



Wrongful Death Legislation

ISSUE: Amend the *Family Compensation Act* to better align it with current notions of fundamental justice in terms of a family member killed as a result of negligence or intentional acts by another.

BACKGROUND: The current failure of the law to recognize and compensate the pain and suffering of family members of someone killed as a result of the negligence or intentional acts of another is out of step with current notions of fundamental justice. The CBABC has advocated for changes to the *Family Compensation Act* to bring align it with the law in other provinces, including to permit:

- Claims for both pecuniary (monetary) and non-pecuniary losses to be made by the spouse, parent or child of a deceased, as well as certain other family members in specific circumstances;
- Recovery of bereavement damages, including grief and loss of guidance, care and companionship; and
- Claims for punitive damages to be made in appropriate cases.

Background Reading:

www.cbabc.org/Our-Work/Advocacy/An-Agenda-for-Justice/Family-Compensation-Act.aspx