

Ben Kates

Partner

Toronto

Tel: 416.947.5072

Mobile: 647.285.3654

Email: bkates@weirfoulds.com



Practice Areas

Litigation & Dispute

Resolution

Administrative & Public Law

Regulatory

Ben Kates is a litigation partner and Chair of the Regulatory Practice Group at WeirFoulds LLP.

Ben practises both administrative law and civil litigation. He represents and advises industry regulators with a focus on self-regulated professions, providing advice on issues related to, among other things, governance, registration, investigations, and capacity. He also serves as prosecutor in disciplinary and fitness to practice matters. Ben's civil litigation practice involves advising public and private-sectors clients, including not-for-profits, on litigation avoidance, governance issues, and privacy, as well as representing them in civil proceedings. Ben is experienced in civil, corporate-commercial, and administrative and public law matters, having handled corporate and contractual disputes, as well as professional liability, media and defamation, and class actions.

Immediately prior to joining WeirFoulds, Ben acted as a Discipline Counsel for the Law Society of Ontario. He spent his articling year clerking for the judges at the Ontario Superior Court of Justice in Toronto. Ben began his practice litigating at one of the top boutique firms in Canada, acting as a client-facing lawyer responsible for managing ongoing litigation in civil, corporate-commercial, administrative and regulatory matters.

Ben holds degrees from the Faculty of Law, University of Toronto, University of King's College, Halifax, and the London School of Economics and Political Science. He serves as Director and Corporate Secretary of the Canadian Association of MAiD Assessors and Providers (CAMAP) and has taught Administrative Law at Osgoode Hall Law School. Ben is also currently acting as a creative consultant on a developing Canadian legal television drama.

Prior to attending law school, Ben helped launch Billiter Partners, a consultancy focused on strategic risk and corporate intelligence based in London, UK. He previously worked as a journalist in Dakar, Senegal.

WeirFoulds LLP

4100 – 66 Wellington St. West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

www.weirfoulds.com

Called to the Bar <ul style="list-style-type: none"> • Ontario (2011) 	Education <ul style="list-style-type: none"> • University of Toronto, J.D., 2010 • The London Schools of Economics, MSc, 2006 • University of King's College (Halifax), BA. (Hons), 2004 	Affiliations <ul style="list-style-type: none"> • Canadian Network of Agencies for Regulation • The Advocates' Society • Canadian Bar Association (Ontario) • Toronto Lawyers Association
Languages <ul style="list-style-type: none"> • English • French 		

Notable Mandates

- Acts for the Ontario College of Social Workers and Social Service Workers in discipline and registration matters.
- Acts for the Ontario College of Pharmacists in discipline matters.
- Acts for the Chartered Professional Accountants of Ontario in registration matters.
- Acts for the College of Chiropodists of Ontario in discipline matters.
- Acts for a regulatory health college in fitness to practise matters.
- Acts for the Ontario Professional Planners institute in discipline matters.
- Acts for the Law Society of Ontario in good character and discipline matters, appeals, applications for judicial review, and civil matters.
- Provides ongoing advice to Committees, Council, and staff at professional regulators.
- Acted as co-counsel for a major Canadian bank in civil litigation and regulatory matters, including class action defence.
- Acted as co-counsel to LawPRO in lawyers' professional liability cases.
- Acted as co-counsel for a children's aid society in the Inquest into the Death of Jeffrey Baldwin.

Reported Cases

- *Export Development Canada v. Canada (Information Commissioner)*, 2025 FCA 50
- *Ontario College of Social Workers and Social Service Workers v. Angeles*, 2025 ONCSWSSW 2
- *Law Society of Ontario v. McLellan*, 2024 ONSC 7204
- *Spasiw v. Law Society of Ontario*, 2024 ONCA 888
- *Ontario (College of Pharmacists) v. Tatla*, 2024 ONCPDC 26
- *Ontario (College of Pharmacists) v. Tatla*, 2024 ONCPDC 25
- *Ontario (College of Pharmacists) v. Kubar*, 2024 ONCPDC 9
- *Spasiw v. Law Society of Ontario*, 2024 ONSC 1486
- *Ontario College of Social Workers and Social Service Workers v Erin Nolan*, 2024 ONCSWSSW 2
- *Ontario College of Social Workers and Social Service Workers v Sweet*, 2024 ONCSWSSW 1
- *Ontario (College of Chiropodists of Ontario) v Élie Bélanger*, 2024 ONCOCOO 1
- *Ontario College of Social Workers and Social Service Workers v Maryana St. Hiliare*, 2023 ONCSWSSW 10
- *Ontario College of Social Workers and Social Service Workers v Fortier*, 2023 ONCSWSSW 9
- *Ontario College of Social Workers and Social Service Workers v Joseph Pinckney*, 2023 ONCSWSSW 6
- *A. A. v Chartered Professional Accountants of Ontario*, 2023 ONCPA 11
- *Ontario (College of Chiropodists) v Casella*, 2023 ONCOCOO 4
- *Ontario (College of Chiropodists of Ontario) v. MacMull*, 2023 ONCOCOO 3

- *Yan v. Law Society of Ontario*, 2023 ONSC 1290
- *Ontario (College of Chiropodists of Ontario) v. Casella*, 2023 ONCOCOO 1
- *Perciballi v. Law Society of Ontario*, 2022 ONLSTH 120
- *Law Society of Ontario v. Eliezer*, 2022 ONLSTH 98
- *Law Society of Ontario v. von Achten*, 2022 ONLSTH 74
- *Law Society of Ontario v. Cadogan*, 2022 ONLSTH 39
- *Law Society of Ontario v. Rapoport*, 2022 ONLSTH 17
- *Amendola v. Law Society of Ontario*, 2022 ONLSTA 3
- *Law Society of Ontario v. Harris*, 2022 ONLSTH 4
- *Law Society of Ontario v. Collins*, 2021 ONLSTH 177
- *Law Society of Ontario v. Cadogan*, 2021 ONLSTH 149
- *Law Society of Ontario v. Rapoport*, 2021 ONLSTH 100
- *Law Society of Ontario v. Amendola*, 2021 ONLSTA 11
- *Law Society of Ontario v. Harris*, 2021 ONLSTH 76
- *Watson v. Law Society of Ontario*, 2021 ONLSTH 31
- *Law Society of Ontario v. De Rose*, 2021 ONLSTA 9
- *Ontario (College of Pharmacists) v. Aslam*, 2020 ONCPDC 31
- *Ontario (College of Pharmacists) v. Abdul*, 2020 ONCPDC 9
- *Ontario (College of Pharmacists) v. Federico*, 2019 ONCPDC 29
- *The Toronto-Dominion Bank (Re)*, 2019 ONSEC 29
- *Ontario (College of Pharmacists) v. Aslam*, 2019 ONCPDC 10
- *Allen v. MacDougall*, 2019 ONSC 1939
- *Mancinelli v. Royal Bank of Canada*, 2019 ONSC 626
- *Ontario (College of Pharmacists) v. Aslam*, 2019 ONCPDC 3
- *Abdul v. Ontario College of Pharmacists*, 2018 ONCA 699
- *Mancinelli v. Royal Bank of Canada*, 2018 ONCA 544
- *Watson v. Law Society of Ontario*, 2018 ONLSTA 14
- *Ontario (College of Pharmacists) v. Aslam*, 2018 ONCPDC 2
- *Brooks v. Ontario Racing Commission*, 2017 ONCA 833
- *Toronto (City) v. Lenova Outsourcing Corp.*, 2017 ONSC 5743
- *Law Society of Upper Canada v. Sumner*, 2017 ONLSTA 17
- *Crees (Eeyou Istchee) et al v. Canada (Attorney General)*, 2017 ONSC 3729
- *Ontario (College of Pharmacists) v. Fabello*, 2016 ONCPDC 32
- *Usand Group v. Kempton*, 2016 ONSC 3175
- *Nobili v. Economical Mutual Insurance Company*, 2015 ONCA 472
- *Guergis v. Hamilton*, 2015 ONSC 4915
- *Downtown Pallets Ltd. v. Ontario Food Terminal Board*, 2013 ONSC 502
- *Continental v. Singh*, 2012 ONSC 7122
- *Attawapiskat First Nation v. Canada*, 2012 FC 948
- *Attawapiskat First Nation v. Canada*, 2012 FC 146

Awards

- Recognized in the *Canadian Legal Lexpert Directory* as a leading lawyer in Litigation – Regulatory & Public Law (2025)
- Recognized by Best Lawyers in Canada as a leading practitioner in Administrative and Public Law (2024, 2025)

Professional Activities

- Member, The Advocates' Society, 10+ Committee (2021 – present)
- Member, Ontario Bar Association, Administrative Law Executive Committee (2018-2020)
- Chair, The Advocates' Society, Young Advocates' Standing Committee (2017-2018)
- Member, The Advocates' Society, Young Advocates' Standing Committee (2012-2018)

Teaching

- Court Instructor, Administrative Law, Osgoode Hall Law School, Osgoode Professional Development Common Law LLM Program, Winter 2004.
- Guest Lecturer, Administrative Law, Osgoode Hall Law School JD Program, Winter 2003.

Corporate Directorship

- Director and Corporate Secretary, Canadian Association of MAiD Assessors and Providers, (2022-present)
- Governor, University of King's College (2018-2020)
- Director, Music Without Barriers (2015-2018)

Speaking Engagements

- Speaker, "Preparing Your Expert for Trial: How to Prepare your Expert for Examination and Cross-Examination", Working with Expert Witnesses, The Advocates' Society, Online, May 21, 2025
- Speaker, "Mastering Advocacy at Administrative Tribunals", Toronto Lawyers Association, Online, October 29, 2024
- Presenter, "SCC 'Value-Add': What a Regulator Needs to Know About Charter Rights and Charter Values", CNAR 2024 Annual Conference, Ottawa, ON, October 9, 2024
- Speaker, "A Focus on Legal Ethics for Solo/Small Firm Practices: Strategies to Manage Challenging Issues", 18th Solo and Small Firm Conference: Evolution, Law Society of Ontario, Toronto, ON, June 13, 2024
- Instructor, "Canadian Administrative Law", Canadian Common Law Program, Osgoode Professional Development, Online, January 24 - April 10, 2024
- Panelist, "Module 5: Penalty Hearing and Appeals", Professional Regulation and Discipline in the Ontario Health Care Sector, Osgoode Professional Development, Online, December 6, 2023
- Speaker, "Substantive Review & the Charter", Osgoode Hall Law School - Administrative Law course, March 14, 2023
- Speaker, Humber College - Sports Business Management Program, March 13, 2023
- Speaker, "Impartiality, Bias, Independence", Osgoode Hall Law School - Administrative Law course, February 16, 2023
- Speaker, "Delays and Reasons", Osgoode Hall Law School - Administrative Law course, February 7, 2023
- Moderator, "How to Mentor: It's Not About You", The Advocates' Society, November 9, 2021
- Speaker, "Pre-Hearing Issues," Administrative Tribunal Advocacy, The Advocates' Society, April

29, 2021

- Speaker, "Quashing the Stigma: Addiction, Mental Illness, and Accommodation", 2019 CNAR Conference, Quebec City, Quebec, October 30, 2019
- Speaker, "The Meaning of #MeToo: Regulating Sexual Misconduct Amidst Normative Change", 2018 CNAR Conference, Banff, Alberta, October 17, 2018

Additional Publications:

- Co-Author, "Pardons don't go far enough. Convictions for cannabis must be expunged, CBC Online, October 29, 2018
- Author, "Private and Public Retail Dispensaries Are the Way to Go, Mr. Ford" iPolitics.ca, August 8, 2018
- Co-Author, "Pulling Back Anonymous' Mask: Norwich Orders and Online Defamation," Ontario Bar Association Institute, Dealing with Online Defamation, February 7, 2018
- Co-Author, "Publication Ban Practice in Ontario", The Advocates' Journal, Vol. 36, No. 6, Summer 2017
- Co-Author, "What Legal Weed Needs", iPolitics, December 23, 2016
- Co-Author, "Confusion Over Pot Laws Has Consequences", The Toronto Star, August 18, 2016
- Co-Author, "Dealing with a Deadlocked Tribunal", (September 2016) 29(3) Canadian Journal of Administrative Law & Practice, 333-344
- Co-Author, "Update on Motions for Disqualification of Tribunal Members on Account of Reasonable Apprehension of Bias: The Presumption of Impartiality Revisited", (October 2015) 28(3), Canadian Journal of Administrative Law & Practice, 309-322
- Author, "The Supply Chain Gang: Enforcing the Rights of Subcontracted Labour in Ontario", The Canadian Labour & Employment Law Journal, Vol. 16, No. 2, 2012

Publications

- *Wagg the Dog: A Focused Approach for Regulators Seeking Crown Disclosure*, September 11, 2023
- *Admit it: There's a Role for Requests to Admit in Disciplinary Proceedings*, October 03, 2022
- *Help Me Help You: Self-Represented Litigants in Professional Discipline Proceedings*, August 15, 2022