

OPAAC ADJ #25-026

PEEL REGIONAL POLICE  
Applicant

And

SERGEANT HARINDER SOHI  
Respondent

Adjudicator:

Graeme Turl

Appearances:

S. Wilmot, prosecution counsel  
H. Black, defense counsel

Heard:

November 18, 2025

Date of decision:

November 27, 2025

Length of decision:

25 pp.

Statutory citations:

*Community Safety and Policing Act, 2019*, S.O. 2019, c.1, Sched. 1, s. 202(1)  
O. Reg. 402/23  
O. Reg. 407/23, s. 10

**UNDERMINE PUBLIC TRUST - Off-duty conduct** - Respondent found guilty of misconduct in relation to his attendance at two protests - Established that respondent breached s. 10 of Code of Conduct, O. Reg. 407/23 - Appropriate penalty for proven misconduct assessed in terms of common dispositional factors - Public interest factor of overarching importance - Misconduct serious - Demotion a fair and reasonable penalty.

**DISCIPLINARY PENALTIES - Demotion** - Off-duty attendance at two protests - Respondent found guilty of violating s. 10 of Code of Conduct - Forfeiture of hours insufficient to address factors of deterrence and public trust - Demotion appropriate - Respondent to be demoted from Sergeant to First Class Constable for six months, with return to rank on the basis of satisfactory work performance.

**DISCIPLINARY PENALTIES - Aggravating factors** - Off-duty attendance at political protests - Respondent violating Code of Conduct, s. 10 - Respondent's attendance amounted to a conflict of interest and jeopardized public confidence in integrity, accountability and

impartiality of police service - Aggravating factors included public interest, seriousness of misconduct, failure to recognize seriousness of misconduct, and damage to reputation of the service.

**DISCIPLINARY PENALTIES - Mitigating factors** - Off-duty attendance at political protests - Respondent violating Code of Conduct, s. 10 - Respondent had excellent employment record with numerous commendations - Employment history a significant mitigating factor.

**DISCIPLINARY PENALTIES - Deterrence** - Nexus between factors of public interest and deterrence - In cases where officer's conduct undermines public trust, element of general deterrence in penalty disposition appropriate - Necessary to show community that service takes misconduct seriously and will work towards regaining lost trust - In instant case, element of specific deterrence also significant - Necessary to reinforce importance of police officers showing good judgment and impartiality both on-duty and off-duty.

#### Summary of Reasons for Decision

In a decision dated September 20, 2025 [OPAAC ADJ #25-013], the respondent, Sergeant Sohi, was found guilty of misconduct in relation to his attendance at two protests organized by Khalistan supporters. His actions were found to have violated s. 10 of the Code of Conduct, O. Reg. 407/23, Undermine Public Trust. A penalty hearing was held virtually on November 18, 2025 to determine the appropriate penalty. Defense counsel sought a forfeiture of 40 hours or 5 days, while the prosecution sought a demotion from Sergeant to First Class Constable for six months, followed by a return to the rank of Sergeant. Counsel for both parties referred to common dispositional factors in assessing penalties for police officer misconduct.

Defense counsel emphasized Sgt. Sohi's ongoing productive contributions after he was removed from front-line duties, his excellent employment history, and the fact that he believed he was attending peaceful, lawful demonstrations. The respondent was committed to not attending demonstrations in the future. He was not responsible for the breach of the peace or fighting at the Temple. Counsel characterized the respondent as an innocent victim who was assaulted, without provocation, at what he believed to be a peaceful demonstration. In terms of comparators, counsel referred to a number of "protest" cases as well as a number of "social media" cases. With respect to the protest cases, he favourably distinguished the respondent's behaviour: unlike some of these comparator cases involving police officers, the respondent was off-duty, not in uniform, not in violation of any orders, and he and the group he was with were assaulted. With respect to the social media cases, the respondent did not post anything on social media; instead, he was the victim of false and misleading posts. In addition, much of the negative media publicity emanated from India, a state-controlled media.

Prosecution counsel contended that the respondent's conduct was clearly serious: in one protest, he stood on the flag of another country, and in the other protest, outside a Hindu Temple, tensions were high going into the event and escalated to violence. Rather than a passive bystander or innocent victim, counsel characterized the respondent as an active participant. There was never any allegation that the respondent committed criminal conduct; nevertheless, he

showed a lack of judgment in attending, and his actions of standing on a flag and shouting outside a place of worship were found to be disrespectful. Seriousness of the misconduct was thus an aggravating factor, as was public interest and damage to the reputation of the police service. Counsel noted that the incidents were covered by international and Canadian media; they were also broadcast on social media. Counsel submitted that this was a clear case of reputational damage to the service and undermining of public trust. Members of the Hindu community, for example, held the perception that the respondent was unable to police the Hindu community impartially. Counsel acknowledged the respondent's positive, unblemished employment record, and cited that record as the primary reason why the service returned him to duty and never sought termination. Counsel contended, however, that a demotion was fair, reasonable, and necessary for purposes of deterrence, to show the respondent and other officers that they could not engage in divisive behaviour that impacted the community.

Sergeant Sohi addressed the penalty hearing. He stated that he wished none of this had taken place; and he realized that not only he, but also the service and the community, were impacted.

*Held*, penalty of six-month demotion imposed.

The accepted dispositional factors were identified in *Krug and Ottawa Police Service (infra)*. Of these, the most relevant in this case were: 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.

In this case, given the proven misconduct of undermining public trust, the factor of public interest was clearly very significant. In matters of police discipline, public interest referred to protecting public confidence in policing, maintaining trust between police and communities they served, by ensuring that police officers adhered to high standards of conduct: accountability, integrity, professionalism, fairness and impartiality. It was important that members of the service treat community members impartially, and be seen as doing so. As determined in the misconduct hearing, the respondent's attendance at the protests was a conflict of interest. He was identified as a member of the service; and his attendance sparked outrage, which, in turn, jeopardized public confidence in the service. In this case, public interest was a serious aggravating factor.

Seriousness of the misconduct was also an aggravating factor. Although the respondent attended what he believed were peaceful, lawful protests, and although he was not responsible for events that transpired or subsequent media attention, his participation in a polarized and polarizing event showed a considerable lapse in judgment. During the Hindu Temple event, the protest did escalate to violence and became a criminal matter, requiring members of the service to intervene. The extraordinary media, public, and political attention which this incident attracted only served to underscore the seriousness of the misconduct.

As for the factor of recognition, the respondent's decision not to attend any future demonstrations was not convincing evidence that he accepted his misconduct was very serious. Sergeant Sohi in his testimony and in his address at the penalty hearing stated that he wished the incident had never happened and the result impacted him, the service, and the community; yet

there was no acknowledgement that he used poor judgment and that he should not have attended in the first place. His acknowledgement that his actions had an impact, therefore, was lacking in any real contrition or accountability. In this case, recognition of the seriousness of the misconduct was an aggravating factor.

Damage to the reputation of the service was likewise an aggravating factor. Irrespective of the state-controlled nature of messaging emanating from India, the Temple incident received widespread coverage in international and Canadian media, and on social media platforms. A number of Canadian political leaders publicly condemned the protests. The disruptive nature of the demonstrations, the revelation that Sgt. Sohi was at the Hindu Temple protest, together with the perception that he lacked impartiality, had a significant negative impact on the reputation of the Peel Regional Police Service. Reputation was the foundation of effective policing; and the respondent's misconduct undermined public trust in the legitimacy, professionalism, and integrity of policing.

By contrast, employment history was a strong mitigating factor. The respondent had an excellent employment record, with good evaluations and many commendations. This record showed that he had been a productive member of the service in the past.

Potential to rehabilitate was at best a neutral factor. The respondent's positive employment history suggested a capacity to make positive contributions to the service in the future. On the other hand, Sgt. Sohi never admitted responsibility for his actions.

Deterrence, both general and specific, were relevant factors in this case. General deterrence was important not only for members of the service, but also for the community served by the police; it was important to show the community that the Peel Regional Police took the respondent's misconduct seriously and were working towards regaining trust that was lost. Sergeant Sohi required specific deterrence; he needed to understand that his actions had consequences, and that as a police officer, he was required to exercise good judgment and maintain impartiality, both on-duty and off-duty.

Having regard for the various factors, a demotion was an appropriate penalty. Accordingly, pursuant to s. 202(9) of the *Community Safety and Policing Act*, the respondent's rank was reduced from Sergeant to First Class Constable for a period of six months, with return to the rank of Sergeant based on satisfactory work performance.

#### Authorities cited

*Peel Regional Police Service v. Sgt. Paul Brown* (May 8, 2023)

*Greater Sudbury Police Service v. Cst. Robert Rheaume*

*Durham Regional Police Service v. Cst. Erin Howard* January 3, 2023)

*Windsor Police Service v. Cst. Michael Brisco* (May 18, 2023)

*Krug and Ottawa Police Service* (January 21, 2003, OCCPS)

[Additional authorities cited by parties on pp. 5, 6, 7, 11, 15, and 16 of the decision.]