

JOHNSON V. WCB

Decision Summary

Court	B.C. Supreme Court
Citation	2008 BCSC 1386
Result	Application Dismissed
Judge	Madam Justice Gray
Date of Judgment	October 21, 2008
WCAT Decision(s) Reviewed	WCAT-2005-03622-RB

Keywords:

Application for recusal

This was an application for an order by the Workers' Compensation Board, operating as WorkSafeBC (Board), that the B.C. Supreme Court (BCSC) judge disqualify herself from hearing matters remitted back to the BCSC by the B.C. Court of Appeal on the basis that there was a reasonable apprehension that the BCSC judge would be biased in deciding the issues.

The Board's application was dismissed. The Court found that a reasonable and right-minded person, informed of the circumstances of this case, familiar with the conduct of such petitions, and with the occasionally piecemeal manner in which judicial proceedings must be of necessity be conducted, would conclude that there are no serious grounds on which to found an allegation of bias.