

From: ["van Dyk, Donny"](#)

To: ["Direct to Mayor and Council"](#)

Date: 5/13/2026 4:21:18 PM

Subject: Integrity Commissioner Investigation Report

Attachments: 2026 IC Vancouver SOKS Investigation Report F.pdf

Good afternoon Mayor and Council,

In accordance with section 6.31(b) of the Code of Conduct, the Integrity Commissioner has shared the attached investigation report for distribution to Council.

Thanks,
Donny

Donny van Dyk (he/him)

City Manager

City of Vancouver



INVESTIGATION REPORT

THE CITY OF VANCOUVER

COUNCIL CODE OF CONDUCT

Complainant:	Councillor Sean Orr
Respondent:	Mayor Ken Sim
Date of Complaint:	October 5, 2025
Type of Complaint:	Alleged misuse of authority, misuse of resources, defamation, and harassment
Report Date:	May 11, 2026
Investigator:	Jamie Pytel, Kingsgate Legal

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I. INTRODUCTION

1. This is the investigation report of Jamie Pytel of Kingsgate Legal (the **investigator**). The investigator was retained by the City of Vancouver to conduct investigation services with respect to a complaint submitted by Vancouver City Councillor Sean Orr against Mayor Ken Sim on October 5, 2025 (the **Complaint**).
2. The Complaint was made pursuant to the City of Vancouver's *Code of Conduct for Council Members By-law 12886* (the **Code**) and is attached as **Appendix A**.
3. Councillor Orr has been a Councillor for Vancouver since being elected in a by-election on April 5, 2025 and sworn in on April 15, 2025. Mayor Sim has been the Mayor of Vancouver since being elected on October 15, 2022 and sworn in on November 7, 2022.
4. Councillor Orr's Complaint arises out of two events (1) an April 8, 2025 Press Conference held by Mayor Sim at Vancouver City Hall (the **Press Conference**); and (2) a social media post made by Mayor Sim on October 4, 2025 (**Sim's October 4, 2025 Post**) which is found at **Appendix B**.
5. The Press Conference was led by Mayor Sim and attended by leaders from the Jewish community, who along with Mayor Sim, expressed concerns about prior statements made by Councillor Orr on a personal social media account. Other members of Vancouver City Council were also in attendance, but did not speak.
6. At the Press Conference, Mayor Sim expressed concerns about prior social media posts made by Councillor Orr (the **Previous Orr Posts**) which were posted on a personal social media account. These posts were from several years before Councillor Orr was elected to office. They included:

From August 31, 2021:

"Everyone knows Vancouver city planners are controlled by a secret cabal of Jews who have a bunker in the earths core fml"

From June 1, 2021:

In response to someone else's post which said: "I want for the destruction of both Israel and Canada", Councillor Orr posted:
"Well...me too son, Me too."

7. Referring to the Previous Orr Posts at the Press Conference, Mayor Sim made the following comments¹:

Now, as Mayor of the City of Vancouver, I do have a duty to ensure that as a city, we are not divided by rhetoric or hate. And recently, multiple past incidents of social commentary by Councillor-Elect Sean Orr have come to light. Many of these posts can be only viewed as incendiary or hateful by the Jewish community and other communities. Now, you know, seeing these hateful comments online, they're extremely disheartening. They hit us to our core. The hit me to my core.

Anyone who sits in that chamber, who gets the right to do that, it's a privilege. And it comes with the expectation that you will represent all Vancouverites, irrespective of race, creed, or religion. Elected officials have a responsibility to lead by example. There is no place for hate or antisemitism...Anyone who sits down in that chamber should not be inciting groups in our city. And for that matter, any level of government should not be doing that. Now, some of Councillor-Elect Orr's social messaging uses language that clearly incites violence. Such language is unacceptable from anyone, let alone someone who's been entrusted with public service and community leadership.

As Mayor, I will not allow a Councillor to divide our City, and we call for full accountability and urge Councillor-Elect Sean Orr to immediately address these multiple statements directly and transparently.

I think Councillor-Elect Orr has a lot to account for, but in the context of today, the first thing I'd like to see is his comments around his antisemitic comments, whether or not they're a joke or not. As you know, I've been very clear, none of this is funny.

8. Councillor Orr says the Previous Orr Posts were sarcastic, meant to demonstrate his opposition to antisemitism and were decontextualized by the Mayor to harm him. This was an abuse of the influence of the Mayor's office for political gain. In the post referencing the city planning department, Councillor Orr says he was actually attacking somebody else for being antisemitic. The other post saying "Well, me too, son. Me too" was about someone else saying they want the destruction of both Israel and Canada. He was referring to a movie in which a bigoted person makes these kinds of comments, this post was obviously not serious and was sarcastic. He says

¹ This information is comes from the audio-recording of the Press Conference provided by Mayor Sim's office, from media reports and video.

“if people are saying they want to destroy Israel, that means all Jews, and that's antisemitic”, which is the opposite of what he stands for.

9. Councillor Orr alleges with respect to the **Press Conference** that:
 - a. Mayor Sim used the influence of his office to defame Councillor Orr, make misrepresentations about him, and falsely accused him of antisemitism;
 - b. These comments were made for the purposes of providing an electoral or personal benefit to the Mayor and the ABC party in the 2026 election;
 - c. This created a hostile work environment through publicly intimidating Councillor Orr, which incited online harassment against him including death threats;
 - d. The Press Conference improperly used city facilities for the electoral benefit of the Mayor and the ABC Party, for which Mayor Sim is a member;
 - e. Mayor Sim misused the influence of his office to give authority to a political attack, create hostile media coverage and defame Councillor Orr for political benefit. This was campaign-related activity to harm a political opponent and was not in the public interest.
10. In response to the Complaint, Mayor Sim says that after Councillor Orr was elected in the by-election, he was approached by several leaders from the Jewish community with concerns about prior statements made by Councillor Orr and potential violence towards the Jewish community. In his capacity as Mayor, he held the Press Conference to ask Councillor Orr to explain himself. He says he did not need Council’s permission to hold the Press Conference, but it’s a “gray area”. He says he is not the only Council Member who has held this kind of press conference, but denies that the Press Conference was part of a political campaign.
11. In terms of allegedly misusing City resources or his authority, Mayor Sim says he is very careful not to use City resources for personal use and did not do so when he held the Press Conference. He also does not believe he misused his authority. Being faced with a community of upset people was unprecedented and there was no guidance available to him on what to do in this situation.

Sim’s October 4, 2025 Post

12. With respect to the second incident that is part of this Complaint, **Sim’s October 4, 2025 Post**, Councillor Orr says Mayor Sim quote tweeted an

account that falsely accused him of being aligned with terrorists and terrorism. He alleges Mayor Sim amplified this message and accused him of speaking at an event aligned with a terrorist organization. He alleges Mayor Sim's actions were intended to defame and intimidate him and were a continuation of the conduct at the Press Conference.

13. **Sim's October 4, 2025 Post** was on his Twitter account, which is linked to the City of Vancouver's web-site for the Mayor's office, as follows:



14. In response to the Complaint, Mayor Sim says he made the above post because he was disappointed that Councillor Orr participated in a rally that was affiliated with a terrorist group. His comments were generally calling on elected officials to condemn antisemitism. He was not calling on people to condemn Councillor Orr, nor was he accusing Councillor Orr of antisemitism.

II. SCOPE AND PROCESS

15. The investigator assessed the Complaint and determined that it met the technical and jurisdictional requirements of the Code. It was submitted

within the time limits prescribed and contained allegations that, if proven true, could be a breach of the Code.

16. Councillor Orr and Mayor Sim were interviewed for the investigation. Their interviews were audio recorded with their knowledge. Interview statements summarizing their information were prepared based on the interviews. They were given a full opportunity to add to, edit, and finalize their statements.
17. The investigator determined it was unnecessary to interview any witnesses as the necessary information was available either on-line or by obtaining information from the City.
18. The investigator reviewed the information provided by the parties and background information. In particular, media coverage, press releases and social media posts. The investigator obtained and reviewed the audio recording of the Press Conference from the Mayor's Office.
19. Information in this report was edited for relevancy, confidentiality, and clarity, bearing in mind s. 6.40 of the Code which states that an investigation report must only disclose such matters as in the investigator's opinion are necessary for the purposes of the investigation report.
20. The investigator explored informal resolution of the Complaint and determined it would not be achievable.
21. Investigation findings were made objectively, considering context and the surrounding circumstances, and whether there was sufficient information on a balance of probabilities that the conduct had occurred and was a breach of the Code.
22. If/when assessing credibility of the parties, the following factors were considered:
 - External information
 - Corroborating information
 - Motivation to be dishonest
 - The plausibility of what they said
 - Whether their information was rational and logical
 - Noting what they failed to say
 - Contradictions or inconsistencies in what was said or discovered
 - Whether they were being evasive, vague, deflecting or exaggerating
 - Whether their memory was poor when it suited them

23. Findings were made as follows:

- **Substantiated** – there was sufficient information to make the finding
- **Unsubstantiated** – there was insufficient information to make the finding
- **Unfounded** – there was sufficient information that the allegation was not true

III. CODE OF CONDUCT

24. Below are the relevant provisions from the Code relating to this Complaint:

Standards and Values

2. A member must uphold the following standards and values:...

d) leadership in the public interest: a member must act in the best interests of the city as a whole, and without regard to the member's personal interests;

e) respect: a member must treat members of the public, one another, and staff respectfully, without abuse, bullying or intimidation and ensure that the work environment is free from discrimination and harassment;

Public Communications by a Council Member

3.4 Without limiting the ability of a Council Member to hold a position on an issue and respectfully express their opinions, a Council Member must:

b) ensure that all communications relating to Council business are accurate and not issue any communication that the member knows, or ought to have known, to be false; and

c) ensure that all communications by, and on behalf of a member, including communications made via social media, are respectful and do not discriminate, harass, or defame any person, recognizing that free and open debate is guaranteed under the *Charter of Rights and Freedoms*.

Use of Municipal Assets and Services

4.5 A member must not use, or permit the use of, city land, facilities, equipment, supplies, services, employees or other resources for activities

other than the business of the city, except in accordance with city policies permitting reasonable personal use.

Use of Influence

4.7 A member must only use the influence of their office for the exercise of their duties.

Election Activities

4.11 A member must not use, or permit the use of, city land, facilities, equipment, supplies, services, employees or other resources for any election campaign or campaign related activities, unless those resources are similarly available to all candidates and any associated fees have been paid for with election campaign funds.

IV. COUNCILLOR ORR'S INFORMATION

25. In addition to the Complaint found at Appendix A, below are the relevant excerpts from Councillor Orr's interview statement:

- a) When I was elected Councillor, [former] Integrity Commissioner Southern talked to us about separating my partisan and personal life from my role as Councillor.
- b) When the Press Conference was held, I had been elected but not sworn in. I was basically a private citizen at this point, which is part of the concern as well. The tweets in question were made when I was a private citizen. I don't think those tweets exist anymore. It's hard to piece together where my mind was at that time and what I was actually responding to in a lot of them. After my initial statements to the media, my party, COPE, did a press release that I gave to the press when they contacted me.
- c) I think it's ridiculous to keep going over these past social media posts [the Previous Orr Posts]. In one of them, the one about the City planners, I was actually attacking someone for being antisemitic. This person was saying that Jews controlled the media and the city, including the city planners. He compared what's happening and said there's a big bunker under city hall. It was also a David Cross reference, who's a Jewish comedian who was talking about growing up in Atlanta and dealing with parents that didn't know much about Jewish people. I was referring to someone else who said there was a bunker under the earth's core where Jewish people control the

media. I was directly referencing that. In this instance, I was attacking somebody for being antisemitic.

- d) In 2021, I responded by saying “Well, me too, son. Me too” to a tweet by someone else saying they want the destruction of both Israel and Canada. I was referencing a movie called American Beauty, in which a son says negative comments about homosexuals to his homophobic dad. The dad replies “Me too son. Me too.” My tweet is obviously not serious and was sarcastic. If people are saying they want to destroy Israel, that means all Jews, and that's antisemitic. There may have also been a reference back then by others to decolonizing Canada that I was referencing.
- e) Mayor Sim did not contact me before the April 8, 2025 press conference to let me know he was conducting the press conference.
- f) As somebody who is an activist around anti-hate, anti-racism and anti-fascism, the Press Conference was deeply concerning and deeply hurtful, considering I stand for fighting against hate, bigotry and violence. I was not okay mentally for a very long time after that press conference. I've had to get counseling because of it. There were also death threats. It constantly comes up on Twitter, which is already very toxic, with people calling me a Jew hater. My middle name David is named after my Jewish uncle. My aunt is Jewish and I have lots of friends and family who are Jewish. For someone to say that I'm antisemitic was really hurtful. As a member of a band, I have songs calling out antisemitism. It's really hard because there is antisemitism in Vancouver and Canada. I've been trying to blow the whistle on that for a very long time.
- g) It was hard to walk into that environment in my role as a City Councillor and do onboarding when the media was calling and asking for statements about the Press Conference. I had no idea how I was supposed to do my job with all the media attention, hateful remarks and death threats. I had to call the police. It was a terrible moment in my life and a terrible time for the safety of my family.
- h) We were coming off a campaign. I felt like the Press Conference was an extension of the by-election campaign in many ways. It definitely felt like a political attack. Other Councillors from the ABC Party were in attendance. I think Councillors Fry and Bligh would have been the only ones there who were not part of the ABC Party.
- i) The prior tweets were not raised during the campaign. The first time they were raised was at the Press Conference. I hadn't been sworn in, nor had I

been briefed on anything. I didn't know what the process was around this and I thought I was going to lose my Council position. It was a difficult time in terms of the uncertainty.

- j) I think it's also important to note that in Council on October 7th I called out the Hamas attack and called out the October 4, 2025 tweet that Mayor Sim had done. After that, Mayor Sim and his Chief of Staff kind of cornered me in the lunchroom. Mayor Sim said he was the target of violence too, from my friends or from the people that were at the protest. I said, how does what he did help any of that. I asked how what he did help cool the flames in any way. I told him I have had death threats. They said that wasn't their intention with the tweet. He turned it back to himself. It just kind of went around and around. This shows how toxic a workplace this still was in October. The Mayor said there had been graffiti on his house and also said someone's going to get hurt and it wasn't going to be him. I said that's a very weird thing to say, but I thought he was right. Someone is going to get hurt and I thought his tweet about my speech inflamed things. I said he talked about divisiveness at the press conference and that was what he was now creating. I said he was calling everyone terrorist supporters. He then kind of stormed out of the room. This is an example of the dysfunction that's happening at City Hall in my mind.

V. MAYOR SIM'S INFORMATION

26. Below are the relevant excerpts from Mayor Sim's interview statement:

- a) After I was elected, there were presentations given by the former Integrity Commissioner about the Code. I would also call and ask her questions whenever I was in doubt.
- b) There are a lot of the things that I do acting in my capacity as Mayor. I don't think there is a requirement to ask for permission in terms of getting a Council Resolution to hold a press conference. That hasn't been the standard operating practice. It's the same for Councillors as well. They don't ask for permission to do a whole bunch of things. It's just in the line of business.
- c) This is obviously a gray area. Other Council Members have held press conferences at City Hall on the same stage. This just happened a few days ago when four Councillors hosted a political press conference against the ABC Party. In my opinion it had nothing to do with their roles as Councillors.

- d) In the environment we're dealing with, antisemitic acts of violence are at an incredibly high level in the City of Vancouver. Whenever there's an event anywhere on the planet that affects the Jewish community, we have to secure all the Jewish facilities in Vancouver.
- e) When Councillor Orr was elected, leaders in the Jewish community had very deep concerns and fears because of how they interpreted Councillor Orr's prior statements. Jewish community leaders had a lot of fear about safety. They were concerned about Councillor Orr's comments about death to Canada and Israel, and the derogatory comments about the City of Vancouver's Planning Department being run by a cabal of Jews.
- f) In my capacity as Mayor and supporting a community within this city, I held the Press Conference to ask the Councillor to explain himself. I think the lines are blurred on whether permission is needed to hold this kind of press conference in the press gallery at City Hall. I was acting in my role as Mayor at the Press Conference, supporting a community that has been under siege in this city.
- g) This kind of thing happened even before the events of October 7th. That's one of the reasons we passed the motion around definitions of antisemitism. If it was a Councillor or someone else, I still would have felt the same way. When there is fear in the community, I will act in my role all day long. It's not just for the Jewish community. For any community, I will act and use my role as Mayor to do what I can to help out that community.
- h) I don't recall exactly, but I think I became aware of [the Previous Orr Posts] that had been made by Councillor Orr after the by-election. If it was before the by-election, we would have highlighted it as an issue. I don't recall when those prior posts were made by Councillor Orr.
- i) In response to Councillor Orr saying that his prior posts were sarcastic messages that were calling out antisemitism, and unfairly portrayed him as an antisemite, sarcasm isn't really picked up online. When you have the Jewish community bringing this up and they're in fear, it's not my interpretations of the posts, it's their interpretations.
- j) I was not looking to dig up dirt and attack people. We don't have a group of individuals scrolling the internet and social media to find things they say then say "Gotcha." These things just fell into our lap. In this case, it was after the by-election. The community brought us their concerns.

- k) I did not consider holding the Press Conference someplace else, but in hindsight, maybe there were other places that we could have held it.
- l) I don't remember if I contacted Councillor Orr before holding the Press Conference. It was a very busy time coming off the by-election.
- m) At the Press Conference, I believe I said "As Mayor, I will not allow a Councillor to divide our city." I referred to his posts as being considered "incendiary or hateful" by the Jewish Community and being concerned about him inciting violence.
- n) In my personal opinion, even though Councillor Orr says he is not inciting violence and he supports public safety, I'm paraphrasing here, but he also says things like "all pigs should die". In Council, like when we're looking for budget increases or to cover overages for the entire city, he'll specifically carve the police budget out of that and vote against it. In my opinion he doesn't like police. This is context to consider when he says he is the opposite of inciting violence.
- o) Councillor Orr will make comments, be on podcasts and he'll go to events that are put on by Samidoun-affiliated organizations that are hostile to the Jewish community. I have been approached by numerous individuals in the Jewish community that have told me they feel that he's antisemitic.
- p) At no time have I ever been given any training or guidance on how to react to an entire community that's come to me in distress and who've been worried about their safety and told whether I can stand up for them or not. My natural tendency is to stick up for people. I've never been given guidance from an Integrity Commissioner as to what I should and shouldn't do when I'm trying to stand up for a community. I want to learn here if, as Mayor, I'm not allowed or I have to walk on eggshells and worry about a technical violation of the Code versus standing up for community. I'm at a loss.
- q) There was no intent and no political agenda when I did the Press Conference. I couldn't care less what party someone belongs to. If a Councillor was part of the ABC party, I would have the same concerns, just like I have with other individuals that have been in ABC, who are no longer with ABC.
- r) I was responding to a community under duress that feels abandoned by a lot of different individuals in this community, and we're sticking up for them. I'm sticking up for them. If there are better rules, guidelines that I

can follow, I'm more than happy to do that. But at no time has there ever been any guidelines around this unique situation. If there was, I'd follow them. If I was aware of them, I would have followed them.

- s) Even as a private individual, when I walk through a room, I am seen as the Mayor and people treat me differently.
- t) It would be great if we had very clear rules, because once again, I point to the press conference that the four non-ABC councillors held earlier this week on that same stage. If my Press Conference fell outside of the guidelines, that one, in my opinion, would definitely fall outside of the guidelines. It seems that the rules aren't clear.
- u) My October 4, 2025 post is pretty clear. It says I'm incredibly disappointed to see Councillor Sean Orr participating at a Samidoun-affiliated rally in Vancouver. Samidoun is a terrorist organization. I talk about it being "affiliated". I called Samidoun a terrorist organization. Then I say in a separate paragraph that antisemitism has no place in Vancouver. Celebrating Hamas has no place in Vancouver. I call on all elected officials to condemn this behavior, which is antisemitism and celebrating Hamas. I will call elected officials to condemn that behavior all day long. I did not say I called on all elected officials to condemn Sean Orr's behavior. I said to condemn this behavior, and it's in the same paragraph as anti-Semitism has no place in Vancouver, and celebrating Hamas has no place in Vancouver. Those are two distinct paragraphs and messages.
- v) I disagree with Councillor Orr's statement that the rally was not affiliated with Samidoun. It's not misinformation. But, if that's the standard, I could have my team pull all the posts that he has posted that are incredibly misleading and downright lies against myself.
- w) About the allegation that I misused city resources, I err on the side of conservatism when it comes to city resources. I reject most gifts that are offered to me (even if required to accept them in executing on my role as Mayor). For example, I'll actually personally purchase tickets to most events, FIFA World Cup, even though the organizing committee wants me to go there. I am very careful about using city resources. I hold myself to the standard of the Institute of Chartered Accountants. We go through ethics training. There's a professional development component of it, so it's been ingrained in me. I'm more concerned about the integrity of the Office of Mayor than myself personally. If people lose confidence in the integrity of the office of Mayor, that's not a good thing.

- x) The Press Conference wasn't campaigning. The campaign was over. Literally we just held a by-election. I completely disagree with Councillor Orr's characterization of it as political campaigning. When I'm campaigning, it's done outside of City resources. Information is found on the ABC website, not the City website. We don't post any of that stuff on a city website.
- y) For social media, I don't even know how many accounts we have. I don't monitor or maintain my social media.
- z) In response to Councillor Orr's allegations that I've created a hostile work environment for him through public intimidation, and that I've incited harassment and death threats against him, I'll give a bit of context. I am acutely aware through my background as a business owner of the violence perpetrated against minorities and people in marginalized communities. I'm the first Chinese Mayor of a major Canadian city in the history of Canada. I'm also the first Mayor with a security detail. I've had numerous death threats against me. I actually had Palestinian protestors circling City Hall, and I had to be extracted by the VPD emergency response team because they wouldn't let me out. I've had people show up to my house numerous times and post my address on TikTok. I've had my home and my family threatened. I'm acutely aware of not creating a situation like that for individuals. I will ask people to answer for themselves if they are promoting this stuff (Cllr. Orr's posts that were the subject of the press conference). If that's a hostile environment, that's someone's interpretation of it, but I don't agree with it.
- aa) There's a higher standard and you have to answer to these things because you represent the entire population of the City of Vancouver. They're not attacks. If I was in the situation that he is in, I would fully expect Councillor Orr to ask me the same questions and make the same comments.
- bb) Regarding the allegations that I misused City resources, I'm always committed to making sure that we are using resources appropriately. But, I am looking for clearer guidelines on what we can and cannot do when making public statements at City Hall.

VI. DISCUSSION

- 27. The Code provides that Council Members must treat one another without intimidation or harassment, and must not defame one another. Members must only use the influence of their office for the exercise of their duties.

They also must not misuse city facilities and resources, for instance, for campaign-related activities.

28. The Code is not intended to limit Council Members' ability to hold positions issues and respectfully express their opinions. It acknowledges that free and open debate is guaranteed under the *Charter of Rights and Freedoms*. However, it is well established that Charter rights are not unfettered. When someone assumes office, their Charter rights become subject to and are circumscribed by the applicable Code requirements.² In making these findings, the investigator balances *Charter* rights with the requirements of Council Members to concurrently abide by the Code.
29. In the investigator's view, it is not for Integrity Commissioners to police political debate or limit freedom of expression. The investigator also does not believe that Integrity Commissioners are expected to weigh in on complex social and political issues, such as those that are the subject matter of the Complaint. The issue here is not so much the subject matter of the Press Conference, but the authority of the Mayor to make the comments, how and where they were made, and whether his conduct adhered to Code requirements.

April 8, 2025 Press Conference

30. Councillor Orr says Mayor Sim used the influence of his office to defame him, make misrepresentations about him, and falsely accuse him of antisemitism based on decontextualized tweets. Mayor Sim suggests that by holding the Press Conference he was fulfilling what he saw as a duty of his office.
31. Councillor Orr says he was a private citizen when he made the posts that were the subject matter of Press Conference and he was not yet sworn into office. The investigator finds that Mayor Sim's comments were not against a private person. The point of making the comments was fear that Councillor Orr had been elected and how he would act as a Councillor given his prior statements. The investigator finds that this was effectively Council Member-to-Council Member conduct.
32. At the Press Conference Mayor Sim explicitly said he was speaking as Mayor and it was clearly held at City Hall. The stated purposes of the Press

² See Ontario Supreme Court *Buck v. Morris et al.*, 2015 ONSC 5632, paragraphs 189-193; Supreme Court of Canada in *Prud'homme v. Prud'homme*, 2002 SCC 85, at paras 42-45. *Robinson v. Pickering (City)*, 2025 ONSC 3233 (CanLII) paragraph 124.

Conference were about a potential safety threat, to call Councillor Orr out and require him to explain his prior conduct.

33. The investigator accepts that everything the Mayor does will not be by way of Council resolution or specifically authorized by Council. The Mayor will attend community events and represent the City at a myriad of events, occasions, etc. Here, the Mayor was not asked to attend an event, nor was there a Council resolution directing that the Press Conference take place. He was approached by several leaders from the community who had concerns and he felt, as Mayor, he should support them. As a result, the Press Conference was organized by his office.
34. In the investigator's view, it was not part of the Mayor's duties to hold the Press Conference. If the Mayor wanted to make a general statement about public safety and protecting the Jewish community from hate crimes, violence, etc. he was free to do that. This was more a personal calling out of Councillor Orr as if the Councillor was accountable to the Mayor, rather than the electorate. It's not the role of the Mayor to do that. This would be confusing for citizens, as the Mayor is generally seen as a spokesperson for the City. Any presumption that he was speaking on his own behalf was lost given the context and his words, which made it appear that he was fulfilling an official duty.
35. The Mayor has a great deal of influence in his role, especially when he's calling a Press Conferences at City Hall. This was not related to City governance or a Council decision or direction. In the investigator's view, it was an unfair, personal attack. Councillor Orr was not given advance notice of the Press Conference, a chance to attend, nor told the allegations that would be leveled against him. Notably, the Previous Orr Posts that were the catalyst for the Press Conference appear to have been taken out of context and were several years before he was elected.
36. Mayor Sim says in response to the suggestion that the Previous Orr Posts were sarcastic, that "sarcasm isn't really picked up online". It follows then that the Mayor should not use the influence of his office to attack someone's values when he knows the difficulty of having sarcasm be fairly interpreted on the internet. Councillor Orr was not even given a chance to explain himself before these public accusations and characterizations were made against him, which are very difficult to undo once said.
37. Mayor Sim says the concerns he raised were not his interpretations of Councillor Orr's prior posts, but were the Jewish Community's interpretations. However, his language at the Press Conference about the

Previous Orr Posts were that they hit *him* to his core. It's clear these were not just the Jewish community's interpretations. While the Previous Orr Posts leave room for interpretation, it was opportunistic to jump directly to the allegation that Councillor Orr is an antisemite and should be feared as he could incite division and violence.

38. Mayor Sim says he did not know what he could do when approached by groups of concerned citizens. However, the investigator points out that he did have the option to consult with the Integrity Commissioner, who he acknowledges was available to him. This was not an emergent situation that could not have first been discussed with the Integrity Commissioner.
39. When the Mayor says the Press Conference was not political, the investigator questions this, as there was no requirement to hold this kind of Press Conference at City Hall. As well, pretty much everything is political or has political consequences in this arena. Accordingly, it's important that when elected officials are entrusted with the office, they do not misuse the power and influence of their particular office to call out or one-up one of their colleagues or political opponents.
40. If there was an imminent safety issue, the investigator suggests that Mayor Sim's office ought to have called the police, not a Press Conference. The Mayor also cites other comments allegedly made by Councillor Orr about policing to explain his concerns, but this does not justify how he went about addressing this issue. Using the office in this way encourages the type of conduct that the Codes are designed to prevent. It's fine to attack the issues, not the person. It's fine to express an opinion, but not to make it appear that it's being done in an official capacity. He specifically referenced that he was holding the Press Conference "as Mayor", when there was no mandate to do so.
41. This kind of conduct cannot be shielded behind good intentions. Of course, right thinking people agree that antisemitism has no place in our society and there is a great deal of concern around increased violence towards the Jewish community. Inciting violence based on grounds protected by human rights legislation is very concerning. But care needs to be taken in these divisive times to not use the office for what appears to be political opportunities to question a fellow Council Member's values. This is especially so when the Council Member says he stands for the very opposite of what is being suggested. The investigator does, however, acknowledge that the manner in which Councillor Orr expresses himself can easily be open to misinterpretation.

42. Councillor Orr says that as a result of the Press Conference, he entered the Councillor role feeling intimidated and harassed. He says this negatively impacted his ability to fulfill his duties and caused security issues for him and his family. The Mayor responds by saying he has experienced his own security issues. This is even more reason for Mayor Sim not to use the influence of his office to attack Councillor Orr given the predictable negative response towards Councillor Orr. This is a misuse of the office and also harassing conduct towards Councillor Orr.
43. With respect to the allegation of defamation, the investigator is of the view that to take jurisdiction under the Code, the alleged defamation must be related to the Council Member's role, and not merely a personal dispute. Here, the Mayor specifically references Councillor Orr's appropriateness to fulfill his role now that he's been elected. But, there is a weak connection to City governance and it merely anticipates how he will fulfill the role.
44. As well, Mayor Sim's interpretations of the Previous Orr Posts and the associated risks were his interpretations. They were not false statements *per se*, but were the expression of an opinion of how these prior posts may play out now that Councillor Orr was elected. They are also his opinion of Councillor Orr's character. In response to the Press Conference, Councillor Orr immediately published and posted information to contradict how the Mayor had characterized him and his prior posts, thus mitigating the damage to some degree.
45. Generally, the investigator is of the view that defamation has limited application in Codes and is more appropriately dealt with through the Court system. In the present circumstances, the investigator does not find sufficient information to make a finding of defamation under the Code.
46. On the suggestion of misuse of city facilities and resources at the Press Conference as part of a political campaign, Mayor Sim says the Press Conference was not campaigning, as the campaign and by-election were over. He says he keeps his political campaign activities entirely separate.
47. The investigator does not find sufficient information that the Press Conference was election campaigning or campaign-related activities as contemplated in the Code. While the investigator does not believe this was a completely apolitical event, the nexus to campaigning was not sufficient to make such a finding. There is also insufficient information of involvement or benefit of the ABC Party for which the Mayor is a member, again acknowledging the inability to completely remove these implications.

48. With respect to the allegation that Mayor Sim misused city resources to hold the Press Conference, this relates to whether he was using these resources for official City business and to fulfill the duties of his office. The investigator has found that he was not. However, the Mayor asserts that the rules around using City facilities have not been clearly articulated and it's common for Council Members to use these facilities for political purposes. There also appears to be confusion around what political staff may do versus non-political staff.
49. The investigator accepts that more clarity is needed regarding use of City facilities and how staff are engaged. Hopefully, this report and any other guidance that can be provided by Integrity Commissioner Lorensen can help to clear up the importance of Council Members never using City facilities or resources for personal or campaign reasons. This will be especially important in this election year as the playing field should be as level as possible for incumbent and non-incumbent candidates.
50. The investigator finds that it would be unfair to hold the Mayor to a standard that other Council Members may not have been held to. The investigator declines to make a finding of a breach of the Code with respect to use of City facilities or resources for the purposes of the Press Conference.
51. Overall, the investigator finds that holding the Press Conference in the manner that he did, Mayor Sim violated the Code which says that a Council Member must only use the influence of their office for the exercise of their duties. Even if well-intentioned, this was a misuse of the influence of his office. It was also harassing behavior towards Councillor Orr which amounts to a breach of the Code.
52. The investigator wishes to point out that nothing in this report is meant to criticize the groups who attended the Press Conference. It was not for them to know how the Mayor's office should be engaged. Those obligations rest solely with Mayor Sim and his obligations to abide by the Code. Even for the most heart-wrenching and important issues, elected officials must engage their offices appropriately and not misuse the powers entrusted them in their office.

Sim's October 4, 2025 Post

53. With respect to Sim's October 4, 2025 Post, Councillor Orr says the rally he attended was never represented as being affiliated with any designated terrorist organization. If it had been, he would not have participated. He says by repeating these false allegations, Mayor Sim was trying to defame and intimidate him from speaking out on issues.

54. Mayor Sim stands by his statement that the rally attended by Councillor Orr was affiliated with a terrorist group. He feels he is at liberty to express disappointment with Councillor Orr's attendance at the rally. However, he says his commentary in the second paragraph of Sim's October 4, 2025 Post, that antisemitism has no place in Vancouver, celebrating Hamas has no place in Vancouver and calling on all elected officials to condemn this type of behavior, was not directed at Councillor Orr. He says they were two distinct messages contained in one post.
55. In the investigator's view, Sim's October 4, 2025 Post is not clear on whether Mayor Sim is referring to Councillor Orr. The mention of Councillor Orr's attendance at the rally is relevant context to the comments in the second paragraph. The reasonable reader would link them. The media post that was re-tweeted by Mayor Sim and appears directly below his comments says Councillor Orr attended a "rally organized by terrorist entity Samidoun". It does not say "affiliated", not that using the word "affiliated" effectively mitigates the insinuation.
56. In the investigator's view, even if not overt, the suggestion of being affiliated with a terrorist group and with antisemitism is present in Sim's October 4, 2025 Post and appears to be a carrying over some of the narratives about Councillor Orr from the Press Conference. It's foreseeable that the manner in which Mayor Sim goes about this could have the effect of inciting negative behavior towards Councillor Orr. The Mayor did not even discuss the rally with Councillor Orr, nor the circumstances of his attendance. It goes beyond mere political commentary and is a way to harass Councillor Orr.
57. The investigator is mindful that Councillor Orr attended the rally in his personal capacity and did not link his appearance to his official duties. He is at liberty to do this. Thus, when it comes to the allegation of defamation, the investigator thinks the Code is not the best means to resolve the alleged defamation in these circumstances. There is not a sufficient nexus to the office or the role of Councillor to engage the Code requirements.
58. It would be untenable for the investigator to make a finding on whether the rally was affiliated with terrorism, promoted terrorism, etc. What is accepted is Councillor Orr did not organize the rally and did not have control over who attended it. He did assemble with others and made his views known, which he is entitled to do. The Mayor then making comments about the rally, followed by calls to speak out against terrorism and antisemitism, comes across as harassing his fellow Council Member.

59. Sim's October 4, 2025 Post is on the Mayor's only social media account that is linked in his City of Vancouver web-site. He is accountable for anything posted on that page. However, a reasonable reader of Sim's October 4, 2025 Post would not conclude that he was authorized to make his comments. These come across as the Mayor expressing himself outside of his official duties. Ideally, these would not be on an account linked to the City's web-site. But, lack of separation of such accounts has been present from the start of his time as Mayor and is something that warrants further review by the City and Council.
60. Overall, the investigator finds that Sim's October 4, 2025 Post was a continuation of the harassment of Councillor Orr in violation of the Code.

VII. SUMMARY OF FINDINGS

61. The investigator finds:

- a. There is sufficient information that Mayor Sim violated section 4.1 A of the Code of Conduct when he held the April 8, 2025 Press Conference which requires Council Members to only use the influence of their office for the exercise of their duties. Holding the Press Conference was not part of Mayor Sim's duties. Using the influence of his office to personally attack Councillor Orr was a misuse of the influence of his office. This allegation is **substantiated**.
- b. There is sufficient information that Mayor Sim objectively harassed Councillor Orr at the April 8, 2025 Press Conference when he personally attacked Councillor Orr by suggesting he was antisemitic or would incite violence or hatred. This created a hostile environment for him as a newly elected Councillor. This was without fairness as to the context and sarcastic nature of the Previous Orr Posts that were several years prior, and without notice to him of the impending Press Conference. This is harassing conduct that is contrary to sections 2.A e) and 3.4 c) of the Code. These allegations are **substantiated**.
- c. There was sufficient information that Sim's October 4, 2025 Post was a continuation of the harassment of Councillor Orr that suggested he was in support of terrorist organizations and antisemitism. This extended an unfair narrative and encouraged negativity towards Councillor Orr in his role as Councillor. This allegation is **substantiated**.

- d. It would be unfair to make a finding that City resources or facilities were improperly used for the Press Conference, but more clarity of the rules for all of Council is warranted, especially during an election year. This allegation is **unsubstantiated**.
- e. There was insufficient information that the comments and actions at the Press Conference were part of campaign activity as defined in the Code. This allegation is **unsubstantiated**.
- f. A determination of defamation as contemplated in the Code with respect to the April 8, 2025 Press Conference or Sim's October 4, 2025 Post was considered outside of the jurisdiction of the Code and were better dealt with in a different forum, such as the courts. The investigator did not make findings with respect to the defamation allegations.

VIII. RECOMMENDATIONS FOR SANCTION

62. When there are findings of breaches of the Code, the investigator suggests that the following factors are reasonable when considering possible sanction:

- a. The nature, extent and gravity of the contravention;
- b. The consequences and impact of the contravention;
- c. Whether the Council Member has previously contravened the Code;
- d. The principles and intent of this Code;
- e. The presence of any legitimate mitigating circumstances;
- f. The need to deter future contraventions; and
- g. The public interest, including the need to promote the public's confidence in the integrity of Council.

63. The investigator did not find that any of the breaches fell within section 6.32 of the Code which says no sanction may be recommended if the Council Member took all reasonable steps to prevent a breach, if the breach was trivial, inadvertent, or because of a good faith error in judgment. The investigator did not find that the breaches were trivial, inadvertent or made in good faith.

64. If Council chooses to sanction, the possible sanctions found in the Code include:

- a. a letter of reprimand from Council addressed to the Mayor;