

FAIR Association of Victims for Accident Insurance Reform
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Sent by regular post and by email:

Secretary, Civil Rules Committee
Court of Appeal for Ontario, 130 Queen Street West
Toronto, ON, M5H 2N5
SCJ-CSJ.General@ontario.ca

Cc:
Ministry of the Attorney General
McMurtry-Scott Building, 720 Bay Street, 11th Floor
Toronto, ON, M7A 2S9
attorneygeneral@ontario.ca

February 2, 2018

To the attention of the Civil Rules Committee,

On September 5, 2017 and November 5, 2107 FAIR sent your office letters via email and regular post in respect to the poor quality of the medical evidence used in personal injury civil suits in Ontario. We have not yet received an acknowledgement of your receipt of our correspondence.

Assuming that the Rules Committee takes an interest in the over 58,000 auto insurance related cases on the docket in Ontario courts and thousands more at the Financial Services and the Licensed Appeal Tribunal I thought it important that you be aware of how ineffective rules or rules broken without consequences is playing out in our courts and in the media.

Insurer's father-daughter psychology team blasted for dodgy testing of severely hurt motorcyclist
<http://nationalpost.com/news/canada/insurers-father-daughter-psychology-team-blasted-for-dodgy-testing-of-severely-hurt-motorcyclist>

Licensed to bill: How doctors profit from injury assessments that benefit insurers
<https://www.theglobeandmail.com/news/investigations/doctors-insurance-independent-medical-examinations/article37141790/>

Insurance assessment firms altered, ghostwrote accident victim reports
<https://www.theglobeandmail.com/news/investigations/insurance-assessment-firms-altered-ghostwrote-accident-victim-reports/article37193127/>

Attached is a list of some of the medical 'experts' associated with these articles and the comments we have on our website in respect to the adverse comments made by past triers-of-fact. Surely these experts shouldn't be welcomed in our courts after such demonstrations of bias and or incompetence while 'assisting' the court.

We look forward to hearing back from your office about what action you might take to protect the integrity of Ontario's courts.

Respectfully,

Rhona DesRoches
FAIR, Board Chair

'FAIR – supporting auto accident victims through advocacy and education'
FAIR Association of Victims for Accident Insurance Reform
<http://www.fairassociation.ca/>

Lawson, Kerry, Psychologist <http://www.fairassociation.ca/wp-content/uploads/2017/11/Lawson-Kerry-Psychologist1.pdf>

Dr. Howard Platnick <http://www.fairassociation.ca/wp-content/uploads/2017/09/Platnick-Howard-A.-Family-Physician.pdf>

Dr. Lawrence Reznek <http://www.fairassociation.ca/wp-content/uploads/2017/12/Reznek-Lawrence-Raphael-Psychiatrist.pdf>

Dr. Rajka Soric <http://www.fairassociation.ca/wp-content/uploads/2016/12/Soric-Rajka-Physiatrist.pdf>

Dr. Richard Hershberg <http://www.fairassociation.ca/wp-content/uploads/2017/04/Hershberg-Richard-Ian-Psychiatry.pdf>

Dr. Alborz Oshidari <http://www.fairassociation.ca/wp-content/uploads/2017/11/Oshidari-Alborz-Physiatrist.pdf>

Dr. Monte Bail <http://www.fairassociation.ca/wp-content/uploads/2016/01/Bail-Monte-Psychiatrist.pdf>

Dr. Stanley Debow <http://www.fairassociation.ca/wp-content/uploads/2017/11/Debow-Stanley-Lawrence-Psychiatrist.pdf>

Dr. Katherine Isles <http://www.fairassociation.ca/wp-content/uploads/2018/02/Isles-Katherine-Occupational-Medicine.pdf>

Dr. Leslie Kiraly <http://www.fairassociation.ca/wp-content/uploads/2018/02/Kiraly-Leslie-Tamas-Psychiatrist.pdf>

Dr. Adrian Upton <http://www.fairassociation.ca/wp-content/uploads/2018/02/Upton-Adrian-Richard-Mainwaring-Neurologist.pdf>

Dr. Anthony Graham

DUTY OF EXPERT

Rules of Civil Procedure 4.1.01 (1) It is the duty of every expert engaged by or on behalf of a party to provide evidence in relation to a proceeding under these rules,

(a) to provide opinion evidence that is fair, objective and non-partisan;

(b) to provide opinion evidence that is related only to matters that are within the expert's area of expertise; and

(c) to provide such additional assistance as the court may reasonably require to determine a matter in issue.

Duty Prevails

(2) The duty in subrule (1) prevails over any obligation owed by the expert to the party by whom or on whose behalf he or she is engaged.

<http://www.fairassociation.ca/ime-providers-adverse-comments/>

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