

# FAIR Association of Victims for Accident Insurance Reform

579A Lakeshore Rd. E., Box 39522, Mississauga, ON, L5G 4S6

[fairautoinsurance@gmail.com](mailto:fairautoinsurance@gmail.com)

FAIR submission to 2021 Budget Consultations

2021-02-12

Thank you for the opportunity to input to the Ontario 2021 Budget Consultations. FAIR is a grassroots not-for-profit organization of car crash survivors who struggle to access recovery resources in the current auto insurance system.

It is concerning to see at **Table 3.11** that the government has not budgeted additional support for some of the most vulnerable citizens in the province. It's impossible to imagine why no expense sensitivities for Ontario Works and the Ontario Disability Support Program have been reflected in the province's plans given the negative effect Covid-19 has had on this vulnerable group.

The current state of stalled civil litigation, coupled with the sizable backlog of court cases that existed before Covid-19, indicate the government ought to be planning to have an increase in the number of injured car crash survivors relying on social supports going forward.

As long as auto insurers persist on criminalizing claimants by insisting on the use of juries in court hearings, the court backlog (over 56,000 2019) will continue to grow as will the numbers of MVA survivors dependent on social nets if they cannot gain access to courts or recovery resources. There appears to be nothing in the 2021 Budget to address what will be significant costs to run all these jury trials after the pandemic and no current moves to eliminate juries to start the Civil Court moving.

Every year tens of thousands of MVA survivors must fight for coverage in our courts. Timely rehabilitation matters for a successful recovery and the point of private auto insurance is to protect the public purse from overuse and to facilitate access to treatments. The failure to ensure auto insurers stand behind their contract to provide care results in an overused court system and patients wasting away on inadequate social supports when benefits are denied.

We cannot afford, nor should we allow, private auto insurers to take advantage of their customers or our courts by creating delays through insisting on juries and in the bargain undermining the fabric of timely justice. It is only insurers who benefit from a dysfunctional justice system but it is the Minister of Finance who manages the auto insurance file who now must address the outcome of a failure to safeguard the best interests of the public in relation to auto insurance coverage. It is a short line from the insurer denial to the hard landing on social supports.

Ontario's social nets are already stretched thin because we have been allowing insurers to pillage our social nets for many years. Ontario should be planning on how to best meet the needs of Covid-19 long-haulers and many others who will need support as we recover from the pandemic. The Province should be increasing benefits to people with disabilities to reflect the current cost of living and to create a trickle up economy that helps both those in greatest need and the economy in general and not minimizing or ignoring the need to take better care of these citizens.