



***Saskatchewan Trial Lawyers Association***

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June 17, 2016

For Immediate Press Release:

**Saskatchewan Trial Lawyers Association says Government’s Refusal to Introduce Changes is Heartless**

The Minister Responsible for SGI has announced changes to *The Automobile Accident Insurance Act* which he says “will improve the quality of life for people that have been seriously injured in a collision.” In fact, the Government is refusing to make the changes that would have truly helped the seriously injured.

The Government press release focused on the changes that would be positive for the Government’s image, namely, the right of injured people to sue impaired drivers and those convicted of a number of Criminal Code convictions for non-economic loss. The ability to pursue some of these claims was already available; all that is being done is closing some loopholes, and expanding the offences for which such claims can now be pursued.

The Minister’s press release stated, the Government would not make changes updating amounts paid for living expenses to reflect current market rates, increasing overall amount available for assistance to those with cognitive impairment and implementing a process to regularly review the amounts for alignment with market rates, and, repealing section 203 of the legislation which allows SGI to take the Canada Pension Plan benefits of people who have suffered severe and prolonged disability.

What the first part means is that what meagre amounts SGI does pay to people will not keep up with inflation. Now, these benefits for the seriously injured will fall behind even further. This will be so even if SGI and SGI Canada continue to raise their rates to keep up with inflation or more than inflation.

The Minister also did not state clearly what s.203 is. It is a section that allows SGI to “claw back” payments people receive from the Canada Pension Plan Disability Benefit, a benefit the seriously injured victim already paid for in addition to their automobile insurance. SGI forces the seriously injured to apply for this benefit under threat of reducing the benefit if they do not, and if they do receive it, reduces their income replacement benefit by 100% of the Canada Pension. The Minister did not acknowledge that even Worker’s Compensation only claws back 50% of this Canada Pension Benefit in Saskatchewan, and in many provinces does not claw back Canada Pension Benefit at all.

The only people who qualify for the Canada Pension Plan Disability Benefit are the most severely injured people. These severely injured people already paid for the protection of the Canada Pension Plan from their income before they were hurt. They paid for these benefits in addition to their auto insurance. Among those who are affected are a single mother of five and a young man who is a quadriplegic.

The Saskatchewan Trial Lawyers Association was an invited member of the Committee who received information as to the cost of repealing the claw back. The cost as reported to the Committee, which cost estimates were prepared

by SGI, was nowhere near the figures mentioned by the Government in its press release. And, most importantly, this change was recommended by SGI. What has changed since the Committee's report?

The injured people who are affected by this about face by the Government are the most seriously injured and the least able to speak for themselves. The Government has already taken away their rights to seek compensation themselves. They are at the mercy of the government that passes the laws that provide the benefits that are decreed by government and enforced by SGI. Unfortunately, the Government has shown no mercy to these seriously injured people.

The Saskatchewan Trial Lawyers Association has endeavored to be an advocate for all people in Saskatchewan. We, like the many other professions and groups that are involved with those affected by motor vehicle accidents participated in the Committee Hearings to provide our expertise to the Government to make positive changes to the legislation that governs all of us. These changes are not just advisable, they are necessary for the quality of life of our citizens who have been disabled from motor vehicle accidents.

Saskatchewan Government Insurance is supposed to be for our benefit and not a source of revenue for government. We advocate the Minister to reconsider his decision and introduce these recommendations as well.

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