

# Peter Jacobsen

Partner

## Toronto

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## Practice Areas

Administrative & Public Law

Commercial Litigation

Constitutional

Media & Defamation

Litigation & Dispute

Resolution

Aviation & Transportation

Peter has over 40 years experience in practice as a litigator and provider of legal advice in diverse sectors, notably in media.

Peter practises mainly in the areas of media law, defamation law, administrative law and constitutional law. He is a seasoned litigator and has significant experience in trials, appeals and judicial reviews at all levels of court and before numerous administrative tribunals.

Peter provides regular pre-publication advice and litigation services to major media outlets including The Globe and Mail, CTV as well as many magazines/periodicals such as the *Report on Business Magazine* (ROB) and the *Canadian Medical Association Journal* (CMAJ), and publishers such as Penguin Random House. He also represents individuals and editors as well as national organizations such as the Canadian Association of University Teachers (CAUT).

Peter has been repeatedly ranked as a leading practitioner in Media and Defamation Law in *Best Lawyers in Canada*.

### Called to the Bar

- Ontario (1978)

### Education

- Mediation Course, Harvard, 1996
- LL.B., McGill University, 1976
- Graduate Studies, Norman Paterson School of International Affairs, Carleton University, 1972-1973
- B.A. (Honours), McGill University, 1972

### Affiliations

- Ontario Bar Association

## WeirFoulds LLP

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## Notable Mandates

- *Armstrong v. Corus Entertainment Inc.*, 2018 ONCA 689 (CanLII)
- *Cusson v. Quan*, 2009 SCC 62, (responsible journalism defence)
- *R. v. National Post*, 2010 SCC 16, [2010] 1 S.C.R. 477 (reporter's privilege)
- *Khadr v. Canada (Attorney General)*, [2008] F.C.J. No. 972 (disclosure of documents)
- *Hollinger Inc. v. Ravelston Corp.*, (2008) 89 O.R. (3d) 721 (C.A.) (sealing order)
- *Boeing Satellite Systems International Inc. v. Telesat Canada*, [2007] O.J. No. 945 (S.C.J.) (publication ban and confidentiality order)
- *Moore et al. c. Bertuzzi et al.* (2007) 88 O.R. (3d) 499 (Master) (sealing order)
- *R. v. CTVglobemedia Publishing Inc.*, 2007 CanLII 13706 (ON S.C.) (sealing order)
- *Stelco Inc. (Re)*, [2006] O.J. No. 275, [2006] O.J. No. 276, [2006] O.J. No. 277 (publication ban and confidentiality order)
- *St. Elizabeth Home Society v. Hamilton (City)*, [2005] O.J. No. 5369 (S.C.J.) (action in libel, negligence and misfeasance in public office)
- *Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)*, [2001] O.J. No. 4987 (Privacy Act issues)
- *R. v. K.S.Y.*, [2001] O.J. No. 3931 (CA) (sealing order)
- *Airline Seat Co. (c.o.b. Canadian Affair) v. 1396804 Ontario Inc.*, [2000] O.J. No. 2586 (internet libel)
- *Cannella v. Toronto Transit Commission*, [1999] O.J. No. 2282 (judicial review)
- *Cinderella Allalouf Ad-Hoc Litigation Committee v. Lucas*, 1999 CanLII 18723 (ON S.C.D.C.) (judicial review)
- *Ontario v. Higgins*, 1999 CanLII 1104 (ON C.A.) (Freedom of Information and Protection of Privacy Act)
- *R. v. French*, 1998 CanLII 1325 (ON C.A.) (sealing order)
- *R. v. Brown*, [1998] O.J. No. 482 (Gen. Div.); [1998] O.J. No. 4681 (Gen. Div.) (publication ban)
- *R. v. Brown*, [1997] O.J. No. 6168 (interpretation of s. 648(1) of the Criminal Code)
- *Thomson Newspapers Co. v. Canada (Attorney General)*, [1995] O.J. No. 1375 (publication ban)
- *Egerton v. Finucan*, [1995] O.J. No. 1653 (employment)
- *Iorfida v. Macleod*, [1995] O.J. No. 2132 (libel trial)
- *Redwood Music Ltd. v. Bourne Estate*, [1995] O.J. No. 2830; [1999] O.J. No. 403 (C.A.) (copyright trial and appeal)
- *R. v. Bernardo*, [1994] O.J. No. 3060 (C.A.) (Publication ban – Proceedings against co-accused)
- *Canadian Broadcasting Corp. v. Dagenais*, [1992] O.J. No. 2703 (C.A.) (publication ban)

## Awards

- Repeatedly recognized in the *Canadian Legal Lexpert Directory* as a leading lawyer in Litigation – Defamation and Media
- Repeatedly recognized as a leading lawyer in Media and Defamation Law in *Best Lawyers in Canada*
- Repeatedly recognized in the *Lexpert Special Edition – Canada's Leading Litigation Lawyers*

## Professional Activities

- Senior Fellow, Centre for Free Expression at Toronto Metropolitan University

## Corporate Directorship

- Board Member, Canadian Journalists for Free Expression
- Chair, Canadian Issues Committee, Canadian Journalists for Free Expression
- Past Vice-Chair, Media Law Section, International Bar Association
- Past Ontario representative of Ad Idem/Canadian Media Lawyers Association
- Past Chair, Freedom of Expression Committee, Canadian Bar Association
- Past Chair, Media Law Section, Canadian Bar Association
- Past Chair, Constitutional Section, Canadian Bar Association
- Founding Chair, Native Law Section and Public Legal Education Committee, Canadian Bar Association of Ontario
- Former lecturer at Bar Admission Course
- Director, Toronto Arts Council Foundation
- Past Director, Writers' Trust of Canada
- Past Director, Toronto Arts Council
- Appointed Ontario Chief Negotiator – English – Wabagoon Mercury Pollution Negotiations (1984 – 87); 1850 Treaty Negotiations (1990 – 1994); Grassy Narrows Mediation (1990 – 1994)

## Speaking Engagements

- Speaker, "Defamation: What Litigators Need To Know ", The Advocates' Society, Online, January 25, 2021

## Publications & Media

- Peter is the author of several articles concerning media/defamation law and administrative law and related issues and is a frequent participant in professional seminars domestically and internationally.
- [Video: CTV News, Breaking News Update](#)
- Co-author with James L. Turk, "Whistleblower protection could have averted the deplorable conditions in long-term care", opinion, *Globe & Mail*, 2020
- Co-author with David E. McCraw, "What's the greatest threat to a free press? Discuss", opinion, *Globe & Mail*, 2019
- "Lessons from Moore v. Bertuzzi -The Deemed Undertaking Rule and the Filing of Transcripts," presentation at Ontario Bar Association, 2008
- "From Afghanistan to Zimbabwe; Discouraging Forum Shopping on the World Wide Web," presentation at International Bar Association Conference, 2007
- "Who Rules the Valley of the Six Nations? (A discussion of Isaac v. Davey)", *McGill Law Journal*, 1976 vol 2 no.2

## Publications

- [Defamation in Academia: A Legal and Practical Limit on Academic Freedom](#), January 13, 2025