

This information explains how to collect evidence that is useful to support your side of the appeal. Find more information on our website: wcat.bc.ca. Or feel free to call our team to ask for help: 604-664-7800 or 1-800-663-2782.

Presenting Evidence to WCAT

Before deciding your appeal, the vice chair will consider the evidence on the file, including any information on the claim file and information you or anyone else submitted at the Review Division. Evidence is information that helps establish what happened.

You may want to provide more evidence at the appeal if you think the information on file is not complete or does not fully support your position. Here are some examples of new evidence that can be provided on an appeal.

Evidence from witnesses who testify at the oral hearing: If you started the appeal, you will probably be the main witness at the hearing. You may ask witnesses to testify if there are people who know about the facts you want to prove. For example, are there people who can confirm what happened? If you have witnesses attending the hearing, you must advise WCAT at least 21 days before the hearing. If they have relevant information, but will not agree to testify, you can ask WCAT to order them to appear. You should make any requests like that at least 21 days before the hearing.

Written statements from witnesses who have information about the appeal: You may want to ask witnesses to provide a statement in writing. If you are having a hearing, consider asking them to come to the hearing instead. If they cannot come to the hearing, or if your appeal is proceeding in writing, you may want to ask them for written statements.

Other information that is not yet on the claim file: If not all your medical records are on file, you can provide them. Medical records including evidence like chart notes, imaging reports or hospital records. There may also be other information that is helpful, like records of emails, text messages or photographs that corroborate your story.

Expert evidence: Experts are people who have specialized experience or training, like doctors, engineers or accountants. You do not need an expert to provide information about things you can speak to, but you may need an expert if the question is medical or if you need an expert with specialized knowledge to explain the facts you want to prove. If you need expert evidence, ask them to provide a report or opinion. Tell them the specific questions you want them to answer, and ask them to explain:

- ✓ Their qualifications
- ✓ Their opinion on the specific questions about your medical condition and the reasons for their opinion
- ✓ If their opinion is different from other expert evidence, why it differs
- ✓ Any other information that may be helpful



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Online
wcat.bc.ca

If you had to spend money to get new evidence for your appeal, you can ask WCAT to order that you be reimbursed. Provide any receipts or invoices when you provide the new evidence. For example, if you paid for a report or letter, include your receipt or invoice. The vice chair will address your request in the final decision.

For more information about expenses, visit our website: wcat.bc.ca > [appeal a decision](#) > [present evidence and arguments](#) > [ask for appeal expenses](#)

Need Help?

Use a representative. You can authorize someone to help you explain your side of the appeal. They can be a lawyer, compensation consultant, someone from a union or employers' association, a family member or a friend. Please note that WCAT does not reimburse you for the cost of hiring a representative.

Talk to an adviser. The workers' and employers' advisers offices were created to provide free help to people who disagree with a WorkSafeBC decision. They are independent from WorkSafeBC and are part of the Ministry of Labour.

Workers' Advisers Office
www.gov.bc.ca/workersadvisers
1-800-663-4261 (toll-free in B.C.)

Employers' Advisers Office
www.gov.bc.ca/employersadvisers
1-800-925-2233 (toll-free in B.C.)

Contact WCAT. WCAT staff can offer support to keep your appeal on track. They are neutral, which means they do not offer legal advice or act as your representative.

You can also find more information about rules and procedures in our manual: wcat.bc.ca > [resources](#) > [manual of rules of practice and procedure](#)



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