

'FAIR – supporting auto accident victims through advocacy and education'

FAIR Association of Victims for Accident Insurance Reform
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Hon. Madeleine Meilleur, Attorney General
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720 Bay Street
Toronto, ON, M7A 2S9

Sent by email: attorneygeneral@ontario.ca

September 30, 2015

Hello Ms. Meilleur,

I am writing on behalf of FAIR, a not-for-profit organization that advocates for the fair treatment of Ontario's auto accident victims. Our members are predominately MVA victims and their supporters and care-givers.

Yesterday we were forwarded the AIDRS Update, not from SLASTO, but from another interested party. We have no idea why FAIR would not have been kept in the loop about the update on the new LAT system given that we have actively participated in the DRS review process and other auto insurance initiatives over the past few years.

The LAT update says "The Advisory Committee members represent groups that have an interest in the areas of law, business, government, consumer groups and the insurance industry" but the reality is that the Committee is composed of insurer defence lawyers and legal experts and consultants without any presence of consumers or MVA victims or those who represent them. This is unacceptable when such uneven and unfair weighting of the Committee appears to favour Ontario's insurance industry while totally ignoring Ontario's consumers and MVA victims. This will not promote the LAT system as fair and balanced but will instead underscore the public's perception that Ontario's insurance industry interests are of greater concern to our government than justice for Ontario citizens.

With all due respect, our justice system must be founded in fairness and equality that serves the people of Ontario and not just the interests of big business if it is to be considered unbiased. This Committee, as it stands now, cannot be considered to be non-partisan when it excludes the interests of those who will be using the LAT.

There is a reason that there is a backlog of over 61,000 auto insurance related cases on the docket in Ontario civil court and another 25-35,000 claimants in the queue at the Financial Services Commission of Ontario today – it is the result of an unbalanced and unfair system that favours the Ontario insurance industry interests over the interests of victims who must access the courts to hold their insurer to account. Insurers have been using our courts, at all levels, as a tool for delaying and denying legitimate

claims and the make-up of this LAT committee is sending that same signal. If the new LAT is to be seen as unbiased then it must be grounded in a fair way at the Committee level.

We would ask that FAIR be included on this Committee and that those who represent victims, Ontario's personal injury lawyers, also be included in this process. It is a question of fairness and balance.

Thank you for your attention to this matter and we look forward to hearing back from your office on this issue.

Sincerely,

Rhona DesRoches
FAIR Board Chair
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<http://www.fairassociation.ca/>

CC by email:

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