

Public Law Litigation

It's crucial to have a public law team who can resolve complex public law disputes involving constitutional and administrative law, Indigenous rights, professional discipline, judicial ethics and government contracts.

As Canada's leading litigation practice, we advise and litigate cases for individuals, corporations, private and public sector clients, and public interest groups, including administrative tribunals, public officials and public inquiry commissioners across Canada. As a multidisciplinary, collaborative firm, we draw on our lawyers' depth and breadth of experience to offer targeted advice and advocacy.

We litigate a wide range of high-profile public law cases. We regularly represent our clients' interests as interveners in public law cases before the Supreme Court of Canada.

We also frequently represent administrative decision-makers, including the Information and Privacy Commissioner, the Canadian Judicial Council and other professional discipline bodies.

Our professionals have extensive experience writing, presenting and teaching courses on public and administrative law.

Experience

- Counsel on leading constitutional and public law cases before the Supreme Court of Canada, including, counsel to the Law Society of Ontario in [Trinity Western University v. Law Society of Upper Canada](#), and counsel to [Loyola College in Loyola High School v Quebec](#) (Attorney General) on issues relating to freedom of religion.
- Counsel on public inquiries including the Arar Inquiry, the Walkerton Inquiry, and the Oliphant Commission. Independent Counsel for the Canadian Judicial Council.
- Counsel to public institutions such as the Chief Electoral Officer, the Information and Privacy Commissioner and the Canadian Judicial Council.
- Counsel for interveners before the Supreme Court of Canada including the Canadian Civil Liberties Association, the HIV Aids Legal Clinic Ontario, and the Canadian Chamber of Commerce and Canadian Federation of Independent Business.
- Counsel for the Crown and private clients on Aboriginal rights and title claims made by First Nations.
- Counsel on *M. v. H.*, [1999] 2 S.C.R. 3 – Charter of Rights and Freedoms - Equality. This case concerned whether the definition of "spouse" in Ontario's Family Law Act, which included "a man and woman who are not married to each other and have cohabitated ... continuously for a period of not less than three years", violated the equality guarantee in s. 15 of the Charter. Because of this definition, individuals in long-term, unmarried same-sex relationships were precluded from claiming

spousal support under the Act. The Court found that the definition discriminated against individuals in same-sex relationships because it denied those individuals equal benefit of the law on the basis of their sexual orientation, and that the violation was not saved under s. 1.

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As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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