadth of experience of policing, his understanding of the Sikh history and the information garnered generally by Canadian news on the matter, which he followed, would not be aware of the significant and heightened tension, not only globally but also locally in this community, that he is policing. Sgt. Sohi's attendance was above mere passive attendance. He was standing on the Indian flag, which was confirmed, intending to show disrespect, followed by standing outside a place of worship shouting. As an officer trained in de-escalation, which is conducted often, this defies reason and concerns the Service.

The seriousness is aggravated later where this turns into a criminal situation with assaults

taking place, Sgt. Sohi failed to take any positive action, did not assist or speak with his colleagues when they arrived, nor provide any information or context to the event. He waited around a while and quietly left. He only later followed up with his S/Sgt when he found out that this was going public and out of hand. This is a significant aggravating factor, that the Tribunal must recognize in considering why a brief demotion is reasonable.

The second most important consideration is the public interest and damage to the reputation of the police service. Police officers have a duty to enforce the law fairly and impartially. This is fundamental to the ability to police and fundamental to the rule of law generally. This is why we have a code of conduct. The elevated standard extends both to an officer's professional conduct and to their private lives. The police, both officers and the service, must do the right thing but also be seen to do the right thing. The impact on the community is an important consideration.

Sgt. Sohi's attendance at these protests falls into the definition of an institutional conflict, where an informed and reasonable person would not believe that a member of the police service must take action or make a decision in the situation could do so impartially. One cannot be seen to stand on another nation's flag next to a likeness of the "jailed" head of state and be expected objectively, regardless of his intentions or concerns, to fairly and impartially police the members of the same community. There is a large diaspora of Indian nationals, many of whom are pro-Indian government and also happen to be Hindu. This divide among political alignment and religion is complex and historic. It is inextricable, one cannot extricate the politics from the people and the religion from the politics as they are all intertwined.

Mr. Wilmot then referred to Tab 8 – Book of Authorities- *Constable David Packer and Metropolitan Toronto Police Force, 1990 CanLII 10514 (ON CPC)*, paragraphs 37 -38 which states:

37. *It is the duty of a constable to treat all persons equally. Personal conscience is, of course, unobjectionable and indeed desirable but cannot be permitted to effect duty.*

38. *One's conscience may dictate that certain human conduct ought to be made illegal or that certain prohibited human conduct ought to be lawful. But a constable's duty is owed to the law and must be performed without regard to conscience. This is what is meant by "professionalism" in the police service and is characterized by impartiality and objectivity.*

Regarding damage to the reputation of the police service, defence focused mainly on the misinformation however, this incident was covered by the international media, Canadian media – CTV, Global, CBC, CNN and social media. Social media matters in this day and age. That includes the social media from our leaders. This was a situation that elicited social media posts, such as from Prime Minister Trudeau, and Prime Minister Modi, the Premier of Ontario, the Mayor of Brampton and many others commented on the protests by denouncing them.

The Service provided numerous media examples which covered Sgt. Sohi's attendance at both protests. The initial coverage for the November 3rd, 2024, protest led to the information of Sgt. Sohi's attendance at the October protest, which the Service was not initially aware of. This is a clear case of reputational damage to the Service and undermining the public trust. It is not just a few rogue articles put out for a political purpose. Prime Minister Trudeau's comments denouncing the protests brings this matter in line with the Freedom Convoy issues at the very least with the magnitude of its effects on the communities in Peel that the Service has to police.

Some people may support Sgt. Sohi's actions, such as those from Sikh's for Justice, but by and large the majority of the community would perceive his actions as being not impartial and detrimental to the City of Brampton and the Peel Regional Police. Sgt. Sohi's actions were detrimental to the reputation of the Peel Regional Police during a highly difficult period in history as it relates to the tension, which is long standing and complex, between pro-Khalistan and pro-India supporters which are well documented locally and internationally. It must be highlighted that this conflict is one of a number of highly tense geopolitical complex situations going on in the world that police are expected to police

and prevent breaches of the peace to protect the communities. These have put pressures on police resources in trying to de-escalate these matters and it doesn't help the Services efforts when a police officer attends these matters and assists in inflaming these incidents.

The videos of the incidents were disseminated far and wide and they don't come off the internet. They are still there to this day.

There may be the perception that this isn't what Sgt. Sohi intended and it has never been the Services position that he did intend to affect or hurt relations with the Hindu community, however there is the perception that he is unable to impartially police the Hindu community, and feel targeted, as noted in the initial Hearing with letters from the Hindu community. This consternates the public trust in the police and by extension the Services legitimacy and ability to police the community.

Ms. Wilmot again noted that the Service has acted fairly to Sgt. Sohi, given that this matter prohibited Sgt. Sohi's ability to be out in the community. The Service provided the "duty to warn" due to its necessity and his safety, a result of the comments made about him and in other media posts. The Service still maintained contact with him and provided him a position for him within the organization. The Service is insisting on responsibility and a brief demotion, is abundantly fair and reasonable given the significant impacts on this very serious lapse of judgement resulted in. The incident certainly warrants more than the impact of hours for an officer quietly donating to an unlawful cause.

In relation to Sgt. Sohi's employment history, the very reason Sgt. Sohi was returned to duty, is that there is no question that he has a good record, it is unblemished and no significant discipline of note on record. There are no concerns, and he has returned to work. That has been factored into Prosecutions position on penalty. This is obviously a mitigating factor. We do have a conundrum, as he is a Sgt and cuts both ways and is expected to act as leader within the Service, due to his experience and skills. As a Sgt is expected to demonstrate to newer officers what the values and expectations of the

Service are. Based on his lengthy service, experience and training he should have known better. His poor judgement set a bad example for other officers, particularly those junior officers that were there and had to attend the situation. These officers were from his own division and had to respond. As noted in the *Brown* decision the elevated rank of Sgt, with considerable tenure and lack of discipline is mitigating but the elevated level and position of Sgt. is aggravating.

The officer's rehabilitative potential, as noted in a lot of the cases referred to by Mr. Black, were guilty pleas where the officers very clearly expressed remorse and put in letters of apologies realizing their actions had impacts on the community. They took responsibility. That is not to say that Sgt. Sohi does not have a right to come before the Tribunal and have a hearing. It is not an aggravating factor, but he does not get the mitigation in exhibiting any remorse, apology or acceptance of what his actions impacted. The rehabilitative potential is neutral at best. It is not mitigating as there has been no acceptance of his actions. During the hearing he refused to accept that many don't understand his perspective and that it is India's misinformation guiding this. This goes to the heart of impartiality.

Sgt. Sohi has expressed that he will not attend any protests or demonstrations again, which is the expectation of the Service. Prosecution cautions adding weight to this statement as it was not because he recognized the impact on the Service or community but because he was upset and the victim of the unfair media brought upon him, not liking the impact it had on himself. This is not mitigating as he has not recognized this was problematic behaviour only that it had an impact on his personal and professional life.

The last issue is of deterrence, in which this Hearing has two purposes, one of which is to explain to the officer that their behaviour is not acceptable to the Service and community but also to express it to other officers so that they know they cannot engage in divisive behaviour that affects the community. The Service has asked for a significant penalty but not the most significant penalty in order to demonstrate that to Sgt. Sohi but to others as well.

Prosecution then proceeded to review some cases, starting with Tab 10 – Bood of Authorities- *Ottawa Police Service v. Constable Kristina Neilson #2259, November 4, 2022*. Constable Neilson did a “quiet” donation of money to the Freedom convoy. Neilson plead guilty, so received some mitigation, was a junior Constable and forfeited 40 hours. There is no comparable way of looking at the two different cases, penalty wise as this is what Mr. Black is seeking.

Constable Harnam, a little more egregious, *Durham Regional Police Service v. Constable Clayton Harnum III, November 16, 2022*, posted a picture of his wife, Constable Howard, in uniform on Instagram, in support of her as a result of her facing discipline due to the Freedom Convoy. Constable Harnam also plead guilty, receiving some mitigation for accepting responsibility, receiving a penalty of 60 hours forfeit.

In the matter of *Windsor Police Service v. Constable Michael Briscoe, May 18, 2023*, this is a case of a quiet donation behind the scenes. Constable Briscoe donated money to support the Freedom Convoy protest. The donation was made while the officer was on an unpaid leave of absence. This officer did not plead guilty and received a penalty of 80 hours, double of what Mr. Black is asking for. This was not a highly publicized case as is this matter, nor was he a Sgt., a leader within the organization.

In the *Durham Regional Police Service v. Constable Erin Howard, January 3, 2023*, matter, she attended a Freedom Rally, knowing it is a divisive situation. This is more on point for consideration. Constable Howard had a personal view which came to the forefront. This is somewhat similar as during COVID there were two sides to the matter and people were passionate about their personal views. Police needed to remain impartial in order to deal with it, which is on point. Constable Howard did speak at the rally and spoke poorly about her Service and made some comments about confidential police matters. She plead guilty, recognizing her conduct was not acceptable and was given a three-month demotion – a joint submission. The Hearing officer notes on several occasions that it was not an isolated incident as it happened twice, and that a more

serious sanction would have been considered but for her guilty plea and lack of experience.

In relation to the matter of *Peel Regional Police v. Sgt. Paul Brown, May 8, 2023*, should be considered due to his attendance at protests, which were illegal, as were the protests that Sgt. Sohi attended were deemed to be unlawful in the end. He didn't know that when he attended, but there were similar outcomes. Sgt. Brown's behaviour was aggravating, because of the comments made and that he was told not to attend. Sgt. Brown had a very similar employment history, intended to be a leader, set examples for junior officers. Sgt. Brown prepared a lengthy statement recognizing his behaviour, apologizing for his actions and received some mitigation for his recognition of his wrong doing. Sgt. Brown received a one-year demotion. The Service has not sought this, but somewhere between Sgt. Brown and Constable Neilson. Sgt. Sohi still attended on a divisive issue, while not as aggravating as he didn't know it was unlawful when he attended, but which brought greater issues afterwards escalating tensions. Like Sgt. Brown, Sgt. Sohi ought to have known that his actions were not an example of leadership.

Ms. Wilmot makes mention of *Toronto Police Service v. Constable David Packer. 1990 CanLII 10514 (OC CPC)*, although it is an insubordination case it is similar in that it stresses that an officer needs to put aside their personal beliefs and conscience and remain impartial. Constable Packer was terminated however on appeal; he was demoted to 4th class Constable.

The Service was never seeking termination in this case and do wish for Sgt. Sohi to come back and be productive for the remainder of his career. There is not indication that this won't be the case. There was significant community interest, public interest, the reputational damage, there needs to be a serious enough penalty to drive home that these were problematic actions. A 6-month demotion to 1st class Constable is reasonable and well within range and recognizes the aggravation of the nature and seriousness of the offence and the impact of the damage to the reputation of the Service and to Sgt. Sohi.

Reply – Mr. Black:

Mr. Black reiterated that Sgt. Sohi attended what he believed would be a peaceful protest. As seen in the video, what happened occurred in seconds. Sgt. Sohi was protesting peacefully and lawfully, as is his right, against the conduct of the Indian government in Canada. They weren't there because it was a temple but because that was where the delegates were. One cannot say he made a decision to stay. Once his flag was grabbed and he tried to get it back, he was struck with it, he moved quickly away moving back to the group. He didn't make a decision to stay in the melee.

Ms. Wilmot stated that if he asked he would not have been allowed to attend. That is just speculation. As allowed in the political activity regulation 402-23, a police officer not in uniform, not on duty can go to any political activity as long as it doesn't place him in a conflict of interest. This is not the case.

The fallout was not because of the presence of Sgt. Sohi. There is no evidence that on that afternoon that anyone recognized him as a Sgt, other than Constable Johnston. It wasn't until hours later or the following morning when his picture was seen on the internet. What happened later that day, at the location or elsewhere had nothing to do with him. It is not because he was present, as no one else knew he was there other than Johnston.

The fact that Sgt. Sohi didn't do anything, is not the charge he is facing, he is not facing a neglect of duty. The Packer case was a refusal to do what he was told to do, attending the Morgentaler Clinic, while on duty. Sgt. Sohi was not on duty, he did not escalate any tension, he was not assaultive – he was assaulted.

Sergeant Harinder Sohi:

Sgt. Sohi was given an opportunity to address the Tribunal:

(transcribed by author, from the audio recording of the penalty hearing)

“ I just wanted the Superintendent, Sharon as well and Harry, just wanted to thank

everybody, it was a long road to get to today but, ah, want to thank everybody and looking forward to moving past this for myself, and obviously for Peel Regional Police as well. I think on all my other points I made in the summer, and like I said, I did have further reflection on it, like I said, I wished for none of this to take place as it is unfortunately what happened. It not only impacted me but impacted the Service as well. Being back at work I realized talking to people how much it did impact the Service and obviously living in the community I did realize how much it did impact the community. That's all I wish to say."

Analysis:

The allegations of misconduct against Sgt. Harinder Sohi were substantiated following a three-day hearing, as detailed in my decision dated September 20, 2025. The conduct in question is regarded as serious.

I have reviewed all the submissions, exhibits, and cases. I found that the cases of *Peel Regional Police Service v. Sgt. Paul Brown*, *Greater Sudbury Police Service v. Constable Robert Rheume*, *Durham Regional Police Service v. Constable Erin Howard* and *Windsor Police Service v. Constable Michael Brisco*, to be of assistance. Although, I may not quote or mention a specific case, it does not mean that it wasn't taken into consideration as part of my analysis.

I found the following comment useful, for my perspective on penalty decision resulting from my analysis, taken from *Greater Sudbury Police Service v. Constable Robert Rheume (Decision with Reasons)*, page 21, 3rd paragraph, where a quote from *Allen v. Alberta Law Enforcement Review Board* states:

"The officer's conduct must be analysed as a whole, in context, having regard to all the sources of defining acceptable police conduct. Those sources include the Charter, the Criminal Code, parameters set by prevailing court and Board decisions, the standards set in Regulations, the internal policies of police service, the expertise of police officers, and any other relevant source."

Utilizing the various cases presented to me and in consideration of their context as it relates to penalty has allowed me to provide my analysis and decision as to penalty.

The Prosecution and Defence both utilized the applicable factors to be considered in determining a disposition in discipline cases which have become well established in *Krug and Ottawa Police Service, (January 21, 2003, OCCPS)* at pp.12-13. The ones listed below are the most significant and concerning ones:

- Public Interest
- Seriousness of the misconduct
- Recognition of the Seriousness of the Misconduct
- Damage to the Reputation of the Police Service
- Employment History
- Potential to Rehabilitate
- General and Specific Deterrence

Public Interest:

In police discipline, the “public interest” refers to protecting public confidence in policing by ensuring accountability, integrity, professionalism, and fairness in how officers are held to standards of conduct. It is not just about punishing misconduct—it is about maintaining trust between the police and the communities they serve.

Many of the factors related to public interest have been touched on by both counsels, and in this case the predominant ones are:

- Confidence in Policing – Maintain or restore trust in the service
- Integrity of the Service – Protect reputation and credibility
- Accountability – Demonstrate responsibility to the public
- Fairness to the Officer – Ensure proportionality and due process
- Deterrence – Prevent future misconduct by this officer and others
- Consistency – Align with past cases to avoid arbitrariness

- Transparency – Make reasoning clear and accessible
- Community Relations – Preserve or repair public-police relationships
- Operational Effectiveness – Balance discipline with service delivery

In order to maintain confidence in policing the community must have and maintain a trust in their Police Service, to not only do what is right but also to be seen doing what is right and that also includes within the disciplinary process. A large part of trust, is knowing that the members of the Service will treat their community members impartially when seeking assistance. Given the situation that Sgt. Sohi put himself in and aligned himself with, this created some serious doubt within the Hindu community as was noted by letters, media and social media releases. The Service thought that it was so important that they did not put Sgt. Sohi back onto the frontlines but created a position for him to provide some time and space, not only for the community but for Sgt. Sohi himself. The fact that a “duty to warn” was required for Sgt. Sohi certainly raises the bar of concern, not only for him but for the community as a whole.

I agree with Mr. Black when he states that Sgt. Sohi started out attending protests that he believed were peaceful and lawful, however this did not end up being the case. Despite his personal perspective, had he reflected and used better judgement on his attendance prior to going, it is hoped that he would have determined that it would be a conflict of interest and it would be in his best interests as well as the Services not to attend. As was determined in my Hearing Decision, his attendance was a conflict of interest, and he should not have gone. This was where the public interest consideration came into effect and eventually increased in relevance as the situation unfolded and grew. Sgt. Sohi, did not start the unrest or disturbances and in some cases was not there, however it is because of who and what he is, that he was identified that caused outrage in his attendance which led to the confidence, integrity, accountability, and effectiveness of the Service to be put in jeopardy with many members of the community.

In consideration of all the factors for public interest, many, if not all, coincide with the considerations outlined in *Krug and Ottawa Police Service, (January 21, 2003, OCCPS)*. I find

that public interest is a serious aggravating factor.

Seriousness of the Misconduct:

As noted above, and by Defence, Sgt. Sohi did attend protests that he believed to be peaceful and lawful. He bears no responsibility for the events that transpired or subsequent developments, including notable media commentary—regardless of its accuracy. However, his presence played a role in the progression of events. Simply stating that he attended what he believed was a peaceful and lawful event, is significantly minimizing Sgt. Sohi's responsibility to the Service, the community and himself.

The prosecution has observed that the Service has explicitly stated there has never been any allegation of criminal conduct against Sgt. Sohi. However, the necessity for the Service to attend and intervene at a demonstration, which was determined to be unlawful along with subsequent demonstrations, indicates a considerable lapse in judgment and underscores the gravity of the misconduct involved.

The situation at the Hindu temple escalated when it became a criminal matter involving assaults. It is noted that Sgt. Sohi was assaulted, however his injuries were not identified or shown to be significant in nature. Although he is not facing any neglect allegations, it is important to note that Sgt. Sohi did not take proactive measures, failed to engage with his arriving colleagues, and did not provide relevant information or context regarding the incident. He remained on the scene for a brief period before departing quietly without drawing attention. Subsequently, he addressed the matter with his Staff Sergeant only after learning that the issue was gaining public attention and becoming unmanageable.

It is rare that an event that takes place within a municipality in Ontario, garners the attention and solicits responses from the Prime Ministers of Canada and India, Ministers of Parliament, the Premier of Ontario, the Mayor of Brampton and along with media, including social media coverage, factual or otherwise, from around the globe. I find that the seriousness of the misconduct is aggravating.

Recognition of the Seriousness of the Misconduct:

Mr. Black advised the Tribunal that Sgt. Sohi understands what happened and why and that he is not going to go to another demonstration again. Understanding and accepting one's role in a matter are two different matters entirely. Sgt. Sohi in his testimony and in his address to the Tribunal only stated that he wished the incident had never happened and that the result impacted him, the Service and the community. This to my mind is not a full recognition of the seriousness of the misconduct but a vague acknowledgement of what happened.

Sgt. Sohi does not recognize or acknowledge that he used poor judgement, that he shouldn't have attended, only that he wishes the incident had never happened. He says he understands the impact on himself and on the Service, but I find that his words are hollow and without substance. To be blunt, I found his words to be more of a "poor me" attitude lacking any contrition or accountability. This is an aggravating factor.

Damage to the Reputation of the Service:

With respect to concerns regarding damage to the reputation of the police service, the defence primarily addressed issues related to misinformation. It is recognized that Sgt. Sohi did not purposely go out to damage the reputation of the Service, however as a result of his lack of judgment and actions, it did.

There is no question that some of the media coming from India is politically motivated or somewhat state controlled, however that doesn't negate the impact it would have on those in Canada who support the current Indian government.

Nevertheless, as was previously noted, this incident received widespread coverage in international media as well as Canadian outlets such as CTV, Global, CBC, and CNN, in addition to significant attention on social media platforms. In contemporary society, social media has a notable impact, including posts from prominent leaders. The situation prompted responses from figures such as Prime Minister Trudeau, Prime Minister Modi, the Premier of Ontario, the Mayor of Brampton, and others, many of whom publicly

condemned the protests.

The coverage in relation to the disruptive nature of the demonstrations and the knowledge that Sgt. Sohi was at the Hindu Temple protest along with the perception of his lack of impartiality caused significant negative impact on the reputation of the Peel Regional Police Service. The identified misconduct undermines public trust in the legitimacy, professionalism, and integrity of policing. It's one of the most serious public interest factors in discipline cases because reputation is the foundation of effective policing. This is an aggravating factor.

Employment History

Both Defence and Prosecution agree that Sgt. Sohi, to his credit, has an excellent employment record. The evidence before me in his commendations, all but one as a Constable, his evaluations, his training and abilities show he has been a productive member of Peel Regional Police. He has done well in fulfilling his lifelong dream. As stated by Ms. Wilmot, his employment history is one of the reasons the didn't seek termination or a longer penalty period for his demotion. This is a mitigating factor.

Potential to Rehabilitate:

In conjunction with his employment history, it is recognized that there is potential to rehabilitate. As mentioned by the prosecution, the rehabilitative potential is, at most, neutral and does not constitute a mitigating factor, as there has been no admission of responsibility for his actions. During the hearing, he declined to acknowledge any distinction regarding the matter and asserted that others did not understand his viewpoint, attributing discrepancies to misinformation originating from India. This raises concerns about impartiality.

General and Specific Deterrence:

The purpose of general deterrence is to protect the reputation and integrity of the service, as well as providing an awareness to the Services members. While specific deterrence addresses the risk posed by the individual officer. Combined it ensures discipline is not

only punitive but also preventative, safeguarding both the profession and the public interest.

Mr. Black has requested a penalty of 40 hours or 5 days. He did not address the specific or general deterrence factor; however, he did align with the cases relating to those officers that attended the various Freedom Rallies or COVID demonstrations, and/or made donations to an unlawful event. Some of the cases also included social media aspects and reputational damage. Mr. Black acknowledged that these cases were not identical to the case at hand but do fit within the potential framework. The highest penalty, one where a Sgt. was involved but according to Mr. Black is not comparable to Sgt. Sohi's situation but was COVID and demonstration related, was in *Brown*, where he was demoted from Sgt. to 1st class constable for a period of one year. Others went from 80 hours forfeit along with a demotion of a junior constable from 1st to 2nd class for a period of three-months, to anywhere from 8 – 40 hours forfeit. Sgt. Sohi has also been removed from the front line because of his actions but has also been given suitable assignments as befitting of his abilities.

Are these cases as cited by Mr. Black , and his recommended penalty, suitable to address specific and general deterrence in relation to what took place and to maintain public trust and ensuring accountability? I'm struggling to reconcile both with the recommended 40-hour forfeiture penalty.

Ms. Wilmot has sought a demotion to 1st class constable for a period of six-months. The prosecution believes that this will send an appropriate message to the general membership as well as to the community at large, allowing significant mending of the public trust factor. The Service also believes that it will provide Sgt. Sohi suitable sanction strong enough to deter but to also be fair to the officer. The prosecution believes that this will Ensure Sgt. Sohi understands the seriousness of his actions and the consequences of repeating them.

I do believe in the importance of general deterrence, not only for members of the Service,

but also to show the community Peel Regional Police serve that they take the misconduct of Sgt. Sohi seriously and are working towards regaining trust that was lost.

Sgt. Sohi requires a significant specific deterrence to make sure that he understands that his actions have consequences and that as a police officer, he is required to maintain good judgement and impartiality on-duty and off-duty.

Finding:

I have reviewed that factors and considered the submissions of the Service prosecutor and defence counsel, along with all the documents and cases provided. I believe my finding is reflective of my analysis in this matter.

Sgt. Sohi was found guilty of misconduct, as per the *Community Safety and Police Act, 2019, Ontario Regulation 407/23 – Code of Conduct for Police Officers, section 10 (1) A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.* As a result of the findings, I order that pursuant to *section 202(9) of the Community Safety and Police Act, 2019*, there will be a reduction of rank from Sergeant to 1st class Constable for a period of six (6) months, following which the officer will be returned to the rank of Sergeant on the basis of satisfactory work performance determined by the officers Divisional/District Commander.



Graeme Turl

Superintendent (Retired)

OPAAC Adjudicator

November 27, 2025