

Individual Rights Advocates Call Upon the Attorney General to Put Patient Care Above ICBC's Interests

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Vancouver, BC – On behalf of British Columbians, Trial Lawyers Association of British Columbia (TLABC) has submitted a detailed paper in response to recent changes to the *Insurance (Vehicle) Amendment Act*, specifically to the Insurance Corporation of British Columbia (ICBC) under Bills 20 and 22. TLABC is calling on the Attorney General to ensure greater transparency and dialogue with stakeholders and victims' groups so regulations better reflect their concerns and civil liberties.

"Our members are deeply concerned on behalf of British Columbians that individual rights are being sidelined in favour of a quick fix to ICBC's mismanagement problems," said John Rice, TLABC Secretary/Treasurer and Co-Chair of the ICBC Committee.

The more than 1,500 members of TLABC, representing thousands of British Columbians who have been injured in collisions on B.C.'s roads, are asking the Attorney General to work with them to secure the rights of British Columbians which should be central to any decisions around regulations.

In its submission, TLABC has provided 11 recommendations and have highlighted legal and practical concerns about the new legislation and forthcoming regulations including analysis and commentary on how narrowing the scope of amendments could more fairly balance individual rights with the need to solve ICBC's issues; and to caution against making substantive changes to so called "minor injury" claims to ensure those injured on B.C.'s roads have full and fair access to the care and support they need.

"TLABC proposed numerous alternate solutions to B.C.'s Attorney General and to ICBC over the past number of months," said Rice. "Since then, the government has legislated one of the most aggressive and sweeping "minor" injury cap regimes in the country and the first of its kind in British Columbia. Nevertheless, TLABC remains committed to finding ways to make car accident

injury claims faster, fairer and cheaper while preserving the legal rights of our citizens. At present the legislative framework greatly favors the financial interests of ICBC.”

In drafting the regulations to the upcoming ICBC injury cap scheme, the government has an opportunity to make the injury cap scheme fairer to B.C. families. The recommendations TLABC has made are an effort at righting the current imbalance that puts few checks on ICBC and the power of the Civil Resolution Tribunal (CRT). The new system needs meaningful judicial oversight of ICBC and the CRT. Perhaps most critically, the new system must allow British Columbians and their doctors, not ICBC or government bureaucrats, to decide the most appropriate treatment for their injuries.

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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