



Graeme A. Hamilton

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[Investigations & White Collar Defence](#)

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Graeme is the National Co-Chair of BLG's Investigations and White Collar Defence Group. He is a very experienced advocate who represents clients in complex, high-stakes litigation and investigations with uncompromising commitment to their cause.

Graeme is recognized as a leading White-Collar Crime and Government Investigations practitioner by *Chambers Canada*. He defends public and private companies, corporate directors, senior executives, regulated professionals and others in criminal and regulatory investigations and prosecutions, including under the *Criminal Code*, the *Competition Act*, the *Corruption of Foreign Public Officials Act*, the *Income Tax Act*, the Ontario *Securities Act*, and occupational health and safety legislation. He has acted as counsel in some of the most significant white collar investigations and prosecutions in recent Canadian history, including most recently in landmark bribery and tax evasion matters.

As part of his white collar defence practice, Graeme is frequently engaged to conduct corporate internal investigations in response to allegations of corporate or employee misfeasance. In addition, he provides advice regarding compliance with anti-bribery, anti-money laundering, sanctions and other penal legislation.

Graeme's practice also encompasses complex civil litigation and public law. He represents companies, public sector organizations and individuals in a broad range of disputes, including banking disputes, securities disputes, general commercial disputes, fraud and asset recovery litigation, constitutional litigation, administrative proceedings and judicial reviews.

Graeme teaches Trial Advocacy at the University of Toronto Faculty of Law and previously taught Evidence at Osgoode Hall Law School as an adjunct professor. He has testified as an expert witness on criminal and constitutional law issues before the Senate Standing Committee on Legal and Constitutional Affairs on multiple occasions.

Experience

- **White Collar Criminal and Regulatory Matters**
 - Counsel to an individual in a high profile investigation for alleged tax evasion arising out of the *Panama Papers*.
 - *R. v. Barra and Govindia* – trial and appellate counsel to an individual prosecuted under the *Corruption of Foreign Public Officials Act*.
 - Counsel to a multinational company in an investigation by the Office of the Integrity Commissioner of Ontario into alleged violations of the *Lobbyists Registration Act*.
 - Acted in several Competition Bureau investigations regarding alleged price-fixing and misleading advertising.
 - Counsel to a large public company in an investigation for alleged contraventions of the *Canadian Environmental Protection Act*.
 - Represented an investment dealer in a regulatory prosecution under the *Pension Benefits Act*.
 - *In the Matter of Home Capital Group Inc. et al.* - acted for the former CFO of Home Capital Group in Ontario Securities Commission enforcement proceedings and related class action proceedings.
- **Civil Litigation and Public Law**
 - Counsel to a Schedule I bank in a multi-million dollar bills of exchange dispute arising out of a fraud by a customer's employee.
 - Counsel to a global automaker with respect to a multi-million dollar fraud claim.
 - Counsel to the Canadian Civil Liberties Association as intervener in a section 7 challenge to animal welfare legislation.

Insights & Events

- Investigation and enforcement powers under Ontario's new "stay-at-home" order
- Adapting U.S. compliance programs to incorporate Canada's foreign corruption law
- Coffee Break with BLG: Session 2
- Corporate communications with government in the pandemic: Maintaining compliance with lobbying laws
- Coronavirus and criminal law: What you need to know
- Remediation agreement guideline for Canadian prosecutors
- Co-Author, "[Multinational Companies Overlook Canada's Foreign Corruption Law at their Peril.](#)" Global Investigations Review, January 2020
- Speaker, "Extradition and Red Notices: The Long Arm of the Law is Getting Longer", American Bar Association Third Global White Collar Crime Institute, June 2019.
- Co-Author, "Civil Enforcement of Canada's Foreign Corruption Law?", FCPA Professor Blog, January 18, 2019.
- Anti-Money Laundering And Fraud In Canada
- [Co-author, "Civil Enforcement of Canada's Foreign Corruption Law?" FCPA Professor, January 2019](#)
- Co-author, "Canada" chapter, The Practitioner's Guide to Global Investigations, Third Ed., Global Investigations Review, 2019

- Co-author, "Supreme Court Clarifies Process for Challenging Production Orders," BLG Bulletin, December 2018
- Deferred Prosecution Agreements are Coming to Canada
- Co-author, "Deferred Prosecution Agreements Are Coming to Canada," BLG Bulletin, September 2018
- Speaker, "Addressing Human Trafficking in the Corporate Supply Chain," International Society for the Reform of Criminal Law – The Scourge of Trafficking in the 21st Century, July 2018
- Speaker, "Self-Reporting and Legal Professional Privilege in the Context of Bribery Investigations," 16th Annual IBA Anti-Corruption Conference, June 2018
- Speaker, "Orange is the New Pinstripe: The Increasing Spectre of Individual Criminal Liability for Officers and Directors," BLG In-House Counsel Seminar, November 2017
- Speaker, "When the Regulator Comes Knocking – Securities and Regulatory Risk," BLG Seminar on Litigation Risk Management for Financial Institutions, October 2017
- Speaker, "Mistake of Law as a Defence to Alleged Breaches of the Securities Act," Advocates' Society Seventh Annual Securities Symposium, September 2017
- Speaker, "Navigating Global Compliance Trends and Global Enforcement Priorities," American Bar Association - Second Global White Collar Crime Institute, June 2017
- Moderator, "Enforcement Priorities for the Trump Administration," BLG Client Event, April 2017
- Speaker, "Using Internal Investigations to Mitigate Criminal, Regulatory and Reputational Risk," BLG In-House Counsel Seminar, November 2016
- Author, "White Collar Minimums: Some Mandatory Sentences have been Struck down but Stiff Financial Crime Penalties Here to Stay," The Lawyers Weekly, August 2016
- Author, "New SCC decision on pre-trial delay likely to have a significant impact on white collar prosecutions," The Exchange: Financial Institutions Litigation Blog, July 2016

Beyond our Walls

Professional Involvement

- Member, Advocates' Society
- Member, Criminal Lawyers' Association
- Member, American Bar Association, Criminal Justice Section
- Member, International Bar Association
- Teaching Advisor, Trial Advocacy, University of Toronto Faculty of Law, 2018-2019

Awards & Recognitions

- Recognized in the 2021 edition of *Chambers Canada – Canada's Leading Lawyers for Business* (White-Collar Crime & Government Investigations- Nationwide).
- Recognized in the 2021 edition (and since 2019) of *Benchmark Canada – The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* (Future Star).
- Recognized in the 2020 edition (and since 2019) of *Benchmark Canada 40 and Under Hotlist*
- Recognized in the 2018 edition of *Benchmark Canada - The Definitive Guide to Canada's Leading Litigation Firms & Attorneys* as a "Future Star: Ontario"
- Recognized in the 2018 edition of *Benchmark Canada 40 and Under Hotlist*

Bar Admission & Education

- Ontario, 2009
- LLM, Harvard Law School, 2010
- JD, University of Toronto, 2008
- MA in Economics, University of Toronto, 2008
- BSc in Mathematics and Engineering, Queen's University, 2003

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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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