

This research guide on personal injury damages includes reference to some legislation; other legislation may apply and case law is important to note when researching this subject.

Personal injury cases combine rules of liability with those of damages assessment, together forming a compensation system which is based on a sense of the moral distribution of social resources.¹

legislation

[Insurance Act](#), R.S.A. 2000, c. I-3

[Minor injury regulation](#), Alta. Reg. 123/2004

NOTE: You can use [CanLII](#) or [QP Source Professional](#) in order to locate previous point-in-time versions of provincial legislation, as well as other subscription based services. View these [library tutorials](#) on how to locate point-in-time versions of Alberta Statutes.

case law

Canadian abridgment. 3rd ed. Carswell, 2003-.
“Remedies”

 I Damages

 5 Damages in tort

 a Personal injury

 Digests of Canadian cases are organised under this classification in vol. 99 and vol. 100 in print and are also available electronically through Westlaw Canada *LawSource*.

[CanLII \(Canadian Legal Information Institute\)](#)

CanLII provides searchable full-text access to Canadian case law. The scope of coverage varies by jurisdiction and court. **Boolean operators, proximity connectors, phrases and date restrictions** can be incorporated into your query.² Using the [Advanced Search](#) feature, you can select one or more jurisdictions to be searched, limit your search to appellate decisions, and restrict your search by type of tribunal. You can also use CanLII to retrieve cases by citation or name.

Alberta decisions: civil and criminal cases. Western Legal Publications, 1973-2007.
Digests of written reasons are included under the topical heading “Personal injury damages – quantum for specific injuries”.

Alberta law reports. Carswell, 1908-

Cases are digested under “Damages - Damages in tort - Personal injury”.

Alberta reports. Maritime Law Book, 1979-

Cases are indexed under the heading “Damage awards” in the index volumes. There are sub-headings for specific injuries.

For further assistance, call 1.866.448.6148 (Calgary) or 1.866.230.8068 (Edmonton) or contact your [local ALL branch](#).

For inquiries by email, visit the [Ask Us](#) page on our website.

encyclopedia

Canadian encyclopedic digest (Western). 4th ed. Carswell, 2009-

Volume 21, Title 45: "Damages"

IV Damages in tort

1 Negligence

c Personal injury

Discussion of this area of law with annotations to legislation and cases is available in print and available electronically through Westlaw Canada *LawSource*.

texts

Quantum

Carlson, John R. and Carlson, Karen D. P. *Personal injury damages*. Butterworths, 2004-

[KF 1256 C37](#)

This annually updated publication provides outlines of decisions by province and injury since 2000. It is also available electronically through LexisNexis *Quicklaw*.

Goldsmith, Immanuel and Reinhart, Marshall. *Goldsmith's damages for personal injury and death in Canada : consolidated tables of damages*. Carswell, 1989-

[KF 1256 A75 G642](#)

An index of judges is included in the text.

Macleod Dixon (Firm). *A decade of whiplash decisions in Alberta 1992-2002*.

Macleod Dixon, 2003.

[KF 1257 M32 2003](#)

McAra, E. A. *Personal injury damage assessments in Alberta*. Butterworths, 1980-

[KF 1256 A8 M3](#)

Russell, Duane E. ed. *Quantum of damages in Alberta whiplash cases*. Litigation Consultants Corp., 1990-

[KF 1257 Q82](#)

In addition to quantum data, the volume contains sample forms.

Basic principles

Berryman, Jeffrey B. et al. *Remedies : cases, materials and commentary*. Edmond Montgomery, 2001.

[KF 9010 A75 R42 2006](#)

Cassels, Jamie. *Remedies : the law of damages*. 2nd ed. Irwin Law, 2008.

[KF 9010 C37 2008](#)

Cooper-Stephenson, Kenneth D. *Personal injury damages in Canada*. 2nd ed. Carswell, 1996.

[KF 1257 C66 1996](#)

McGregor, Harvey. *McGregor on damages*. 18th ed. Sweet & Maxwell, 2009.

[KF446 M39 2009](#)

Use our online
[catalogue](#) to
search for
additional titles
or titles recently
received.

Waddams, S. M. *The law of damages*. Canada Law Book, 1991-
[KF 446 W34 1991](#)

Calculating the award

Brown, Cara L. *Damages : estimating pecuniary loss*. Canada Law Book, 2001-
[KF 1256 A8 B76 2001](#)

Bruce, Christopher J. *Assessment of personal injury damages*. 4th ed. Butterworths, 2004.
[KF 1257 B78 2004](#)

Hoffman, Brian F. et al. *The emotional consequences of personal injury : a handbook for mental health professionals and lawyers*. Butterworths, 2001
[KF 8925 P4 H64 2001](#)

Law Society of Upper Canada. *Special lectures 2008 : personal injury law*. Irwin Law, The Society, 2008.
[KF 209 L38 2008](#)

Smith, Ronald T. and Sefton, Cynthia R. C. *Accounting for damages : a framework for litigation support*. 2nd ed. Carswell, 1993-1996.
[KF 1251 S552 1993](#)

Gluckstein, Bernard L. et al. *Personal injury practice manual*. Butterworths, 1999-
[KF 8925 P4 G5 1999](#)

McLeish, John A. and Oatley, Roger G. *The Oatley-McLeish guide to anatomy and Impairment*. LexisNexis, 2009.
[KF 8925 P4 M348 2009](#)

McLeish, John A. and Oatley, Roger G. *The Oatley-McLeish guide to brain injury litigation*. LexisNexis Butterworths, 2005.
[KF 8925 P4 M35 2005](#)

McLeish, John A. and Oatley, Roger G. *The Oatley-McLeish guide to personal injury practice in motor vehicle cases*. Canada Law Book 2002-
[KF 1290 A8 O28 2002](#)

Oatley, Roger G. *Addressing the jury: achieving fair verdicts in personal injury cases*. 2nd ed. Canada Law Book, 2006.
[KF 8925 P4 O27 2006](#)

Wunder, Martin H. *The conduct of a personal injury action : the case of the plaintiff*. 2nd ed. Carswell, 1980.
[KF8925 P4 W86 1980](#)

journals

Search the [Index to Canadian legal literature](#) in print or electronically on Westlaw Canada *LawSource* using the subject headings "Personal injuries" and "Damages" to identify subject-specific articles.

Additional full-text articles are available electronically through

- [HeinOnline](#), a database providing full-text access to Canadian and international law reviews and legal journals which may be searched at no charge in ALL branches;
- [Westlaw Canada LawSource](#), which contains a collection of Canadian journals and law reviews, as well as all articles and case comments appearing in Carswell law reports; and
- [LexisNexis Quicklaw's \[Quantum of Damages in Personal Injury Law Commentary -Topical\]](#), a collection of journal articles, research papers and newsletters.

You will also find an index of selected legal literature within *Goldsmith's damages for personal injury and death in Canada : digest service*.

[KF 1256 A53 G653](#)

seminars

[Legal Education Society of Alberta](#) (LESA) seminar materials and papers from bar association meetings are indexed within the [library catalogue](#). Search for these materials by using keywords such as "personal injury." Detailed information on the Table of Contents of an item can be viewed by selecting the "Table of Contents" display option.

web resources

[Brown Economic Consulting Inc.](#)

This site includes five different economic loss calculators, and references to articles. Access to some sections of the site is fee-based.

[Economica](#)

This site includes calculation tables for inflation adjustment.

The [Motor Vehicle Accident Claims Act](#) offers recourse to claim against uninsured motorists for personal injuries. For information on personal injury claims relating to the motor vehicle accident claims program, visit the Alberta Justice, [Motor Vehicle Accident Claims Program](#) webpage.

1. See: K. Cooper-Stephenson, "Economic Analysis, Substantive Equality and Tort Law" in K. Cooper-Stephenson & E. Gibson eds., *Tort Theory* (1993), p.131 at 158-160.
2. Search Tips from CanLII

Find	Operator (case sensitive)	Example
This exact phrase	""	"R. v. Douglas"
All these words	AND , no operator	permit hunting
Any of these words	OR	city OR municipality
None of these unwanted words	NOT	custody NOT child
Words within the same paragraph	/p	levy /p probate
Words within the same sentence	/s	tax /s income
Words within <i>n</i> words	/n	letter /5 credit
Exclude plurals and derivatives	EXACT()	EXACT (translator)

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