

Kenneth Jull

Partner

Get in touch

 <https://www.linkedin.com/in/ken-jull-a94a8a30/>

 kjull@grllp.com

 <https://grllp.com/kjull>

 416.865.2964  416.865.6636



Executive summary

Ken is a partner at Gardiner Roberts with a practice focused on risk management, compliance, and related litigation. From 2016 to 2018, he completed a two-year interchange with the Competition Bureau Legal Services in Ottawa, where he served as General Counsel, bringing valuable public-sector insight to his advisory work.

Ken conducts compliance reviews and litigates disputes with regulatory and compliance components across a wide range of industries. His practice includes compliance-focused due diligence in mergers and acquisitions and spans areas such as competition law, occupational health and safety law, environmental regulation, telecommunications, and broader regulatory standards. As part of his risk management work, Ken advises organizations on compliance frameworks built around a due diligence matrix informed by mathematical modelling and emerging behavioural research.

Ken is the co-author of *Profiting From Risk Management and Compliance* (Thomson Reuters, 2025), written with the Honourable Todd Archibald. A student edition of the text is used in courses Ken teaches at the University of Toronto Faculty of Law and at the graduate level at Osgoode Hall Law School, where he instructs on financial crimes and corporate compliance.

An experienced advocate, Ken has litigated matters at all levels of court, including the Supreme Court of Canada and Courts of Appeal, in areas such as constitutional and tax law, telecommunications, securities oppression, environmental offences, occupational health and safety offences, misleading and deceptive advertising, and civil and criminal fraud.

EDUCATION

Osgoode Hall Law School, LLM, 1985

Osgoode Hall Law School, LLB, 1981

University of Toronto, Victoria College, BA (with distinction), 1978

BAR ADMISSION

Ontario, 1984

Expertise

Corporate & Commercial

Litigation & Dispute Resolution

Technology

Risk & Compliance

Gardiner Roberts

Bay Adelaide Centre — East Tower
22 Adelaide Street West, Suite 3600
Toronto, ON M5H 4E3

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Representative work

- *G.N. Johnston Equipment Co. Ltd. v. A Director under the Occupational Health and Safety Act, et al.*, Decision of the Board 1 April 2026, OLRB Case No. 3401-25-HS
- *Ontario (Ministry of Labour, Immigration, Training and Skills Development, "MOL") v. The Econo- Rack Group Inc.*, 2025 CarswellOnt 5005, 2025 ONCJ 190 - (Counsel for Econo-Rack). Note that the MOL withdrew the charges on 10 October 2025
- *Provenzano v. Central Lake Ontario Conservation Authority*, 2025 ONSC 2930
- *Provenzano v. Central Lake Ontario Conservation Authority*, 2024 CarswellOnt 16606
- *Baron et al v. Halton Region Conservation Authority*, 2023 ONSC 5568
- *Halton Region Conservation Authority v. Thomas*, 2023 ONSC 5404
- Counsel for HSC Holdings Inc. re purchase from Mercedes-Benz Canada Inc. (4411 NAL 2022-01)
- *Rudyk v. Halton Region Conservation Authority*, 2022 ONSC 518 leave re: costs
- *Halton Region Conservation Authority & Peter Thomas and Jean Thomas*
- *Halton Region Conservation Authority v. Thomas*, 2021 ONCJ 293 injunction in in the Superior Court
- *Rudyk and Young v. Halton Region Conservation Authority*, 2021 ONSC 5692
- Acted as co-counsel in the Supreme Court of Canada concerning the constitutional validity of administrative monetary penalties, *Guindon v Canada*, 2015 SCC 41.
- Counsel for a major telecommunications company assisting with ongoing compliance programs relating to telecommunications
- Retained as part of a third-party team reporting to the Government of Canada with respect to potential application of debarment rules
- Counsel in an internal investigation for a Canadian company concerning potential fraud and design systems to mitigate risk
- Acted as counsel in a Superior Court Trial concerning commercial contracts and allegations of *Securities Act* oppression. The allegations for this part of the claim were dismissed.
- Canadian counsel in a global internal investigation concerning the Canadian Corruption of Foreign Public Officials Act. The scope of this investigation included extensive witness interviews and document review, working with law enforcement including the Royal Canadian Mounted Police, and review of compliance procedures and risk assessment
- Revised Codes of Conduct for various entities relating to compliance with the Corruption of Foreign Public Officials Act.
- Obtained an injunction preventing construction of a bridge in a floodplain on behalf of Halton Region Conservation Authority

Insights

Publications

Corruption of Foreign Public Officials Act: Overview

25 July 2025

Wrongful Violations and Innocence in the Regulation of the Digital Economy

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4 July 2025

Competition Bureau sues Cineplex for drip pricing in possible ‘precedent-setting’ case

23 May 2023

“SNC-Lavalin 2.0: Canada’s first official Remediation Agreement”, Toronto Law Journal

28 June 2022

Cruelty and Corporate Reputation: An Argument for Reverse Piercing of the Corporate Veil

1 December 2021

Administrative Searches Are Not in a Charter Free Zone: *Binance Holdings Limited v. Ontario Securities Commission*, Toronto Law Journal Spring 2026 (forthcoming)

Wrongful Findings of Liability in the Context of Administrative Penalties, 56 The Advocates Quarterly 232, co-authored with Gabriella Bismarji, - 1 December 2025

Polluter Pays, But at What Cost? The Constitutionality of Administrative Monetary Penalties for Environmental Violations, Toronto Law Journal co-authored with Gillian Chamberlain - 22 September 2025

“There Really is no Afterlife for Administrative Monetary Penalties After Bankruptcy”, Toronto Law Journal - 29 January 2025

Co-Author of “Bringing a ‘Failure to Prevent’ Offence to Canada”, Transparency International Canada White Paper, November 2023

“There is No Afterlife for Administrative Monetary Penalties After Bankruptcy”, Toronto Law Journal, April 2022

“Government Liability for Policy Decisions Following *Nelson (City) v. Marchi*”, Co-written with James Cook and Eli Bordman, January 2022

Foreign Bribery and Conspiracy: A New Plot Twist”, Toronto Law Journal, 2021

“Impeachment Techniques in an Era of Fake News: A Principled Approach — The Art and Science of Persuasion”, (2021) Annual Review of Civil Litigation – Kenneth Jull and Todd Archibald

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“Clear and Convincing” Evidence Cannot Reside in the House of Balance of Probabilities: A Scientific Approach”, The Advocates’ Quarterly (March 2021) 51 Advoc. Q. 315 written with Justice Todd Archibald

Viewing the Supreme Court of Canada’s Decision in Callow Through a Compliance Lens – Municipal Liability Risk Management; Lexis Nexis, March 2021

“Digital Advertising and Purchasing: Fun or a New Type of Deception? (2020) 33 Canadian Competition Law Review 1 (co-written with Nicole Spadotto). Winner of the CBA Bill Miller memorial award for best article in competition law that year.

Coming in from the Cold of Digital Audits: The Need for Safe Harbours in the Sea of Misleading and Deceptive Marketing – International Telecommunications Society, 15 June 2020

SNC-Lavalin: The Final Chapter – Toronto Law Journal, May 2020

Coronavirus Emergency Response: Risk Assessment and Risk Management – Toronto Law Journal, March 2020

“Paid Whistleblowers and Paid Compliance Programs: Opposite Sides of the Same Coin in Corporate Whistleblowing Regulation: Theor, Practice and Design (Springer, 2020)

The Ethics Commissioner’s Report as a Political Football, Toronto Law Journal – October 2019

Foreign bribery and Conspiracy: the Plot Thickens, Toronto Law Journal – January 2018

The Supreme Court Decision in Lacasse: White Collar Offenders Beware; Toronto Law Journal, June 2016

“Constitutionality of Administrative Monetary Penalties: Defining the Punitive Paradigm,” Regulatory Boards and Administrative Law Litigation, Volume XII, No. 3, 2015

“The Constitutionality of Administrative Monetary Penalties: Defining the Punitive Paradigm,” Toronto Law Journal, September 2015

“Canada: judicial recognition of risk assessment, R. V. Michaud” Co-written with Sarah Petersen, September 2015

“Penalties that do not Punish: Administrative Monetary Penalties under the Canadian Anti-Spam Legislation,” Toronto Law Journal, May 2015

“Critical Developments in Corporate Criminal Liability: Understanding the New Concepts of Senior Officers, Wilful Blindness, and Agents in Foreign Jurisdictions,” (2013) 60(1) Crim. L.Q., co-author with Todd Archibald and Kent Roach

“Chapter 3 – Canada,” Mark F. Mendelsohn, ed., The Anti-Bribery and Anti-Corruption Review, London: Law Business Research Ltd., 2012

“From the Slow Lane to the Fast Lane of Broadband: Application of a Theory of Justice”, with S. Schmidt, presented at the 2011 Regional Conference of the International Telecommunications Society (Budapest, Hungary), September 18-21, 2011

“An Empirical Approach towards a New Methodology of Impeachment” with Justice Todd Archibald (September 2011) The Advocates’ Journal 3

“Preventing Harm in Telecommunications Regulation: A New Matrix of Principles and Rules Within the ex ante versus ex post Debate” Kenneth Jull and Stephen Schmidt(2009) 47 Canadian Business Law Journal 329.

“Clarkson v. R.: Do We Need a Legal Emergency Department?” (1987) 32 McGill Law Journal 359

“Remedies for Non-Compliance with Investigative Procedures: A Theoretical Overview” (1985) 17 Ottawa Law Review

Presentations

Judge at Fanaki Moot on Competition Law, 2026

Financial Crimes and Corporate Compliance”, Henry N. R. Jackman Faculty of Law, University of Toronto Fall Semester – September 2025 to December 2025

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Guest lecture on Anti-corruption at University of Ottawa law school course in Globalization and law – 20 November 2025

Provided lecture on “Drip Pricing” to Queen’s University Faculty of Law students – 2 October 2025

Wrongful Findings of Liability in the Context of Administrative Penalties, International Telecommunications Society, Edinburgh Scotland, co-presented with Gabriella Bismarji, 30 June 2025.

Osgoode Certificate in Mining Law on 6 June 2025. Lecture on “Anti-Corruption Legislation and Policies”

“Corporate and Financial Crimes and Compliance” Osgoode Hall Law School LL.M Program, – April 2024 to June 2024

Competition Act (Canada) Wage-fixing and no-poach provisions – Presentation to the Canadian Bar Association Fall Competition Conference 2024

Judge at the Law and Business Student Association (LBSA) Case Competition at the Ted Rogers School of Management – 11 February 2024

Team Leader: 39th Annual Intensive Trial Advocacy Workshop (ITAW), Osgoode Hall 2024

Testified before the Standing Committee on Justice and Human Rights of the House of Commons 25 February 2019 as an expert witness on remediation (deferred prosecution) agreements

Lecturer, “Effective Corporate Governance Practices: A Risk Management Approach,” Schulich School of Business Conference, Leadership Competencies - What Senior Managers Need to Know, 7 April 2016

Tackling Corporate Corruption: The Case for Deferred Prosecution Agreements” The Conference Board of Canada, 16 March 2016 (Webinar)

Lecturer, “A Psychological Approach to Impeachment”, Faculty of Law, Queen’s University, Course on Criminal Trial Advocacy, 8 February 2016

Blogs

The newest word in regulatory offences (R. v. City of Greater Sudbury)

23 December 2024

GR lawyers succeed in having action over cancelled building permit transferred to correct court

30 September 2021

Environmental injunctions need not pass the flagrant breach threshold

28 June 2021

Administrative Monetary Penalties in the Afterlife

31 May 2021

Snow washing is now more difficult in Canada, but at what cost?

26 May 2021

Recent treatment of the duty to defend in Ontario courts

6 April 2021

Viewing the Supreme Court of Canada's decision in Callow through a compliance lens

23 December 2020

Facebook To Pay \$9 Million Penalty Under Canada's Competition Act

3 June 2020

Frustration and Pandemic – A Long Term Perspective on COVID-19 and Frustration of Contracts

2 April 2020

Cannabis, Compliance, and Trust

26 July 2019

News

Kenneth Jull recognized as a winner of the 2021 Bill Miller Memorial Award by the CBA

21 October 2021

Kenneth Jull & Nicole Spadotto article in the Spring 2021 issue of Toronto Law Journal

2 July 2021

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Viewing the Supreme Court of Canada's Decision in Callow Through a Compliance Lens

1 March 2021

Ken Jull discusses the Cancelled We Charity Contract on Power and Politics and David Cochrane

11 July 2020

Memberships and recognition

Professional memberships

- Adjunct Professor, University of Toronto, Faculty of Law, "Financial Crimes and Corporate Compliance"
 - Adjunct Professor, Osgoode Hall Law School, Faculty of Graduate Studies, Teaching "Corporate and Financial Crimes and Compliance"
 - Legal Committee of Transparency International, Canada
 - Toronto Lawyers Association Journal, Regulatory Matters – Editor
 - Regulatory Boards and Administrative Law Litigation Journal – Editor
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Recognition

- Best Lawyers in Canada, Administrative and Public Law (2025-2026)
- Thomson Reuters Stand Out Lawyer 2025