

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, Sched. 1.

BETWEEN

PEEL REGIONAL POLICE SERVICE

Applicant

And

CONSTABLE SAGAR ARORA

Respondent

MERITS HEARING DECISION

Adjudicator: Elie C. Labaky

Counsel for the Prosecution: Mrs. Sharon Wilmot and Mrs. Samantha Brown
Peel Regional Police Service

Counsel for the Respondent Officer: Ms. Joanne Mulcahy

Hearing Dates (12 days): March 23-27, 2026; April 1-2, 2026; April 24, 2026; May
4-6, 2026; May 14, 2026.

Decision Date: September 28, 2026

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1 OVERVIEW

- [1] On June 13, 2025, the Peel Regional Police Service (the “Applicant”) submitted a Request for the Appointment of an Adjudicator to the Ontario Police Arbitration and Adjudication Commission (“OPAAC”) pursuant to section 202(1) of the *Community Safety and Policing Act, 2019* (“CSPA”), seeking demotion or termination of Constable Sagar Arora, #4395 (the “Respondent”).
- [2] On June 23, 2025, I was appointed by OPAAC as the Merits Adjudicator.
- [3] A Pre-Hearing Conference (“PHC”) was conducted by Adjudicator Marke Kilkie on September 11, 2025. A PHC Report was issued following that conference.
- [4] The parties, Ms. Sharon Wilmot, counsel for the Applicant, and Ms. Joanne Mulcahy, counsel for the Respondent, were unable to resolve the matter at the PHC. Accordingly, the matter proceeded to a merits hearing.
- [5] On October 1, 2025, I was advised that the Respondent intended to bring a motion seeking to quash the Request for the Appointment of an Adjudicator and the Statement of Particulars, or alternatively, to dismiss the proceedings on the basis of alleged non-compliance with the mandatory provisions of the *CSPA*.
- [6] The motion was heard on December 19, 2025. The parties subsequently reached a resolution of the issues raised in the motion, which resulted in amendments to both the Request for the Appointment of an Adjudicator and the Statement of Particulars.
- [7] The merits hearing was heard over twelve hearing days: March 23 to 27, 2026; April 1 and 2, 2026; April 24, 2026; May 4 to 6, 2026; and May 14, 2026. A total of nine witnesses testified.
- [8] For the reasons that follow, I find that none of the remaining allegations of misconduct have been established on clear and convincing evidence. Accordingly, the Respondent is found not guilty of all remaining charges and is to be reinstated to full duties forthwith, subject to any mandatory requalification, refresher training, or administrative requirements of the Applicant.

2 SUMMARY

- [9] On June 13, 2025, the Respondent, Constable Sagar Arora, #4395, was served with a Request for the Appointment of an Adjudicator and, on August 26, 2025, was provided with a Statement of Particulars alleging misconduct pursuant to section 202 of the *CSPA*.

The allegations relate to conduct alleged to have occurred throughout 2024 and early 2025 and may be summarized as follows:

Count 1: Cst. Arora was deceitful or misleading in relation to an ankle injury suffered while on an approved trip to India between February 10, 2024 and March 18, 2024 (the “First India Trip”);

Count 2: Cst. Arora failed to perform his duties without lawful excuse by failing to attend scheduled court matters between March 19, 2024, and April 5, 2024;

Count 3: Cst. Arora was deceitful in relation to circumstances surrounding a second trip to India in December 2024 (the “Second India Trip”);

Count 4: Withdrawn before merits hearing;

Count 5: Cst. Arora was deceitful or misleading in relation to representations made concerning his attendance at Provincial Offences Court matters between August 27, 2024, and September 19, 2024;

Count 6: Cst. Arora failed to perform his duties without lawful excuse by failing to attend scheduled court matters between August 27, 2024 and September 19, 2024.

Count 7: Withdrawn before merits hearing.

[10] It is the position of the prosecution that Counts 1, 2, 3, 5 and 6 have been established on clear and convincing evidence. The prosecution submits that the Respondent engaged in a pattern of deceitful conduct and repeated failures to perform his duties, that such conduct strikes at the core values of honesty, accountability, and integrity expected of a police officer, and that the misconduct established in this case warrants dismissal.

[11] The Applicant seeks the dismissal of Cst. Arora from the Peel Regional Police Service.

3 STATEMENT OF PARTICULARS

[12] The allegations before me are contained in the Amended Statement of Particulars dated August 26, 2025. Given the issues raised later in these reasons regarding the organization of the allegations, I reproduced the original Statement of Particulars.

STATEMENT OF PARTICULARS

Constable Sagar Arora #4395 (“Cst. Arora”) has been a member of Peel Regional Police (the “PRP”) since 2019. At the time of the incident, he was assigned to 22 Division Uniform, B Platoon.

COUNT ONE – DECEIVING OR MISLEADING

1. On February 10, 2024, Cst. Arora travelled to India on vacation. He had received supervisor approval to be on vacation until March 18, 2024. He was aware that he was required to attend work, and in particular, to attend court, on March 19, 2024.

2. On March 15, 2024, Cst. Arora texted his supervisor, Sergeant Timothy Murphy #2137 (“Sgt. Murphy”) and advised that he had broken his ankle, and would be extending his stay in India for two weeks as he was unable to travel home due to his injury.

3. Cst. Arora further advised Sgt. Murphy that he would only miss two (2) court matters by extending his trip in India. In fact, Cst. Arora had at least 22 scheduled court matters scheduled on March 19, 2024, March 20, 2024, and March 27, 2024, all of which he would miss.

4. Approximately one week later, Sgt. Murphy texted Cst. Arora to inquire what accommodations he would require upon his return to work. On March 23, 2024, Cst. Arora responded and advised Sgt. Murphy that he would not require any accommodations, as his ankle was only sprained.

5. Cst. Arora ultimately extended his trip to India by 19 days. He did not return to Canada until April 4, 2024 and did not report for duty until April 6, 2024. Between April 4, 2024 and April 5, 2024, Cst. Arora missed an additional 32 court matters. He did not advise his supervisor of this.

6. On April 6, 2024, Cst. Arora reported for duty and provided Sgt. Murphy with a doctor’s note from a Dr. Gursewak Singh at Amcare Hospital in India dated March 14, 2024, indicating that Cst. Arora reported suffering a sprained ankle.

7. During his compelled interview, Cst. Arora failed to provide a reasonable explanation for why he had advised his supervisor his ankle was broken, when he admitted that he was already aware at the time he contacted Sgt. Murphy that his ankle was only sprained, as a doctor in India had confirmed as much to him.

8. During his compelled interview, Cst. Arora claimed that he had not received court notifications for any additional matters beyond the two (2) he had advised his supervisor of prior to leaving for his trip to India on February 10, 2024. The

Mississauga Prosecutor's Office confirmed that Cst. Arora had been sent email notifications for at least 22 court matters scheduled on March 19, 2024, March 20, 2024, and April 4, 2024. Email notifications relating to those matters, alongside numerous reminder emails, were sent to Cst. Arora between September 25, 2023 and February 9, 2024.

9. Cst. Arora was deceitful to his supervisor regarding the severity of the alleged injury to his ankle, and he was deceitful to his supervisor and Internal Affairs investigators regarding how many court matters he would miss and whether he received court notifications for same.

10. The actions of Cst. Arora regarding embellishing to his supervisor of the extent of his alleged ankle injury, and/or incorrectly advising his supervisor and Internal Affairs investigators regarding how many court matters he would miss and/or whether he had received notifications for same, constitute the officer deceiving or misleading any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, contrary to section 31 of the prescribed Code of Conduct for Police Officers, O. Reg. 407/23 ("Code of Conduct"), under the Community Safety and Policing Act ("CSPA").

COUNT TWO – FAILURE TO PERFORM DUTIES

11. Between March 19, 2024 and March 27, 2024, Cst. Arora missed 22 scheduled court matters in Provincial Offences Act ("POA") court. He failed to advise PRP about the existence of 20 of these 22 matters. He further failed to contact the Mississauga Prosecutor's Office, or request PRP to contact them on his behalf, to advise them that he would not be able to attend these matters and attempt to reschedule them.

12. Likewise, between April 4, 2024 and April 5, 2024, Cst. Arora missed an additional 32 scheduled court matters in POA court. He again failed to inform either PRP or the Mississauga Prosecutor's Office in advance regarding same.

13. The actions of Cst. Arora in failing to attend these 54 scheduled court matters, and further, failing to contact the Mississauga Prosecutor's Office or request PRP to contact them on his behalf to advise them of same and attempt to reschedule these matters, constitutes, by act or omission, a failure to perform his duties appropriately without lawful excuse, as at the time, he knew or reasonably ought to have known that his act or omission would amount to a failure to perform his duties appropriately, contrary to section 19 of the prescribed Code of Conduct.

COUNT THREE – DECEIVING OR MISLEADING

14. In November 2024, Cst. Arora requested vacation dates from November 25, 2024 to January 9, 2025 in order to attend the wedding of his brother-in-law in India. He was only given supervisory approval to take vacation from December

10, 2024 to January 9, 2025. This was due, at least in part, to the fact that he had POA court obligations scheduled for December 9, 2024.

15. Cst. Arora was unhappy with the limited approval, and made numerous further requests for his supervisors to reconsider their position and let him leave for India prior to December 3, 2024, so he could attend his brother-in-law's wedding.

16. On December 2, 2024, Cst. Arora asked his supervisor Sgt. Murphy one last time to reconsider his vacation approval. Sgt. Murphy again declined.

17. On December 3, 2024, approximately 12 hours after his last request to Sgt. Murphy, Cst. Arora advised his supervisors that his wife had suffered a cardiac arrest in India, and he would be departing for India immediately to be with her.

18. On December 6, 2024, Cst. Arora messaged his supervisor regarding his wife's medical condition. He advised them that his wife was being discharged from the hospital, but would "remain under medical care at home".

19. On January 9, 2025, Cst. Arora returned to work. He advised his supervisors that his wife had in fact suffered a panic attack – not cardiac arrest. Cst. Arora failed to provide a reasonable explanation for why he had not advised his supervisor of this on or prior to December 6, 2024, nor why he indicated that his wife would still need to "remain under medical care at home".

20. During his compelled interview, Cst. Arora made it clear that once it was learned that his wife had only suffered a panic attack (rather than a cardiac arrest), they had no further medical concerns, and proceeded to attend a wedding cocktail party within hours of her discharge from the hospital.

21. During his compelled interview, Cst. Arora produced some medical records for his wife's hospitalization in India. Internal Affairs investigators noted that they were signed by the same Dr. Gursewak Singh as the officer's own medical note had been eight months earlier, despite being associated with a separate hospital from where Cst. Arora had allegedly injured and been treated for his ankle.

22. During his compelled interview, Cst. Arora reiterated his initial claim that the purpose of this trip to India was to attend his brother-in-law's wedding. He showed Internal Affairs investigators a copy of a wedding invitation e-card for same that he had previously produced for his supervisor's review. Upon further questioning, Cst. Arora admitted that the groom was not actually his wife's brother, but that his wife was raised by another family after her mother passed away, that the family that raised her had a son, and she considered that boy to be "like a brother". On the Family History section of Cst. Arora's application to PRP, his wife's family members were listed. Her mother, father, and sister were all listed on this form. There was no indication of Cst. Arora's wife having a brother.

23. During his compelled interview, Cst. Arora advised Internal Affairs investigators that he only learned about the wedding in India on or about September 27, 2024, and that he notified his supervisors and requested vacation dates “within days” of learning of his brother-in-law’s wedding. At the conclusion of his compelled interview, he provided copies of his flight receipt relating to the first flight he booked to India for the wedding, which was scheduled to depart on November 25, 2024. The flight receipt had an “issued date” of July 7, 2024.

24. A subsequent audit of Cst. Arora’s internet activity confirmed that he had made a purchase from the website that the wedding invitation e-card had come from on September 4, 2024 – over three weeks prior to him requesting his vacation dates from his supervisor, and several months before presenting the e-card to Internal Affairs investigators and insisting it was provided to him by the bride and groom.

25. Cst. Arora was deceitful to his supervisors and Internal Affairs investigators regarding his wife’s medical condition, his/his wife’s relationship to the wedding party, his timeline for becoming aware of the event and requesting time off for same, and/or his creation of a wedding invitation e-card for himself for the event.

26. The actions of Cst. Arora between September 2024 and his compelled interview on March 6, 2025 regarding his wife’s medical condition and the circumstances surrounding the wedding he attended in India constitute the officer deceiving or misleading any person in relation to the officer’s duties, the officer’s employment or the administration of justice through any act or omission, contrary to section 31 of the prescribed Code of Conduct.

COUNT FOUR – DECEIVING OR MISLEADING

27. On May 25, 2024, Cst. Arora submitted a WSIB claim relating to a back injury he allegedly sustained while working on May 2, 2024. The back injury resulted in him being off work from PRP for approximately 11 weeks.

28. Between May 25, 2024 and August 10, 2024, Cst. Arora sent messages to his supervisors and provided doctor’s notes indicating that he could not work in any capacity, because he could not sit, stand, or walk for extended periods.

29. On July 10, 2024, Cst. Arora sent a text message to his supervisor, Sgt. Murphy, indicating that he had x-rays done on his lower back, which confirmed it was “crooked”. He further advised Sgt. Murphy that he could not sleep, sit, or stand due to the pain he was experiencing.

30. While off on his WSIB claim, Cst. Arora posted videos on social media of himself on a boat with the friend in open water. He also continued his secondary employment as a mortgage broker, and continued to post on Instagram when he successfully closed mortgage deals.

31. During his compelled interview, Cst Arora was asked for his whereabouts on the July 1, 2024 long weekend, to which he claimed he could not recall. When specifically queried about being on a boat that weekend, his memory was refreshed, and he admitted to being on a friend's boat. When queried about where the boat ride occurred, Cst. Arora initially claimed that the boat ride occurred in Burlington. When questioned further by investigators, however, Cst. Arora admitted that the boat ride in question took place in Wisconsin. When questioned as to how he got to Wisconsin, Cst. Arora indicated that they drove approximately six hours each way, and that he shared driving duties with his wife and a friend.

32. During his compelled interview, Cst. Arora confirmed that he maintained secondary employment as a mortgage broker working for Dominion Lending. He admitted that he continued working as a mortgage broker while off work with PRP on WSIB. Cst. Arora indicated that his job as mortgage broker was an administrative position. He advised that the average mortgage file would take several weeks to complete, and each mortgage he closed would take approximately 10-15 hours of administrative work each. He failed to provide a reasonable explanation for why he was able to perform this work but could not work in an accommodated capacity with PRP during the same time period.

33. The actions of Constable Arora in driving to Wisconsin, going on boat ride(s), and continuing to maintain secondary employment while on WSIB for a back injury that allegedly prevented him from sitting, standing, or walking from extended periods constitute the officer deceiving or misleading any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, contrary to section 31 of the prescribed Code of Conduct.

COUNT FIVE – DECEIVING OR MISLEADING

34. On August 4, 2024, Cst. Arora returned to work in an accommodated capacity from his back injury. However, the vast majority of his court matters scheduled between August 27, 2024 and September 19, 2024 were marked as withdrawn by the Crown.

35. During the period in question, Cst. Arora submitted daily reports to his supervisor, Sgt. Murphy, advising him what work he had accomplished each day.

36. On September 11, 2024 and September 19, 2024, Cst. Arora sent emails to Sgt. Murphy advising him that he had attended POA court for his scheduled matters.

37. During his compelled interview, Cst. Arora reiterated that he had attended all of his scheduled court matters on the dates in question virtually through the Zoom

application on his work-issued cell phone. He confirmed that he attended court as required on the dates outlined in the daily reports he emailed to Sgt. Murphy.

38. An audit of Cst. Arora's Zoom activity confirmed that he did not in fact attend court on August 27, 2024, September 11, 2024, nor the 1:30 PM session on September 19, 2024. Court transcripts were reviewed and further confirmed that Cst. Arora did not attend court, virtually or in-person, on the dates in question.

39. The actions of Cst. Arora in sending untruthful daily reports to his supervisor and reiterating untruthful information to investigators during his compelled interview constitute the officer deceiving or misleading any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, contrary to section 31 of the prescribed Code of Conduct.

COUNT SIX – FAILURE TO PERFORM DUTIES

40. Between August 27, 2024, September 11, 2024, and the 1:30 PM court docket on September 19, 2024, Cst. Arora missed 64 scheduled POA court matters.

41. The actions of Cst. Arora in failing to attend these 64 scheduled court matters, constitutes, by act or omission, a failure to perform his duties appropriately without lawful excuse, as at the time, he knew or reasonably ought to have known that his act or omission would amount to a failure to perform his duties appropriately, contrary to section 19 of the prescribed Code of Conduct.

COUNT SEVEN – FAILURE TO TAKE NOTES

42. A review of Cst. Arora's duty notebook revealed that between August 13, 2024 and October 14, 2024, with the exception of one entry made on September 27, 2024, Cst. Arora made no entries in his notebook.

43. Cst. Arora was scheduled to work – and worked at least partial days – on August 13, 18, 19, 20, 21, 26, 27, 28, and 29, September 3, 4, 5, 6, 11, 12, 13, 16 (court), 19, 20, 21, 22, 27, 28, 29, and 30, and October 5, 6, 7, 8, and 14, 2024.

44. The actions of Constable Arora in failing to take any notes while working constitutes a failure to take notes in accordance with the duties of a constable and the procedures established by his Chief of Police, contrary to section 20 of the prescribed Code of Conduct.

- [13] Prior to the commencement of the merits hearing, the Applicant withdrew Counts 4 and 7. Accordingly, those counts are not before me and no findings will be made in relation to them.

4 APPROACH TO THE STATEMENT OF PARTICULARS

- [14] From the outset, I note that the way the Statement of Particulars is drafted makes the evidence more difficult to assess. Several counts contain multiple incidents that are factually distinct from one another. As a result, there may be strong evidence in support of one aspect of a count but significantly weaker evidence in support of another. This creates challenges when evaluating the evidence incident by incident. It is well established that not every particular within a count must be proven in order for an officer to be found guilty of the count itself.
- [15] That said, I am not persuaded that this was the preferable way to draft the Statement of Particulars. Particulars should generally be organized around specific incidents or groups of facts that are closely connected. This assists both the parties and the adjudicator in identifying the evidence relevant to each allegation and in assessing whether the required evidentiary standard has been met.
- [16] In the present case, several factually distinct events were incorporated into the same counts. For example, Cst. Arora's November 2024 leave request, his subsequent requests for reconsideration, the circumstances surrounding Mrs. Sharma's hospitalization in India, the allegation that he created the wedding invitation, and concerns regarding the medical documentation authored by Dr. Gursewack Singh were all grouped within the same count despite arising from different factual circumstances.
- [17] I appreciate that the common thread connecting these allegations is the assertion that Cst. Arora engaged in deceitful or misleading conduct. However, grouping multiple allegations of alleged deceit under a single count can make it difficult to determine precisely which facts support a finding of misconduct. It also creates a circumstance where the evidence may be clear and convincing with respect to one incident, but not another, while still supporting a finding of guilt on the count as a whole.
- [18] In my view, this approach risks obscuring the distinction between incidents that have been established on clear and convincing evidence and those that have not. The analysis is more effective when each allegation is assessed against the facts specific to that allegation.
- [19] Accordingly, I am of the view that the Statement of Particulars would have been more effectively organized by incident rather than by the broader theory of misconduct being advanced. Doing so would have assisted the parties in presenting their cases and would have allowed for a more precise assessment of the evidence relating to each allegation.
- [20] By way of example, the allegation that Cst. Arora created the wedding invitation and the concerns arising from Dr. Gursewack Singh's involvement in two separate medical incidents could have been advanced as separate factual allegations. As became apparent during the hearing, one of those allegations was ultimately not supported by the evidence,

yet the count itself remained before me because it contained a number of other factually distinct allegations.

- [21] I recognize that the prosecution sought to establish a pattern of conduct by grouping these allegations together. However, separating the allegations would not prevent reliance on proven facts from one incident when considering whether a broader pattern of behaviour exists. Equally, a finding that a particular count has not been established does not necessarily mean that all of the underlying facts are untrue; rather, it means that the evidence, viewed as a whole, did not meet the necessary standard for that allegation.
- [22] Consequently, while I will ultimately make findings with respect to each count, I will analyze the evidence by reference to the individual incidents giving rise to those allegations. In my view, this approach permits a more focused assessment of Cst. Arora's conduct in each factual context and provides greater clarity regarding the basis for my findings.
- [23] This approach is not intended to alter the burden of proof or the manner in which the allegations must be established. Rather, it provides a clearer framework for assessing the evidence and determining whether the Applicant has discharged its burden with respect to each allegation.

5 FACTS

- [24] The events giving rise to these proceedings are largely undisputed. The principal disputes concern the inferences to be drawn from those events, the credibility and reliability of certain explanations offered by Cst. Arora, and whether the conduct alleged in the Statement of Particulars amounts to misconduct.
- [25] The allegations arise from three broad areas: the extension of Cst. Arora's first trip to India in March and April 2024; a second trip to India in December 2024; and issues relating to Provincial Offences Court attendance while assigned to accommodated duties.
- [26] The relevant facts are outlined in greater detail through the evidence of the witnesses and documentary exhibits summarized below.

6 WITNESS TESTIMONY

6.1 Sergeant Tim Murphy

- [27] Sgt. Tim Murphy testified that he has been a member of Peel Regional Police for approximately 27 years and was promoted to the rank of sergeant in 2016. Since January 2023, he has been assigned to Road Safety Services (“RSS”).
- [28] Sgt. Murphy explained that RSS is responsible for traffic enforcement and road safety initiatives. His supervisory responsibilities include overseeing traffic enforcement officers, breath technicians, and officers holding specialized designations such as motorcycle officers.
- [29] During the relevant period, Cst. Arora was assigned to the Strategic Enforcement Unit within RSS and reported to Sgt. Murphy.
- [30] Sgt. Murphy testified that his responsibilities included performance management, scheduling, approving leave requests, and ensuring adequate staffing levels for operational requirements.
- [31] He explained that annual vacation scheduling is completed in advance and is based largely on seniority. The scheduling process is intended to ensure adequate staffing throughout the year, including for training commitments, court attendance obligations, and operational campaigns.
- [32] Sgt. Murphy testified that RSS officers work a twelve-hour shift schedule consisting of four days on, followed by four days off. Officers may accumulate compensatory time and statutory holiday credits which can be banked and used at a later date.
- [33] According to Sgt. Murphy, maintaining adequate staffing is particularly important during high-demand periods such as March Break, Christmas, and traffic enforcement campaigns including Festive RIDE and street-racing initiatives.
- [34] Sgt. Murphy described the duties of Strategic Enforcement officers as proactive traffic enforcement in areas identified through traffic complaints, collision data, and enforcement priorities. Officers are expected to patrol designated areas and address offences ranging from speeding and stop sign violations to stunt driving.
- [35] He testified that officers who issue traffic offences are responsible for attending court proceedings arising from those charges. Court appearances are communicated through the NICHE records management system, which officers are expected to monitor.
- [36] Sgt. Murphy stated that attendance at court is a core responsibility of a police officer assigned to traffic enforcement duties.
- [37] Sgt. Murphy testified that he supervised Cst. Arora in 2024.

- [38] He recalled receiving a WhatsApp message from Cst. Arora in March 2024 while Cst. Arora was in India. Cst. Arora advised that he had suffered an ankle injury in a motorcycle accident.
- [39] Sgt. Murphy testified that he understood from the initial communication that Cst. Arora had broken his ankle. Subsequent communications referred to the injury as a sprain with ligament damage.
- [40] Sgt. Murphy testified that the change in description caused him some confusion because the nature of the injury would affect whether workplace accommodations were required. He explained that where an employee has suffered an injury, it is standard practice to seek medical documentation and determine whether modified duties are necessary.
- [41] Sgt. Murphy requested medical documentation from Cst. Arora and testified that a medical note was eventually provided and forwarded to Human Resources.
- [42] Sgt. Murphy stated that he had communications with Arora regarding upcoming court obligations during the period of his injury-related absence.
- [43] He recalled that Cst. Arora identified at least one court matter scheduled for March 19, 2024, and expressed uncertainty regarding another matter scheduled later in the month.
- [44] Sgt. Murphy testified that he contacted police court liaison personnel and advised the courts of Cst. Arora's inability to attend because of his injury.
- [45] Sgt. Murphy's notes reflected communications with court liaison staff concerning Cst. Arora's anticipated non-attendance at court matters during that period. He testified that his practice in such circumstances is to notify the appropriate court liaison personnel, who then communicate with prosecutors regarding adjournments or other arrangements.
- [46] Sgt. Murphy acknowledged that he could not specifically recall every court matter falling within Cst. Arora's absence but testified that he took steps to advise the courts of the situation.
- [47] Sgt. Murphy further testified that Cst. Arora later advised him that his return to Canada had been delayed because his flight had been cancelled due to technical difficulties. Sgt. Murphy understood from those communications that Cst. Arora planned to return in time for his scheduled shifts in early April 2024.
- [48] He testified that Cst. Arora ultimately returned to duty in early April and did not then require workplace accommodations related to his ankle injury.

- [49] Sgt. Murphy later supervised Cst. Arora during a gradual return-to-work process following a period of approved WSIB leave in 2024. During that accommodated return, Cst. Arora performed administrative duties and provided daily activity reports outlining the work he completed.
- [50] Sgt. Murphy testified that the daily reports were intended to ensure that meaningful and appropriate work assignments were being provided while Cst. Arora remained on modified duties. Sgt. Murphy referred to daily reports submitted by Cst. Arora in September 2024.
- [51] He testified that entries referencing *Provincial Offences Act* court matters led him to understand that Cst. Arora was scheduled to attend court proceedings. Sgt. Murphy stated that attendance was expected either in person or virtually, depending on the circumstances. He acknowledged that as a supervisor he does not independently verify every court appearance by every officer because such a task would not be practically possible.
- [52] Sgt. Murphy testified that on September 27, 2024, Cst. Arora requested leave from November 30, 2024, until January 12, 2025, for travel to India in connection with a family wedding.
- [53] Sgt. Murphy testified that he reviewed both the platoon staffing calendar and Cst. Arora's court schedule through NICHE.
- [54] He stated that while the staffing calendar did not initially present an immediate concern, Cst. Arora had court matters scheduled during the requested absence. Sgt. Murphy testified that he advised Cst. Arora that the request was being tentatively denied pending the successful adjournment of outstanding court matters. He explained that he blocked the requested dates in the scheduling system so that additional court matters would not be assigned to Cst. Arora but considered the leave request subject to the outcome of adjournment efforts.
- [55] Sgt. Murphy testified that he also considered operational requirement, including anticipated staffing pressures associated with Festive RIDE and the number of officers already seeking leave during that period.
- [56] He stated that operational needs could override leave requests, including requests involving statutory or accrued time banks. Sgt. Murphy testified that some adjournment requests were successful while others were not. He recalled that certain matters in Brampton could not be adjourned and that a Canada Post strike affected the scheduling of some cellphone ticket prosecutions.
- [57] Sgt. Murphy maintained that attendance at court was part of an officer's duties and remained an important factor in his assessment of Cst. Arora's leave request. Sgt. Murphy

also testified regarding a separate request for leave around the Diwali holiday on October 31, 2024.

- [58] He stated that the request was not approved because of staffing requirements and because other officers had already secured leave during that period. Sgt. Murphy testified that policing operations regularly require officers to forgo personal and family events in order to meet operational obligations.
- [59] Sgt. Murphy testified that he had several discussions with Cst. Arora regarding the proposed trip to India and the family wedding. He acknowledged some confusion regarding the wedding dates and accepted during cross-examination that he had initially recorded the dates incorrectly. He ultimately understood that the wedding was scheduled for December 7 and 8, 2024.
- [60] Sgt. Murphy testified that he was surprised to learn that Cst. Arora had purchased airline tickets before receiving approval for the requested leave. According to Sgt. Murphy, he reminded Cst. Arora that attendance at court proceedings formed part of his duties as a police officer and cautioned him against making travel arrangements before leave had been approved.
- [61] Sgt. Murphy testified that Cst. Arora proposed attending his court matters remotely from India. Sgt. Murphy stated that he did not support that proposal. He distinguished remote attendance from within Peel Region from remote attendance from overseas and testified that he had concerns regarding operational, reliability, and credibility issues.
- [62] Sgt. Murphy maintained that all court matters were important and rejected the characterization of any such matters as trivial or merely administrative.
- [63] Sgt. Murphy testified that the leave request eventually escalated to Staff Sergeant Shawn Rice, Inspector Tim Nagtegaal, Human Resources, and representatives of the Peel Regional Police Association. He stated that his decision to refuse the requested leave was supported by his chain of command.
- [64] Sgt. Murphy acknowledged that Cst. Arora advised him that the denial was causing family stress and that he referred to concerns about his wife's health. Sgt. Murphy testified that he recalled references to a stent or previous cardiac-related issues but stated that his decision remained focused on court attendance obligations and operational requirements.
- [65] Sgt. Murphy testified that on November 23, 2024, shortly after a meeting concerning the leave request, Cst. Arora advised him that he had attended hospital because of a stress-related illness.

- [66] Sgt. Murphy received a medical note indicating that Cst. Arora would be absent from work for two days. Sgt. Murphy later discussed the use of various leave banks and testified that approved leave was granted from December 10, 2024, to January 8, 2025.
- [67] On December 3, 2024, Cst. Arora advised Sgt. Murphy that his wife had suffered a cardiac arrest in India. Sgt. Murphy described the situation as a serious medical emergency. He testified that he attempted to provide support and assistance, including helping with travel arrangements.
- [68] Sgt. Murphy further testified that he periodically contacted Cst. Arora throughout December 2024 to check on his well-being and the condition of his wife. According to Sgt. Murphy, Cst. Arora reported on December 6, 2024, that his wife was improving and was being discharged from hospital.
- [69] Sgt. Murphy testified that during Cst. Arora's absence in India he became aware of social media content depicting Cst. Arora at public events, including a concert and New Year's Eve celebrations. Sgt. Murphy testified that those postings appeared inconsistent with his understanding that Cst. Arora's wife was recovering from a serious cardiac event.
- [70] He stated that the postings caused him concern, although he attempted to remain objective.
- [71] Sgt. Murphy testified that when Cst. Arora returned to work in January 2025, Cst. Arora advised him that the medical incident had ultimately been diagnosed as an anxiety attack rather than a cardiac arrest.
- [72] During cross-examination, Sgt. Murphy agreed that officers working twelve-hour schedules often rely upon accrued and statutory leave banks in addition to annual vacation. He acknowledged that accrued bank time is generally required to be used before the end of the calendar year.
- [73] Sgt. Murphy also acknowledged that Cst. Arora had provided medical documentation concerning his ankle injury and that he had accepted the documentation provided.
- [74] He further acknowledged errors in his recollection regarding wedding and reception dates but maintained that those errors did not affect the substance of his decision-making.
- [75] Throughout his testimony, Sgt. Murphy maintained that court attendance was a fundamental responsibility of Cst. Arora's position and that operational requirements, staffing considerations, and concerns relating to attendance, reliability, and credibility informed his decisions regarding Cst. Arora's leave requests.

6.2 Staff Sergeant Shawn Rice

- [76] S/Sgt. Shawn Rice testified that he was approaching his 28th year of service with Peel Regional Police. During the relevant period in 2024 and 2025, he was assigned to RSS as a Staff Sergeant responsible for overseeing approximately 60 officers and five sergeants across multiple specialized units.
- [77] S/Sgt. Rice testified that Sgt. Murphy reported directly to him. While he did not directly supervise Cst. Arora on a day-to-day basis, he became involved in matters relating to Cst. Arora when issues escalated beyond the platoon sergeant level or required management oversight.
- [78] S/Sgt. Rice explained that part of his role involved liaising with Human Resources, monitoring leave and attendance issues, and addressing morale concerns within the unit. He testified that maintaining teamwork and cohesion within a platoon was an important supervisory responsibility.
- [79] S/Sgt. Rice testified that he had a direct recollection of his involvement with Cst. Arora and refreshed his memory by referring to contemporaneous notes made at the time.
- [80] S/Sgt. Rice stated that, in November 2024, he became involved in discussions concerning Cst. Arora's request for an extended period of leave over the Christmas season in order to travel to India for a family wedding.
- [81] He testified that Sgt. Murphy brought the leave request to his attention because supervisory approval beyond the platoon level was required. At that stage, the request was being assessed to determine whether it should be approved, modified, or denied.
- [82] According to S/Sgt. Rice, Sgt. Murphy advised him that Cst. Arora had more than 20 outstanding court matters scheduled during the period for which leave had been requested.
- [83] S/Sgt. Rice testified that Sgt. Murphy also provided background information concerning previous attendance and leave-related issues involving Cst. Arora. He stated that this information was considered so that he could make an informed management decision.
- [84] S/Sgt. Rice recalled being advised about an earlier request for time off around November 1, 2024, and concerns that arose when Cst. Arora subsequently booked off sick after not obtaining the requested leave.
- [85] He was also informed of previous incidents involving Cst. Arora, including an ankle injury sustained while in India, a workplace injury that resulted in a WSIB claim, and concerns that had been raised regarding attendance and leave usage.

- [86] S/Sgt. Rice testified that, when evaluating the leave request, he was concerned by what he described as repeated requests for time off and the potential use of sick leave in circumstances where leave requests had not been approved.
- [87] He testified that these concerns formed part of his overall assessment of whether the requested leave should be granted.
- [88] S/Sgt. Rice explained that the court matters scheduled during the requested leave period involved a number of different participants, including accused persons, prosecutors, and police witnesses. In his view, those matters could not simply be disregarded.
- [89] He testified that Christmas leave requests generally required careful consideration because of staffing pressures during that time of year and the need to maintain operational readiness.
- [90] Following his discussion with Sgt. Murphy, S/Sgt. Rice met with Inspector Nagtegaal on November 21, 2024, to discuss Cst. Arora's request and the issues associated with it.
- [91] S/Sgt. Rice testified that he provided Inspector Nagtegaal with an overview of the circumstances, including Cst. Arora's outstanding court commitments and his proposal to attend court remotely from India.
- [92] He also advised Inspector Nagtegaal that he had contacted court personnel regarding Cst. Arora's intention to testify remotely from India and sought information about whether such an arrangement would be acceptable.
- [93] According to S/Sgt. Rice, while virtual attendance was possible in some circumstances, concerns remained regarding access to police systems, access to notes, and the logistical difficulties associated with participating remotely from another country.
- [94] S/Sgt. Rice testified that a further meeting took place on November 22, 2024, involving himself, Inspector Nagtegaal, and Sgt. Murphy. During that discussion, Cst. Arora's remaining court obligations and his request to testify remotely from India were reviewed.
- [95] S/Sgt. Rice stated that the group discussed practical concerns related to an officer testifying remotely from abroad, including access to notes, police databases, and other resources that might be required during a hearing.
- [96] Following those discussions, a compromise was proposed. S/Sgt. Rice testified that the Service agreed to approve leave from December 9, 2024, until January 9, 2025, while requiring Cst. Arora to remain available to attend the court matters that remained outstanding before that period.

- [97] S/Sgt. Rice attended a meeting with Sgt. Murphy and Cst. Arora during which that decision was communicated. He testified that Cst. Arora was advised that the broader request from November 30, 2024, to January 12, 2025, was being denied, but that an extended period of leave beginning December 9 would be approved.
- [98] S/Sgt. Rice testified that he was aware Cst. Arora had already purchased airline tickets before obtaining approval for the requested leave. He understood that Sgt. Murphy had previously instructed Cst. Arora not to finalize travel arrangements until leave approval had been obtained.
- [99] During the meeting, Cst. Arora raised several reasons why he believed attendance at the remaining court matters was unnecessary. S/Sgt. Rice disagreed with that position.
- [100] S/Sgt. Rice testified that all court matters were important. He stated that they were significant not only to the accused persons involved, but also to prosecutors, the public, and the operational mandate of RSS.
- [101] S/Sgt. Rice recalled that Cst. Arora advised that the travel was required because of a family wedding. In response, management suggested that Cst. Arora's family could travel in advance and that he could join them later once his court obligations had been completed.
- [102] S/Sgt. Rice testified that Cst. Arora stated that such an arrangement was not possible because his wife had health-related issues. S/Sgt. Rice stated that no further details were provided and that he did not inquire further into what those issues were.
- [103] S/Sgt. Rice testified that he expected police officers and their families to understand that policing involves obligations and work requirements not found in many other occupations, including mandatory court attendance.
- [104] He recalled asking Cst. Arora to advise management how he intended to proceed in light of the modified leave approval that had been offered.
- [105] S/Sgt. Rice testified that he was on vacation on December 3, 2024. Upon his return on December 4, he was advised that Cst. Arora had reported a family emergency involving his wife, who was said to have suffered a heart attack in India.
- [106] He described the reported situation as serious and testified that, in such circumstances, the Service attempts to provide support and assistance to its members.
- [107] S/Sgt. Rice testified that he contacted Brampton court personnel to advise that Cst. Arora would not be attending court on December 9, 2024, as a result of the family emergency.

- [108] He also communicated directly with Cst. Arora to inquire about his wife's condition and to determine whether assistance was required.
- [109] S/Sgt. Rice testified that, during those communications, he provided information concerning extended health benefits and medical claims that might assist with expenses arising from treatment outside of Canada.
- [110] According to S/Sgt. Rice, he also offered to send flowers to the hospital where Cst. Arora's wife was reportedly receiving treatment.
- [111] S/Sgt. Rice testified that he was surprised when he did not receive a room number or other information necessary to facilitate the delivery of flowers. He stated that this contributed to concerns he had already developed regarding Cst. Arora's truthfulness.
- [112] He testified that his concerns in that regard were influenced by what he viewed as a history of deceptive conduct or inconsistent explanations regarding attendance and leave-related matters. S/Sgt. Rice stated that he raised those concerns with Inspector Nagtegaal.
- [113] After that point, his involvement became more limited. He testified that his later participation primarily related to administrative matters associated with the ensuing investigation.
- [114] S/Sgt. Rice recalled meeting with Cst. Arora on January 9, 2025. He testified that the purpose of the meeting was to serve Cst. Arora with documentation relating to an internal investigation.
- [115] In cross-examination, S/Sgt. Rice acknowledged that he first became aware of Cst. Arora's proposal to attend court remotely from India through correspondence and discussions involving Sgt. Murphy.
- [116] He agreed that Cst. Arora's communications indicated that arrangements had been made to ensure reliable internet access and to facilitate participation in court from India.
- [117] S/Sgt. Rice acknowledged that he did not independently verify those arrangements or inquire further into the technical details that had been proposed.
- [118] He also acknowledged that he contacted Brampton court personnel concerning the December 9 court appearances but did not personally follow up to determine why some matters ultimately proceeded despite his request.
- [119] S/Sgt. Rice testified that he had no recollection of reviewing correspondence from prosecutor Anne Stevenson in which certain matters were characterized as relatively minor.

- [120] He agreed that concerns regarding stress on Cst. Arora and his family had been raised in communications relating to the denied leave request.
- [121] S/Sgt. Rice acknowledged that Cst. Arora advised management that his wife had health issues. He testified, however, that he did not seek additional details because he considered those matters personal unless voluntarily disclosed.
- [122] He maintained that, regardless of whether a matter ultimately required an officer to testify, the officer remained obliged to be available to attend court when scheduled.
- [123] S/Sgt. Rice agreed that he never received a wedding invitation or “save the date” card from Cst. Arora in support of the leave request.
- [124] He also acknowledged that he had no recollection of being advised that Cst. Arora had altered his travel plans in accordance with the modified leave period that had been approved.
- [125] S/Sgt. Rice testified that by December 2024 he understood that Professional Standards had become involved in reviewing the circumstances. He could not recall precisely when he became aware of that development.
- [126] He confirmed that he was aware on January 9, 2025, that Cst. Arora would be served with notice of an investigation. He testified that his role during that meeting was limited and that the discussion took place primarily between Inspector Nagtegaal and Cst. Arora.
- [127] In re-examination, S/Sgt. Rice testified that staffing shortages during the holiday period were an important consideration in assessing leave requests and that he considered the impact a prolonged absence would have on shift coverage.
- [128] He further testified that, had he been provided with sufficient information to send flowers to the hospital where Cst. Arora’s wife was reportedly receiving treatment, he would have done so. He explained that sending flowers to hospitalized members or their families was not uncommon and could generally be arranged on short notice.
- [129] Throughout his testimony, S/Sgt. Rice maintained that his decisions concerning Cst. Arora’s leave request were based on operational requirements, court attendance obligations, staffing considerations, and concerns that had arisen from his review of Cst. Arora’s prior attendance and leave history.

6.3 Inspector Tim Nagtegaal

- [130] Insp. Nagtegaal testified that he has served with Peel Regional Police for approximately 30 years and has held the rank of inspector for the past five years. During the relevant period, he was assigned to Community Policing and had responsibility for overseeing RSS.
- [131] Insp. Nagtegaal explained that, as the officer in charge of RSS, he was responsible for ensuring the delivery of the Service's mission, vision, and values. He testified that there were two supervisory ranks between himself and a constable, namely sergeants and staff sergeants, who would ordinarily manage day-to-day personnel matters.
- [132] Insp. Nagtegaal testified that he became familiar with Cst. Arora through his oversight role within RSS. While he was not involved in routine scheduling or attendance matters, he became involved in issues that escalated beyond the platoon level.
- [133] He testified that he maintained electronic notes in OneNote and relied upon those notes to refresh his recollection of events relating to Cst. Arora.
- [134] Insp. Nagtegaal testified that he became involved in Cst. Arora's request for leave in or around November 2024. Although the request concerned December 2024 travel, he understood that it had originally been submitted in September 2024.
- [135] He explained that leave requests are normally addressed by an officer's immediate supervisor and, where necessary, reviewed by the Staff Sergeant. It would be unusual for such a matter to require the involvement of an inspector.
- [136] According to Insp. Nagtegaal, the request attracted his attention because it involved an extended absence during one of the busiest operational periods of the year and raised issues beyond a routine vacation request.
- [137] Insp. Nagtegaal testified that he met with Sgt. Murphy and S/Sgt. Rice in November 2024 to discuss the request. He stated that the circumstances were significant enough that he considered it necessary to document his involvement.
- [138] He described the leave request as being connected to a broader set of concerns regarding attendance, operational requirements, and prior occurrences involving Cst. Arora.
- [139] Insp. Nagtegaal testified that he viewed the circumstances as "interwoven" and difficult to consider in isolation. He explained that concerns had been brought to him regarding prior absences, injury-related leave, and attendance issues involving Cst. Arora.

- [140] In particular, he recalled discussions concerning Cst. Arora's trip to India in March 2024, an extended absence associated with a reported injury, and a subsequent workplace injury that resulted in an extended period of modified duties.
- [141] Insp. Nagtegaal testified that, based on information provided by Sgt. Murphy and S/Sgt. Rice, he had concerns regarding what he described as the possible abuse of sick leave.
- [142] He stated that, although he had concerns, he directed supervisors to ensure that all attendance-related decisions remained consistent with applicable policies and procedures.
- [143] Insp. Nagtegaal testified that one of the principal issues under consideration was Cst. Arora's request to attend court proceedings remotely from India while travelling for the wedding.
- [144] According to Insp. Nagtegaal, Cst. Arora had a number of unresolved court matters that remained scheduled during the requested leave period. He recalled discussions indicating that approximately 17 matters had not yet been adjourned.
- [145] He testified that police officers are generally required to attend court unless they are formally excused from doing so. In his view, attendance at scheduled court proceedings is an important component of a police officer's responsibilities.
- [146] Insp. Nagtegaal testified that he discussed the matter with Human Resources and reviewed the applicable policies relating to court attendance and leave requests.
- [147] He stated that he also considered whether there were exceptional circumstances that would justify excusing Cst. Arora from his court obligations. Based on the information before him at the time, he concluded that there were not.
- [148] Following discussions with Sgt. Murphy and S/Sgt. Rice, Insp. Nagtegaal concluded that leave could be approved after December 9, 2024, but not for the earlier period during which Cst. Arora remained scheduled to attend court.
- [149] He further testified that he did not approve Cst. Arora's proposal to appear remotely from India for those proceedings.
- [150] Insp. Nagtegaal referred to an email exchange dated November 22, 2024, in which he directed that the relevant policy provisions be reviewed before a final decision was communicated.
- [151] He testified that his expectation was that any decision concerning court attendance or leave would be consistent with existing policy, collective agreement provisions, and operational requirements.

- [152] According to Insp. Nagtegaal, he reviewed information provided by Sgt. Murphy regarding court obligations, staffing requirements, and previous attendance concerns before reaching his conclusion.
- [153] He stated that, after considering the available information, he supported the recommendation that leave be granted from December 9, 2024, onward, while requiring Cst. Arora to remain available for court before that date.
- [154] Insp. Nagtegaal understood that this decision was subsequently communicated to Cst. Arora through his chain of command.
- [155] Although he had discussions with Sgt. Murphy and S/Sgt. Rice regarding the matter, Insp. Nagtegaal testified that he did not personally meet with Cst. Arora during the period immediately surrounding the initial leave decision.
- [156] He testified that, on or about November 25, 2024, he became aware that Cst. Arora had submitted a medical note following a reported emergency room visit related to stress.
- [157] Insp. Nagtegaal stated that he discussed the note with representatives from the Peel Regional Police Association (“PRPA”), Human Resources, and Labour Relations.
- [158] He testified that, in light of the overall circumstances, he directed that additional medical documentation be requested if further absences were sought.
- [159] Insp. Nagtegaal explained that his concerns at that stage arose not from the medical note alone, but from what he regarded as the cumulative circumstances surrounding the leave request and attendance issues.
- [160] He testified that he had ongoing discussions with Human Resources personnel, including Marion Menunick, Florence Lui, and others, regarding the appropriate management response.
- [161] Insp. Nagtegaal recalled discussions concerning whether Cst. Arora should be permitted to testify remotely from India. He stated that Human Resources did not support such an arrangement.
- [162] He further testified that he discussed the matter with PRPA representative Mark Gordon. While he remained open to hearing additional information, he was not persuaded that sufficient grounds existed to alter his original decision.
- [163] According to Insp. Nagtegaal, the focus of those discussions was largely the request for remote testimony rather than the leave request itself.

- [164] On November 25, 2024, Insp. Nagtegaal received a wedding invitation through Mark Gordon. He testified that this was the first time he had personally seen documentation relating to the wedding.
- [165] Insp. Nagtegaal testified that he found it unusual that a wedding of such significance was the subject of a leave request submitted only a few months before the event.
- [166] He also noted several features of the invitation that he found unusual, including spelling errors and formatting issues. He acknowledged, however, that there could be a variety of explanations for those observations.
- [167] Notwithstanding those concerns, Insp. Nagtegaal accepted that the wedding was an important family event and testified that management had attempted to accommodate the request to the greatest extent operationally possible.
- [168] He described the approved leave period from December 9, 2024, to January 9, 2025, as a substantial compromise, particularly given the time of year and the operational demands on RSS.
- [169] Insp. Nagtegaal testified that he remained supportive of the decisions made by Sgt. Murphy and S/Sgt. Rice and did not see grounds to reverse them.
- [170] He further testified that, in early December 2024, a request was made on behalf of Cst. Arora for reassignment to a different platoon. He remained willing to discuss that request but continued to support the leave decision that had already been made.
- [171] On December 3, 2024, Insp. Nagtegaal learned that Cst. Arora's wife had reportedly suffered a cardiac event while in India.
- [172] Insp. Nagtegaal testified that he contacted Cst. Arora directly to inquire about his well-being and to provide organizational support.
- [173] He also took steps to ensure that Cst. Arora had access to work-related resources while abroad, including arranging roaming coverage for his work-issued cellular phone.
- [174] Insp. Nagtegaal testified that court obligations that remained outstanding were subsequently adjourned in light of the reported family emergency.
- [175] Throughout December 2024, he remained in regular contact with Sgt. Murphy, S/Sgt. Rice, Human Resources personnel, and Mark Gordon concerning issues arising from the situation.

- [176] Insp. Nagtegaal testified that concerns regarding morale within the platoon were also brought to his attention during this period.
- [177] He was advised that some officers perceived an inconsistency between Cst. Arora's absences and information that had circulated regarding his activities while away from work.
- [178] Insp. Nagtegaal stated that the emerging concerns, when viewed collectively, caused him to become increasingly suspicious of the overall circumstances.
- [179] As a result, he consulted Human Resources, Labour Relations, and Professional Standards to obtain an objective assessment of the situation.
- [180] Insp. Nagtegaal testified that his purpose was not to reach conclusions himself, but rather to ensure that the concerns were independently reviewed by the appropriate units.
- [181] He recalled speaking with Bill Ford of Professional Standards on or about December 13, 2024, and requesting assistance in assessing the information that had been brought to his attention.
- [182] He testified that, as the officer in charge of the unit, he considered it part of his responsibility to involve specialized units whenever concerns arose that could not be reliably addressed through normal supervisory processes.
- [183] Insp. Nagtegaal subsequently sent emails to Human Resources, Labour Relations, and Professional Standards outlining what he described as a constellation of concerns and seeking their input.
- [184] He testified that the concerns included attendance issues, leave requests, social media activity, and information that had emerged concerning the reported medical emergency involving Cst. Arora's wife.
- [185] Insp. Nagtegaal stated that he became aware of social media postings depicting Cst. Arora and his wife attending social events while in India.
- [186] He testified that those postings formed part of the information that was ultimately provided to Human Resources and Professional Standards for review.
- [187] According to Insp. Nagtegaal, by January 2025 Professional Standards had assumed responsibility for the investigation and had directed that a Notice of Investigation be served upon Cst. Arora.

- [188] On January 9, 2025, Insp. Nagtegaal confirmed that Cst. Arora had returned to work and met with him, together with S/Sgt. Rice, for the purpose of serving the Notice of Investigation.
- [189] Insp. Nagtegaal testified that he reviewed the Notice with Cst. Arora and advised him of the nature of the process.
- [190] He recalled that Cst. Arora requested time to seek advice from a union representative before signing the document.
- [191] Insp. Nagtegaal testified that he was unable to delay the process further and ultimately recorded that Cst. Arora declined to sign the Notice.
- [192] He emphasized that he did not discuss the details of the investigation with Cst. Arora and understood that responsibility for the investigation rested with Professional Standards.
- [193] Insp. Nagtegaal also recalled learning on January 9, 2025, that the medical event originally described to management as a cardiac issue had later been characterized as an anxiety-related episode.
- [194] In cross-examination, Insp. Nagtegaal acknowledged receiving wedding invitations from Mark Gordon and agreed that they contained references to events occurring on multiple dates in December 2024.
- [195] He also agreed that information had been provided concerning internet connectivity and the possibility of attending court remotely from India. However, he maintained that connectivity concerns were only one aspect of the issue and were not determinative of his decision.
- [196] Insp. Nagtegaal testified that, even if prosecutors were prepared to permit virtual attendance, management retained responsibility for determining whether an officer would be excused from attending court while on leave.
- [197] He acknowledged that Mark Gordon actively advocated on behalf of Cst. Arora throughout the process and that ongoing discussions occurred between the Association and management regarding possible accommodations.
- [198] Insp. Nagtegaal agreed that he did not personally possess expertise regarding Indian wedding customs and that his observations concerning the wedding invitation were simply factors he noted at the time.

- [199] He further acknowledged that he had no specific recollection of being informed that Cst. Arora ultimately accepted the modified leave period from December 10, 2024, to January 8, 2025.
- [200] With respect to the Notice of Investigation, Insp. Nagtegaal confirmed that his role was limited to service of the document and that he did not participate in the substantive investigation.
- [201] Throughout his testimony, Insp. Nagtegaal maintained that his decisions and actions concerning Cst. Arora were guided by operational requirements, court attendance obligations, employee attendance concerns, workplace morale, and his responsibility to ensure that emerging concerns were appropriately referred to Human Resources, Labour Relations, and Professional Standards for independent review.

6.4 Mrs. Anshu Sharma

- [202] Mrs. Anshu Sharma testified that she is the wife of Cst. Arora and has been married to him since 2011. The couple married in India and immigrated to Canada together in September 2014.
- [203] Mrs. Sharma testified that she is employed in an administrative role at the Brampton Civic Heart Centre and previously worked at the Airport Medical Centre. She stated that she and Cst. Arora regularly travel to India to visit family, generally every one or two years.
- [204] Mrs. Sharma testified that she and Cst. Arora travelled to India in February 2024 with their children to visit family members. They stayed primarily with Cst. Arora's parents in Chandigarh and visited other relatives during the trip.
- [205] According to Mrs. Sharma, the family originally planned to return to Canada in mid-March 2024. She testified that those plans changed when Cst. Arora was involved in a motorcycle accident on March 14, 2024.
- [206] Mrs. Sharma stated that she was at Cst. Arora's parents' home when she learned of the accident. She recalled that Cst. Arora returned home in significant pain, with a swollen and bruised ankle, and was crying and screaming because of the injury.
- [207] She testified that Cst. Arora was taken to hospital by his father and returned several hours later. According to Mrs. Sharma, the diagnosis communicated to the family was a sprained ankle with ligament damage.
- [208] Mrs. Sharma recalled that Cst. Arora experienced considerable difficulty walking following the injury. She testified that family members assisted him with mobility and helped care for him while he recovered.

- [209] Mrs. Sharma stated that for approximately two weeks Cst. Arora remained largely at home, used ice packs and pain medication, and was encouraged to keep his ankle elevated. She testified that family members provided substantial assistance during that period.
- [210] According to Mrs. Sharma, the family's planned return to Canada was delayed because of the injury. She testified that their children's school was notified of the extended absence through communication involving family friends and emergency contacts.
- [211] Mrs. Sharma recalled assisting Cst. Arora during the return trip to Canada. She stated that although his condition had improved, he continued to experience discomfort when placing pressure on his ankle.
- [212] She testified that, by the time the family returned to Canada, the swelling had improved considerably but Cst. Arora was not capable of engaging in strenuous physical activity.
- [213] Mrs. Sharma acknowledged that she is not a physician. She testified, however, that she observed Cst. Arora's condition firsthand and considered the injury significant at the time.
- [214] Mrs. Sharma also testified regarding her own cardiac history. She stated that she experienced cardiac issues in 2019 and again in 2022, requiring the insertion of coronary stents.
- [215] She testified that additional stents were inserted in July 2024 at Brampton Civic Hospital. Documentary evidence was produced confirming a hospital appointment in relation to that procedure.
- [216] Mrs. Sharma testified that the family's second trip to India was planned in connection with the wedding of her brother. Although not a biological sibling, she described him as a brother who had raised her as family following the death of her mother when she was an infant.
- [217] Mrs. Sharma explained that her biological mother died shortly after her birth and that she was largely raised by the Garg family. She described the family relationship as equivalent to that of biological parents and siblings.
- [218] According to Mrs. Sharma, she learned in July 2024 that her brother's wedding would take place in December 2024, although the specific dates had not yet been finalized.
- [219] She testified that, because airline prices tend to increase as travel dates approach, she purchased airline tickets for the family on July 7, 2024, before the wedding dates were confirmed.

- [220] Mrs. Sharma explained that the original itinerary contemplated travel from November 2024 until January 2025. She stated that the tickets were booked using her credit card and that travel plans could be modified if necessary.
- [221] Mrs. Sharma acknowledged that, at the time the tickets were purchased, Cst. Arora had not yet obtained approval for leave from his employer.
- [222] She testified that the family nevertheless booked the tickets because they anticipated attending the wedding and intended to address any scheduling issues later if required.
- [223] Mrs. Sharma testified that she received a PDF wedding invitation through WhatsApp on September 25, 2024. According to her evidence, the invitation was sent by the bride, Diksha.
- [224] She stated that she specifically requested a copy of the invitation because she and Cst. Arora required documentation to support leave requests submitted to their respective employers.
- [225] Mrs. Sharma denied any knowledge that Cst. Arora created or altered the invitation. She testified that the document originated from the bride.
- [226] She acknowledged, however, that the invitation was not the official wedding card ultimately used for the event. According to her evidence, the document was prepared specifically to provide preliminary wedding information.
- [227] Mrs. Sharma testified that she was surprised to see her and Cst. Arora's names prominently displayed on the invitation. She stated that she did not request that format and did not know why it had been prepared in that manner.
- [228] She further testified that some details contained in the preliminary invitation changed before the wedding. In particular, she recalled that several venues were altered after arrangements were finalized.
- [229] Mrs. Sharma stated that she received updated information once she arrived in India and that some events originally intended to occur at larger venues were ultimately held at family homes.
- [230] She testified that the wedding was an important family event and that both she and Cst. Arora were expected to participate in cultural and ceremonial functions associated with the wedding.

- [231] In cross-examination, Mrs. Sharma elaborated on those responsibilities. She testified that Cst. Arora was required to participate in several traditional ceremonies that are customarily performed by a brother-in-law and other close family members.
- [232] According to Mrs. Sharma, those rituals were significant within the family's cultural traditions. She stated that Cst. Arora's absence would have caused considerable difficulty and disappointment for the family.
- [233] Mrs. Sharma testified that she travelled to India in late November 2024 with Cst. Arora and their children. They initially stayed with Cst. Arora's parents before participating in wedding-related events.
- [234] She acknowledged that some of the events ultimately occurred differently than outlined in the preliminary invitation and that certain functions were moved to private residences.
- [235] Mrs. Sharma testified that there were numerous guests from Canada attending the wedding festivities. She disagreed with suggestions that she and Cst. Arora were the only attendees travelling from Canada.
- [236] Turning to her medical condition, Mrs. Sharma testified that on December 3, 2024, she began experiencing symptoms including headache, dizziness, numbness, shortness of breath, and a sensation of heaviness in her chest.
- [237] Given her history of cardiac disease and previous stent procedures, she believed she might be experiencing a heart attack.
- [238] Mrs. Sharma testified that she was taken to Park Hospital in Mohali by Cst. Arora's father. She stated that her symptoms were sufficiently severe that her immediate concern was obtaining medical treatment.
- [239] According to Mrs. Sharma, she did not contact Cst. Arora before attending the hospital. She testified that she was frightened by her symptoms and focused exclusively on receiving emergency medical care.
- [240] She described undergoing blood testing, ECG testing, and other cardiac assessments shortly after arriving at the hospital. Because of her cardiac history, she understood that urgent assessment was necessary.
- [241] Mrs. Sharma testified that she was administered medication and became drowsy. She stated that she was not initially provided with a definitive diagnosis and recalled medical staff repeatedly instructing her to remain calm.

- [242] According to Mrs. Sharma, she remained hospitalized from December 3 until December 6, 2024. She testified that family members were present with her at various times during her stay.
- [243] Mrs. Sharma stated that she learned several days later that her cardiac enzymes were negative and that medical staff believed her symptoms were not caused by a heart attack.
- [244] She testified that physicians advised her that stress, elevated blood sugar levels, and anxiety-related factors may have contributed to her symptoms.
- [245] According to Mrs. Sharma, by December 5, 2024, she understood that she had not suffered a heart attack and that her condition had stabilized.
- [246] She testified that physicians advised her to continue her cardiac medication, monitor her blood sugar, remain active, and attempt to manage stress levels.
- [247] Mrs. Sharma acknowledged that she had experienced similar episodes in Canada before December 2024. She described prior incidents involving dizziness, nausea, and symptoms that she believed resembled panic attacks.
- [248] She testified that she was discharged from hospital on December 6, 2024, and provided with medical advice concerning diet, medication compliance, and stress management.
- [249] Medical records from Park Hospital were put to Mrs. Sharma during cross-examination. She agreed that the records referenced symptoms of breathlessness, nausea, palpitations, and a possible panic attack diagnosis.
- [250] She also agreed that the records directed her to continue all previously prescribed cardiac medications and documented an improvement in her condition by the time of discharge.
- [251] Mrs. Sharma testified that, following her discharge, she continued to experience occasional headaches and light-headedness but generally felt improved.
- [252] She stated that she subsequently attended some family functions associated with the wedding, including a cocktail event and the wedding itself.
- [253] Mrs. Sharma testified that she also attended a New Year's Eve celebration and a concert during the remainder of the trip. She explained that she continued taking her medication and monitoring her health throughout that period.
- [254] According to Mrs. Sharma, her participation in those events did not mean she had completely recovered from her symptoms. Rather, she considered herself medically stable and capable of limited social activities.

- [255] Mrs. Sharma testified that one event required air travel, and another required several hours of driving. She stated that neither trip caused additional anxiety or significant health concerns.
- [256] She acknowledged appearing in photographs and videos from some of those events, including social media content referenced during the hearing.
- [257] Mrs. Sharma testified that she assisted with content posted to the Top Star Mortgages social media account but was uncertain about all of the account's activity.
- [258] During cross-examination, Mrs. Sharma was questioned extensively regarding the wedding invitation, family relationships, her medical condition, and events that occurred during the India trip.
- [259] Throughout her testimony, Mrs. Sharma maintained that the wedding was a genuinely important family event, that she suffered a significant medical episode requiring hospitalization in December 2024, and that the information she and Cst. Arora provided concerning those events was truthful to the best of her knowledge.

6.5 Jay Patel

- [260] Mr. Jay Patel testified that he has been employed by Peel Regional Police since February 22, 2022, as a Senior Security Engineer within the Information Technology Department. His responsibilities include protecting police information technology assets, maintaining network security infrastructure, monitoring internet traffic, and administering systems including firewalls and the Zscaler security platform.
- [261] Mr. Patel explained that, as part of his duties, he can query and review internet activity logs generated by Peel Regional Police systems. These logs allow security personnel to determine whether specific websites or online services have been accessed through police-issued devices.
- [262] Mr. Patel testified that he became involved in this matter after receiving a request for assistance arising from an internal investigation. The request was conveyed through his supervisory chain following an inquiry by Det. Colagiovanni.
- [263] According to Mr. Patel, he was asked to conduct searches involving Cst. Arora's network activity. The searches focused on internet activity relating to Zoom and Canva during specified date ranges.
- [264] Mr. Patel testified that he was provided with Cst. Arora's identifying information and directed to review system logs relating to Zoom usage and Canva activity. He understood

that the Canva inquiry concerned potential creation of invitations, including possible wedding invitations.

- [265] Mr. Patel stated that he generated reports from the available system logs and subsequently explained the results to Det. Colagiovanni. He testified that the reports themselves were system-generated and reflected data maintained by Peel Regional Police information systems.
- [266] Mr. Patel referred first to the Zoom logs. He testified that the report was generated on March 11, 2025, and reflected searches conducted using the term “Zoom” within the prescribed date range.
- [267] Mr. Patel explained that the purpose of the Zoom search was to determine whether Cst. Arora had accessed Zoom through a Peel Regional Police asset during the relevant period.
- [268] According to Mr. Patel, the logs demonstrated occasions on which Zoom was accessed through a Peel Regional Police device. The logs recorded the dates and times of access but did not reveal the substance of any meeting attended.
- [269] Mr. Patel testified that the logs showed Zoom activity on September 3, 2024, September 12, 2024, September 16, 2024, and September 19, 2024.
- [270] He explained that the entries reflected periods during which Zoom sessions were initiated and remained active on a police-issued device associated with Cst. Arora.
- [271] Mr. Patel testified that several entries contained references to “Mississauga” within the relevant URLs. He understood those entries to be consistent with Zoom links generated for *Provincial Offences Act* court proceedings.
- [272] He explained that the logs could demonstrate access to Zoom but could not establish the particular court proceeding being attended or what occurred during any meeting.
- [273] Mr. Patel testified that the absence of Zoom activity on a particular date did not necessarily mean that Cst. Arora failed to access Zoom. Rather, it meant only that no Zoom activity was recorded through a Peel Regional Police asset during that period.
- [274] He emphasized that the available data related to police-issued devices and did not capture activity occurring through personal computers or personal mobile phones.
- [275] During his evidence-in-chief, Mr. Patel initially testified that the logs reflected activity from Peel Regional Police desktop and laptop computers, but not from mobile devices.

- [276] During cross-examination and re-examination, Mr. Patel clarified that officer-issued mobile phones may also have generated Zscaler-related records during part of the relevant period.
- [277] He acknowledged that, in September 2024, Zscaler software remained installed on some officer-issued cellular devices and that he may have overlooked that fact during his earlier testimony.
- [278] Mr. Patel ultimately testified that if Zoom activity was not recorded in the logs, it meant that the activity did not occur through a tracked Peel Regional Police device, including an officer-issued phone connected through that system.
- [279] Mr. Patel further explained that Zoom activity conducted through a personal device would not have appeared in the records he reviewed.
- [280] Turning to the Canva logs, Mr. Patel testified that he generated a separate report on March 11, 2025, searching for URLs containing the term “Canva.”
- [281] He explained that Canva is a web-based graphic design platform commonly used to create invitations, announcements, and other digital documents.
- [282] Mr. Patel testified that the Canva logs related to activity occurring on September 4, 2024, from a device assigned to Strategic Enforcement.
- [283] According to Mr. Patel, the logs showed that Canva was accessed beginning shortly after 8:00 a.m. and that activity on the platform continued for several hours.
- [284] He testified that portions of the URL data referenced invitations and invitation-related templates. Based on the available records, he concluded that the user had accessed invitation-related content within Canva.
- [285] Mr. Patel testified that the logs indicated that a Canva account associated with the email address “sagararora008@gmail.com” was used during the session.
- [286] He explained that the logs reflected authentication and sign-in activity associated with that account.
- [287] Mr. Patel testified that the records suggested a user was interacting with invitation-related content and customizing materials within the Canva platform.
- [288] He pointed to entries referencing invitations, personalization functions, fonts, image files, and template-related activity.

- [289] According to Mr. Patel, some entries were consistent with the selection or modification of fonts, images, and other design elements.
- [290] He testified that the logs also contained references to billing and payment-related pages within Canva.
- [291] Mr. Patel explained that these entries suggested a user had navigated to payment-related portions of the platform, although he could not determine whether any purchase was ultimately completed.
- [292] He further testified that certain entries referenced export and download functions within Canva.
- [293] Mr. Patel stated that those entries suggested an attempt to export or download content. However, he could not determine whether a download was successfully completed or what document, if any, was ultimately exported.
- [294] Mr. Patel testified that the logs reflected a user creating or modifying some type of invitation-related document, although the actual content of any invitation was not available for review.
- [295] He explained that the underlying URLs no longer allowed him to reconstruct or retrieve the content that may have existed on the platform at the time.
- [296] In his evidence-in-chief, Mr. Patel concluded that the user was logged into Canva using Cst. Arora's email account and appeared to be creating or modifying an invitation of some kind.
- [297] During cross-examination, counsel explored the limitations of the Zoom and Canva logs and the extent to which conclusions could reliably be drawn from them.
- [298] With respect to the Zoom records, Mr. Patel agreed that website classifications within Zscaler changed over time, including classifications described as "sales and marketing" and "collaboration and online meetings."
- [299] He testified that those classifications were generated by Zscaler and were not manually assigned by Peel Regional Police personnel.
- [300] Mr. Patel rejected the suggestion that a change in classification necessarily indicated missing data or incomplete records.
- [301] He testified that the purpose of the search was to identify Zoom traffic generally and that the categorization assigned by Zscaler was of limited significance to his analysis.

- [302] Mr. Patel acknowledged that he could not state with certainty whether any data existed outside the records he reviewed, but he testified that the logs accurately reflected the information that had been captured and retained.
- [303] During cross-examination, counsel directed Mr. Patel to entries suggesting the use of an iPhone 14 device. Mr. Patel agreed that some entries appeared to reference an Apple mobile device rather than a traditional desktop computer.
- [304] Mr. Patel testified that officer-issued phones could generate records where Zscaler remained installed and active during the relevant period.
- [305] Counsel also questioned Mr. Patel extensively regarding various Canva URLs that referenced authentication processes, JavaScript functions, fonts, stock images, website resources, and background system processes.
- [306] Mr. Patel acknowledged that many of the logged entries reflected automated activity generated by the Canva platform itself rather than direct user actions.
- [307] He agreed that numerous entries occurred within fractions of a second and were likely generated as the website loaded content and resources in the background.
- [308] Mr. Patel further acknowledged that references to invitations, fonts, templates, and images did not necessarily prove that a user personally selected each item reflected within the URLs.
- [309] He testified that many of those entries could have been generated automatically as a result of the webpage loading content.
- [310] With respect to entries referencing document exports, Mr. Patel acknowledged that he could not determine whether any file was successfully downloaded by the user.
- [311] He similarly acknowledged that references to payment functions did not establish that any actual purchase had occurred.
- [312] Mr. Patel agreed that the records could not reveal the precise content of any invitation, nor could they establish whether a completed invitation was ultimately distributed to another person.
- [313] Nevertheless, he maintained that the logs demonstrated use of Canva through an account associated with Cst. Arora and showed activity involving invitation-related templates and features.

- [314] In re-examination, Mr. Patel reiterated that the Zoom logs reliably showed the dates on which Zoom access occurred through tracked Peel Regional Police assets.
- [315] He testified that a change in Zscaler's classification of Zoom traffic would not cause an entire day of Zoom usage to disappear from the logs.
- [316] Mr. Patel further stated that, based on his experience, activity routed through a monitored Peel Regional Police asset would ordinarily generate corresponding records within the logging system.
- [317] He acknowledged, however, that the logs could not account for activity occurring through personal devices or systems outside the scope of Peel Regional Police monitoring.
- [318] Throughout his testimony, Mr. Patel emphasized both the capabilities and limitations of the technology. While the logs could establish that Zoom and Canva were accessed through systems associated with Cst. Arora, they could not conclusively identify the specific content viewed, the substance of any Zoom meeting attended, or the final form of any invitation that may have been created.

6.6 Jorge Valencia

- [319] Mr. Jorge Valencia testified that he has been employed by the City of Mississauga as a prosecutor for approximately two years. He is assigned to the Provincial Offences Court located at 950 Burnhamthorpe Road West and is responsible for prosecuting *Highway Traffic Act* and related *Provincial Offences Act* matters.
- [320] Mr. Valencia explained that he receives court dockets approximately two days before the scheduled hearing date. He reviews those dockets in advance and records notes concerning the disposition of each matter. Those notes are subsequently uploaded into the court system.
- [321] Mr. Valencia testified that he does not personally notify police officers of their court appearances except in major cases involving bodily harm or fatalities. In ordinary traffic matters, he understands that notifications are generated through police court liaison systems, including ICON and NICHE.
- [322] He stated that he does not generally communicate with officers before court appearances. Instead, he relies on the court scheduling process and expects officers to attend matters for which they have been scheduled.
- [323] Mr. Valencia testified that, before each court session, he receives a docket that identifies the officer who issued the charge. This allows him to know which officer is associated with each matter scheduled before the court.

- [324] He explained that, on the day of court, he waits for defendants, agents, and officers to check in before proceeding with the docket. Once attendance is confirmed, he addresses guilty pleas, early resolutions, adjournments, and trials as required.
- [325] Mr. Valencia testified that when an officer checks in, he makes a note of the officer's attendance on the docket. He stated that he often manages a large number of matters at the same time and therefore relies on his notation system to track attendance.
- [326] According to Mr. Valencia, an officer's attendance is typically reflected by a notation or highlighting beside the officer's badge number. He testified that he records those attendance-related notations contemporaneously while managing the docket.
- [327] Mr. Valencia explained that where an officer has not attended and no prior notice has been provided, he may be unable to proceed with the prosecution. In those circumstances, he must determine whether the matter should be adjourned or withdrawn.
- [328] He testified that if advance notice is provided explaining an officer's absence, an adjournment may be requested. Where no explanation has been received and attendance is required for prosecution of the matter, withdrawal may be the appropriate course.
- [329] Mr. Valencia stated that the decision whether to adjourn or withdraw a charge rests with the prosecutor. In making that determination, he considers factors such as the reasonable prospect of conviction, the public interest, witness availability, and the ability to proceed fairly.
- [330] Mr. Valencia testified that he was contacted during the course of Det. Colagiovanni's investigation and was asked to assist in interpreting notes and abbreviations contained within his court dockets.
- [331] He reviewed a docket dated September 19, 2024, which had been marked as an exhibit. Mr. Valencia testified that he recognized the handwriting, notations, and highlighting as his own.
- [332] He explained that, within his notation system, highlighting or circling an individual's name generally indicates that the person attended court and checked in with him.
- [333] Mr. Valencia described several abbreviations appearing on the docket. He testified that "WDPC" means "withdrawn because the police officer was not present," "ZSR" refers to a self-represented defendant appearing by Zoom, "GP" refers to a guilty plea, and "TR" refers to a trial.

- [334] He also explained that entries such as “GP 80/70” indicate a guilty plea to an amended charge, in that example reducing an alleged speed of 80 km/h to 70 km/h.
- [335] Mr. Valencia testified that if neither the defendant nor the officer attends, the matter may proceed as an uncontested matter or be dealt with in accordance with court procedures. Attendance is tracked through the coding and notation system used on the docket.
- [336] Reviewing the September 19, 2024, docket, Mr. Valencia identified badge number 4395 as belonging to Cst. Arora. He testified that a significant number of matters scheduled on that docket were associated with Cst. Arora.
- [337] Mr. Valencia stated that he found no notation indicating that Cst. Arora checked in with him for the September 19, 2024, 1:30 p.m. court session. Based on the absence of highlighting and attendance notations, Mr. Valencia testified that Cst. Arora did not make his presence known to him in relation to those matters. He further testified that, based on his review of that particular docket, no police officers checked in for any of the matters listed on that specific tier.
- [338] Mr. Valencia stated that where an officer fails to attend or check in, he ordinarily advises the Justice of the Peace when that information is relevant to the disposition of the charges.
- [339] Mr. Valencia also reviewed a docket dated August 27, 2024, for a 1:30 p.m. court session. He testified that he recognized the document and believed it reflected notations that he personally made at the time.
- [340] Referring to the docket, Mr. Valencia identified several matters associated with badge number 4395, which he understood to be Cst. Arora’s badge number.
- [341] He testified that certain officers were highlighted on the docket, indicating that they had checked in and made their presence known. Cst. Arora was not among those highlighted officers.
- [342] Mr. Valencia stated that the absence of highlighting or attendance-related notations beside Cst. Arora’s matters led him to conclude that Cst. Arora had not checked in with him for that court session.
- [343] He further identified entries marked “WDPC” on the docket and testified that those notations indicated matters withdrawn because the police officer was not present.
- [344] Mr. Valencia also reviewed a separate August 27, 2024, docket for a 3:00 p.m. court session. He identified a matter assigned to Cst. Arora and testified that his records again reflected no attendance by the officer.

- [345] According to Mr. Valencia, where an officer does not attend and no explanation is available, the prosecutor may have limited options available to proceed with the charge.
- [346] In cross-examination, Mr. Valencia acknowledged that officers may attend Provincial Offences Court proceedings either in person or virtually.
- [347] He testified that virtual attendance had become commonplace by 2024 and was routinely used in Provincial Offences Court proceedings throughout Mississauga.
- [348] Mr. Valencia disagreed with the suggestion that virtual appearances were chaotic or unusual. He testified that Mississauga was among the early adopters of virtual proceedings and that officers commonly attended remotely without difficulty.
- [349] He explained that officers appearing virtually would typically join through a Zoom link and wait in a designated breakout room until required for their matter.
- [350] Mr. Valencia acknowledged that different prosecutors employ slightly different methods for managing attendance and check-in procedures for virtual participants.
- [351] Counsel directed Mr. Valencia to the September 19, 2024, docket and suggested that officers other than Cst. Arora had also failed to check in. Mr. Valencia agreed that the docket reflected instances where other officers had not made their presence known.
- [352] He identified an example on the docket where a matter was marked “WDPC” and explained that the notation reflected the non-attendance of an officer whose presence was required in relation to the proceeding.
- [353] Throughout his testimony, Mr. Valencia maintained that his conclusions were based upon the notations he contemporaneously recorded on the court dockets. He testified that, where no attendance notation or highlighting appeared beside Cst. Arora’s matters, his records indicated that Cst. Arora had not checked in with him for those proceedings.

6.7 Constable Gurpreet Saran

- [354] Cst. Gurpreet Saran testified that he has been a member of Peel Regional Police for approximately 17 years. At the time of his testimony, he was assigned to the Leadership and Development Team at 180 Dairy Road and was involved in training and leadership-related initiatives within the Service.
- [355] Cst. Saran testified that he is fluent in Punjabi and, from time to time, assists with interpretation and communication involving Punjabi-speaking individuals. He stated that he maintained contemporaneous notes regarding his involvement in this matter and confirmed that no revisions or deletions had been made to those notes.

- [356] Cst. Saran testified that he became involved in this investigation at the request of Det. Colagiovanni. His assignment was to make inquiries in India to verify certain information relating to medical documentation and wedding-related events connected to Cst. Arora's trip to India.
- [357] According to Cst. Saran, he was asked to confirm information relating to a physician identified in medical documentation and to make inquiries concerning venues listed on wedding invitations provided during the investigation.
- [358] Cst. Saran testified that he was provided with copies of a doctor's note and a wedding invitation by Det. Colagiovanni. He relied on those documents when conducting his inquiries.
- [359] Cst. Saran testified that on February 21, 2025, he contacted Amcare Hospital in India in an effort to verify information relating to Dr. Gursewak Singh and to determine whether the physician was employed at the facility.
- [360] He stated that he spoke with an individual working at the hospital who advised him that any verification of employment would have to be handled through the Human Resources Department.
- [361] According to Cst. Saran, he was provided with an email address and instructed to direct his request to that address. He testified that the individual he spoke with was identified as Manshu Kaushik.
- [362] Cst. Saran subsequently notified Det. Colagiovanni of the information he had received and was instructed to proceed with the email inquiry.
- [363] He testified that he sent emails to the hospital seeking verification regarding the physician and the medical documentation. Copies of those emails were entered as exhibits.
- [364] Cst. Saran stated that he never received a substantive response to his requests for verification from Amcare Hospital.
- [365] He further testified that he made additional telephone calls to Amcare Hospital in an effort to determine whether Dr. Gursewak Singh worked there.
- [366] According to Cst. Saran, on more than one occasion the calls were either terminated or the person answering the call placed him on hold without providing any information.
- [367] Cst. Saran also attempted to contact Park Hospital in India. He testified that, during one such call, he was advised that Dr. Gursewak Singh worked at that facility.

- [368] However, Cst. Saran stated that once he identified himself as a police officer from Canada, the individual terminated the telephone call before any additional information could be obtained.
- [369] Cst. Saran testified that he also made inquiries concerning the wedding venues listed on the wedding invitation provided during the investigation.
- [370] He explained that he contacted Hotel Radisson in Chandigarh regarding one of the events identified on the invitation.
- [371] According to Cst. Saran, he was initially directed to speak with an individual named Sanjeev. He testified that repeated telephone calls and voicemail messages to that individual were not returned.
- [372] Cst. Saran stated that he also sent text messages seeking a response but received no reply.
- [373] He testified that additional inquiries were made regarding other wedding venues listed on the invitation, including locations identified as Meeraki Lawns, the Sheraton venue, and P3 Palace.
- [374] Cst. Saran testified that one of his calls resulted in contact with a male individual who questioned why inquiries were being made about the wedding events.
- [375] According to Cst. Saran, he identified himself as a police officer from Peel Regional Police and attempted to explain the purpose of his inquiries.
- [376] Cst. Saran testified that the individual became upset, aggressive, and verbally confrontational during the conversation.
- [377] He recalled that the individual questioned why he was making inquiries and indicated that "Sagar Arora will deal with you now."
- [378] Cst. Saran testified that he formed the belief at the time that the individual may have been a relative of Cst. Arora. However, he acknowledged that he could not independently verify the person's identity.
- [379] He further testified that the individual did not provide his name during the conversation.
- [380] According to Cst. Saran, because the caller was yelling and behaving aggressively, he eventually terminated the conversation without obtaining additional information.

- [381] Cst. Saran stated that he did not subsequently contact Indian police authorities regarding that interaction and did not receive any further communications from the individual.
- [382] With respect to P3 Palace, Cst. Saran testified that he spoke with a male employee who indicated that he handled booking matters for the venue.
- [383] According to Cst. Saran's evidence, the employee advised him that there had been no event booked at P3 Palace on December 10, 2024.
- [384] Cst. Saran further testified that he was advised there had been a different event at the venue on December 9, 2024, and that the booking did not involve an individual named Diksha.
- [385] He recorded those details in his notes and later provided that information to Det. Colagiovanni.
- [386] In cross-examination, Cst. Saran acknowledged that he was not assigned to Internal Affairs or Professional Standards and was simply assisting with investigative inquiries at the request of Det. Colagiovanni.
- [387] He agreed that he had never met Cst. Arora and had no personal involvement with him prior to the investigation.
- [388] Cst. Saran acknowledged that he did not receive any medical consent, authorization, or release signed by either Cst. Arora or Mrs. Sharma before making inquiries with hospitals in India.
- [389] He further confirmed that he did not speak directly with either Cst. Arora or Mrs. Sharma before conducting the inquiries.
- [390] Cst. Saran agreed that he contacted hospitals and venues directly without first seeking the assistance of local police authorities in India.
- [391] He testified that he was unaware of any specific legal requirements or protocols governing the disclosure of medical information in India. His intention was simply to make inquiries and determine whether a response would be provided.
- [392] Cst. Saran acknowledged that when he contacted Amcare Hospital he was speaking with individuals answering general telephone lines rather than personnel who had identified themselves as members of Human Resources.
- [393] He agreed that his emails were sent to a general hospital email address provided to him by hospital staff.

- [394] Cst. Saran testified that had he been informed that additional legal process or authorization was required, he would have pursued whatever documentation was necessary to continue the inquiry.
- [395] With respect to his contact with the individual connected to one of the wedding venues, Cst. Saran acknowledged that he could not identify the individual and that the call was not recorded.
- [396] He confirmed that he did not speak with the individual identified as Harsimran Singh during that conversation and could not say who the male caller actually was.
- [397] Cst. Saran agreed that his recollection of the discussion was based solely upon his contemporaneous notes and memory of the interaction.
- [398] He testified that the individual appeared primarily concerned about why a Canadian police officer was making inquiries about a wedding event in India.
- [399] Cst. Saran reiterated that the caller's response was hostile and aggressive and that this was the reason he chose to end the conversation.
- [400] Cst. Saran was also questioned regarding the production of his notebook entries. He testified that his notes had been provided to Det. Colagiovanni because they related to work performed in support of the investigation.
- [401] He explained that when he later reviewed materials provided to him, he noticed that certain notebook pages had not initially been included within disclosure.
- [402] Cst. Saran testified that he believed Det. Colagiovanni had been aware of the substance of those notes because he had been regularly updated regarding the results of the inquiries.
- [403] He acknowledged that some of the information discussed in his testimony came from notes that were disclosed after the initial disclosure package had been provided.
- [404] Throughout his testimony, Cst. Saran maintained that his role was limited to attempting to verify information contained within medical documentation and wedding-related materials. He emphasized that he was unable to obtain formal confirmation from either hospital and that many of his inquiries were unsuccessful because calls were terminated, not returned, or left unanswered.

6.8 Detective Patrick Colagiovanni

- [405] Det. Colagiovanni testified that he is a member of the Peel Regional Police and has been assigned to Professional Standards, Internal Affairs, for approximately three years during

his current posting. He had previously served in the unit for another three-year period before returning to frontline policing and later returning to Professional Standards.

- [406] Det. Colagiovanni testified that he was assigned to investigate matters involving Cst. Arora in December 2024. He explained that the assignment came through his supervisory chain and was based upon concerns that had been raised by Road Safety Services management.
- [407] According to Det. Colagiovanni, the investigation focused on three principal issues: Cst. Arora's first trip to India in March 2024, issues relating to workplace injury and attendance, and a second trip to India associated with a family wedding in December 2024.
- [408] Det. Colagiovanni testified that the concerns communicated to him involved allegations relating to truthfulness, leave usage, court attendance, and information provided by Cst. Arora to his supervisors.
- [409] With respect to the March 2024 trip to India, Det. Colagiovanni understood that concerns had arisen after Cst. Arora advised supervisors that he had injured his ankle, delayed his return to Canada, and expected to miss only a limited number of court appearances.
- [410] He testified that management later became concerned that the injury may not have been as severe as initially described and that Cst. Arora may have missed more court matters than he originally reported.
- [411] As part of the investigation, Det. Colagiovanni conducted a compelled interview with Cst. Arora on March 6, 2025. During that interview, Cst. Arora advised that he had been involved in a motorcycle accident while in India and sustained an ankle injury. Det. Colagiovanni testified that Cst. Arora reported driving himself home following the collision and later attending hospital for medical treatment.
- [412] According to Det. Colagiovanni, Cst. Arora explained that he initially believed the injury may have involved a fracture because of the level of pain he experienced. Det. Colagiovanni testified that Cst. Arora ultimately advised that the injury was diagnosed as a sprain rather than a fracture. Cst. Arora indicated that, from his perspective, the distinction was not significant because of the pain and mobility issues he experienced.
- [413] Det. Colagiovanni testified that a second area of concern involved Cst. Arora's request for leave in late 2024 to attend a wedding in India. He understood that Cst. Arora had requested leave beginning on or about November 30, 2024, with a return date in January 2025. According to Det. Colagiovanni, management records reflected that the request was made on September 27, 2024.

- [414] During the investigation, Det. Colagiovanni obtained airline booking information relating to the trip. He testified that the records showed flights departing on November 25, 2024, and returning on January 14, 2025.
- [415] Det. Colagiovanni considered the July 7, 2024, ticket issue date significant because the flight reservations were made several months before the leave request was submitted to management. He testified that he viewed the booking date as potentially inconsistent with information suggesting that the wedding dates were not known until a later point in time. According to Det. Colagiovanni, he considered it noteworthy that travel arrangements had been secured before leave approval had been obtained.
- [416] Det. Colagiovanni testified that another significant focus of his investigation involved a wedding invitation that management had received in support of Cst. Arora's leave request. He testified that the invitation appeared unusual to him for several reasons. He observed that the word "December" was misspelled and noted that venue names appeared without corresponding addresses. He also found it unusual that portions of the invitation appeared to be written as though they originated from the bride's sister and brother-in-law.
- [417] According to Det. Colagiovanni, Cst. Arora consistently maintained that he had not created the invitation and that it had been received through WhatsApp from family members associated with the wedding.
- [418] Det. Colagiovanni testified that the appearance of the invitation caused him to explore whether it may have been created using online design software. He conducted a reverse image search and determined that similar templates appeared on the Canva platform, a web-based design service.
- [419] As a result, he sought assistance from Peel Regional Police digital forensic personnel and Information Technology staff in order to examine whether Canva had been accessed using police resources. Det. Colagiovanni testified that this process ultimately led to the involvement of Mr. Patel, who generated and interpreted network activity logs.
- [420] Based on information initially provided to him by Mr. Patel, Det. Colagiovanni formed the view that Cst. Arora had accessed Canva from a Peel Regional Police computer on September 4, 2024. He understood from his discussions with Mr. Patel that the logs reflected activity involving invitations, design functions, and downloads associated with a Canva account linked to Cst. Arora's personal email address.
- [421] Det. Colagiovanni testified that, at the time, he interpreted the information as indicating that Cst. Arora may have created the electronic wedding invitation using Canva while at work. He incorporated that conclusion into portions of his investigative report.

- [422] During cross-examination, however, it was established that metadata associated with the wedding invitation identified “Diksha Chandel,” the bride-to-be, as the author of the document. The metadata also reflected a creation date of September 25, 2024, rather than September 4, 2024. Det. Colagiovanni acknowledged that he had not previously reviewed that metadata and stated that he first became aware of those details during the hearing. He agreed that the metadata was inconsistent with his earlier belief that the invitation itself had been created by Cst. Arora on September 4, 2024.
- [423] Det. Colagiovanni further acknowledged that searches of the Canva logs revealed no references to the word “wedding.” He agreed that his interpretation had been based upon invitation-related entries, rather than any direct reference to a wedding invitation within the logs themselves.
- [424] Det. Colagiovanni also acknowledged that subsequent evidence identified a “Rate Announcement” document created through Canva on September 4, 2024. That document related to a mortgage-related social media advertisement and was later located in emails sent from Cst. Arora’s work account to his personal account. Det. Colagiovanni agreed that this document was generated through Canva on September 4, 2024, and that it was not a wedding invitation.
- [425] He testified that the Canva logs nevertheless demonstrated personal use of Canva from a Peel Regional Police computer while Cst. Arora was on duty. Det. Colagiovanni stated that another component of the investigation involved verifying whether wedding-related events listed on the invitation actually occurred. To that end, he requested assistance from Cst. Saran, who conducted inquiries with hospitals and wedding venues in India.
- [426] Det. Colagiovanni testified that he did not ask Cst. Saran to determine who created the invitation. Rather, he wanted venue information verified, and event dates confirmed where possible. According to Det. Colagiovanni, information received from some venues appeared inconsistent with portions of the event schedule contained in the invitation. He testified that these discrepancies formed part of the overall concerns he was examining at the time.
- [427] Det. Colagiovanni also investigated family relationships referenced during the leave request. He reviewed a Family History Form completed by Cst. Arora during his employment with Peel Regional Police. Det. Colagiovanni testified that he initially attempted to identify references to the individual described as Mrs. Sharma’s brother.
- [428] When no matching name appeared on the form, he raised questions regarding the family relationship. He testified that Cst. Arora subsequently explained that the individual was not a biological brother but someone who had been raised with Mrs. Sharma following the death of her mother. Det. Colagiovanni accepted that explanation as describing the family relationship that had been referenced throughout the leave request process.

- [429] Det. Colagiovanni testified that he also investigated the circumstances surrounding Mrs. Sharma's reported hospitalization in India. He understood that supervisors had initially been advised that Mrs. Sharma had suffered a cardiac arrest or heart attack. By January 2025, management had learned that the diagnosis was later understood to be anxiety-related rather than a cardiac event.
- [430] During the compelled interview, Det. Colagiovanni asked Cst. Arora about the medical emergency and the steps he took after learning of his wife's condition. According to Det. Colagiovanni, Cst. Arora reported obtaining Canadian medical records and sending information to India so that physicians there would have access to his wife's medical history.
- [431] Det. Colagiovanni testified that this explanation surprised him because medical information is generally protected and frequently requires consent or legal authorization before disclosure.
- [432] He also questioned Cst. Arora regarding medical expenses incurred during hospital stays in India. Det. Colagiovanni testified that Cst. Arora advised that his own medical expenses had been paid by his father, while Mrs. Sharma's expenses had been addressed by family members and that receipts were not readily available.
- [433] According to Det. Colagiovanni, he was skeptical of the explanation because insurance coverage for emergency medical treatment abroad was available through employee benefits. Det. Colagiovanni testified that he reviewed limited medical records that were voluntarily shown to investigators to confirm the existence of a hospitalization. He stated that investigators were instructed not to copy the documents and to limit their review to information necessary to confirm admission and discharge details. Det. Colagiovanni testified that he observed information indicating that Mrs. Sharma was admitted to hospital on December 3, 2024, and discharged on December 6, 2024.
- [434] Another significant component of the investigation involved court attendance during Cst. Arora's absences and accommodation period. Det. Colagiovanni testified that he initially believed NICHE contained all court scheduling information. Through the course of the investigation, he learned that some Provincial Offences matters were managed outside of NICHE and involved separate notification processes. Despite that limitation, he reviewed available court notifications, NICHE records, officer schedules, prosecutor information, attendance records, and court documentation.
- [435] Det. Colagiovanni testified that he compared the number of court matters Cst. Arora advised supervisors he would miss during the March 2024 India trip with the number of matters ultimately affected by the extended absence. According to his investigation, Cst. Arora initially anticipated missing only a small number of court matters. Det. Colagiovanni

concluded that the extended absence ultimately affected a substantially larger number of proceedings.

- [436] Referring to his investigative report, Det. Colagiovanni testified that he calculated that 54 court matters were missed as a result of the delayed return from India. He testified that this calculation was based upon information gathered from court scheduling systems, notifications, and case records. Det. Colagiovanni also reviewed daily activity reports completed by Cst. Arora while working accommodated duties in Road Safety Services.
- [437] He noted that several reports reflected attendance at court proceedings, including entries on September 11 and September 19, 2024. During the compelled interview, Cst. Arora told investigators that if he recorded court attendance in a daily report, it meant that he had attended court.
- [438] According to Det. Colagiovanni, Cst. Arora explained that he commonly attended court virtually through Zoom using his phone while assigned to accommodated duties. Det. Colagiovanni testified that, in response, he sought corroborating information regarding attendance. He reviewed Zoom logs, prosecutor records, dockets, transcripts, scheduling information, and available police records. He also reviewed call-sign information to determine whether Cst. Arora had logged attendance at court while working.
- [439] Det. Colagiovanni testified that he did not locate information demonstrating that Cst. Arora had logged into court using the means he expected to see. He further testified that prosecutors and court officials provided information indicating concerns with attendance on certain dates. As part of that review, Det. Colagiovanni obtained transcripts from selected proceedings conducted on September 11, 2024. He initially interpreted some transcripts as supporting the conclusion that no officer was present when the matters were called.
- [440] During cross-examination, however, it was demonstrated that Det. Colagiovanni had attributed certain matters to Cst. Arora when they were in fact associated with other officers. Det. Colagiovanni acknowledged those errors and agreed that some transcripts reflected withdrawals for “no evidence” rather than explicitly stating that Cst. Arora was absent. He maintained, however, that his conclusions were not based solely on any one transcript. Rather, they reflected what he described as the totality of the evidence, including Zoom records, docket notations, prosecutor information, court documents, and his investigative interviews.
- [441] Det. Colagiovanni testified that prosecutors Jorge Valencia and Ed Estopay provided information that he understood to indicate that Cst. Arora had not attended certain proceedings. He acknowledged that prosecutor Gursaud was less certain and that her information was less definitive than that obtained from other prosecutors.

- [442] Det. Colagiovanni also acknowledged that he did not undertake a broader analysis to determine whether systemic scheduling or court-administration issues may have affected officer attendance generally on some of the dates examined. He testified that his focus remained on allegations involving Cst. Arora rather than conducting a review of all officers assigned to the same court sessions.
- [443] Throughout cross-examination, Det. Colagiovanni was questioned extensively about note-taking practices, disclosure obligations, email records, metadata, and certain assumptions reflected in his investigative report. He acknowledged overlooking some information contained within disclosure materials, including metadata associated with the wedding invitation and an email received from Insp. Nagtegaal on January 20, 2025.
- [444] He also acknowledged that, in hindsight, some interpretations he made concerning the wedding invitation were no longer supported by all of the evidence available at the hearing. In re-examination, Det. Colagiovanni testified that he receives numerous emails each day and does not make detailed notebook entries regarding every communication he receives.
- [445] He explained that his goal throughout the investigation was to collect relevant evidence, produce disclosure, and organize materials in a manner that would allow the parties to review them efficiently.
- [446] Det. Colagiovanni testified that, when identifying potential Canva-related evidence for disclosure, he highlighted certain portions of the log that he believed were relevant but did not intend to suggest that those were the only entries worthy of consideration.
- [447] He emphasized that the complete records had been disclosed and that his references to specific entries were intended only as a guide to assist counsel in reviewing thousands of lines of technical data.
- [448] Det. Colagiovanni further testified that, although the evidence ultimately demonstrated that the September 4, 2024, Canva activity related to a mortgage-rate announcement rather than a wedding invitation, he remained concerned that personal content had been created from a Peel Regional Police computer while Cst. Arora was on duty and assigned accommodated work. He testified that he was unaware of any work-related purpose for that activity and did not see any reference to it within Cst. Arora's daily activity reports.
- [449] Throughout his testimony, Det. Colagiovanni maintained that he conducted the investigation in good faith, based upon concerns reported by management, and that his conclusions were derived from what he understood to be the totality of the evidence available to him at the time.

6.9 Constable Sagar Arora

- [450] Cst. Sagar Arora testified that he joined Peel Regional Police in 2019 and held the rank of constable throughout the period relevant to these proceedings. In 2024, he was assigned to Road Safety Services (“RSS”), Delta Platoon. He testified that he was 40 years old at the time of the hearing, married to Mrs. Anshu Sharma, and the father of two children.
- [451] Cst. Arora acknowledged that he was scheduled to return from a family trip to India and attend work on March 19, 2024. He agreed that he had court obligations scheduled around that time and understood that court attendance formed part of his policing responsibilities.

6.9.1 **Ankle Injury**

- [452] Cst. Arora testified that on March 14, 2024, while in India, he was involved in a motorcycle accident. Following the accident, he attended the hospital, where he was examined, prescribed medication, and advised to rest his injured ankle. He testified that after the accident his ankle became swollen, bruised, and painful and that he had considerable difficulty walking. According to Cst. Arora, he genuinely believed at the time that he had fractured his ankle.
- [453] As a result, on March 15, 2024, he sent a WhatsApp message to Sgt. Murphy advising that he had been involved in an accident and had “broken” his ankle. He also advised that he would need to change his return flight.
- [454] Cst. Arora testified that he was not attempting to mislead anyone when he used the term “broken ankle.” Rather, he testified that, based upon the degree of pain and swelling he was experiencing, he believed that the injury involved a fracture. According to Cst. Arora, once he understood that the injury was diagnosed as an ankle sprain involving ligament damage rather than a fracture, he corrected that information with Sgt. Murphy.
- [455] Cst. Arora testified that the doctor advised him to stay off the ankle during the recovery period and that he was unable to undertake international air travel immediately following the injury.
- [456] Cst. Arora testified that, during the recovery period, he informed Sgt. Murphy that the injury involved a sprained ankle with ligament damage rather than a fracture. He stated that once he realized the original description was inaccurate, he corrected it without hesitation and apologized for any confusion. According to Cst. Arora, he never intended to embellish the severity of the injury or mislead either his supervisors or Internal Affairs investigators.
- [457] With respect to court obligations arising during the extended trip, Cst. Arora testified that Sgt. Murphy asked him whether he had any pressing court matters scheduled. He replied

by identifying two matters that he believed required his attendance, one scheduled for March 19, 2024, and another scheduled for March 27, 2024. Cst. Arora testified that he obtained that information from a personal shift-calendar application stored on his phone. According to his evidence, he had entered those court dates into the application before leaving Canada for India. He produced screenshots from the application showing entries for the March 19 and March 27 matters and testified that the entries had not been altered after the fact.

- [458] Cst. Arora testified that when he provided that information to Sgt. Murphy, those were the only court matters of which he was aware of. He explained that he did not have access to NICHE while in India and therefore relied upon the information available within his personal calendar application.
- [459] According to Cst. Arora, he understood from Sgt. Murphy's response that the supervisor would review his court obligations and contact the appropriate court bureaus if adjournments or notifications were required.
- [460] Cst. Arora referred to a March 19, 2024 WhatsApp message in which Sgt. Murphy advised that he had contacted the Provincial Offences courts in Brampton and Mississauga regarding Cst. Arora's absence. He testified that this message reinforced his belief that Sgt. Murphy had reviewed and addressed his court schedule.
- [461] Cst. Arora denied attempting to mislead Sgt. Murphy about the number of court matters that would be affected by his absence. He testified that had he known about additional matters, he would have provided that information.
- [462] He further testified that he was unaware of 22 scheduled court matters identified during the investigation and maintained that he did not have access to the information that would have allowed him to identify them while in India.

6.9.2 Additional travel delays

- [463] Cst. Arora testified that his return to Canada was further delayed after the family encountered travel issues at the airport while attempting to return on April 2, 2024. He explained that, after travelling several hours to New Delhi Airport, the family learned they had been placed onto the wrong connecting flight and could not board as expected. According to Cst. Arora, airline personnel provided overnight accommodations and rebooked the family on a later flight. He testified that on April 3, 2024, he informed Sgt. Murphy that flight complications would delay his return and advised that he expected to return for his next scheduled shift.
- [464] Cst. Arora testified that he understood Sgt. Murphy would again review his court schedule and notify appropriate court officials regarding any resulting absences. He stated that he

did not have access to NICHE while travelling and could not independently verify any additional court obligations that may have been scheduled for April 4 or April 5, 2024.

- [465] Cst. Arora returned to work on April 6, 2024. According to his evidence, neither the medical note nor his ankle injury generated any concerns from management until the Internal Affairs investigation commenced.
- [466] Throughout his testimony concerning the March 2024 trip, Cst. Arora maintained that he did not intentionally mislead anyone about the severity of the injury, his inability to travel, or the number of court matters affected by his absence.
- [467] Addressing court-notification procedures, Cst. Arora testified that officers routinely receive email notifications relating to court matters. However, he stated that his practice was to rely primarily upon NICHE because that was the system he had been taught was the most reliable source of court information. Cst. Arora acknowledged that he received court-related emails before travelling to India. He did not dispute that the notifications had been sent.
- [468] He testified, however, that he relied on the court information reflected in NICHE and in his personal calendar entries rather than on the notification emails themselves. According to Cst. Arora, before leaving Canada he understood that only the court matters reflected in his calendar required his attendance. He denied being deceitful regarding court notifications and maintained that the information provided to Sgt. Murphy represented the extent of his knowledge at the time.

6.9.3 Second India Trip

- [469] Turning to the second trip to India, Cst. Arora testified that he first requested leave on September 27, 2024, to attend a family wedding in India. He testified that the wedding involved his wife's brother. Although not biologically related, he explained that the individual had been raised with Mrs. Sharma and was regarded by the family as a brother.
- [470] According to Cst. Arora, attendance at the wedding was important because he and his wife had ceremonial obligations within the family's cultural and religious traditions.
- [471] Cst. Arora testified that Sgt. Murphy initially advised him that the requested leave could be approved if outstanding court matters were adjourned. He stated that after that discussion he began making efforts to obtain adjournments, including contacting court personnel and following up with court liaison staff. According to Cst. Arora, some matters were successfully addressed but he encountered difficulties obtaining adjournments for several Brampton court matters.
- [472] Cst. Arora testified that at one stage he proposed appearing virtually from India for court matters occurring during the requested leave period. He stated that he believed a secure

internet connection was available and that other officers had previously appeared remotely from overseas locations. According to Cst. Arora, his proposal to appear virtually was ultimately not accepted by management.

- [473] He testified that management was prepared to approve travel between December 9, 2024, and January 8 or 9, 2025, but would not approve travel in time for the wedding itself. Cst. Arora stated that he told Sgt. Murphy that such an approval would be of little value because the principal wedding events would already have occurred. He also expressed concerns regarding Mrs. Sharma travelling internationally by herself given her extensive cardiac history, including multiple coronary stents.
- [474] Cst. Arora testified that airline tickets had been booked in July 2024. According to his evidence, those tickets were purchased by Mrs. Sharma after the family learned that the wedding would occur sometime in December. He testified that exact dates had not yet been established when the tickets were purchased and that flexible tickets were selected because of anticipated changes to the itinerary.
- [475] According to Cst. Arora, he understood investigators and management to be focused on when the wedding dates became known, rather than when the possibility of a December wedding was first discussed. He denied attempting to conceal the July booking date and noted that the airline records were ultimately produced during the investigation.
- [476] Cst. Arora also rejected suggestions that he had misled supervisors regarding the flexible nature of the airfare. He testified that the tickets could be modified and that purchasing them early was intended to avoid rising travel costs.
- [477] He acknowledged that he was disappointed when management declined to approve attendance for the wedding dates and made several subsequent requests for reconsideration. Cst. Arora testified that the issue became stressful for both himself and his family, particularly because his wife remained intent on attending the wedding.
- [478] On November 22, 2024, after discussions regarding leave restrictions, Cst. Arora developed chest discomfort and attended Brampton Civic Hospital. He testified that hospital staff conducted bloodwork and an ECG and ultimately provided a medical note recommending two days away from work. According to Cst. Arora, the physician asked whether personal stressors were present and he explained the situation relating to the wedding and his family circumstances.
- [479] Cst. Arora testified that he later cancelled his existing flight reservation and advised Sgt. Murphy that he would comply with the approved leave dates. He subsequently booked alternate travel arrangements consistent with the approval he had received.

6.9.4 Mrs. Sharma's cardiac event

- [480] On December 3, 2024, while still in Canada, Cst. Arora received telephone calls from India advising that Mrs. Sharma had been hospitalized. He testified that his father informed him that Mrs. Sharma had suffered what was described to him as a heart attack or cardiac event. According to Cst. Arora, he immediately became concerned because of Mrs. Sharma's significant cardiac history and prior stent procedures.
- [481] Cst. Arora testified that he then attended his family doctor's office and obtained medical information relating to Mrs. Sharma's treatment history so that those records could be shared with doctors in India. He forwarded the documents to his father in India, believing that they would be provided to treating physicians.
- [482] Cst. Arora testified that he then informed Sgt. Murphy that Mrs. Sharma had suffered a heart attack. He also advised management that he was attempting to obtain and provide medical information. According to Cst. Arora, the information he communicated reflected exactly what he had been told by family members in India at that time. He denied intentionally exaggerating or misrepresenting Mrs. Sharma's medical condition.
- [483] Cst. Arora testified that he subsequently cancelled one flight reservation and booked a new ticket so that he could travel to India immediately. He departed Canada on December 4, 2024, and arrived in India the following day.
- [484] Upon arrival, he travelled from Delhi to Chandigarh before proceeding to the hospital where Mrs. Sharma was being treated. Cst. Arora testified that when he arrived at the hospital he learned from both Mrs. Sharma and medical staff that she had not suffered a heart attack. According to his evidence, he was informed that her cardiac testing was negative and that her symptoms were believed to be associated with anxiety, stress, elevated blood sugar levels, and related concerns.
- [485] Cst. Arora testified that he met with Dr. Gursewak Singh prior to Mrs. Sharma's discharge from hospital. According to Cst. Arora, Dr. Singh advised that Mrs. Sharma was stable, should continue her medications, monitor her blood pressure and blood sugar, avoid exertion, rest, and attempt to reduce stress. Cst. Arora testified that he specifically asked Dr. Singh whether Mrs. Sharma could attend a family function scheduled for that evening. According to his evidence, Dr. Singh indicated that attending the event would be acceptable provided she remained calm, avoided strenuous activity, avoided loud environments, and adhered to her medication schedule.
- [486] Mrs. Sharma was discharged from hospital on December 6, 2024.
- [487] Following the discharge, Cst. Arora sent updates to Sgt. Murphy, S/Sgt. Rice, and Insp. Nagtegaal advising that his wife was doing better, had been discharged from hospital, and would remain under medical care at home. Cst. Arora testified that when he referred to

medical care at home, he meant that Mrs. Sharma would continue taking medication, monitoring blood sugar and blood pressure, and resting under family supervision. He denied intending to create the impression that she required nursing care or intensive home treatment.

[488] Cst. Arora acknowledged that he did not specifically tell supervisors on December 6 that physicians had concluded Mrs. Sharma's symptoms were caused by a panic attack rather than a heart attack. He testified that his focus was on informing supervisors that her condition had improved and that she was being discharged from hospital. According to Cst. Arora, he did not deliberately withhold information. Rather, he believed the most important update was that Mrs. Sharma was recovering and no longer hospitalized.

[489] Cst. Arora testified that after Mrs. Sharma's discharge they attended some family functions associated with the wedding. He acknowledged attending the cocktail event and wedding festivities and was candid with investigators about those activities during his compelled interview. According to Cst. Arora, attendance at those events occurred after physicians advised that Mrs. Sharma was medically stable and after her symptoms had substantially improved. He testified that later in the trip they also attended a concert in Mumbai and a New Year's Eve event. He maintained that neither activity was inconsistent with the medical advice they had received.

6.9.5 Internal Affairs Investigation

[490] Cst. Arora testified that he first learned a formal Internal Affairs investigation had commenced when he was served with a Notice of Investigation on January 9, 2025. He testified that, on the same date, Sgt. Murphy asked about Mrs. Sharma's condition and Cst. Arora advised that her hospitalization had been attributed to a panic attack rather than a heart attack.

[491] Cst. Arora denied being deceitful concerning his wife's medical condition at any stage of the leave process or investigation.

6.9.6 Provincial Offences Court Attendance

[492] Cst. Arora was also questioned extensively about attendance at Provincial Offences Court matters while working accommodated duties in late 2024. He testified that while assigned to accommodated duties he attended court proceedings virtually through Zoom using his work-issued cellular telephone rather than by physically attending court. According to Cst. Arora, entries in his daily activity reports recording court attendance reflected his genuine belief that he had attended those matters.

[493] He acknowledged one instance on September 19, 2024, where Zoom records ultimately demonstrated attendance at the 9:00 a.m. and 3:00 p.m. sessions, but not at the 1:30 p.m. session. Cst. Arora testified that when he completed his daily report, he honestly believed

that he had attended the 1:30 p.m. proceeding as well. He described the inaccuracy as an honest mistake rather than a deliberate falsification.

- [494] With respect to August 27, 2024, Cst. Arora acknowledged that he did not attend court but testified that he had no independent recollection of why he failed to do so.
- [495] He suggested that he may have become distracted by work assignments, forgotten the appearance, or encountered technical issues. He acknowledged that these explanations were possibilities rather than matters he could specifically remember.
- [496] Regarding September 11, 2024, Cst. Arora maintained that he attended court through Zoom using his work phone.
- [497] He relied on his daily report, his usual practice, and his recollection that entries included in daily reports reflected activities he believed had occurred.
- [498] Throughout his testimony, Cst. Arora consistently denied intentionally deceiving supervisors, prosecutors, management, Professional Standards investigators, or this tribunal. He maintained that each of the challenged statements arose from his understanding of events at the time, information provided by family members, his reliance on available scheduling information, or honest mistakes rather than any intention to mislead.

7 ANALYSIS

- [499] The prosecution's theory of the case is that the various incidents, viewed together, establish a pattern of deceitful conduct. I am not persuaded that the evidence supports that conclusion on the applicable standard of proof.

7.1 Standard of Proof

- [500] The burden rests on the Applicant to establish misconduct on clear and convincing evidence. While this is not the criminal standard of proof beyond a reasonable doubt, it is a standard that requires evidence that is sufficiently clear, convincing, and cogent to satisfy the adjudicator that the allegations have been established. The burden remains with the Applicant throughout and never shifts to the Respondent.
- [501] In *Carmichael and Ontario Provincial Police* (1998), the tribunal described clear and convincing evidence as requiring "weighty, cogent and reliable evidence upon which a trier of fact, acting with care and caution, can come to a reasonable conclusion that the officer is guilty of misconduct."

- [502] The seriousness of police disciplinary proceedings, and the potentially significant consequences that may result from findings of misconduct, require that the evidence be carefully scrutinized. Suspicion, concern, speculation, or the existence of an alternative theory cannot substitute for clear and convincing evidence. The Applicant must establish the allegations through evidence that is reliable, persuasive, and capable of supporting the conclusions sought.

Carmichael and Ontario Provincial Police (1998).

Penner v. Niagara Regional Police Services Board, 2013 SCC 19.

Jacobs v. Ottawa Police Service, 2016 ONCA 345.

7.2 Section 19: Failure to Perform Duties

- [503] Section 19 of the Code of Conduct provides:

A police officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, the officer knows or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

- [504] Misconduct under section 19 is not established simply because an officer has made a mistake, exercised poor judgment, or performed their duties imperfectly. Police discipline is not intended to address every instance of less-than-ideal job performance. Rather, the conduct must rise to the level contemplated by the Code of Conduct.

- [505] In determining whether section 19 has been breached, it is necessary to identify the duty in question, determine whether it was performed appropriately, assess whether a lawful excuse existed, and consider whether the officer knew or reasonably ought to have known that the conduct would amount to a failure to perform duties appropriately.

Hawkes v. McNeilly, 2016 ONSC 5397.

Korchinski v. OIPRD, 2022 ONSC 4810.

Mohamud v. LECA, 2024 ONSC 7222.

7.3 Section 31: Deceiving or Misleading

- [506] Section 31 of the Code of Conduct provides:

A police officer shall not deceive or mislead any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission except to the extent required or authorized for the purpose of carrying out the officer's duties.

- [507] It is well established that an inaccurate statement, standing alone, does not constitute deceit. Nor does a misunderstanding, a mistaken belief, imprecise language, poor recollection, or a failure to appreciate the significance of information necessarily amount to misconduct under section 31.
- [508] As stated in *Burgess and St. Thomas Police Service* (1989), “It is a long mile, however, between the point at which one can find a statement to be inaccurate and the point at which one can find that a statement was made with intent to mislead or deceive.”
- [509] Accordingly, proof that a statement was inaccurate is not, by itself, sufficient. The Applicant must establish on clear and convincing evidence that the officer intended to mislead, intended to deceive, or acted with a reckless disregard for the truth of the information being communicated.
- [510] This case ultimately turns on a recurring question: whether statements that were later shown to be inaccurate were intentionally deceptive. The Applicant’s burden is not simply to demonstrate that information communicated by Cst. Arora was mistaken or incomplete. Rather, the Applicant must establish on clear and convincing evidence that the statements were made with the intention of misleading others or with a reckless disregard for their truthfulness.

Burgess and St. Thomas Police Service (1989), 2 O.P.R. 822 at p. 828.
Korchinski v. OIPRD, 2022 ONSC 4810.
Rollins v. Desjardins, 2020 ONCPC 10.

7.4 The Ankle Injury

- [511] I found both counsel’s meticulous line by line review of Cst. Arora’s medical note to be unnecessary. The minute details and tunnel vision took away from the bigger picture of what took place in relation to the ankle injury.
- [512] The undeniable facts are as follows:
- 1) Cst. Arora was involved in a motorcycle accident;
 - 2) He rode his motorcycle home;
 - 3) He was in a great deal of pain and was taken to the hospital where he was diagnosed with an injury;
 - 4) The injury was detailed by a medical professional;
 - 5) This injury required bedrest and limited his ability to travel back to Canada at the scheduled time causing him to reschedule his flight;
 - 6) He advised his supervisor of an injury;

- 7) When questioned about an accommodation and reasonable recovery time, Cst. Arora immediately corrected himself in describing the extent of the injury.
- [513] While it is plausible that Cst. Arora embellished the extend of his injury, I fail to understand how this could have benefitted him. In my view, whether the ankle was broken or sprained with a torn ligament is irrelevant; he suffered an undeniable injury that allegedly left him physically incapable of travelling.
- [514] The prosecution was not successful in presenting clear and convincing evidence to negate the fact that the sprain with torn ligament yielded the pain expressed by Cst. Arora or that the extent of this injury would have limited his mobility to travel long hours from India to Canada.
- [515] If I were to go one step further and stretch the possibility that this was an elaborate scheme by Cst. Arora to mislead his supervisors, I am left wondering to what end would he do this? Whether the ankle was broken or sprained with a ligament tear, this is not a situation where Cst. Arora was requesting an extension of time for his vacation.
- [516] Cst. Arora had the vacation time available in his time bank. He was informing his supervisor of the delay in his return, not seeking authorization to extend his vacation. Even then, I do not believe his supervisors would have denied a request if a request was warranted.
- [517] In my view, this was not a formal request for additional time off that could be denied. There would be no mechanism in place to enforce a denial in the circumstances which therefore turns it into a sharing of information and sort of “FYI – For Your Information” to his superiors. A problem, a solution, and a gradual return to work were discussed.
- [518] As for Cst. Arora’s possible sighting at the gym or whether he massaged himself at home versus through a registered massage therapist, I do not believe this materially changes the fact that he was injured or at least in pain and his mobility was limited. An injured ankle would not prevent him from, for example, training his upper body, hence why I do not place much weight on his presence at the gym.
- [519] I do not believe that the prosecution demonstrated on clear and convincing evidence that Cst. Arora embellished his injury to intentionally mislead his supervisors in efforts to yield a more favourable result for himself. I am convinced the PRP management team would have been just as supportive of a sprained ankle with torn ligament as it would have been of a broken ankle.

[520] Accordingly, I am not satisfied that the prosecution has established that Cst. Arora intentionally misrepresented the nature or extent of his ankle injury to Sgt. Murphy or to Internal Affairs investigators.

7.5 Airplane Mechanical/Technical Issues

[521] With respect to the additional delays at the airport during this trip, I do not believe that this situation is so unreasonable as to raise suspicion on its own. I believe that Cst. Arora's plane experienced issues. Any person who frequently travels understands and accepts that delays, particularly on a flight as long as from India to Canada, could very well happen.

[522] Where the issues were technical, mechanical, or whether Cst. Arora should have used another word to properly describe the circumstances remains in my view irrelevant. The fact of the matter is that Cst. Arora was delayed due to circumstances outside of his control.

[523] It is understood as fact that Cst. Arora did not have his work phone with him at the time and could not have reasonably been expected to be aware of the cases he had on his schedule if he did not have access to NICHE. Whether it is the supervisor's responsibility to verify this information and ensure that Cst. Arora's cases were properly adjourned is not relevant. The fact remains that Cst. Arora did not have access to NICHE, he did not have detailed offline court schedule to share, and therefore it cannot be concluded that he was deceitful in withholding or omitting to share information that he reasonable would not have been expected to have. I believe any information he would have had would have been shared.

[524] Taking this one step further, suppose Cst. Arora knew he had cases and withheld this information from his supervisors. Again, to what end? I fail to see the purpose. The likelihood that missing a substantial amount of cases would have caused the prosecutors office to be suspicious enough and contact Internal Affairs and inquire as to why an officer missed so many matters is in and of itself a higher risk to Cst. Arora. As such, I fail to see how deception in this circumstance would have benefited him in any way. Sgt. Murphy would not have had the authority to compel him onto a flight or cause him to return to Canada any faster.

[525] I do not believe the prosecution presented clear and convincing evidence that Cst. Arora was intentionally deceptive and withheld information about cases he had; there is no logical explanation that would benefit him in doing or not doing this.

[526] Accordingly, I am not satisfied that the prosecution established that Cst. Arora knowingly misled his supervisors regarding the number of court matters affected by his delayed return or his awareness of those matters.

7.6 Dr. Gursewack Singh

- [527] It is not lost on me that the situation surrounding Dr. Gursewack Singh's medical intervention in both Cst. Arora's ankle injury and that of his wife cardiac emergency are, to say the least, very suspicious. However, the presumptive conclusions made around Dr. Singh's "dual intervention" must be based on clear and convincing evidence. The likelihood that the same doctor who treated Cst. Arora's ankle injury treated his wife heart condition is statistically low; low, but not impossible. That said, in coming to my determination of what likely took place, I must rely on the evidence, not presumptions.
- [528] The facts indicate that Dr. Gursewack Singh practices medicine at two hospitals that are under the same network of hospitals in Chandigarh. I will reiterate that the likelihood that Cst. Arora and his wife were both treated by the same doctor is quite low, if applied to western standards of medicine and allocation of human resources. Again, a low likelihood does not mean impossible.
- [529] In both instances, Dr. Singh provided sufficiently detailed medical notes to explain his prognosis, the steps he took to diagnose the respective conditions, and the follow-up procedures and medication(s) to be taken by Cst. Arora and his wife Mrs. Sharma.
- [530] While the prosecution offered several very plausible theories leading to the possibility that Dr. Singh may have been a family friend who assisted the couple with medical notes, I was not presented with any clear and convincing evidence to come to this determination.
- [531] In my view, Dr. Singh is a medical professional held to an international standard of care and strict code of ethics. The prosecution made reasonable attempts to explore Dr. Singh's involvement in the incidents but were unsuccessful in presenting any evidence that could explain the situation in any other way than an odd coincidence. Absent any evidence to the contrary, I must extend Dr. Singh deference in concluding that he conducted himself ethically and properly in the circumstances.
- [532] There is clear and convincing evidence demonstrating that Dr. Singh treated Cst. Arora and his wife. Detailed medical notes were provided to this effect. The authenticity of these notes were not successfully challenged nor was there enough doubt cast on them to lead me to believe that something nefarious took place here.
- [533] Accordingly, I am not satisfied that Dr. Singh's involvement in both medical incidents supports an inference that Cst. Arora was deceitful or misleading.

7.7 Mrs. Sharma's Cardiac Event

- [534] The prosecution submits that Cst. Arora was deceitful in relation to the circumstances surrounding Mrs. Sharma's hospitalization in India in December 2024. Specifically, the prosecution argues that Cst. Arora knowingly misrepresented that his wife had suffered a cardiac arrest, that he failed to correct that information once he became aware that her diagnosis was a panic attack, and that his subsequent updates to management regarding her discharge and continued medical care were misleading.
- [535] Having considered all of the evidence, I am not satisfied that the prosecution has established deceit or misleading conduct on clear and convincing evidence.
- [536] There is no dispute that on December 3, 2024, Cst. Arora advised Sgt. Murphy that his wife had suffered a cardiac arrest and had been admitted to the hospital in India. The evidence equally establishes that this information originated from Cst. Arora's father, who was present with Mrs. Sharma at the hospital. The contemporaneous communications introduced into evidence support Cst. Arora's explanation that he relayed to his supervisors the information that had been provided to him by his family.
- [537] I do not find it unreasonable that Cst. Arora accepted that information at face value. Mrs. Sharma had a significant medical history, including previous cardiac interventions and multiple stents. In those circumstances, I find it understandable that a report of chest pain and emergency hospitalization would cause Cst. Arora and his family to initially believe a cardiac event had occurred.
- [538] The prosecution submitted that Cst. Arora either knew, or reasonably ought to have known, that Mrs. Sharma was suffering from a panic attack rather than a cardiac event. I am unable to make that finding. The evidence establishes that at the time he communicated with Sgt. Murphy, Cst. Arora was in Canada, his wife was in India, and he was relying on information being relayed to him by family members who were attempting to understand the situation themselves. There is no evidence before me that Cst. Arora had received a definitive diagnosis at the time he advised his supervisors that his wife had suffered a cardiac arrest.
- [539] I also find it significant that Cst. Arora immediately took steps to obtain and forward Mrs. Sharma's Canadian medical records to India. Those actions are more consistent with someone responding to what he believed was a genuine medical emergency than with someone attempting to manufacture one.
- [540] The more difficult question concerns what occurred after Cst. Arora arrived in India and learned that Mrs. Sharma's condition had ultimately been diagnosed as a panic attack rather than a cardiac arrest.

- [541] The evidence establishes that by December 5, 2024, Cst. Arora had met with Mrs. Sharma and medical staff and had learned that she had not suffered a heart attack. The evidence also establishes that on December 6, 2024, he provided updates to Sgt. Murphy, S/Sgt. Rice, and Insp. Nagtegaal advising that his wife was doing better, was being discharged from hospital, and would remain under medical care at home.
- [542] The prosecution submits that this was the obvious opportunity for Cst. Arora to advise his supervisors that the diagnosis was a panic attack and that his failure to do so was deliberate. I do not agree.
- [543] In reviewing the text messages in their full context, I note that the communications were brief and focused primarily on Mrs. Sharma's condition and discharge from hospital. The updates provided by Cst. Arora were factually accurate. Mrs. Sharma was improving. She was being discharged from hospital. She had been assessed and treated by physicians. She was returning home. None of those statements were false.
- [544] The issue, therefore, is whether the omission of the specific diagnosis transformed those otherwise accurate statements into deceitful ones. In my view, the evidence does not support that conclusion.
- [545] Cst. Arora testified that his intention was to advise management that his wife's condition had improved and that she was no longer hospitalized. He explained that he was focused on updating his supervisors regarding her wellbeing rather than providing a detailed medical explanation. While another person may have chosen to include the diagnosis in that update, the fact that Cst. Arora did not do so is not, in my view, sufficient to establish deceit.
- [546] The prosecution further relies on Cst. Arora's statement that Mrs. Sharma would "remain under medical care at home." It is argued that this statement was misleading because the evidence demonstrated that she attended a family function the same day she was discharged from hospital. I am not persuaded by that submission.
- [547] The evidence from both Mrs. Sharma and Cst. Arora was that physicians advised her to continue taking prescribed medications, to monitor her blood pressure and blood sugar levels, to rest, and to avoid strenuous activity. The medical records are generally consistent with those instructions. While the phrase "under medical care at home" may not be precise medical terminology, I am satisfied that Cst. Arora used it to describe the fact that Mrs. Sharma remained subject to medical advice, medication, monitoring, and recovery following her discharge.

- [548] I accept Cst. Arora's evidence that this was what he intended the phrase to convey. Importantly, no supervisor sought clarification of the expression, and no evidence was led that Cst. Arora provided a different explanation at the time.
- [549] I also do not find that attendance at a family function shortly after discharge is inconsistent with the information he provided. The evidence was that Mrs. Sharma was discharged because her condition had improved. There was evidence that Cst. Arora consulted with her treating physician regarding attendance at the event and that no concerns were expressed if she avoided certain activities and continued to follow medical advice. Whether that decision was wise is not the question before me. The issue is whether her attendance at that event establishes that Cst. Arora knowingly misled his supervisors. In my view, it does not.
- [550] When the evidence is viewed as a whole, I find that the prosecution's theory depends heavily on hindsight. It is now known that Mrs. Sharma did not suffer a heart attack. However, the question before me is not what is known now. The question is what Cst. Arora knew at the time and whether the information he provided was intentionally false or misleading. I am not satisfied that it was.
- [551] At its highest, the evidence establishes that Cst. Arora initially communicated information that later proved to be inaccurate, failed to provide his supervisors with the full medical diagnosis once it became known to him, and used language that may have been imprecise when describing his wife's recovery. What the evidence does not establish is that those actions were deliberate attempts to deceive.
- [552] Accordingly, I am not satisfied that the evidence relating to Mrs. Sharma's hospitalization, the initial reference to cardiac arrest, the discharge messaging, or the statement that she would remain under medical care at home establishes deceitful or misleading conduct on the part of Cst. Arora.

7.8 The Second India Trip and Leave Request

- [553] The prosecution submits that the circumstances surrounding Cst. Arora's leave request for the second trip to India demonstrate deceitful conduct. Specifically, the prosecution relies on the fact that airline tickets were purchased on July 7, 2024, well before leave approval was obtained, that Cst. Arora repeatedly sought reconsideration of management's decision, that the groom was not in fact his biological brother-in-law, and that aspects of the wedding arrangements raised concerns regarding credibility.
- [554] Having considered all of the evidence, I am not satisfied that these circumstances establish deceit or misleading conduct on clear and convincing evidence.

- [555] There is no dispute that airline tickets were purchased on July 7, 2024. I accept that this occurred before formal leave approval had been obtained from management. While purchasing international airline tickets before obtaining leave approval may not have been advisable, it does not establish deceit. Mrs. Sharma testified that the family became aware during the summer of 2024 that the wedding would occur in December and that tickets were purchased early because international travel during the holiday season becomes significantly more expensive as travel dates approach. I find this explanation reasonable. The evidence does not establish that the airline tickets were purchased as part of a scheme to force management into approving leave or to circumvent the leave approval process.
- [556] Similarly, I do not place significant weight on the fact that Cst. Arora made several requests for management to reconsider its decision. The evidence establishes that the wedding was important to both Cst. Arora and Mrs. Sharma and that attendance carried personal and cultural significance for them. While management was entirely justified in considering operational demands and court obligations when assessing the request, I do not find that repeated requests for reconsideration are indicative of dishonest conduct. Many employees advocate for leave requests that are important to them. The fact that management ultimately denied portions of the request does not transform those requests into misconduct.
- [557] I also do not accept that the “brother-in-law” issue demonstrates deceit. A considerable amount of evidence was led regarding whether the groom was truly Mrs. Sharma’s brother. The evidence establishes that he was not her biological brother. However, the evidence equally establishes that Mrs. Sharma was raised by another family following the death of her mother and that the groom occupied the role of a brother throughout her life. Both Mrs. Sharma and Cst. Arora consistently described him in that manner. In my view, this is a question of family dynamics and cultural context rather than one of misrepresentation. I do not find that referring to the groom as a brother-in-law was misleading in the circumstances.
- [558] The evidence further establishes that a wedding did in fact occur and that it was a genuine purpose of the trip. While the prosecution raised legitimate concerns regarding venue changes, scheduling changes, and inconsistencies between the invitation and the ultimate events, I do not find those inconsistencies sufficient to establish deceit. Wedding events often evolve as plans become finalized and I heard evidence that several events ultimately took place at different locations than were originally contemplated. That evidence was not sufficiently challenged.
- [559] Much of the prosecution’s theory rests upon the proposition that, when viewed collectively, these circumstances appear suspicious. I agree that some of them invite further scrutiny. However, suspicion is not evidence, and it is certainly not clear and convincing evidence. The issue before me is not whether another interpretation is possible, but whether the evidence establishes that Cst. Arora intentionally misled his supervisors regarding the

purpose of the trip, the wedding itself, or his relationship to the wedding party. In my view, it does not.

[560] At its highest, the evidence establishes that Cst. Arora was determined to attend a wedding that he and his family considered important. He purchased airline tickets before obtaining approval, sought reconsideration of management's decision, and explored alternatives that would permit him to attend. What the evidence does not establish is that he was dishonest in doing so.

[561] Accordingly, I am not satisfied that the evidence relating to the second India trip and leave request establishes deceitful or misleading conduct on the part of Cst. Arora. In particular, I am not satisfied that the timing of the leave request, the July 7, 2024, airline reservations, or Cst. Arora's reference to the groom as his brother-in-law establish an intent to deceive.

7.9 Court Attendance While on Accommodated Duties

[562] The second set of allegations relating to court attendance concerns Cst. Arora's attendance at Provincial Offences Court matters while working in an accommodated position between August and September 2024. The prosecution's position is that Cst. Arora either failed to attend certain court appearances or falsely represented that he had attended court when he had not. The primary dates in issue are August 27, 2024, September 11, 2024, and September 19, 2024.

[563] At the time, Cst. Arora was assigned to accommodated duties within RSS. He was not performing regular enforcement duties and testified that he generally attended court virtually through Zoom using his work-issued cellular telephone. It was his evidence that when he recorded court attendance in a daily report, it reflected his genuine belief that he had attended those matters.

7.9.1 **August 27, 2024**

[564] With respect to August 27, 2024, the evidence establishes that Cst. Arora did not attend court. Prosecutor Jorge Valencia reviewed the applicable dockets and testified that badge number 4395, which belonged to Cst. Arora, appeared on several matters scheduled that day. Mr. Valencia noted that other officers who checked in were highlighted on the docket whereas Cst. Arora was not. He concluded that Cst. Arora did not make his presence known for either the 1:30 p.m. or 3:00 p.m. court sessions.

[565] Significantly, Cst. Arora did not claim attendance on August 27, 2024. His daily report for that date contains no reference to court attendance. During his testimony, he acknowledged that he did not attend court but testified that he could not independently recall why. He suggested that he may have become distracted with other duties or that a technical issue

may have occurred, although he acknowledged that these were possibilities rather than matters he specifically remembered.

- [566] I note as well that the evidence of Mr. Valencia established that numerous matters on that docket involving officers other than Cst. Arora were also marked WDPC (withdrawn, no officer). While that evidence may raise questions about the overall operation of that court session, it does not alter the fact that Cst. Arora acknowledged that he did not attend court on August 27, 2024.

7.9.2 September 11, 2024

- [567] The evidence concerning September 11, 2024, is considerably less straightforward.
- [568] Cst. Arora's daily report for September 11, 2024, records attendance at Provincial Offences Court matters at 9:00 a.m. and 10:30 a.m. He maintained throughout both his compelled interview and his testimony before me that he attended those matters virtually through his work-issued cellular telephone.
- [569] The prosecution relied on evidence from Det. Colagiovanni, prosecutor information, court transcripts, and Zoom records to suggest that Cst. Arora had not attended. However, significant issues emerged with that evidence during cross-examination.
- [570] Det. Colagiovanni acknowledged that some of the transcripts he relied upon were not, in fact, matters involving Cst. Arora. For example, transcripts associated with other officers were initially attributed to Cst. Arora and later conceded not to involve him. It also became apparent that several matters were withdrawn on the basis of "no evidence" rather than "no officer." That distinction is important because a withdrawal for "no evidence" does not necessarily establish that the officer was absent.
- [571] Further, an email from prosecutor Amit Gursaud indicated that Cst. Arora's matters had been dealt with similarly to another officer's matters. Cst. Arora testified that he understood this information to support his position that he had attended court on September 11, 2024.
- [572] The Zoom evidence also has limitations. Mr. Patel initially testified that the Zoom records reflected only access through Peel Regional Police devices. However, during cross-examination and re-examination, it became apparent that officer-issued cellular phones could also generate records and that there were limitations in what the logs could conclusively establish.
- [573] The result is that I am left with conflicting evidence regarding September 11, 2024. While there is evidence that raises concerns regarding attendance, the evidence relied upon by the

prosecution was significantly weakened during cross-examination. I therefore approach any conclusions regarding September 11 with caution.

7.9.3 September 19, 2024

[574] September 19, 2024, presents a different situation.

[575] On this date, Cst. Arora's daily report records attendance at three court sessions: 9:00 a.m., 1:30 p.m., and 3:00 p.m. Unlike September 11, however, objective evidence was available through the Zoom logs.

[576] Mr. Patel testified that the logs established Zoom access from approximately 8:58 a.m. until 9:45 a.m. and again from approximately 2:59 p.m. until 3:55 p.m. on September 19, 2024. Those entries are consistent with attendance at the 9:00 a.m. and 3:00 p.m. court sessions.

[577] There is no corresponding Zoom activity during the 1:30 p.m. session.

[578] The evidence of Mr. Valencia further supports that conclusion. He reviewed the September 19, 2024, docket and testified that Cst. Arora did not check in with him for the 1:30 p.m. court tier. Mr. Valencia's notes reflected no attendance notation for Cst. Arora, and he testified that no officers checked in for that session.

[579] During his testimony, Cst. Arora ultimately acknowledged that the Zoom records demonstrated attendance at the 9:00 a.m. and 3:00 p.m. sessions but not at the 1:30 p.m. session. He testified that he believed he had attended when he completed his daily report and attributed the discrepancy to an honest mistake. He explained that he completed the report after the 3:00 p.m. session and believed he likely combined the court appearances in error.

[580] Unlike August 27, where Cst. Arora admitted he did not attend, or September 11, where the evidence is conflicting, the evidence relating to the September 19, 2024, 1:30 p.m. session is comparatively straightforward. The objective Zoom evidence does not support attendance, Mr. Valencia's evidence does not support attendance, and Cst. Arora ultimately accepted that the records do not place him in that session.

[581] Accordingly, the principal court-attendance issue arising from the RSS accommodated-duty period concerns the September 19, 2024, 1:30 p.m. court session. Whether the inaccurate reporting of attendance in relation to that session was the product of an honest mistake or constituted misconduct is a separate question that I will address later in these reasons.

7.10 Findings Regarding Court Attendance

- [582] I will first address the allegations relating to Cst. Arora's court attendance while assigned to accommodated duties.
- [583] With respect to August 27, 2024, I find that Cst. Arora did not attend court. Mr. Valencia's evidence was clear on this point and Cst. Arora ultimately acknowledged that he did not attend. Importantly, however, Cst. Arora did not represent in any daily report or to investigators that he attended court on that date. As such, while the evidence establishes non-attendance, it does not establish any attempt to deceive or mislead.
- [584] Regarding September 11, 2024, I am not satisfied that the prosecution has established on clear and convincing evidence that Cst. Arora failed to attend court. Much of the evidence relied upon by Det. Colagiovanni was significantly weakened during cross-examination. Several transcripts initially relied upon involved other officers, and several matters were withdrawn for "no evidence" rather than "no officer." In the circumstances, I am left with uncertainty regarding what occurred on September 11, 2024. Where such uncertainty exists, it cannot support a finding of misconduct.
- [585] September 19, 2024, requires a different analysis. The Zoom records establish attendance at the 9:00 a.m. and 3:00 p.m. court sessions. However, I find that the evidence establishes that Cst. Arora did not attend the 1:30 p.m. session. The Zoom logs do not reflect attendance during that period and Mr. Valencia's evidence does not support attendance. Moreover, Cst. Arora ultimately acknowledged that the records do not demonstrate attendance during that session.
- [586] The question then becomes whether the inaccurate reporting of attendance on September 19, 2024 amounts to misconduct.
- [587] Having considered all of the evidence, I am not satisfied that it does. Cst. Arora did not attempt to fabricate an explanation after the fact. To the contrary, when confronted with the records, he readily acknowledged that they did not support his attendance at the 1:30 p.m. session. He accepted responsibility for the error and testified that he believed he attended because he had attended the sessions immediately before and after. His explanation was that he likely made an honest mistake when preparing his daily report later that afternoon.
- [588] I find that explanation to be plausible. The daily report was completed following attendance at both the 9:00 a.m. and 3:00 p.m. court sessions. There is no evidence that Cst. Arora stood to gain any advantage by falsely claiming attendance at the 1:30 p.m. session, nor is there evidence of any effort to conceal the discrepancy once it was identified.

- [589] An honest mistake does not become misconduct simply because it is later discovered. Police officers are expected to be accurate in their record keeping, however the evidence in this case falls short of establishing that Cst. Arora intentionally misled his supervisors or knowingly provided false information. At its highest, the evidence establishes that he made an error when completing his daily report.
- [590] Consequently, while I find that Cst. Arora failed to attend court on August 27, 2024, and the 1:30 p.m. court session on September 19, 2024, I am not satisfied that the evidence establishes deceit, dishonesty, or misconduct arising from those incidents. In particular, I find that the inaccurate reporting of attendance on September 19, 2024, was the result of an honest mistake rather than a deliberate attempt to mislead. I further find that the evidence does not establish that Cst. Arora knowingly or wilfully misrepresented his attendance at court.
- [591] Accordingly, I am not satisfied that Counts 5 or 6 have been established on clear and convincing evidence with respect to the allegations arising from August 27, 2024, September 11, 2024, or September 19, 2024.

7.11 Wedding Invitation

- [592] A significant portion of the prosecution's case focused on the allegation that Cst. Arora created the wedding invitation that was ultimately provided to his supervisors in support of his leave request.
- [593] Det. Colagiovanni testified that he became suspicious of the invitation after reviewing it. He noted several irregularities, including spelling errors, the absence of venue addresses, and wording that he believed was unusual. These concerns led him to conduct a reverse image search, which ultimately directed him to Canva, a website used to create invitations and other digital media.
- [594] As part of the investigation, Det. Colagiovanni sought assistance from Mr. Patel to determine whether Cst. Arora had accessed Canva using Peel Regional Police resources. Mr. Patel's search revealed that Cst. Arora accessed Canva on September 4, 2024, from a Peel Regional Police computer. The logs contained references to invitations, downloads, fonts, images, and other Canva functions. Based on these findings, Det. Colagiovanni concluded that Cst. Arora had likely created the wedding invitation himself.
- [595] That conclusion was reflected throughout the investigation and ultimately found its way into the investigative report and the Statement of Particulars. However, the evidence presented at the hearing painted a very different picture. During cross-examination, metadata associated with the wedding invitation was reviewed. The metadata identified the author of the document as "Diksha Chandel", who was identified in the evidence as the

bride. The metadata further reflected a creation date of September 25, 2024. Both of these findings are significant.

- [596] First, the September 25, 2024, creation date is inconsistent with the theory that Cst. Arora created the invitation on September 4, 2024, while using Canva from a Peel Regional Police computer. The invitation therefore could not have been created on September 4, 2024, in the form that was ultimately produced to management.
- [597] Second, the metadata identified a completely different individual as the creator of the document. There was no evidence before me that the metadata had been altered or manipulated, nor was there any evidence that Cst. Arora had input the information identifying Diksha Chandel as the author.
- [598] The significance of this evidence was further reinforced when the Canva logs themselves were reviewed in greater detail. Although the logs clearly demonstrated that Cst. Arora used Canva on September 4, 2024, there was no reference anywhere within the logs to the word “wedding.”
- [599] Instead, cross-examination revealed that the Canva activity on September 4, 2024, corresponded to a document called “Rate Announcement.png.” That document was ultimately located in emails sent from Cst. Arora’s work email account to his personal email account. The document related to a mortgage-rate announcement and not to a wedding invitation.
- [600] I note that Det. Colagiovanni candidly acknowledged that he was unaware of the metadata associated with the invitation until it was raised during the hearing. He further acknowledged that the metadata was inconsistent with his earlier conclusion that the invitation was created by Cst. Arora on September 4, 2024.
- [601] I do not find that Det. Colagiovanni acted improperly in reaching the conclusion he did during the investigation. Based on the information available to him at the time, I can understand why he viewed the invitation with suspicion. However, the issue before me is not whether the suspicion was reasonable at the time; it is whether the allegation has been proven on clear and convincing evidence. In my view, it has not.
- [602] The evidence establishes that Cst. Arora used Canva while at work on September 4, 2024. The evidence also establishes that he created or modified a mortgage-related rate announcement and sent that document to his personal email address. However, the evidence does not establish that he created the wedding invitation.
- [603] To the contrary, the most reliable evidence before me, namely the metadata associated with the invitation itself, indicates that the document was created on September 25, 2024 by Diksha Chandel.

- [604] Cst. Arora consistently maintained throughout the investigation that he did not create the invitation and that it had been provided to him by the bride and groom's family. While that explanation was initially treated with skepticism, the evidence ultimately presented at the hearing is entirely consistent with that account.
- [605] I also note that during the hearing the prosecution ultimately conceded that the evidence did not establish that Cst. Arora created the wedding invitation. Once the metadata was examined and the Canva records were reviewed in their entirety, it became apparent that the September 4, 2024, Canva activity related to a mortgage rate advertisement created for Cst. Arora's secondary employment and not the wedding invitation itself.
- [606] Despite that concession, the prosecution did not concede the count in which that allegation was contained. The reason for that was that the count included a number of other factual allegations which the prosecution maintained could still support a finding of misconduct. In other words, although one of the principal allegations within the count was no longer being pursued, the count itself remained viable because it contained other incidents that were factually unrelated to the wedding invitation issue.
- [607] In my view, this illustrates the difficulty created by the manner in which the Statement of Particulars was drafted. The allegation that Cst. Arora created the wedding invitation occupied a significant portion of the investigation and hearing. Ultimately, the prosecution conceded that allegation. However, because the count contained several separate incidents, the concession did not meaningfully narrow the count itself. This is precisely why I expressed earlier that allegations would be more effectively addressed if they were separated by incident and supported by the facts particular to those incidents.
- [608] Had the wedding invitation allegation been advanced as a separate factual incident, its disposition would have been straightforward once the metadata evidence emerged. Instead, the allegation remained embedded within a broader count containing unrelated allegations concerning the leave request, Mrs. Sharma's medical condition, and other events. While those allegations may still require adjudication on their own merits, they are distinct factual circumstances from the creation of the wedding invitation.
- [609] Consequently, I find that the allegation that Cst. Arora created the wedding invitation has not been proven on clear and convincing evidence. Accordingly, I reject the allegation contained in Particular 24 and the portion of Particular 25 alleging that Cst. Arora created or presented a fabricated wedding invitation.

7.12 Internal Affairs Investigation

- [610] I find that Det. Colagiovanni conducted his investigation honestly and in good faith. While several investigative conclusions were ultimately not supported by the evidence presented

at the hearing, particularly regarding the wedding invitation, I do not find that the investigation was conducted improperly or maliciously.

7.13 Totality of the Circumstances

[611] On many occasions, the prosecution rightfully highlighted that the overall perception of Cst. Arora's actions were that he would take advantage of situations to carefully embellish, minimize, or disguise words, facts, or circumstances in such a way to escape responsibility or overtly appear as though he was being deceitful. At minimum, the prosecution led evidence to suggest that Cst. Arora took advantage of various circumstances to his benefit. The prosecution further encouraged me to consider the totality of the circumstances as an established pattern of deceit or embellishment.

[612] With strong emphasis, I wish to highlight that it is not lost on me that looking at the totality of the circumstances, it certainly appears that Cst. Arora may have been taking advantage of certain situations to his own benefit. However, the evidence before me is not strong enough for me to confidently conclude that this is what took place.

[613] I must consider each incident within its own context and facts to determine whether Cst. Arora was deceitful in his actions. This case is one where the fine details are quite important to consider. Even then, while certain circumstances did have a hint of evidence that Cst. Arora's actions were questionable, the evidence was not clear and convincing, let alone strong enough for me to determine that he was deceitful even on the lower standard of balance of probabilities.

[614] Having considered the totality of the circumstances, I am not satisfied that the various incidents, viewed collectively, establish a pattern of deceitful conduct. While several events invited scrutiny and warranted further examination, suspicion alone cannot substitute for clear and convincing evidence.

7.14 Finding on Counts

[615] Having considered the evidence as a whole, and for the reasons outlined above, I make the following findings with respect to each remaining count in the Statement of Particulars.

[616] With respect to **Count 1**, I am not satisfied that the prosecution established on clear and convincing evidence that Cst. Arora was deceitful or misleading regarding the nature of his ankle injury, the extent of his injury, the number of court matters he believed would be affected by his delayed return, or the court notifications he received. While there are aspects of the evidence that invite scrutiny, I find that Cst. Arora provided a reasonable

explanation for these circumstances and that the evidence falls short of establishing an intent to deceive. Accordingly, **Count 1 is not proven.**

- [617] With respect to **Count 2**, I accept that Cst. Arora did not attend the court matters that were affected by the extension of his first trip to India. However, I am not satisfied that the prosecution established on clear and convincing evidence that he failed to perform his duties without lawful excuse. The evidence establishes that Cst. Arora suffered an injury while abroad, was unable to return to Canada as originally planned, advised his supervisor of his circumstances, and reasonably believed that the appropriate court notifications would be addressed through his chain of command. I find that those circumstances constituted a lawful excuse within the meaning of section 19 of the Code of Conduct. Accordingly, **Count 2 is not proven.**
- [618] With respect to **Count 3**, I am not satisfied that the prosecution established on clear and convincing evidence that Cst. Arora was deceitful or misleading regarding the circumstances surrounding his second trip to India, Mrs. Sharma's medical condition, the wedding he attended, his relationship to the wedding party, the timing of the leave request, or the wedding invitation. While several of these circumstances appeared suspicious when viewed in isolation, the evidence ultimately presented at the hearing did not support the allegations advanced in the Statement of Particulars. I accept Cst. Arora's explanation that he distinguished between becoming aware that a wedding would occur in December 2024 and becoming aware of the specific wedding dates for that event. I do not find that the July 7, 2024 airline booking establishes deceitful conduct. Accordingly, **Count 3 is not proven.**
- [619] With respect to **Count 5**, I find that Cst. Arora did not attend court on August 27, 2024, and that he did not attend the 1:30 p.m. court session on September 19, 2024. However, I am not satisfied that the prosecution established that he knowingly provided false information to his supervisors or Internal Affairs investigators. The evidence, at its highest, establishes an honest mistake in relation to the September 19, 2024 daily report and does not establish deceitful conduct. Accordingly, **Count 5 is not proven.**
- [620] With respect to **Count 6**, I accept that Cst. Arora missed certain court appearances during the period in question. However, for the reasons already outlined, I am not satisfied that the prosecution established on clear and convincing evidence that those absences constituted a failure to perform his duties without lawful excuse. While I find that certain court appearances were missed, I am not satisfied that those failures crossed the line from imperfect performance into misconduct. Nor am I satisfied that the evidence establishes misconduct arising from those attendance issues. Accordingly, **Count 6 is not proven.**
- [621] Having found that none of the remaining counts have been established on clear and convincing evidence, I find Cst. Arora not guilty of Counts 1, 2, 3, 5 and 6.

8 CONCLUSION

- [622] I appreciate the concerns raised by management throughout this matter and understand why the incidents warranted scrutiny and investigation. However, for the reasons outlined above, I am not satisfied that the evidence establishes misconduct on the clear and convincing standard required by the *CSPA*.
- [623] The police service grouped several different incidents together based on a thin thread of commonality instead of addressing the individual incidents through their respective means from progressive discipline, additional training, transfer back to patrol, job shadowing, counselling, or other measures.
- [624] Police officers are people. Sagar Arora is a person who wears a uniform and will inevitably make mistakes. There will be times where the wrong word is used or that some facts slip his mind. This remains a possibility among the countless others suggested. The evidence must therefore lie in an established pattern of behavior supported by clear and convincing evidence or intent to deceive.
- [625] Counsel were able to demonstrate a pattern of emergencies surrounding vacations, most of which were reasonably justified based on the extent of the circumstances. I cannot go past the evidence and fill gaps or support my decision on theoretical probabilities unless rooted in evidence; clear and convincing evidence.
- [626] While I do not find the misconduct allegations proven, the evidence revealed performance and attendance concerns that were capable of attracting supervisory attention.
- [627] With no prior disciplinary history, it would be disproportionate for the employer to seek a demotion or termination without progressive discipline where appropriate.
- [628] In my view, several of the concerns raised by management would have been more appropriately addressed through supervisory intervention, coaching, mentoring, or progressive discipline rather than formal misconduct proceedings.
- [629] What remains significant is that, where allegations of deceit were advanced, Cst. Arora was able to provide explanations that were not displaced by clear and convincing evidence to the contrary.
- [630] Police officers must be held to a higher standard of ethics and professionalism. While I find that in some instances there may be an interpretation that embellishment took place, absent any clear and convincing evidence and intent to deceive, I cannot conclude at this standard of proof that Cst. Arora's actions were malicious and or hyperbolised for personal gain.

[631] I would like to conclude by saying that the members of the Peel Regional Police Service who testified before me all acted in good faith. Every single member mentioned in this decision was professional, candid, steadfast, and unwavering in their testimonies. I do not believe any member acted maliciously, nefariously, or with disregard to Cst. Arora's needs. On the contrary, every member went above and beyond to ensure that they were, at all times, treating Cst. Arora in a fair, respectful, and equal manner to other officers while keeping in mind operational requirements and public safety. I do not believe Cst. Arora was treated differently, discriminated against, or targeted by any member of the management team at the Peel Regional Police Service. With time, I trust that Cst. Arora will come to see this as well.

9 DISPOSITION

[632] I find Cst. Arora not guilty on all counts.

[633] It is the Peel Regional Police Service's responsivity to ensure that Cst. Arora is afforded the same rights to a safe and secure workplace free of harassment and discrimination after this hearing. I am confident that, with appropriate support and leadership, Cst. Arora has the ability to continue a productive policing career should he choose to do so.

[634] I want to strongly emphasise that Cst. Arora bears the greatest responsibility here to recognize how his actions have led to the unfolding of events that caused this hearing to take place. Cst. Arora cannot be oblivious or pretend that his actions were entirely misinterpreted or misrepresented by so many members of the Peel Regional Police Service on so many different instances. The fact that the evidence before me did not reach the threshold of clear and convincing does not take away from his responsibility to fill in certain gaps in communication, ensure there are no misunderstandings, and be more responsible in the manner he conducts himself. Cst. Arora must be more accountable for his conduct. Cst. Arora walked a fine line, intentionally or unintentionally; he must decide how the rest of his career will unfold from here.

10 ORDER

[635] Cst. Arora is to be reinstated forthwith.

[636] The Peel Regional Police Service is to reimburse Cst. Arora for any lost wages as a result of any suspension without pay. Any time off Cst. Arora took on his own volition is not to be reimbursed.

[637] Cst. Arora will be provided the necessary support for proper reintegration into his substantive position with the understanding that his return to work may present challenges arising from the circumstances of these proceedings. No criticism is directed at any

individual or member of the Peel Regional Police Service in this regard. Such challenges are an unfortunate consequence of disciplinary proceedings and the public scrutiny that accompanies them.

A handwritten signature in black ink, appearing to read 'Elie C. Labaky', written over a horizontal line.

Elie C. Labaky
OPAAC Adjudicator

September 28, 2026
Date

11 EXHIBIT INDEX

1. Appointment of Adjudicator
2. Request for Appointment of Adjudicator
3. November 15, 2024, Email from Sgt. Murphy to Cst. Arora – Arora Request for Time Off
4. November 22, 2024, Email from Sgt. Murphy to Cst. Arora – Re: Request for Time Off and November 19, 2024, Email from Cst. Arora to Sgt Murphy and email from Ann Stevenson to Cst. Arora on November 18, 2024
5. Arora's Instagram account – Top Star Mortgages- December 22, 2024
6. New Year's Eve (1).mov
7. New Year's Eve (2).mov
8. What's App messages - Cst. Arora and Sgt. Murphy
9. Amcare Super Speciality Hospital – Dr. Singh Note – March 14, 2024
10. Daily Reports to Sgt. Murphy (Sept 11 and Sept 19, 2024)
11. Text messages – Cst. Arora with Sgt. Murphy
12. Email from Sgt Murphy to Detective Colagiovanni re start of timeline on December 4, 2024
13. Cst. Arora Timesheets 2024
14. Email Cst. Arora to Karen MacCallum (Mississauga Court Bureau) dated September 27, 2024; Email Agnieszka Dubik to Cst Arora Mississauga POA - October 1, 2024, and email from Karen MacCallum to Cst Arora dated October 1, 2024
15. Email from Ann Stevenson to l Sgt Murphy - November 14, 2024
16. Text messages – Cst. Arora and SSgt. Rice
17. Email from Insp. Nagtegaal to Sgt. Murphy and Staff Sgt Rice Re Request for Time Off dated November 22, 2024
18. November 23, 24, 2024 Email - Sick leave
19. 3 Wedding Invitation E cards (5 pages)
20. Text messages – Cst. Arora and Insp. Nagtegaal
21. Text Message November 25, 2024, From Tim Nagtegaal to Mark Gordon
22. November 25, 2024-Text from Mark Gordon to Tim Nagtegaal attaching wedding e-card
23. Email Insp. Nagtegaal to Detective Colagiovanni with wedding ecard attachment - March 21, 2025
24. Air Emirates Flight ticket issued July 7, 2024
25. Screenshots of What's App message from Diksha Chandel to Anshu Sharma on September 25, 2024, attaching – Wedding ecards
26. Anshu Sharma - Medical Records – Grecian Hospital – December 3/6, 2024- 2 pages (SEALED)
27. ZoomLog – Jay Patel #2782c
28. Canva Searches log - Jay Patel #2782c
29. September 19, 2024, Prosecutor's Docket 1330
30. August 27, 2024, Prosecutor's Docket 1330
31. August 27, 2024, Prosecutor's Docket 1500
32. August 27, 2024, Prosecutor's Docket 0900

33. August 27, 2024, Prosecutor's Docket 1030
34. Emails – Cst. Saran to Amcare Hospital
35. Text Messages – Cst. Saran to Sanjeev
36. Text Messages – to Wedding Venue - February 23
37. Email - From Insp. Bill Ford - From Tim Nagtegaal – December 12, 2024 (REDACTED)
38. Arora Compelled Interview Transcript – Corrected- March 6, 2025
39. Family History Form HR
40. Cst. Arora – Niche Trial Notifications
41. Email Correspondence – Amanda Cahill – April 3, 2025
42. Cst. Arora - Trial Notifications - from Amanda Cahill of Mississauga Prosecutor's Office
43. Patrol Sheets – March 19, 2024, with Court Schedule
44. Daily Report to Sgt. Murphy - August 27, 2024
45. Provincial Offences Act Court – Prosecutor's Dockets - September 11, 2024 - 9 am
46. Cst. Arora - Niche - Court Calendar
47. Provincial Offences Act Court – Court Transcripts - September 11, 2024
48. Email Correspondence – Mississauga Prosecutor - Jorge Valencia, Amit Gursaud, Ed Estoppey
49. Letter For Disclosure - August 11, 2025
50. Response to August 11 Disclosure Request - Det. Colagiovanni
51. Email from Cst. Sikora to Det. Colagiovanni with Screen Captures – and wedding e-card attached Canva [paper and electronic]
52. Email from Insp. Nagtegaal to Det. Colagiovanni - January 20, 2025, with attachments [paper and electronic]
53. Wedding invitation ecard screenshots for metadata – screenshots that corresponds to Ex #51 [Detective Colagiovanni to Detective Cuoco/Sikora]
54. March 21, 2025, email attachment (Linked to Exhibit 23)-wedding invitation ecard screenshots for metadata for EX #23 [Inspector Nagtegaal to Detective Colagiovanni on March 21, 2025]
55. Screenshots of Cst Arora's sent folder for September 4, 2024 showing rate announcement sent to personal email - 3 pages
56. 2024-09-04- screenshots of disclosure folder showing Rate Announcement on September 4, 2024, in social media folder - 4 pages
57. Metadata of Rate Announcement-Canva Metadata – created on September 4, 2024
58. Email from Cst Arora's work email to his personal email on September 4, 2024, attaching rate announcement sent to counsel July 30, 2025 [also electronic]
59. Notice of Investigation - January 9, 2025
60. Doc 10 - With PC Initials - Ticket issued Nov 28 2024; Ticket issued July 7, 2024; Emirates Cancellations and Changes- Refund Email Nov 25, 2024, Emirates Refund Email- Nov 28, 2024
61. Doc 11 With PC Initials – Air India Refund Dec 3, 2024
62. Doc 12 - Ticket Issued December 3, 2024, - Return to TO - Jan 8, 2025

63. March 10, 2025 - Email from Mark Gordon to Det. Colagiovanni with Ticket Package - confirmation document for April 4, 2024; ticket issued October 19, 2023; ticket issued April 2, 2024, to JFK
64. Notice of Investigation - March 5, 2025
65. Canva Searches log with Selected Columns
66. Screenshot of chunk.composing
67. Shift calendar app Screenshot March 19, 2024
68. Shift calendar app Screenshot March 27, 2024
69. December 1, 2024 - Email exchange between Cst. Arora and Daughter
70. December 3, 2024 – Whatsapp calls/messages between Cst Arora and father
71. Emails sent to Gopal Malik (father)- December 3, 2024 – with Anshu Sharma Medical Reports 1 - 4 (SEALED)
72. Google Maps Printout – Amcare to Grecian Hospital
73. Daily Report September 4, 2024
74. Email correspondence September 12/14, 2024, re Daily Report September 12, 2024