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## Disclosure of Your Statement Given to Your Insurer

If you are involved in a car accident, then your insurance company will likely obtain a statement from you as to how the accident occurred and also obtain other background information.

If the other car or people in the accident sue you as a result of that accident, will the material aspects or important points within your statement (to your own insurance company) be revealed in that lawsuit?

That is, the information you give to your insurance company (to defend you in the lawsuit) – will the person suing you learn about that information?

In the recent case of **Sangaralingam v. Sinnathurai** (2010 Ontario Superior Court of Justice), an insured's statement to his own insurer was at issue. At Examinations for Discovery, the plaintiff's lawyer asked for a summary of the material aspects of that statement, which was refused. On motion, the Master upheld the refusal.

On appeal of that Master's decision, Madam Justice Allen held that the refused question should be answered – a summary of the insured's statement to his own insurer should be provided.

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