

October 6, 2011



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Hon. Shirley Bond
Ministry of Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC
V8W 9E2

Dear Hon. Ms. Bond:

RE: Wrongful Death Legislation

On July 21, our community was shocked by the sudden death of Stew Tuningley who was tragically struck by a pickup truck while he and many others were volunteering to pick garbage from a West Kelowna roadside. Hundreds of people knew Stew, relied on him, volunteered alongside him and this extremely well-liked and community-minded individual will be deeply missed.

But now our community is looking for answers as to why this tremendous individual's family is not considered deserving of compensation for his death. In fact, many of us were stunned that, as a retired person, Stew's life could no longer be financially measured by BC's Family Compensation Act as he was not "earning" at the time of his death. Further investigation taught us that not only are retired persons of no value through this legislation, neither are children or disabled people. The careless act of a distracted driver ended Stew's life, yet the only compensation Stew's family can expect is seeing the driver receive a ticket for a possible motor vehicle act violation. This is not right.

West Kelowna Council supports the efforts of groups and individuals in BC calling for a Wrongful Death Legislation in BC. We agree with the BC Coalition of People with Disabilities and the Trial lawyers Association of BC that the lives of children, seniors and the disabled should no longer be worthless in the eyes of the law.

Please consider the family of Stew Tuningley and pursue legislation reform to correct this injustice.

Sincerely,

A handwritten signature in black ink that reads "Doug Findlater".

Doug Findlater
MAYOR

Cc: West Kelowna Council
Jason Johnson, Chief Administrative Officer, District of West Kelowna
Trial Lawyers Association of British Columbia
BC Coalition of People with Disabilities

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