OPAAC ADJ # 26-016

PROVINCIAL CONSTABLE SIMON BRIDLE
Appellant

And

ONTARIO PROVINCIAL POLICE
Respondent

Adjudicators:
Jeanie Theoharis, Randal Montgomery, C. Osterberg

Appearances:
Cst. S. Bridle, appellant
K. Stein, for the appellant
J. Kirsh and C. Dalton, articling student, for the respondent

Heard:
September 24, 2025

Date of decision:
April 7, 2026

Length of decision:
18 pp.

Statutory citations:
Police Services Act, R.S.O. 1990, c. P. 15 (repealed), s. 85(1)(f), 87(8)(a)
O. Reg. 268/10 (repealed), s. 2(1)(f)(iii)
Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, s. 216(4)
Criminal Code, R.S.C. 1985, c. C-46, ss. 122, 426(1)(a)

CORRUPT PRACTICE - Receipt of gratuity or present without consent - Appeal from finding of misconduct - Appellant assigned to highway enforcement detachment - Disciplinary charge arising from arrangement between appellant and owner of tow truck business - Hearing officer found appellant's possession and use of truck constituted receipt of gratuity or present without consent, contrary to s. 2(1)(f)(iii) of Code of Conduct - No reviewable errors in decision of hearing officer - Appeal dismissed.

DISCIPLINARY PENALTIES - Grounds for intervention - Appeal from penalty decision of hearing officer - Forfeiture of 60 hours imposed for breach of s. 2(1)(f)(iii) of O. Reg. 268/10 - Role of commission not to reweigh evidence or dispositional factors - Penalty within range of reasonable outcomes - No reviewable errors in decision of hearing officer - Appeal dismissed.

HEARING OFFICERS - Decision of hearing officer - Standard of review - Appeal from misconduct and penalty decisions - Whether hearing officer's finding of misconduct was reasonable in light of facts, evidence and governing provision - Whether penalty affected by error in principle, failure to consider material factors, or was otherwise outside range of reasonable outcomes - No reviewable errors in hearing officer's misconduct and penalty decisions - Appeals dismissed.

Summary of Reasons for Decision

PC Bridle appealed the misconduct and penalty decisions of the hearing officer, finding him guilty of corrupt practice, contrary to s. 2(1)(f)(iii) of the Code of Conduct, O. Reg. 268/10 and imposing a forfeiture of 60 hours. These appeals were commenced pursuant to s. 87 of the now repealed *Police Services Act* and were continued pursuant to s. 216(4) of the *Community Safety and Policing Act.* The issue in these appeals was whether the hearing officer reasonably found that Cst. Bridle committed corrupt practice by accepting a substantial benefit from the owner of tow truck companies, and whether the penalty of 60 hours was reasonable.

PC Bridle had been a sworn member of the OPP since April 1, 2001. At the time in question, he worked at the Downsview detachment, in patrol and traffic enforcement on Highway 407. He became familiar and friendly with S, the owner of two tow truck companies. There was no evidence that PC Bridle ever manipulated any of his dealings with tow truck operators to favour S or his companies.

In 2017 PC Bridle indicated to friends and acquaintances that he wanted to purchase a used truck. S advised the appellant that he had a truck available. In November 2017 PC Bridle assumed the lease, possession and use of this vehicle. However, S continued to make lease payments of over $1,000 per month. In 2019, PC Bridle made a payment of $7400 to S. When the lease expired, PC Bridle bought out the vehicle and paid the last 3 lease payments.

On January 14, 2021 PC Bridle was charged with breach of trust, contrary to s. 122 of the *Criminal Code,* as well as corruption, contrary to s. 426(1)(a). The Crown withdrew the corruption charge. Following a trial on December 15, 2023 he was acquitted of the breach of trust charge. The trial judge found that PC Bridle received a "substantial benefit" from the vehicle arrangement but there was no objective link between the transaction and policing.

Pursuant to police orders, OPP members were not prohibited from accepting gifts provided the value was less than $30. PC Bridle did not seek permission to enter the arrangement with S from the OPP Commissioner, the OPP's Ethics Executive, or anyone else in the broader Ontario public service; nor did he advise anyone in authority of the existence of the arrangement.

In a decision dated December 17, 2024 the hearing officer found PC Bridle guilty of corrupt practice, contrary to s. 2(1)(f)(iii) of the Code of Conduct, which stated that a police officer commits misconduct if he or she "(iii) directly or indirectly solicits or receives a gratuity or present without the consent of (A) the chief of police…" In her penalty decision dated March 25,

2025 the hearing officer imposed a forfeiture of 60 hours, to be worked, pursuant to s. 85(1)(f) of the *PSA*. PC Bridle appealed both the misconduct decision and the penalty decision.

Held, appeals dismissed.

The questions on appeal from the misconduct decision were twofold: whether the hearing officer committed a reviewable error in interpreting or applying s. 2(1)(f)(iii), and whether the finding of corrupt practice was unreasonable in light of the facts and the record. The question on appeal from the penalty decision was whether the penalty of 60 hours was affected by an error in principle, a failure to consider material factors, or was outside the range of reasonable outcomes.

Absent an extricable question of law, the standard of review applicable to the decisions of hearing officers was reasonableness. Findings of fact and credibility assessments were owed particular deference, as was the hearing officer's weighing of dispositional factors. The role of the Commission was not to second guess the decision of the hearing officer on penalty or reweigh dispositional factors. Provided the decision was reasonable in terms of both reasoning process and outcome, intervention was not warranted.

Misconduct appeal

There was no dispute that the appellant did not obtain consent, as required under s. 2(1)(f)(iii). The question on appeal was whether the hearing officer erred in concluding that the arrangement with S constituted receipt of a "gratuity or present".

The appellant submitted that the hearing officer misapprehended the evidence, because although the truck arrangement conferred a benefit to him, it did not amount to a gratuity or present. However, the hearing officer did not err in her interpretation of "gratuity or present"; she was entitled to focus on the substance of the arrangement rather than its form. The arrangement whereby the appellant obtained possession and use of an expensive truck for an extended period, while S continued to make the lease payments, was financially advantageous to the appellant. It was reasonable for the hearing officer to conclude that the arrangement was substantial, rather than nominal, in value; the duration of the arrangement supported the conclusion that this was not a routine act of courtesy or hospitality and that, instead, it was a significant benefit which required consent.

Contrary to the appellant's assertion, in concluding the arrangement violated s. 2(1)(f)(iii), the hearing officer was not required to find that he used his position as a police officer to obtain the benefit. The hearing officer was correct in her interpretation of the provision, the essential elements of which were receipt of a gratuity or present without consent; it was not necessary to prove an explicit *quid pro quo*.

Highway 407 detachment functions generated competitive towing work, and officers could use their discretion to use different tow operators, as they saw fit. According to the agreed facts, there was no evidence that the appellant manipulated tow assignments and there was no increase in tows favouring S after the lease arrangement began. In light of these facts, the appellant argued

that the hearing officer erred in finding a meaningful relationship between his status as a police officer and the benefit to S. However, the hearing officer did not need to find that the appellant actually diverted work to S; proof of outright favouritism was unnecessary. The concern was broader, engaging issues of integrity, the potential for preferential treatment, and the perception thereof. The finding that the appellant had the ability to provide preferential treatment to S was reasonable.

The appellant argued that the lease arrangement arose from a longstanding personal friendship with S, not from his role as a police officer. The hearing officer found that the personal and professional aspects of the relationship coexisted, but in any event the conflict of interest was obvious. That finding was reasonable. The existence of a personal relationship did not obviate the appellant's obligation under the Code of Conduct to report the receipt of a gratuity or benefit.

There was no reviewable error in the hearing officer's conclusion that the appellant, based on clear and convincing evidence, committed corrupt practice. The misconduct decision was not marred by a misapprehension of the evidence or the application of a wrong legal test. There was no basis for the panel to interfere.

Penalty appeal

The appellant submitted that an appropriate penalty was 20 hours and that forfeiture of 60 hours was harsh, excessive, and disproportionate. However, there was no basis to interfere with the penalty. The hearing officer identified and applied the relevant dispositional principles, considered aggravating and mitigating factors, addressed parity or consistency, and imposed a penalty that fell within the range of reasonable outcomes, in light of the facts.

The hearing officer regarded the misconduct as serious, given the substantial nature of the arrangement, the value to the appellant, and the impact on public trust in the impartiality of officers. Her conclusion that the aggravating factors outweighed mitigating factors did not amount to an error in principle. The hearing officer also found that although the appellant had been deterred, general deterrence was required; it was necessary to impose a penalty that was sufficient to deter other officers from engaging in this type of misconduct. In terms of consistency, the principle of parity required that comparable cases receive comparable treatment; it did not require that outcomes be identical, particularly where material facts differed. She distinguished the single case presented to her, explaining why a substantial vehicle related benefit – received without disclosure or consent over a period of several years – was not comparable to the receipt of minor or isolated gratuities. In her view, it was necessary to send a strong message that the appearance of a conflict of interest, regardless of whether there was a direct benefit to the gift giver, could be sufficient to undermine public trust in the integrity of the police. The approach to parity was rational, and the penalty of 60 hours was within the range of reasonable outcomes.

As with the misconduct decision, there was no reviewable error in the penalty decision. It was not the panel's role to reweigh the evidence or dispositional factors to arrive at a different result.

Authorities cited

Ottawa Police Service v. Diafwila, 2016 ONCA 627
Cst. Ioan Floria and Toronto Police Service, 2020 ONCPC 6 (CanLII)
Dunsmuir v. New Brunswick, 2008 SCC 9
Toronto Police Service v. Blowes-Aybar, 2004 CanLII 34451 (Ont. Div. Ct.)
Karklins v. Toronto Police Service, 2010 ONSC 747
Kobayashi and Waterloo Regional Police Service, 2015 ONCPC 12
Gould v. Toronto Police, 2018 ONSC 4074 (CanLII) (Ont. Div. Ct.)
Husseini v. York Regional Police Service, 2018 ONSC 283 (Ont. Div. Ct.)
Canada (Minister of Citizenship and Immigration) v. Vavilov, 2019 SCC 65
Imperial Oil Ltd. v. Haseeb, 2023 ONCA 364 (CanLII)
Stone v. Toronto Police Service, 2008 CanLII 50515 (ONSC DC)
Besco v. Peel Regional Police Service (2001), 3 O.P.R. 1496 (OCCPS)
Korchinski v. Office of the Independent Police Review Director, 2022 ONSC 6074 (Div. Ct.)