

NEWS

No-Fault Auto Insurance Should be no-go in Alberta, Lawyers say

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CBC News story, "[No-fault auto insurance should be no-go in Alberta](#)" Jackie Halpern, QC, is quoted in her role as president of the Alberta Civil Trial Lawyers Association, and head of McLeod Law's Personal Injury group. Lawyers and other stakeholder groups are telling the Alberta government not to act on a report's key recommendation for the province to switch to private no-fault automobile insurance.

"Do we need to bring down insurance costs? Yes, but there's many other ways to do so. I just urge the government — don't do it on the backs of Albertans."

Halpern said the majority of cases under the current Alberta system are settled out of court. Nonetheless, she argued people should have a right to seek compensation for pain and suffering through the courts if they choose. She said a no-fault system doesn't take people's individual circumstances into account when deciding on injury awards.

Bill 41, the *Insurance (Enhancing Driver Affordability and Care) Amendment Act*, proposes to increase the number of minor injuries subject to a \$5,300 compensation cap, which may include some concussions resulting from whiplash sustained in vehicle collisions.

Halpern is awaiting regulations that may provide additional clarity but said that placing caps on settlements for injuries like concussion, chronic pain or PTSD could lead to more legal challenges and clog up the courts even more.