

Kevin McGivney

Partner

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Municipal Liability
Police Law & Liability
Appellate Advocacy
Defamation & Media Law
Insurance Claim Defence
Administrative and Public Law
Crisis Management
School Boards and Independent Schools

Kevin advises clients on a wide range of liability, insurance, administrative and commercial matters.

Throughout his career, Kevin has appeared before all levels of court, including the Supreme Court of Canada, as lead trial and appellate counsel. This also extends to judicial reviews, administrative tribunals, mediations and arbitrations.

He has significant experience defending and advising municipalities, police and related entities concerning all manner of liability claims. He has also represented insurers and insureds in property and casualty insurance claims and on insurance coverage matters.

Kevin has represented municipalities, municipal councillors, police services and other clients in a number of administrative law matters including cases before the Human Rights Tribunal and at Coroner's Inquests. He has also defended municipal and police agencies in class actions.

Kevin was a member of BLG's Partnership Board, the firm's governing body (2015-2026).

Experience

- Successfully obtained anti-SLAPP dismissal of defamation claims against municipal councillors – *Volpe v. Wong-Tam*, 2022 ONSC 3106, upheld on appeal, 2023 ONCA 680

- Successfully obtained trial judgement dismissing negligent investigation, malicious prosecution and breach of Charter claim against police service and investigating officers in matter involving wiretap authorizations – *McCormack v. Evans,* 2023 ONSC 4340
- Successfully obtained trial judgement dismissing misfeasance in public office and conspiracy claim against municipality arising out of enforcement of municipal licensing and inspection activities – *1631651 Ontario Inc v. Toronto,* 2022 ONSC 4197
- Successful resolution of class action against police service arising out of claims connected to mass arrests during G 20 Summit – *Good v. Toronto Police Services Board*, 2020 ONSC 6332
- Successfully obtained summary judgement dismissing negligent investigation and defamation claim against police chief and police service – *Supreme Auto Group Inc. v. Chief William Blair*, 2020 ONSC 1223
- Successfully obtained trial judgement dismissing negligent investigation, false arrest and excessive use of force claims against police services and officers arising out of wiretap investigation – *DuCarmur v. Cole 2016*, ONSC 4930
- Successfully upheld appeal of summary judgement obtained in negligent investigation claim against police service – *Cochrane v. Kawartha Lakes Police Services Board*, 2014 ONCA 860

Insights & Events

- Author, "Court of Appeal confirms distinct evidentiary rules in criminal vs civil Charter cases", BLG Article, November 2025
- Author, "Culture shift in dismissal for delay motions – Delay alone is prejudice sufficient for dismissal", BLG Article, December 2024
- Driving Ontario municipalities forward, BLG Video, September 2022
- Author, "BLG win: defamation claim against municipal councillors dismissed", BLG Article, May 2022
- 5 more insurance industry trends: Product recall, municipal, cargo and business interruption insurance, BLG Perspective, November 2021
- Author, "Supreme Court gives guidance on "core policy" immunity", BLG Article, October 2021
- Trends to watch in 2021 – Technology: the future is connected, BLG Perspective, January 2021
- Author, "Ontario passes Bill 218 to provide COVID-19 liability protection", BLG Article, December 2020
- Author, "Ontario proposes new bill to provide COVID-19 liability protection", BLG Article, October 2020
- Author, "Ontario Court of Appeal addresses available insurance coverage and additional insured", BLG Article, September 2020
- Author, "BLG win: negligent investigation & defamation claim summarily dismissed", BLG Article, April 2020
- Author, "Supreme Court of Canada Addresses Common Law Police Powers", BLG Article, October 2019
- Author, "Article Unlawful Entry but Lawful Detainment Court Awards Damages for Warrantless Search", BLG Article, September 2019
- Author, "What Duty Does a City Owe to an Individual Who Gets Assaulted on its Property?", BLG Article, July 2019
- Author, "No Reasonable Expectation of Privacy in Case of Online Child Luring", BLG Article, May 2019
- Author, "Court Rules Excluded Wiretap Evidence Admissible in Civil Trial", BLG Article, February 2019
- Smart Cities: Are there Privacy Potholes Ahead?, BLG Perspective, January 2019
- Author, "Court of Appeal rejects “Appropriate Means” argument in finding that limitation period expired", BLG Article, September 2018
- Speaker, Law of Policing, June 15-16, 2016
- Author, "Case Alert: Campbell V. Bruce (County), 2016 ONCA 371", BLG Article, May 2016
- Speaker, Canadian Association of Police Governance, August 26-29, 2015

- Speaker, Law of Policing Conference, June 2-3, 2015
- Panelist, "Scope of Police Liability and Damages for Breach of Charter Rights," Osgoode Hall Law School Professional Development – Conference on Municipal Government Liability and Litigation, June 2014

Beyond Our Walls

Professional Involvement

- Member, The Advocates' Society
- Member, Canadian Bar Association, Ontario Civil Litigation Section

Community Involvement

- Board member, Catholic Charities of Archdiocese of Toronto 2009-2017 (President 2015-2016)

Awards & Recognition

- Selected by peers for inclusion in 2027 edition (and since 2013) of *The Best Lawyers in Canada* (Insurance Law; Personal Injury Litigation) and since 2022 edition (Municipal Law).
- Recognized in the 2026 edition (and since 2016) of *The Canadian Legal Lexpert Directory* (Litigation — Commercial Insurance, Personal Injury). Also recognized in 2012 for Personal Injury.
- Recognized in the 2026, 2025, 2024, 2023 and 2018 editions of *Benchmark Canada* as a "Litigation Star" (Insurance; Municipal Law; Commercial).
- Recognized in the 2025 edition (and since 2021) of *Lexpert Special Edition: Litigation.*

Bar Admission & Education

- Ontario, 1991

- LLB, University of Western Ontario, 1989
- BA in History, University of Western Ontario, 1985, (King's College)

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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 800 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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