

ONTARIO POLICE ARBITRATION & ADJUDICATION COMMISSION

IN THE MATTER OF proceedings under section 202 of the *Community Safety and Policing Act* and *Ontario Regulation 404/23* made under the *Community Safety and Policing Act*

BETWEEN:

TORONTO POLICE SERVICE

Applicant

AND

POLICE CONSTABLE WASEEM JAVED, #10734

Respondent

MEMORANDUM OF AGREEMENT

ADMISSIONS

1. With the assistance of legal counsel, PC Waseem Javed, badge #10734 (the “**Officer**” or “**PC Javed**”) reviewed and understands the Notice of Hearing, the Draft Consent Order and this Memorandum of Agreement (“**this MOA**”).
2. The Officer voluntarily admits the truth of the facts as recounted in this MOA and the authenticity of the documents to which it refers.
3. The parties agree that because of the admissions in this MOA, neither the Toronto Police Service (“**TPS**”) nor the Officer need prove the facts recounted in this ASF through a full hearing with witnesses’ testimony or other evidence.

4. The parties consent to resolving this matter by way of agreement under section 202(8) of the *Community Safety and Policing Act* (“**CSPA**” or the “**Act**”) and consents to the Pre-Hearing Adjudicator executing the Draft Consent Order.

5. The Officer voluntarily admits that the facts recounted in this MOA constitute misconduct as particularized in Schedule A to the Form 3 – Request for the Appointment of An Adjudicator which reads:

CHARGE No. ONE (1)

PC JAVED IS ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT, HE FAILED TO COMPLY WITH PROCEDURES ESTABLISHED BY THE CHIEF OF POLICE, CONTRARY TO SECTION 27 OF *THE CODE OF CONDUCT OF ONTARIO REGULATION 407/23* AND THEREFORE, CONTRARY TO SECTION 195 (A) OF *THE COMMUNITY SAFETY POLICING ACT*, R.S.O. 2019, AS AMENDED.

Statement of Particulars:

Being a member of the Toronto Police Service and assigned to 55 Division at all material times related to the incident, while booked off sick, in or around September 21, 2024, PC Javed left his residence to recuperate at another location, outside Canada, without notifying his unit Officer in Charge in contravention of TPS Procedure 08-02 Sickness Reporting.

6. The Officer understands that by signing this MOA, the Pre-Hearing Adjudicator will sign the Consent Order and a finding of guilt will be made and the agreed penalty as outlined in the Consent Order will be implemented and enforced by TPS.

7. The Officer acknowledges that another instance of proven misconduct may result in TPS seeking termination.

8. The parties consent to this MOA and the Consent Order being public.

AGREED FACTS

Background

9. The Officer was born on November 3, 1987. The Officer joined Toronto Police Service December 16, 2010. He had not served as a police officer with another force prior.

10. The Officer serves with 55 Division and is assigned to Platoon UA.

The Incident

11. On September 17, 2024, the Officer reported off sick to the Staff Sergeant on duty after being diagnosed with a blood clot in his leg following an Emergency Room visit.

12. On October 1, 2024, the Officer's platoon supervisor contacted him via a messaging platform to check on his well-being and to advise that someone would be attending his residence for a home visit. The Officer replied to the supervisor's message with the following message:

"Oh I didn't get any phone calls. I am still out of the country getting additional treatment on my leg. I will be back on October 8. They are more than welcome to come and see me."

13. The Officer did not advise any supervisor prior that he was leaving his residence to recuperate elsewhere.

14. The Officer left the country and traveled to Saudi Arabia on September 21, 2024.

15. The Officer was aware of the Toronto Police Service Procedure 08-02 Sickness Reporting which states that prior to leaving the place of residence to recuperate at another location, the officer shall notify their unit Officer in Charge of the anticipated date of return to the normal place of residence, and the address and telephone number where recuperating.

PRIOR DISCIPLINE AND CRIMINAL RECORD

16. The Officer has the following reportable discipline history:

(a) Police Services Act Conviction dated April 25, 2017: The Officer was found guilty of two counts of discreditable conduct for misrepresenting qualifications on his resume and failing to appear at traffic court as a witness. The Hearing Officer ordered a forfeiture of 9 days or 72 hours.

(b) Police Services Act Conviction dated February 16, 2021: The Officer was found guilty of two counts of discreditable conduct and one count of failing to work in accordance with orders or left an area, detachment, detail, or other place of duty, without due permission or sufficient cause for failing to stop at a red light while on duty, leaving the hospital to obtain food 6km away without receiving authorization from a supervisor and for issuing a ticket without grounds and then later invalidating it without notifying the driver. The Hearing Officer ordered a reduction in rank classification from First Class Constable to Second Class Constable for a period of 6 months. The Hearing Officer also included a warning in the decision which stated "Constable Javed, I hope you realize by virtue of this disposition you are being given a second chance. Numerous candidates are denied the opportunity to wear the uniform of a Toronto Police Officer. Not often officers are given a second chance. I urge you to make the best of this situation and opportunity."

(c) Police Services Act Conviction dated July 3, 2024: The Officer was found guilty of one count of discreditable conduct and one count of neglect of duty for failing to process a vehicle in evidence in accordance with standards such that the photographs were not sufficient for court purposes and misleading officers investigating a service vehicle accident caused by the Officer. The Hearing Officer ordered a Demotion of 18 months, from First Class Constable to Third Class Constable for a period of 6 months, then 12 months at second class. The Hearing Officer also included a warning in the decision which stated "Constable Javed, I truly hope you realize by virtue of this disposition, you are now being given a third chance. Numerous candidates are denied the opportunity to wear the uniform of a Toronto Police Officer. Not often officers are given a second chance let alone a third. I strongly urge you to make the best of this situation and opportunity. A disposition of Dismissal will most certainly be entertained if you attend before me or any other Adjudicator in the future."

Signed at [**Brampton**],
Municipality.....

on [**2025/11/15**]:
Date (YYYY-MM-DD)



PC Waseem Javed

Respondent

Signed at [],
Municipality.....

on []:
Date (YYYY-MM-DD)



Elizabeth Glasbergen

Counsel

Toronto Police Service

Applicant

and

PC Waseem Javed

Respondent

**ONTARIO POLICE ARBITRATION
AND ADJUDICATION COMMISSION**

Proceeding commenced at Toronto

AGREED STATEMENT OF FACTS

Prosecution Services
Legal Services
Toronto Police Service
40 College St.
Toronto, ON M5G 2J3

Elizabeth Glasbergen, Counsel

416-808-7731(Telephone)
Elizabeth.glasbergen@tps.ca