Inspectorate of Policing

Decision Regarding Findings Report INV-24-24 Concerning the Conduct of Barrie Police Service Board Member Arif Khan

Decision By:
Ryan Teschner, Inspector General of Policing

I. INTRODUCTION

[1] This decision addresses an allegation that Arif Khan, a member of the Barrie Police Service Board (the "Board"), committed misconduct by making offensive posts on his personal "X" social media account.[1] This allegation was investigated by an inspector with Ontario's Inspectorate of Policing ("IoP") who prepared a Findings Report,[2] which is attached to this Decision as Appendix A.

[2] Following a review of the Findings Report and for the reasons that follow, I conclude that Mr. Khan has not committed misconduct in contravention of the *Code of Conduct for Police Service Board Members* Regulation, O Reg 408/23 ("Code of Conduct"), enacted under the *Community Safety and Policing Act*, *2019*, SO 2019, c 1, Sch 1 (the "Act").

II. BACKGROUND

[3] The complainant alleges that Mr. Khan posted offensive material on his personal X account, posts that constituted breaches of the Code of Conduct.

[4] The complainant supplied 34 screen captures of an X account, identified by the username @arifbarrie, purportedly belonging to Mr. Khan. He alleged that, Mr. Khan "liked" and "reposted" various posts that:

a. were described as transphobic and homophobic in nature;
b. used terms such as "groomer" and "pedo";
c. denied the existence of transgender people and the right to live according to a person's selected gender identity;
d. dismissed concerns around police brutality raised by Black people; and
e. dismissed the harms of the Residential School System, engaged in conspiracy theories regarding vaccinations, and were derogatory in nature.

III. ISSUES

[5] Did Mr. Khan's posts on X constitute breaches of the Code of Conduct?

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[1] Formerly known as Twitter.
[2] Section 123 of the Act requires an IoP inspector who completes an investigation of a complaint to report their findings to the Inspector General. This report is redacted to comply with the *Publication of Findings Reports and Directions under Sections 123 and 125 of the Act* Regulation, O Reg 317/24.

IV. ANALYSIS

The Legal Framework

[6] I adopt the facts as outlined in the Findings Report.

[7] I also begin by clarifying my jurisdiction to investigate the complaint. As the Findings Report makes clear, the majority of the impugned posting activity by Mr. Khan pre-dates the proclamation of the Act and my authority to investigate the matter. There are, however, a number of alleged posts on Mr. Khan's personal X account that occur after April 1, 2024, and by virtue of the transitional provisions of the Act, vest me with the necessary jurisdiction.[3]

[8] The Findings Report identifies a number of possible conduct violations, but it is my view that the essence of the complainant's allegations focuses on possible violations of subsection 3(1) of the Code of Conduct, which reads:

> 3. (1) A member of a police service board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the police service board or the police service maintained by the police service board.

a. General principles concerning the conduct of board members

[9] I have previously described the "Code of Conduct for police service board members as the 'rules of the road' to abide by when they engage in their role as board members, or otherwise engage in public life in a manner that can impact the execution of their role as a board member, as perceived by an objective, reasonable observer."[4]

[3] See *Transitional Matters* regulation, O Reg 125/25, section 3. Where events begin before the transition date – *i.e.,* April 1, 2024, the proclamation date of the Act – but continue on or after the transition date to form a "series of events", then the IG, a Deputy IG and inspectors may exercise their powers under the Act with respect to the entire series of events if they have authority under the Act to deal with the events in the series that occurred after the transition date.

[4] *Decision Regarding Findings Report INV-25-123 Concerning the Conduct of Ottawa Police Service Board Member*, INV-25-123 (September 24, 2026), Ryan Teschner, Inspector General of Policing.

[10] The conduct standard that applies in this case – subsection 3(1) of the Code of Conduct – is similar to that required of police officers, and is not to be taken lightly. Canadian appellate courts have consistently held police officers to a higher conduct expectation than other types of employees or ordinary citizens, and this higher conduct expectation extends into off-duty conduct.[5] The Supreme Court of Canada has observed that police work "requires individuals not only to exercise a significant degree of judgment and integrity",[6] but also demands "the highest standard of moral character".[7]

[11] The Act imbues police service board members with responsibility for the management of a police service that deals with the public's liberty and safety. They are responsible for ensuring that the police service they oversee provides adequate and effective policing, as well as upholding the core values articulated in the Act's Declaration of Principles, which include: ensuring the safety and security of all persons and property, including on First Nation reserves; safeguarding the rights and freedoms guaranteed by the *Canadian Charter of Rights and Freedoms* and the *Human Rights Code*; respecting victims of crime and understanding their needs; and being sensitive to the pluralistic, multiracial and multicultural character of Ontario's society.[8]

[12] Police service board members, as police overseers, should also be held to a higher-conduct expectation. As the former Ontario Civilian Police Commission observed, "[a]s public stewards charged with the responsibility of ensuring that police forces are accountable to the communities they serve, police services board members are subject to the highest standard of conduct possible under the statutory scheme of the Act."[9]

b. <u>Assessing conduct that occurs in 'private' life</u>

[5] *Attorney General Canada v Muller* 2022 FCA 99 at para 15; *R v Theriault,* 2021 ONCA 517 at paras 206-207; *R v Forcillo* 2018 ONCA 402, leave to appeal refused, [2018] SCCA No. 258, at paras 198-199. See also, *Montréal (City) v. Quebec (Commission des droits de la personne et des droits de la jeunesse*), 2008 SCC 48 at para 33; *Quaidoo v Edmonton Police Service*, 2015 ABCA at para 51; *Campbell v The Police Chief*, et al, 2016 NBQB 225 at paras 19-22, aff'd 2018 NBCA 54; 2019 CanLII 18833, leave to appeal to SCC refused; *Edmonton Police Service v Furlong*, 2013 ABCA 121 at para 37.

[6] *Montréal (City) v. Quebec (Commission des droits de la personne et des droits de la jeunesse*), 2008 SCC 48 at para 33 (Deschamps J, for the majority).

[7] *Montréal (City)*, footnote 4, at para 86 (Charron J, for the dissent).

[8] The Act, s 1.

[9] *Stirling-Rawdon (Police Service)* v *Oliver*, 2014 ONCPC 2502 at para 616.

[13] Here, the conduct complained of consists exclusively of social media posts to Mr. Khan's personal X account. That fact, however, does not automatically immunize his conduct, or that of any board member, from the reach of the Code of Conduct. As a recent appellate decision observed in relation to members of a profession:

> It is generally accepted that professional regulatory bodies have the authority to investigate and discipline members of their profession for conduct that arises outside of the execution of their professional duties. The extent of the authority to investigate and sanction a member for off-duty conduct typically falls under the broad umbrella of conduct that is unbecoming, improper, unprofessional or discreditable. Canadian courts have thus far been consistent in their articulation of the standard required for a finding of professional misconduct to be made.
> …
> … off-duty conduct may be professional misconduct "if there is a sufficient nexus or relationship of the appropriate kind between the personal conduct and the profession to engage the regulator's obligation to promote and protect the public interest". The test is whether the impugned conduct was such that it would have a "sufficiently negative impact on the ability of the professional to carry out their professional duties or on the profession to constitute misconduct" [citations omitted].[10]
>
> [emphasis added]

[14] Accordingly, the inquiry into whether Mr. Khan committed misconduct, contrary to subsection 3(1) of the Code of Conduct, when acting in some capacity other than as a board member, focuses on *whether* and *why* personal conduct undermines public trust in a set of circumstances.

[15] The legal framework for assessing the conduct of a board member that is alleged to have been committed outside their board member role has been outlined in Decision INV-25-123. It is a two-step inquiry: first, examining the relevant context factors to reveal how closely the board member's conduct is tied to their board member role; and, second, considering the impact that the alleged misconduct has on public trust.

c. A word on the *Charter* and the Code of Conduct

[10] *The College of Physicians and Surgeons of Saskatchewan* v *Leontowicz*, 2023 SKCA 110 at paras 84, 86 adopting the test in *Strom* v *Saskatchewan Registered Nurses' Association*, 2020 SKCA 112 and *Klop v College of Naturopathic Physicians of British Columbia*, 2022 BCSC 2086 at para 110, leave to appeal to BCCA refused, 2023 BCCA 125.

[16] Police service board members still do face restrictions on their conduct that ordinary members of the public may not, by virtue of their sworn office and the Act's Code of Conduct. Where a board member's *Charter* rights – *e.g.,* here, the section 2(b) right to freedom of expression – are purportedly restricted, then I must engage in a proper balancing of the relevant *Charter* values against the legislative objectives of the Act.[11] In fact, Mr. Khan asserted in the course of the inspection that he posted his remarks "as a private citizen" and he was "entitled to have an opinion" further to his *Charter* rights.[12]

[17] In these circumstances, I do not believe it is necessary, though, to resort to the balancing of values and legislative objectives prescribed by the Supreme Court of Canada in *Doré.* I am of the opinion that the issue of Mr. Khan's conduct can be properly assessed by applying the two-step analysis I have outlined above.

[18] Before moving to the analysis, I need to separate what this decision will resolve, and what it cannot. The complaint that gave rise to this investigation references 34 social media interactions (comprised of posts, 'likes' or engagements) on Mr. Khan's 'X' account. 27 of those 34 interactions contain content that is alarming, including, among other examples: use of the terms "groomer" and "pedo"; denying the existence of transgender people; and, dismissing concerns about harms arising from the Residential School system.

[19] All of these 27 examples were not authored by Mr. Khan, but the complainant alleges that Mr. Khan 'liked' or somehow engaged with that content so as to suggest his endorsement of its views. However, I am not in a position to make a determination concerning these 27 examples based on the information before me. I must apply the appropriate legal standard to the findings from the investigation, and there is simply not a sufficient basis for me to conclude on a balance of probabilities that Mr. Khan engaged with that content in some way. At bottom, the investigation did not gain access to Mr. Khan's 'X' account, and therefore, relied on the screenshots provided by the complainant and Mr. Khan's interview in which those screenshots were reviewed. I realize this is not ideal. But, without a more definitive source that connects Mr. Khan engaging with the 27 examples, I am unable to conclude that he did so.

[20] Therefore, the balance of my decision focuses on those social media engagements that I <u>do</u> find Mr. Khan partook in. No one should take any of this as an endorsement of the content in the 27 examples – far from it. If Mr. Khan's participation in those 27 examples was made out on a balance of probabilities, my decision with respect to his conduct may well have been different.

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[11] *Doré* v *Barreau du Québec*, 2012 SCC 12, at paras 54-58.
[12] See Appendix A, Findings Report, Subject Interview at p 8, 11.

Relevant Context

[21] Factors relevant to the conduct will vary depending on the circumstances. When conduct involves personal expression, relevant factors may include (but are not limited to):

- The board member holding themselves out, or being identifiable, as a member of the police service board;
- The conduct or speech coming close to the activities of the board or the board member's professional duties;
- The statement being public and the extent of the publication;
- The truth or fairness of the statement;
- The overall language and tone of the statement;
- The subject's purpose in making the statement, and whether it was intended to contribute to social or political discourse on an important issue; and,
- If there were any extenuating personal circumstances leading to the statement, such as emotional distress or mental health issues.[13]

[22] While a complaint may focus on a specific act of omission, I must put the specifics in a broader context. In terms of the "full panoply of contextual factors" relevant to my decision,[14] when assessing personal expression, I cannot look at part of a statement in isolation, or engage in "cherry picking". Instead, I am required to look at the tone, content and purpose of the statement as a whole, including the statement's truth (to the extent this is ascertainable). However, the truth of a statement is not a "silver bullet" which saves a board member from a finding of misconduct, and in some cases, the truth of a statement may be irrelevant to the analysis given other contextual factors at play.[15] Here, there are a few specific factors that are contextually relevant.

a. <u>The personal nature of the expression</u>

[13] These factors are derived from *Strom, supra* note 9; and *Yee v. Chartered Professional Accountants of Alberta*, 2020 ABCA 98, at para 45.
[14] *Groia v Law Society of Upper Canada*, 2018 SCC 27 at para 83. Also, *The College of Physicians and Surgeons of Saskatchewan v Leontowicz*, 2023 SKCA 110 at 87.
[15] See *Peterson v College of Psychologists of Ontario*, 2023 ONSC 4685, at paras 69-70, leave to appeal to the SCC refused, 41168 (August 8, 2024).

[23] The personal nature of a public post or statement is also significant to the analysis. For example, an emotional outburst in the face of challenging personal circumstances generally would not amount to professional misconduct because the public would be understanding of the context in which the statement was made, and this would reduce the negative impact of the statement.[16]

[24] Mr. Khan was using his personal social media 'X' account. This was an account he set up and used before he was a member of the Board. Additionally, none of the posts or engagements contain material related to his role on the Board.

[25] The inspector's review of Mr. Khan's posts, re-posts, or "liked" messages provided by the complainant do not contain any content which directly relates to Mr. Khan's role as a member of the Board, the mandate or policies of the Board, or the work of the Barrie Police Service ("BPS"). Nor does Mr. Khan identify himself as a board member, although this information might be notorious in a smaller community and would always be only a "click" away on the Internet. Mr. Khan was using his personal social media 'X' account, and none of the X posts or engagements contain material related to his board member role or purport to express any opinions of the Board.

[26] The use of social media has become pervasive in our society, and its use (and misuse) is proving to be a significant challenge to employers and professional regulators alike. Policing is no exception. Social media posts that have been deemed racist, vulgar, obscene, false or libelous, or otherwise likely to diminish public confidence in the police service in the eyes of a reasonable member of the community have constituted professional misconduct. This has been the case even where the individual was not on active duty, but on medical leave, and argued that their posts were designed to promote security and equality for racialized female officers.[17]

[27] Here, none of Mr. Khan's posts addressed, directly or indirectly, issues relating to policing or police governance. They were clearly intended to convey his personal viewpoint on unrelated social and political issues, past and present.

b. <u>Gravity of the conduct</u>

[16] See *Strom, supra* note 9, at para 116. There, the Court of Appeal for Saskatchewan overturned a finding of misconduct, in part, because the Discipline Committee failed to give adequate weight to the personal nature of statements of a nurse who had posted disparaging statements about the end-of-life care her grandfather had received on social media. The Court of Appeal emphasized the nurse was a grieving granddaughter speaking about a matter she had knowledge of in a personal capacity and in relation to a facility she had no professional connection to.
[17] *Zarabi-Majd* v *Toronto Police Service*, 2025 ONSC 277 (Div Ct).

[28] There is no escaping that the content of many of Mr. Khan's posts and re-posts could fairly be described as controversial. They engage contentious subjects such as the efficacy of vaccinations, the former governmental COVID response, so-called "diversity" hiring initiatives, and arguments surrounding free expression in our society.

[29] Social media platforms such as X have become the modern electronic "marketplace of ideas", which many view as an opportunity for "a citizen to give voice to her vision for her community and nation, to advocate change through the art of persuasion in the hope of improving her life and indeed the larger social, political and economic landscape."[18]

[30] Mr. Khan occasionally invoked sharp tones in his use of language, but was never profane nor engaged in *ad hominem* attacks. Of the seven social media engagements that are the subject of this decision, there are no examples of explicit disinformation being disseminated by Mr. Khan. Despite the contentious nature of the issues, Mr. Khan's social media posts simply lack the "gravity" necessary to demonstrate "conduct [that] has crossed the permissible bounds and deteriorated to professional misconduct."[19] Once again, none of this should be taken as an endorsement of Mr. Khan's views.

Impact of the conduct on public trust in the board member, the board or the police service

[31] At this stage, I must turn my focus to whether the conduct sufficiently negatively impacts, or is inconsistent with what is required to maintain, public trust in the police service board or police service. When making this assessment, it is helpful to consider the following questions to determine the extent of the negative impact:

- Does the conduct damage the board member's reputation with the public?
- Does it damage the police service board's reputation with the public?
- Does it have a negative effect on the individual's ability to act as a board member?
- Is the conduct more unacceptable for a board member than for general members of the public?[20]

[18] *Harper* v *Canada (Attorney General)*, 2004 SCC 33 at para 16.
[19] *Re Stevens and Law Society of Upper Canada*, 1979 CanLII 1749 (HCJ Ont) at para 23 (Cory J).
[20] Bryan Salte, *The Law of Professional Regulation,* 2nd ed (Toronto: LexisNexis Canada Inc, 2023), at p 193.

[32] The negative impact of conduct on public trust can be established based on direct evidence, or by inference due to the nature of the conduct itself.[21] In other words, in cases like these, I am able to determine that the nature of the conduct itself is of such a type that a negative impact naturally flows, without requiring specific evidence as to impact.

[33] In all of the circumstances, I also find that there is an insufficient nexus to his responsibilities and obligations as a board member and lacked sufficient gravity. Consequently, I cannot accept the complainant's view that Mr. Khan's posts cast a sufficiently negative impact on public trust in Mr. Khan's broader suitability to engage his statutory role as a Board member, or sufficiently diminish public confidence in the Board or the BPS's ability to execute its statutory mandate.

V. CONCLUSION

[34] Mr. Khan did not violate the Code of Conduct with respect to the social media engagements that are the subject of my decision.

[35] I do believe it is important, however, to make some comments that should serve to guide board members more generally when it comes to their use of social media.

[36] Mr. Khan's interpretation of what re-posting and "liking" meant differed from that of the complainant. Mr. Khan took the position that one might re-post material simply because one found it "interesting" but had no further attachment to it. Moreover, he asserted that "liking" a post did not necessarily imply agreement with all aspects of its content – one might, for example, simply "like" how an argument was presented without agreeing with its premise.[22]

[21] *The College of Physician and Surgeons of Saskatchewan v Leontowicz,* 2023 SKCA 110, at paras 100-113. The decision addressed an off-duty sexual assault by a medical student against a woman who was not a patient. The Court held that the conduct was so fundamentally at odds with the core values of the medical profession and the concept of "doing no harm", as well as requirements for a productive physician-patient relationship, that the loss of confidence in the medical student could be inferred from the conduct itself.

[22] See Appendix A, Findings Report, Subject Interview at p 9.

[37] I find Mr. Khan's explanation challenging to accept. In the world of microblogging and social media, I accept that there may be some measurable distance between "liking" someone else's comments and merely re-posting those comments. But I also accept that, in the absence of a direct comment by an account holder to the contrary, members of the public might reasonably infer some level of endorsement or support flows from the repeated re-posting of comments espousing a particular viewpoint.

[38] I should also mention that this is not the first time that Mr. Khan has found himself the subject of scrutiny as a result of his social media behaviour. As a result of these past instances, Mr. Khan – in fact, the entire Board of which he is a part – have received specific training on the use of social media, and updated the Board's By-Law "Code of Conduct of Board Members" to explicitly address social networking sites.

[39] While these past instances are not before me, this should stand as a reminder for Mr. Khan – in fact, for board members generally – to be mindful when deciding to engage in public expression, even where that engagement might appear disconnected from their board member duties. There could be instances in which, even with clarity of expression that is personal, that expression is so fundamentally at odds with the core values of the Act, the police board or the police service they govern, that no reasonable person could expect to believe the board member or board could discharge its statutory functions in the public interest.

Date: October 29, 2026

Original Signed By

Ryan Teschner
Inspector General of Policing

Inspectorate of Policing

FINDINGS REPORT

Barrie Police Service Board Member: Arif Khan

Section 106(1) Board Member Conduct Investigation
(INV-24-24)

Submitted to:
Ryan Teschner
Inspector General of Policing of Ontario

September 1, 2026

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ABOUT THE INSPECTOR GENERAL OF POLICING AND THE INSPECTORATE OF POLICING

The Inspector General of Policing drives improved performance and accountability in policing and police governance by overseeing the delivery of adequate and effective policing across Ontario. The Inspector General ensures compliance with the province's policing legislation and standards, and has the authority to issue progressive, risk-based and binding directions and measures to protect public safety. Ontario's Community Safety and Policing Act embeds protections to ensure the Inspector General's statutory duty is delivered independently from government.

The Inspector General of Policing leads the Inspectorate of Policing (IoP). The IoP provides operational support to inspect, investigate, monitor, and advise Ontario's police services, boards and special constable employers. By leveraging independent research and data intelligence, the IoP promotes leading practices and identifies areas for improvement, ensuring that high-quality policing and police governance is delivered to make everyone in Ontario safer.

In March 2023, Ryan Teschner was appointed as Ontario's first Inspector General of Policing with duties and authorities under the Community Safety and Policing Act. Mr. Teschner is a recognized expert in public administration, policing and police governance.

For more information about the Inspector General of Policing or the IoP, please visit www.iopontario.ca.

INTRODUCTION

This is a report to the Inspector General of Policing by an inspector appointed by the Inspector General, who has completed an investigation under Part VII of the *Community Safety and Policing Act, 2019* (CSPA).

OVERVIEW OF INVESTIGATION

The Complaint

The complainant submitted this complaint to the Inspector General and submitted the same complaint to the Barrie Police Service Board (BPSB), who later forwarded the complaint to the Inspector General under the provisions of section 108 of the CSPA. The complaint was made after the complainant viewed postings on the subject board member's personal X (formerly known as Twitter) social media account.

The complainant submitted thirty-four screen captures of the subject board member's purported X account, identified by the username @arifbarrie. The complainant alleged the content posted by the subject board member on this public forum was a breach of the Ontario Regulation 408/23: Code of Conduct for Police Service Board Members (Code of Conduct) and the Ontario Human Rights Code.

The complainant drew attention to posts in which he alleged the subject board member "liked" and "reposted" other posts that:

- were described as transphobic and homophobic in nature;
- noted the use of the terms "groomer" and "pedo;"
- denied the existence of transgender people and the right to live according to a person's selected gender identity;
- dismissed concerns around police brutality raised by Black people; and
- dismissed the harms of the Residential School System, engaged in conspiracy theories regarding vaccinations, and were derogatory in nature.

The Subject Police Service Board Member

Name of Police Service Board: Barrie Police Service Board
Subject Board Member: Arif Khan
Length of service (Term): Appointed May 7, 2020
Reappointed: May 7, 2023
May 7, 2025
Specific Roles Held on Police Service Board: Board Member
Previous Substantiated Misconduct: 1 Prior complaint of misconduct
Appointing Authority: Province

Applicable Legislative and Regulatory Provisions

Section 35(6) of the CSPA provides that every member of a police service board shall comply with the prescribed code of conduct.

Ontario Regulation 408/23: *Code of Conduct for Police Service Board Members* was reviewed having regard to the allegations made in the complaint and the following sections were deemed to be relevant:

a) Section 3(1) A member of a police service board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the police service board or the police service maintained by the board; and
b) Section 4) A member of a police service board shall comply with the Act and the regulations made under it.
c) Section 6) A member of a police service board shall comply with any rules, procedures, and by-laws of the police service board.
d) Section 9(1) A member of a police service board shall not, in the course of their duties, treat any person in a manner that the member, at the time, knows or reasonably ought to know would contravene the Human Rights Code.
e) Section 10(1) A member of a police service board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

Ontario Regulation 125/24: *Transitional Matters*

Many of the captured screenshots were of postings dated as far back as November of 2021, with others in 2022 and 2023 and then many in January and February of 2024.

These postings pre-date the proclamation of the CSPA on April 1, 2024. Additional captured screenshots of postings from April, May, and June of 2024 were also provided.

In accordance with section 3 of Ontario Regulation 125/24: Transitional Matters, where an event forms part of a series that occurs before the proclamation of the CPSA but continues after the proclamation, the Inspector General may exercise authority in respect of the entire series.

SUMMARY OF THE INVESTIGATION CONDUCTED

Interviews were conducted with the complainant and the subject board member, Arif Khan. Correspondence was received from the Chair of the BPSB. The investigation also obtained information from reports held by the Barrie Police Service (BPS), the BPSB, and the Ontario Civilian Police Commission (OCPC). Included in the information from the BPS was an audio recording of the subject board member Arif Khan taken on June 25, 2020, as part of the investigation completed for a previous conduct complaint in June of 2020.

Open-source media articles, along with additional information provided by both the complainant and subject, also assisted with this investigation.

Google Search of the Barrie Police Service Board

The Barrie Police Service provides members of the public with a detailed and up to date website. The website has a section dedicated to the Barrie Police Service Board. On that portion of the website, the BPSB's membership is listed, with biographies for each member. The website also posts the BPSB by-laws allowing them to be publicly accessible and transparent. These by-laws include By-Law #01 Code of Conduct of Board Members and By-Law #09 Board Member Training Requirements. It should be noted that both by-laws have been updated to reflect the current Code of Conduct under the CSPA.

Review of the Screenshots Provided by the Complainant

The complainant provided 34 screen captures of material purported to be from Arif Khan's X account. It should be noted that some pages duplicate information displayed on other pages. Some pages contain posts which are incomplete or show pictures that are video links which could not be viewed from the screen capture. As a result, it is difficult to fairly assess the information illustrated in each screenshot page due to a lack of context.

Each screenshot page provided (except for four screenshots) is displayed with the subject's name at the top left portion of the page. Beneath the subject's name is the total number of posts or likes, depending on which category the reader is in. Below that, there are four subtitles: Posts, Replies, Media, and Likes. For the screen captures showing content the subject allegedly posted or reposted, the post's subtitle is highlighted and underlined. There are 7 screenshots in the package marked "Posts." These pages clearly show either an original post, a repost with the subject's comments, or a repost without additional comments. These 7 screenshots also show Arif Khan had 2,097 posts on his X account when the screenshots were taken.

In contrast, the provided screen captures showing content the subject allegedly "Liked" are less straightforward. There are 23 screenshots in the package marked "Likes." On these pages, the "Likes" subtitle is highlighted and underlined, and the pages contain posts and comments from various individuals, sometimes appearing in seemingly random order. The comments from the assorted individuals often diverge from the original post and devolve into derogatory back and forth between commenters, the use of profane and offensive language, and polarizing political commentary. The screen captures do not consistently indicate the dates or provide sufficient detail or context. As such, it is not clear what content was allegedly "Liked", when the "Likes" occurred, and how each item is related to the complaint. These 23 screenshots show that Arif Khan had 2,498 likes in his X account when the screenshots were taken.

Complainant Interview

An interview was conducted with the complainant. The following is a summary of the complainant's recollections.

The complainant stated they did not have a personal relationship with Mr. Khan and only knew him as a public figure. They followed Mr. Khan's X account because of his community role.

The complainant provided a clear account of why they believed posts on Arif Khan's X account breached the Code of Conduct. The complainant explained that on June 5, 2024, while scrolling their X feed, they noticed a post by Mr. Khan that surprised them. This prompted them to review Mr. Khan's account in detail. They scrolled through the account, captured 34 screenshots of posts, reposts, and likes, and submitted these as part of the complaint. The complainant described how reposting and liking content on X signals agreement and increases visibility. They noted that screenshots show Mr. Khan's name at the top left, the number of likes, and the "Likes" tab underlined, which they interpret as confirmation that Mr. Khan liked the posts. The complainant emphasized that these actions bind the user to the content in a direct and purposeful manner.

The complainant identified six categories of posts they considered problematic. The categories included, posts containing transphobic and homophobic content, posts dismissing concerns about racial profiling and police violence, posts denying the harms of the residential school system and posts promoting vaccine conspiracy theories. In addition, posts containing disrespectful and derogatory comments, which included some 20 different posts. Finally, posts involving partisan political content, which included 16 different posts.

The complainant expressed that they believe these posts collectively violate Sections 3(1), 9(1), and 10(1) of the Code of Conduct. The complainant withdrew their complaint about 2 of the screenshots, and 4 other screenshots were determined to have been produced from a source other than Mr. Khan's X account. Throughout the interview, the complainant reiterated that reposting and liking signal agreement and increase visibility, which they believe is inconsistent with the expectations of a police service board member.

Subject Interview

An interview was conducted with the subject board member. The following is a summary of the subject's responses from his perspective.

Mr. Khan, was calm, articulate, and demonstrated a strong commitment to his role on the BPSB. Mr. Khan confirmed that he has served as a member of the BPSB since 2020 and clearly articulated his responsibilities as a Provincial Appointee. He provided a detailed account of his involvement in various committees, conferences attended, and courses completed, emphasizing his dedication to full participation and ongoing professional development. Mr. Khan confirmed that he completed the mandatory board member training required under the CSPA, although he expressed the view that the quality of the training was poor.

When asked about prior allegations of misconduct, Mr. Khan acknowledged an incident relating to a complaint from June 2020. He noted that the complainant in that matter was a family member of the complainant in the current investigation. Although there was no finding of misconduct, a letter was placed in his file and mandatory social media training was imposed on all board members as a result of the investigation. Mr. Khan did not disclose any other complaints about alleged misconduct.

Regarding the current complaint, Mr. Khan expressed his belief that the allegations were bullying and vexatious. He stated that while not all members of the community support him, he believes a larger portion does. Mr. Khan made his position clear about his use of social media, stating: *“My online presence may not align with everybody. It's not supposed to. You know, if my online presence aligned with people of a different extreme, I'm sure I’d get complaints about that. Or didn't align with people of a different extreme I’m sure I’d get complaints about that too. I am not here to please everybody, and I have no intention of pleasing everybody. Whether you, or anybody else likes it or not, I put God first, I put my family second, I put my community right there and, and I serve even if it's not popular. I have an opinion, absolutely. I've got lots of opinions and I'm entitled to have an opinion under my charter rights, I'm entitled to have an opinion.”*

During the interview, Mr. Khan reviewed all 34 screen captures presented to him. He confirmed that the posts and reposts listed had been made by him on his personal X social media account and emphasized that his posts were always made in the context of his opinions as a private citizen. Mr. Khan reinforced this position by stating, “There are only two people that speak for the Police Service and that is the Chief of the Police Service and the Chair of the Police Service Board.” He reported that he did not post any material related to his role as a member of the BPSB, nor did any content express the opinions of the Board. Mr. Khan indicated that of the 34 screenshots provided by the complainant, he accepted responsibility for seven—four posted items and three reposted items. He did not agree that he had liked the remaining 27 posts identified in the package.

Mr. Khan expressed that his interpretation of posting and reposting differs from the complainant’s definition. He stated that posting or reposting material only indicates that he found the content interesting and does not mean he has any attachment to the material. Similarly, he explained that liking a post does not necessarily imply agreement with all aspects of the content. Mr. Khan stated that it is possible to like a post without endorsing its substance, and even to like a post simply because of how an argument was presented, regardless of whether he agreed with the viewpoint.

Investigators reviewed the selected “Posts” with Mr. Khan in order. The first was a post made on June 1, 2024. The screenshot of the post is reproduced below.



Mr. Khan reviewed the post and agreed with the content that in his opinion, Canadians were not desperate for vaccines. Mr. Khan’s position was that he was “not authoring the video content but rather sharing for perspective.” He also indicated that he believed that he was not alone in his views that the entire COVID response was not well handled by the government. Mr. Khan indicated that he believes that there is ample evidence to support his position, and that as time moves on that there will in fact be more and more evidence supporting his position.

Mr. Khan suggested people who challenged the status quo were labelled as conspiracy theorists. Mr. Khan stated that now, “two years later, three years later, we are seeing evidence on certain vaccines that were pulled from the market.” Mr. Khan reports this is not something he made up but factual evidence about side effects that occurred, and that people were right to ask questions and be concerned.

The next post was made on November 30, 2023. The screenshot of the post is reproduced below. This post was made pre-proclamation of the CSPA.



Mr. Khan accepted that he had written and posted this material. Mr. Khan explained his intention with this post was to draw attention to Elon Musk's position having become so prominent in the United States government with his appointment to the Department of Government Efficiencies (DOGE).

Mr. Khan goes on to describe the still picture from a video of Elon Musk. Mr. Khan reported that, Mr. Musk had purchased Twitter reportedly partially due to the alleged censorship by Twitter prior to his purchase. Since his purchase, and name change to X, Mr. Musk had seen some people leave the platform and some advertisers pull out funding. The reporter asked Mr. Musk about the threat that some advertisers were making to pullout, and he essentially responds with an expletive that he would not allow them to blackmail him on his own platform. Mr. Khan suggests that in his view, it was his platform, and he decided to say I'm not going to be bullied by anyone. Mr. Khan applauded Mr. Musk for standing up to corporate bullies.

A post made on September 22, 2022, was reviewed with Mr. Khan. The screenshot of the post is reproduced below. This post was made pre-proclamation of the CSPA.

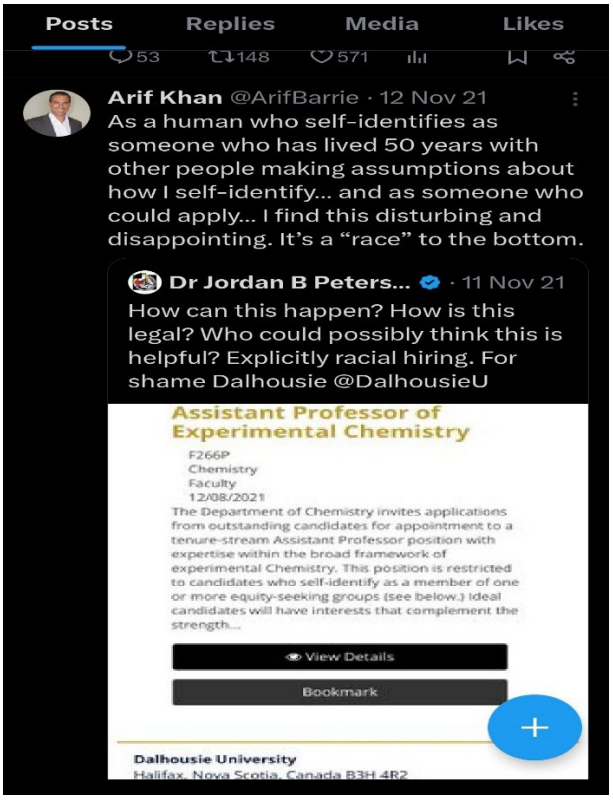


Mr. Khan's post was a follow up to one from a medical doctor, which appears directly beneath his. Mr. Khan accepted that he had written and posted this material. He stated that he posted the remarks "as a private citizen."

Mr. Khan expressed his opinion that he believes that the handling of the COVID 19 pandemic was a travesty. Mr. Khan went on to state that there were several cases documented in the news and documented before the Ontario Medical Association of physicians who asked questions and were punished. Mr. Khan alleges they lost their right to practice because they expressed their concern regarding the content of the vaccines or who should be vaccinated. Mr. Khan suggests that doctors who have questions and concerns over the handling of the COVID 19 pandemic should speak up, further suggesting that doctors may have stayed silent out of fear.

Mr. Khan suggested his comments were intended to show his support for living in a free and democratic society where people are allowed to question and disagree.

The final post raised by the complainant was dated November 12, 2021. The screenshot of the post is reproduced below. This post was made pre-proclamation of the CSPA.



Mr. Khan accepted that he had posted the material and indicated that in spite of the age of the post, he remembered the doctor who had made the original post. Mr. Khan applauded the author for choosing to stand up and not be silenced. Mr. Khan took the position that whether you agree with the original posting or not is irrelevant. He felt that the author of the post decided that the university was essentially violating peoples Charter rights, and his choice to make the post identified him as a critical thinker. Mr. Khan identified that the job posting was restricted to candidates who self-identify as a member of one or more equity seeking groups.

Mr. Khan advised that the job posting became quite controversial, and he believed that somebody at the university eventually stepped down. Mr. Khan felt that the posting was trying to highlight that such a position or policy was not acceptable. Mr. Khan believed the posting was pointing out that explicitly racial hiring likely excludes qualified candidates. He feels "it's a race to the bottom," which is disturbing and disappointing because he feels the university doesn't even attempt to hide the prejudice in the job advertisement.

A review of "Reposts" was then completed with Mr. Khan.

First was a repost from June 1, 2024. The screenshot of the repost is reproduced below.

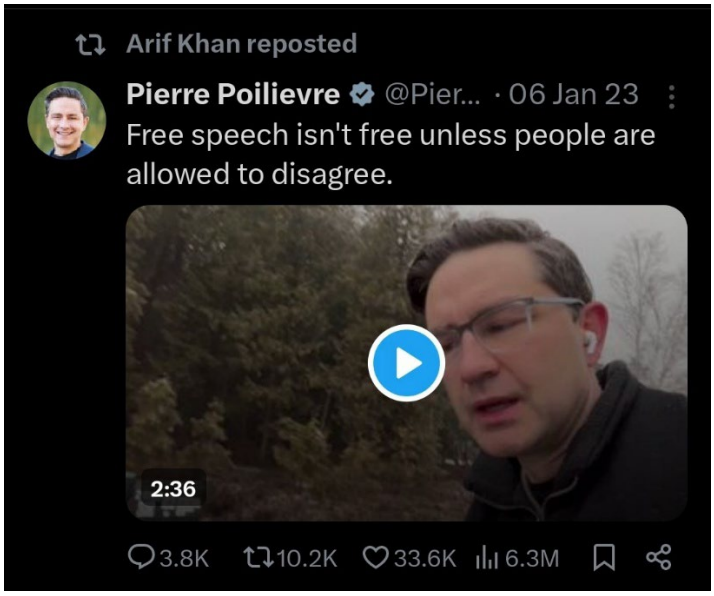


The subject board member accepted that he had re-posted this material. Mr. Khan read over the repost and when investigators asked Mr. Khan what he meant by the post he stated, “Basic premise for everything that I share is offering perspective. I am someone who actively participates in dialogue. Who comes from about as diverse a background as you can imagine.”

Mr. Khan spoke about the importance of dialogue and debate and advised that he enjoys debate. He said, “I enjoy the dialogue. I enjoy encouraging people to discuss things. I don't enjoy people who are rude and defamatory.” Mr. Khan felt it was important to understand that is what he was trying to do in this repost, was to invite the conversation.

Mr. Khan advised that he did not know anything about the author of the post. He felt that the author had made a fair statement. Mr. Khan insisted that the post is about perspective. The statement was not made by him but by somebody who aligns as a member of the gay community. He said, “This is a statement from somebody who said, I believe, that openness means giving a dialogue or giving a voice to everybody.”

The next repost was from January 6, 2023. The screenshot of the repost is reproduced below. The repost was made pre-proclamation of the CSPA.



Mr. Khan reviewed the post and wasn't sure if the video was what he called a "famous video of Pierre Poilievre eating an apple and chastising a reporter." Mr. Khan went on to repeat the comment, free speech isn't free unless people are allowed to disagree. The subject board member believes that his comment is self-explanatory. Mr. Khan advises that freedom is improved when people are free to openly exchange ideas. Mr. Khan advised that although people talk about freedom, they do not talk about the responsibility that freedom has associated to it. Mr. Khan went on to state that "around November 11th and Remembrance Day, that people died for our right to free speech and freedom" yet he believes people, "rarely talk about the associated and implied responsibility."

Mr. Khan advised "this is just simply me agreeing and reposting" and what he does agree with is the idea that "it's not free unless you're allowed to disagree." Mr. Khan expressed the belief that his comments can't be considered partisan if he speaks about everyone equally.

Mr. Khan advised that although he does not agree with certain political party platforms or their leaders that he believes he can still provide positive feedback for his independent observations and provide support even when someone he may disagree with comes under attack.

The final repost was from November 26, 2021. The screenshot of the repost is reproduced below. This post occurred pre-proclamation of the CSPA.



Mr. Khan reviewed the post and stated, “I love this post.” Mr. Khan felt the post expressed a positive attitude to work at a time when the pandemic was not over yet, but there was a feeling to take collective responsibility to keep people safe. Mr. Khan discussed hybrid methods which allowed people to continue to work and identified a particular member of Provincial Parliament for Barrie who had just had a child and took her child to Queens Park with her. Mr. Khan appreciated the importance of adaptability and his own business experiences and that suddenly people had to embrace working from home. The image according to Mr. Khan shows the resilience of the person being able to continue to work and serve the community by adapting.

Mr. Khan indicated that he just reposted what came across his feed. Mr. Khan indicated that the comments made in relation to the video link were “polarizing.”

Mr. Khan was able to review the repost in its entirety and identified that although there was some negativity in the comments, he maintained that the purpose for him to repost this post was in relation to seeing a picture of a female with a baby in the workplace, which he had heard that a local MPP had done. Mr. Khan explained in great detail and was able to answer investigator questions clearly about the entire post and stated that in spite of some of the negativity found in the comments that the value in the post was in the power of people adapting to life after the COVID pandemic.

Mr. Khan did not accept ownership of any of the posts that he had allegedly “liked.” Mr. Khan took the position that in order for him to have liked a post the heart icon on the post would have had to have been filled in with the color red. A review of these posts found that the heart was not colored in red.

The “Likes” pages provided by the complainant reflected a similar format as the posts and repost pages. At the top left portion of the screenshot was the name Arif Khan, below that was a line with 2498 Likes. Below that line was the line with “Posts,” “Replies,” “Media,” and “Likes” with the word “Likes” also underlined.

Mr. Khan advised investigators that, in addition to the technical issue of the heart not being filled in red, some of the alleged “liked” posts were ones he simply would not have liked because they were not his style. Mr. Khan suggested that the algorithms on the X platform place likes into his feed. Mr. Khan was very confident that the pages provided as allegedly “liked” were not, in fact, liked by him.

Mr. Khan went on to say, “They put content that theoretically they think I'm going to like. Does not mean I put it there. It doesn't mean I endorsed. So just because these are on my feed doesn't mean I put them there.”

Mr. Khan had been very much willing to accept his “posts and reposts” and he was able to speak to them at length. His position with respect to the material he allegedly “liked” is more challenging.

Many of the allegations raised suggesting that the subject board member used the terms “groomer” and “pedo”; denied the existence of transgender people and the right to live according to a person’s selected gender identity; dismissed concerns around police brutality raised by Black people; dismissed the harms of the Residential School System; engaged in conspiracy theories regarding vaccinations; and were derogatory in nature were, to the extent they can be corroborated, contained within these posts that Mr. Khan did not accept as comments he had “liked”.

During the interview, all copies of the alleged posts, reposts, or liked posts submitted by the complainant were reviewed with Mr. Khan. Mr. Khan did not provide any copies of his X account activity, nor were investigators able to access his X account directly. As such, investigators were unable to independently verify whether Mr. Khan did or did not like the posts in question. Mr. Khan admitted to multiple posts and reposts but denied liking several posts that constituted a significant portion of the allegations.

Mr. Khan's suggestion that he did not "like" the posts in question, but rather they represent posts that the algorithms on the X platform placed into his feed, is challenging. As Mr. Khan did not provide any copies of his X account activity, nor were investigators able to access his X account directly, Mr. Khan is suggesting that not only were these posts he allegedly "liked" placed there by the X algorithm, but these "suggestions" were also visible to members of the public who viewed Mr. Khan's X account. This is not consistent with information publicly available regarding how the X platform worked at the time.

Prior to changes to the X platform on June 12, 2024, posts a user "liked" were publicly visible. However, there is no indication that a post, an account, or other content that the X algorithm identified and added to a user's timeline was similarly visible to the public, as Mr. Khan has suggested.

In examining the posts which the complainant found to be more egregious, it is evident that Mr. Khan did not make the comments, and these comments are found to be part of a series of comments made by other people contributing to the thread. For example, in the alleged "liked" post related to the comments made related to words such as "groomer" and "pedo," there are six different screen captures of the thread. The first two screen captures were not taken from Mr. Khan's X account but rather from a member of the public who posted a comment which resulted in a series of responses from other members of the public. The remaining four posts had Mr. Khan's name on them with the word "Likes" underlined. Mr. Khan did not reply to the original post, nor did Mr. Khan reply to any other of the replies to the original post. Using only the screen captures it cannot be determined what Mr. Khan may have "liked" in the entire six-page thread.

Mr. Khan expressed frustration that as the result of a single person's decision to complain about his conduct that he found himself again the subject of an investigation. During the interview Mr. Khan questioned his rights to freedom of expression, and freedom of speech.

Mr. Khan asserted that he believed strongly in the right to free exchange of ideas, to challenge the status quo and provided the ideas were exchanged in a respectful manner that you could agree to disagree with someone who presented a good argument on any case. Mr. Khan also believes that the material he has posted and reposted is not partisan in its content as he posts material from "both sides" of the political spectrum.

Mr. Khan indicated that it was stifling and undemocratic to quash open discussion of any subject including the variety of subjects touched on in the screen captures.

Past Conduct Complaint - Barrie Police Service Board / Barrie Police Service Investigation

On June 18, 2020, a member of the public, who is not the current complainant, filed a complaint with the Chair of the BPSB that the subject board member had acted inappropriately and violated the Code of Conduct. The allegation made was that the subject board member had “loved” and “liked” remarks, which were part of social media conversations that were derogatory in nature. The BPSB reviewed the complaint and commenced an investigation.

At the request of the BPSB, members of the BPS Professional Standards Bureau investigated the alleged Facebook post made by Mr. Khan, and a statement was taken from Mr. Khan. Mr. Khan was able to confirm through viewing the post that he had in fact “liked” the post. Mr. Khan indicated that he was appreciating the fact that a member of the public believed that the BPS needs to make sure that their officers had the ability to do their jobs. Mr. Khan went on to state that he did not think that his appreciation of the post in any way diminished the integrity of the BPSB.

Additional Past Conduct Complaint

On December 3, 2023, a member of the BPS filed a complaint with a member of the leadership of BPS. This complaint was forwarded to the Chair of the BPSB alleging the subject board member had “liked” a comment made by a senior officer of the BPS who was part of an internal investigation involving the complainant, and the senior officer.

The matter was resolved by the Chair of the BPSB sending Mr. Khan an email advising him to refrain from commenting on matters that are actively under investigation.

Documentary Evidence from The Barrie Police Service Board

Following a request from investigators, the BPSB provided numerous documents in relation to the June 2020 complainant against the subject board member. Those documents included copies of letters from the Office of the Solicitor General and the Ontario Civilian Police Commission (OCPC) and a letter which was provided to the subject board member at the conclusion of the 2020 investigation. It should be noted that the documents support that following the investigation the BPSB was unable to determine if the complaint was factual or not. In spite of this determination, the BPSB determined as a result of Mr. Khan’s 2020 conduct investigation that:

1) Members undertake governance training from the Office of the Solicitor General.
2) An update to Board By-Law #1 Code of Conduct of Board Members to include social networking sites and developing a new By-Law #9 Conduct Complaints.

3) On October 23rd, 2020, a letter was provided to Mr. Khan "advising and cautioning Mr. Khan of his governance role and his responsibilities under the Board's code of conduct.

The BPSB were unable to provide any documents, emails, screenshots or any other materials related to the December 2023 complaint made about the subject board member.

Documentary Evidence from The Chair of the Barrie Police Service Board

Upon request from investigators the BPSB Chair, through his administrator, provided numerous documents in relation to the June 2020 complaint against the subject board member.

The BPSB Chair was also canvassed for any records or any recollection of a complaint from December 2023. The Board Chair was able to provide a few emails, and screenshots from the event. The Board Chair also advised that they did have some recollection of the event.

Ontario Civilian Police Commission: Collection and Review

In the initial disclosure from the BPSB a document was provided which suggested that the OCPC had some involvement in the June 2020 conduct investigation of Mr. Khan.

A formal request was made to the OCPC for documentation regarding its involvement in the 2020 complaint investigation. The OCPC confirmed that it was satisfied with the investigation undertaken by the BPSB and the BPS, and that it did not take any further action regarding the misconduct allegation from June 2020.

Open-Source Search of Terms Used on X Social Media Platform

The complainant referenced and identified common terms related to activities on the social media platform X, including posting, reposting and liking. The complainant and Mr. Khan interpreted these actions differently.

According to the X Help Center:

- A Post is, "a message posted to X containing text, photos, a GIF, and/or video," which appears on the sender's profile page and timeline.
- A Repost is "a reposting of a post." Reposts resemble normal posts, showing the author's name and username, but are marked by the Repost icon and the name of the person who reposted it.

- Likes are represented by a small heart and are used to show appreciation for a post. Clicking the heart changes it from an outline to a solid heart.

The X Help Center further notes that:

> *Additionally, when we identify a post, an account to follow, or other content that's popular or relevant, we may add it to **your** timeline. We select each post using a variety of signals, including how popular it is and how people in your network are interacting with it. We make recommendations to make it easier and faster to find content that contributes to the conversation in a meaningful way, such as content that is relevant, credible, and safe. This means you will sometimes see posts from accounts you don't follow. We recommend posts to you based on who you already follow and Topics you follow, and don't recommend content that might be abusive or spammy. We share recommendations via push notifications, your Notifications tab, and by adding them to your Home timeline.*

There was a notable change to X accounts as of June 12, 2024 – just one week after the complainant captured the screenshots from the subject's X account that form the basis of the complaint. As of June 12, 2024, "likes" became private, meaning that from that date forward, a user's "likes" were no longer visible to the public. Prior to this change, posts a user "liked" were publicly visible.

INVESTIGATION FINDINGS

I make the following findings, relying on the material and information collected during the investigation and now contained in this report:

1. **On June 5, 2024, the complainant was able to publicly view the "X" social media account of Arif Khan and obtained 34 screenshots of postings found on the social media account.**

    a. The complainant secured these screenshots and made a formal complaint to the Inspectorate of Policing and to the Chair of the Barrie Police Service Board.

    b. This complaint was received by the Inspectorate of Policing directly and through a referral from the Barrie Police Service Board.

2. **The complainant, a member of the public, found material accessible to the public on Arif Khan's personal "X" social media account, as confirmed by this investigation.**

3. **The investigation determined that all 34 screen captures were obtained by the complainant on June 5, 2024, within a 20-minute period from 6:48 - 7:08 a.m. During the interview, the complainant stated that, upon reflection, he took no issue with the content of two captures. Investigators also confirmed that four captures were not from Arif Khan's X account feed. The remaining 27 captures form the basis of this report, many of which predate the proclamation of the CSPA.**

4. **The complainant and Arif Khan had differing views on the significance of posts, reposts, and likes on the X platform. The complainant noted that in Mr. Khan's 'Likes' section, the word 'Likes' was underlined. In the printed color version provided, this word appeared underlined; however, the hearts next to the content were hollow, not filled in red, an indicator Mr. Khan insisted would show he had actually liked the material.**

5. **A search of social media definitions describes "Likes" as indicating interest, appreciation or finding something interesting.**

    a. Mr. Khan explained that his posts and reposts reflected commentary he found interesting, rather than support for any specific opinion.

6. **A large number of the more inflammatory comments allegedly "liked" by Arif Khan and raised as part of this complaint (i.e. use of the terms "groomer" and "pedo"; denial of the existence of transgender people and the right to live according to a person's selected gender identity; dismissing concerns around police brutality raised by Black people; dismissing the harms of the Residential School System; and engaging in conspiracy theories regarding vaccinations) were, to the extent they can be corroborated at all, contained within these posts that Mr. Khan did not accept as comments he had "liked".**

    a. Prior to changes to the X platform on June 12, 2024, posts a user "liked" were publicly visible. However, there is no indication that a post, an account, or other content that the X algorithm identified and added to a user's timeline was similarly visible to the public, as Mr. Khan has suggested.

b. In examining the posts which the complainant found to be more egregious, it is evident that Mr. Khan did not make the comments, and these comments are found to be part of a series of comments made by other people contributing to the thread. It cannot be determined what Mr. Khan may have "liked" in these posts.

7. In his interview, Mr. Khan accepted responsibility for some material posted on his X account that the complainant found offensive. These posts were identified by the last three digits of metadata that identified each of the screen captures as number 844, 910, 938, 043, 056,304 and 329. Mr. Khan emphasized that all posts and reposts were made in his capacity as a private citizen and did not represent the views of the BPSB.

8. Mr. Khan accepted responsibility for seven of the posts which the complainant had provided. Of those, four were items he had posted and three were reposted items. He did not agree that he had liked the remaining 27 posts identified in the package, citing the absence of a highlighted heart icon. Mr. Khan also noted that some of the alleged posts contained content he would not have liked.

9. Mr. Khan during his interview, reviewed all copies of the alleged posts, reposts, or liked posts submitted by the complainant. Mr. Khan did not provide any copies of his X account activity, nor were investigators able to access his X account directly. As such, investigators were unable to independently verify whether Mr. Khan did or did not like the posts in question. Mr. Khan admitted multiple posts and reposted material belonged to him but denied liking a number of posts that constitute a significant portion of the allegations. "

10. During his interview, Mr. Khan was asked if he had been the subject of any prior complaints. He disclosed a similar social media related complaint in 2020 but reported no other complaints. Mr. Khan stated that, as a result of the 2020 investigation, a letter was placed in his personal file and that BPSB members were required to complete additional social media training.

11. Mr. Khan was the subject of a separate conduct complaint in December 2023 that was addressed internally by the police service board. This matter was resolved through an email from Chair of the BPSB to Mr. Khan, advising that he refrain from "liking" posts from members who were actively under investigation.

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