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Thank you for the opportunity to express the views of Ontario's car accident victims regarding their access to justice in our court system.

FAIR (Fair Association of Victims for Accident Insurance Reform) is a grassroots not-for-profit organization of Ontario's injured MVA (Motor Vehicle Accident) victims who have struggled with the current auto insurance system.

We appreciate the government's concern to keep Ontarians safe and maintain the administration of justice during the COVID-19 outbreak. It's clear to FAIR members that during the pandemic their cases have been further stalled in an already slow civil court system. Car accident survivors are forced to fight for recovery resources every day in Ontario and their struggles have been amplified by Covid-19 while Ontario's auto insurers are enjoying higher profits by way of reduced road use by their customers.

Ontario's auto insurance is a complicated world of time limitations in order to comply with insurer requirements to collect benefits so if an injured person cannot meet deadlines or gain timely access to a court hearing, the window to resources needed for recovery is easily lost. This can translate to negative health consequences over a lifetime so when insurers aren't held to timely account by our courts to come good on the promise of coverage, the accident victim might not be able to reach maximum recovery. Time matters.

Given the current state of civil litigation, the sizable backlog that existed before Covid-19, the very high costs associated with the entire process of using juries who will likely now be reluctant to attend in a court setting, we fully support having auto insurance litigation hearings without the use of juries going forward. We think this should be a permanent change to the administration of justice going forward.

This is an opportunity to take a progressive turn in modernizing the administration of Ontario's justice system. Auto accident litigants are not criminals, so being judged by one's own peers has little meaning and there are no checks and balances or accountability for juries. Judges must provide reasoning for their decisions so eliminating juries and the need to withhold knowledge of a 'secret deductible' from jurors would go a long way to establish faith in our courts whose current state is one of a system that has squandered the public's trust by

failing to provide accountability while allowing insurers to overuse and abuse the courts in the name of higher profits.

It comes down to litigants deserve a timely resolution of their disputes in a fair system where the trier-of-fact is able to reach a reasonable decision based on an understanding of the issues before them. If it is true consumers don't understand what they are buying at the time of purchase when it comes to auto insurance then there's just no way a jury, made up of those same consumers, could possibly understand the legal threshold issues or all of the complicated details that surround the extent of injuries.

Quality of life hangs in the balance of these personal injury cases for auto accident victims. The point of private insurance is to protect the public purse from overuse so Covid-19 should not become another bonus for insurers because the more they delay, the more they can download onto our welfare and ODSP system.

We can't comment on other aspects of civil litigation or whether juries should remain for those types of hearings but we do know that there will be a greater burden on our courts as we adjust to a new normal. We do know car crash victims in Ontario deserve a timely justice when they have to sue the insurer they paid to assist them if they need it. They can't afford to wait and taxpayers can't continue to pay while insurers profit off a delayed court system. We cannot afford, nor should we allow private auto insurers to take advantage of our courts by pushing up the cost of justice for car accident victims through increased legal costs, while undermining the fabric of timely justice to enhance their bottom line.

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