

## 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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### **BLG Offices**

#### **Calgary**

Centennial Place, East Tower  
520 3rd Avenue S.W.  
Calgary, AB, Canada  
T2P 0R3

T 403.232.9500  
F 403.266.1395

#### **Ottawa**

World Exchange Plaza  
100 Queen Street  
Ottawa, ON, Canada  
K1P 1J9

T 613.237.5160  
F 613.230.8842

#### **Vancouver**

1200 Waterfront Centre  
200 Burrard Street  
Vancouver, BC, Canada  
V7X 1T2

T 604.687.5744  
F 604.687.1415

#### **Montréal**

1000 De La Gauchetière Street West  
Suite 900  
Montréal, QC, Canada  
H3B 5H4

T 514.954.2555  
F 514.879.9015

#### **Toronto**

Bay Adelaide Centre, East Tower  
22 Adelaide Street West  
Toronto, ON, Canada  
M5H 4E3

T 416.367.6000  
F 416.367.6749