



Posted on: March 3, 2021

## **BIKE LAWYER, DAVID HAY Q.C., COMMENTS ON SCBC'S RULING OF THE CIVIL RESOLUTION TRIBUNAL ACT**

"Chief Justice Hinkson of the B.C. Supreme Court has found aspects of the "Minor Injury" regulation, which restricted access to Superior Courts to challenge adverse decisions, unconstitutional. Attorney General David Eby's attempt to give a government appointed Civil Resolution Tribunal exclusive jurisdiction over the determination of whether or not an injury is "minor" has failed. This is a significant win for vulnerable road users whose injuries at the hands of negligent motorists are seldom minor and whose right to challenge ICBC's decisions about the nature and extent of their injuries has been restored. With full No Fault still on the horizon, this decision provides a glimmer of hope to accident victims seeking access to justice." as quoted by David Hay Q.C., Practice Group Leader of RBS' Personal Injury Group.

