

“Cap on ‘minor’ Injuries”

Walton’s letters to the Editor early September 2019 about changes concerning ICBC payments to the injured

Premier Horgan, and Green Party Leader Weaver should be ashamed over authorizing the ICBC cap on so-called ‘minor injuries’.

The table is not just slanted in favour of ICBC but rather is as steep as Mount Baker.

Apparently 60-80% of all bodily injury claims are minor in the eyes of ICBC.

Anything that is not minor still allows an injured person to have a judge decide on an award.

A minor injury to the average person would be a nosebleed or a short-term sprain.

That is where government has the advantage. By calling something a ‘minor injury’ the government expects the public to think such an injury to be of little consequence.

But that is not the way the Green/NDP government defined ‘minor injury’. Minor injuries are things like a serious jaw joint problem, a long lasting concussion, a psychological or psychiatric condition, a pain syndrome and a whiplash injury all lasting longer than 16 weeks but which do not prevent an injured person from doing the essentials of work or education and activities of daily living. So you can be suffering but not just suffering enough to escape the cap.

The maximum compensation for pain and suffering for more than one 'minor injury' is capped at \$5,500.00.

If you work while injured because you cannot afford to lose income you may have put yourself in the capped amount even though a court would award you much more.

Does the Green/NDP government really know that people it claims are its constituency (the average worker, the working poor and single parents) are disadvantaged by arguably the worst insurance compensation laws in North America?

Under the leadership of the Green/NDP government the deficit in the 5.8 Billion dollar Insurance Corporation of British Columbia ballooned from a loss of \$612 million in 2016/17 to \$1,325 billion dollars in 2017/18 according to the last annual report of ICBC. The budgeted deficit in 2017/18 was estimated to be \$225 million dollars almost 6 times lower than the actual amount. How could the budget makers at ICBC go so wrong?

The Minister calls this massive loss a 'dumpster fire' (representing the insignificant nature of the 'crisis').

Actual claims costs in 2017/18 were \$319 million lower than in 2016/17. ICBC's investment income decreased by \$153 million over that same period.

ICBC's autoplan premiums were not reported for the 12 months in 2016/17.

However compared with the last listed reporting period 2015/16 the 2017/18 premiums increased by \$237 million.

ICBC has no long-term debt (unlike the common practice at other very large corporations). If there really is a 'crisis', ICBC could

have issued debt instruments to tied it over a rough patch. Instead of doing that ICBC eviscerated its insurance offering.

Perhaps part of the crisis is that government treats ICBC revenue like a piggy bank taking 'dividends' from paid premiums, off loading onto ICBC of road safety and police counter attack road blocks plus raids verging on theft made by government of the 'surplus' in significant extension insurance profits.

The Green/NDP solution is not that which a well-run private or public company would take. Rather the approach is to throw the injured 'under the bus' by offering a very hard to get \$5,500 (tops) amount for sometimes life-long 'minor' injuries.

Just think of how often a government would be re-elected were it to legislate that the top amount paid for vehicle damage would be \$5,500.00 when the real cost of repair was say \$15,000.00 or more?

This government feels safe in capping the top payout for what it calls 'minor' injuries at \$5,500.00 knowing that the vast majority of voters will never have an injury claim.

The real question is what do we get for our insurance premium? Are we to be grateful that our car is fixed when bent in an accident? Are we to be grateful that the Green/NDP government puts a considerable number of roadblocks in our way to being paid next-to-nothing as compensation when a sometimes-major injury is arbitrarily classified as 'minor'?

It's a sad and not well thought out program. Remember that when you next vote.

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