

**TRIAL  
LAWYERS  
ASSOCIATION**  
*of* **BC**

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**Government breaks campaign promise, punishes injured British Columbians, rewards ICBC and bad drivers**

Vancouver, BC – On behalf of British Columbians, the Trial Lawyers Association of BC (TLABC) is deeply disappointed to see the provincial government’s announcement of a no-fault insurance scheme for British Columbia. Not only is this a broken 2017 campaign promise, this is an alarming move that puts injured and vulnerable British Columbians at further risk.

“In the spring of 2019, the provincial government introduced legislative changes, including what it promised the public was a “minor” injury cap. In fact, the cap included brain injuries, depression, PTSD, chronic pain and many other serious injuries. Nine months into this new law, government is announcing the injury cap policy has failed,” said John Rice, TLABC President. “This is a broken promise to British Columbians, a failed policy, and now a deliberate taking away of the right of British Columbians to receive fair access to courts and fair settlement for those injured on our roads.”

“Today, this government is doubling down on its failed policy to take away the legal rights of British Columbians while protecting ICBC management who have gotten us into this mess in the first place,” added Rice. “This move will reward bad drivers and will reduce the ability for injured and vulnerable British Columbians to receive a fair settlement when injured.”

*About TLABC*

*The mission of the Trial Lawyers Association of BC is to support and promote the rights of individuals in British Columbia.*

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John Rice



February 21, 2017

Dear John,

Thank you for meeting with me last week to discuss the future of ICBC. It was very positive to have an exchange of views on many of the key issues.

As you know, I am strong supporter of public insurance in BC. ICBC, though often criticized, has been through its history an effective organization with a skilled work force and an excellent record of corporate performance. Until 2008, the Corporation achieved results in the public interest as a non-profit insurer while supporting, not limiting the legal rights of its customers.

Since 2008, under the Liberal government's direction, ICBC has stopped operating as a non-profit insurer focused on service and instead has adopted the worst features of private insurance as its operating philosophy. Front-line service was reduced and front-line staff stripped of authority.

An aggressive and unsuccessful claims management strategy was adopted that has led to massive increases in unpaid claims liability – a key indicator of customer service. A strategy that leads to unresolved claims of injured customers is the opposite of what is needed.

The results can now clearly be seen. Large increases in rates with a plan for a further 42% rate increase after the election, poor employee morale, a declining financial position and a lack of focus on reducing accidents.

And now, an additional review directed by the ICBC board that will not start until after the election. There is nothing independent in this review. It is a top-down directed effort that ignores the important relationship between ICBC and its own front-line employees, as well as health care professionals, engineers, the legal community on all sides, independent adjusters, mediators and most of all, the driving public.

You will recall the Liberals did a comprehensive review led by Treasury Board in 2012. They accepted all of the recommendations and things got worse. Repeating that fiasco makes no sense.

The Liberals are trying to blame everyone else for their problems – judges, lawyers, drivers, the cars themselves and the legal system. They are wrong. The Liberals are not witnesses to this problem. The Liberal Cabinet and its appointed ICBC executives set the tone for litigation and gutting customer service after 2008 set the tone for its relationship with its customers. They have needlessly polarized these relationships and all of us are paying the price. The Liberals are not witnesses here, as they are driving the car.

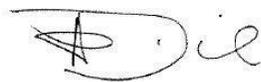
We can do better. As John Horgan has said, the solution is not to take away or limit the legal rights of drivers as the Liberals seem ready to do after the election, but to restore ICBC to its non-profit status and listen to those that know best. That means “No to no fault” and the like. It means restoring authority to front-line staff. It means a properly managed legal strategy with an emphasis on reducing waits and needless costs.

It also means an aggressive campaign to make driving and the roads safer and reduce the number and severity of accidents. It means a review that is truly independent and not accountable only to the Liberal partisan political appointees who are responsible for the current crisis.

And it means putting drivers, and the public interest, not the government and its corporate interest first.

It was a pleasure to meet with you and I look forward to meeting you again soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Adrian Dix". The signature is stylized, with a large, looped initial "A" and a cursive "Dix" following.

Adrian Dix, MLA  
Vancouver-Kingsway