

IN THE MATTER OF s. 202(1) OF THE *COMMUNITY SAFETY AND POLICING ACT*,
2019, S.O. 2019, c.1, Sched. 1

BETWEEN:

TORONTO POLICE SERVICE

Applicant

- and -

CONSTABLE RONALD JOSEPH

Respondent

Adjudicator: Ian Nordheimer

For the Applicant: Elizabeth Glasbergen

For the Respondent: Sandip Khehra

Hearing Date: September 22, 2026

REASONS FOR DECISION

- [1] The applicant, Toronto Police Service, applied under s. 202(1) of the *Community Safety and Policing Act, 2019*, S.O. 2019, c.1, Sched. 1 (“*CSPA*”) for adjudication with respect to the demotion and termination of the respondent, Ronald Joseph, a police officer employed by the Toronto Police Service.
- [2] The applicant alleges that the respondent engaged in misconduct that constitutes a breach of s. 4 of the Code of Conduct for Police Officers, being Reg. 407/23 of the *CSPA*, in that he was found guilty of a criminal offence. Section 4 of the Code of Conduct for Police Officers reads:

“A police officer contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada).”

- [3] At the conclusion of the hearing, for brief oral reasons, I found the respondent guilty of the alleged offence. I said I would provide written reasons for my decision, and I now do so.
- [4] The applicant filed, without objection, an affidavit from Det. Roy Sorgo of the prosecution services branch of the applicant. That affidavit sets out the background facts. It attached as exhibits four agreed statements of fact relating to charges that the respondent faced, namely, three counts of fraud over \$5,000 and one count of public mischief. The affidavit also attached as exhibits various transcripts including a transcript of the guilty pleas and a transcript of the reasons for sentence. In short, the respondent pleaded guilty in the Superior Court of Justice to these four charges. The charges all revolved around attempts to defraud automobile insurers through various means, including staged accidents and reports of stolen automobiles that had not, in fact, been stolen. Ultimately, the respondent received a conditional sentence of twelve months.
- [5] At the time of his pleas, a thorough plea inquiry was made in which the respondent stated that he was pleading guilty voluntarily and was not under any pressure to do so. In addition, in the process of entering pleas, the four agreed statements of fact were read out (one for each of the counts) and, in each instance, the respondent confirmed, without qualification, that the facts were correct.
- [6] At this hearing, the respondent pleaded not guilty. He gave evidence that he pleaded guilty to the charges because his lawyer told him to in order to avoid any prospect that he would be sentenced to jail time if he went to trial and was convicted. The respondent also says that he was under a great deal of pressure at the time resulting from his involvement in a police shooting and the resulting

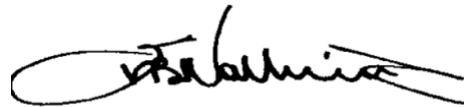
psychological impact that that involvement had on him. Finally, the respondent said that he has a daughter that he could not bear being separated from.

- [7] All of that said, the respondent did acknowledge that he was guilty of being involved in the conduct that underlay one of the counts (he did not specify which one) but not as the “ringleader” of that conduct, as claimed in the agreed statement of facts.
- [8] The respondent has not, at any point prior to this hearing, challenged the findings of guilt. He did not bring a motion to set aside his pleas. He did not bring a motion asserting ineffective assistance of counsel. The respondent did appeal the sentence that was imposed on him, but he did not appeal the findings of guilt. That sentence appeal is still outstanding.
- [9] There is no issue that a finding of guilt under the *CSPA* requires that there be clear and convincing evidence – a standard that is higher than the usual civil standard of proof on a balance of probabilities – see *Jacobs v. Ottawa (Police Service)*, 2016 ONCA 345.
- [10] In my view, the evidence presented by the applicant more than satisfies that standard of proof. In that regard, I refer specifically to the guilty pleas, the answers given by the respondent during the plea inquiry, and the respondent’s agreement, each time, to the facts set out in the agreed statements of fact. Absent a timely challenge to the guilty pleas, brought in the proper forum, I do not see on what basis I could conclude other than the stated offence, a breach of s. 4 of the Code of Conduct for Police Officer, has been made out. On that latter point, I repeat the words of Arbour J. in *Toronto (City) v. C.U.P.E., Local 79*, [2003] 3 S.C.R. 77, 2003 SCC 63, at para. 46, where she said:

“A desire to attack a judicial finding is not in itself an improper purpose. The law permits that objective to be pursued through various reviewing mechanisms such as appeals or judicial review. Indeed reviewability is an important aspect of finality.

A decision is final and binding on the parties only when all available reviews have been exhausted or abandoned. What is improper is to attempt to impeach a judicial finding by the impermissible route of relitigation in a different forum.”

- [11] In my view, it is that impermissible route of relitigation that the respondent is engaged in here.
- [12] In so concluding, I do not make any finding on whether the evidence, that the respondent gave on the hearing regarding the circumstances that he says drove his decision to enter pleas of guilt to the criminal charges, has relevance to the penalty stage of this proceeding.
- [13] It is for these reasons that I found the respondent guilty of the offence charged under the *CSPA*.
- [14] This proceeding is adjourned to a date to be set for the penalty stage.

A handwritten signature in black ink, appearing to read 'Ian Nordheimer', written over a horizontal line.

Ian Nordheimer
Adjudicator

September 23, 2026