



COALITION AGAINST NO-FAULT IN BC

R 141—757 West Hastings Street, Suite 655, Vancouver BC V6C 1A1

Phone: (604) 682-1441 Toll-Free: 1 (888) 224-8811

Email: info@canf.bc.ca Website: www.canf.bc.ca

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**Contact:
604-682-1441**

NEWS RELEASE

Release Instruction: Immediate

GROWING FAST: COALITION MEMBERSHIP AT 176 GROUPS

Anticipation of Anti-Victim Legislation Brings Scores on Board Since January 2004

(RE: Changes to Civil Liability Laws by BC's Ministry of the Attorney General)

(Vancouver) – Since January of this year, 75 additional groups have signed on to a campaign carried out by the Coalition Against No-Fault (CANF), an effort to fight the BC Government's planned changes to liability laws. To date, 176 groups are officially opposed to legislation that will destroy personal rights, diminish compensation and deny court access to people who have been harmed through no fault of their own but who suffer damage as a result of others' actions or inactions.

The Attorney General's Ministry will neither confirm nor deny that changes will be part of the current legislative session.

"Changes are coming, despite our repeated requests for proper consultation, as well as proof that changes are even necessary – let alone fair," said CANF spokesperson Peter Maarsman. "As our coalition has said from the beginning, these changes will harm innocent people and, at the same time, protect negligent businesses and governments from the risks they create and the damage they do."

CANF member groups represent a variety of people in communities throughout the province.

"The coalition's growth rate and degree of support are not surprising when one considers the negative impact changes to civil-liability laws will force on innocent people," said Carmen Maretic, a CANF spokesperson. "Changes in this area will create hardship for virtually anyone suffering some form of loss as a result of harmful actions or behaviour of other parties."

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The current CANF campaign was started two years ago, shortly after BC Attorney General Geoff Plant launched the *Civil Liability Review*, a process viewed by CANF supporters as unfair, unsafe and unnecessary. The campaign has heated up during the past few months because of fears about what will result from changes to the legislation.

CANF representatives met with Attorney General Plant in October. CANF believes the Attorney General will bring in legislative changes, this year, to two of the six areas listed in the formal *Civil Liability Review*. The expected changes involve Joint and Several Liability and *The Limitation Act*. If the planned changes are made, innocent victims will be further victimized by a loss of legal rights, limited if not outright denial of court access and a lack of fair compensation, while governments and businesses will be protected for harms they create or contribute toward.

There is no evidence to indicate the planned legislative changes will improve our system of justice. However, it is evident these changes will leave innocent BC citizens vulnerable and, at the same time, protect wrongdoers from being held accountable for their actions or inactions.

Find CANF online at: www.canf.bc.ca

LINK to the current campaign to see a full list of CANF's 175+ member groups

SPOKESPEOPLE:

Carmen Maretic:

President, Consumer Advocacy and Support for Homeowners Society

Peter Maarsman

President, Foundation for the Coalition Against No-Fault
(Former Executive Director of the Surrey Crime Prevention Society)

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The following outlines the importance of these laws and the impact changes would have on innocent people:

Joint and Several Liability

- Innocent victims who suffer losses due to the actions of other parties will be negatively impacted by the elimination of joint and several liability.
- When a poorly made condominium leaks – due to the actions or inactions of developers, contractors and/or municipalities – the law of joint and several liability enables innocent owners to be compensated fairly for the damage caused by faulty design, shoddy construction and/or related practices.
- The ability to jointly hold multiple parties responsible for their collective actions becomes very important when some of the wrongdoers are no longer in business or have little to nothing in assets.
- If joint and several liability is eliminated, many people will not be able to recover the extent of their damages. Also, the cost of litigation will increase dramatically (i.e. multiple lawsuits against multiple parties instead of a single claim) while the likelihood of proper compensation will decrease and may no longer be achievable.

The Limitation Act

- The effects of wrongful acts are not always known or are often not fully realized until many years after the events took place.
- It is *The Limitation Act* that sets out the deadline for pursuing a legal action.
- Shortening the limitation period from 30 years to 10 years will severely narrow a victim's ability to seek a remedy for damage done to them. It could also protect wrongdoers when the effects of their harmful actions are not evident before the strict deadline passes.

FOR VICTIMS: REMOVAL OF RIGHTS, DENIAL OF JUSTICE

FOR WRONGDOERS: PROTECTION

CANF members have been working hard throughout the past two years. CANF continues to grow as more organizations recognize that the Attorney General's plans amount to an attack on justice for the people of British Columbia. The support CANF has gained is considerable.

Together, CANF members are working to ensure the provincial government knows the dangers of taking away a citizen's right to fair compensation and their ability to access the courts.