

**NEW LAW REDUCES LEGAL BARRIERS TO APOLOGIES***McGuinty Government Proposes Apology Act***NEWS**

October 7, 2008

Today the McGuinty government is introducing legislation that would allow people and organizations to apologize without fear of the apology being used against them. Being able to offer a sincere apology without legal consequences can take away hard feelings, help resolve disputes, and reduce the number of lengthy, costly lawsuits.

The Apology Act would, if passed:

- Allow individuals and organizations, such as hospitals and other public institutions, to apologize for an accident or wrongdoing, without it being used as evidence of liability in a civil legal proceeding under provincial law
- Help victims by acknowledging that harm has been done to them — an apology is often key to the healing process
- Promote accountability, transparency and patient safety by allowing open and frank discussions between patients and health care providers
- Enhance the affordability and speed of the justice system by fostering the resolution of civil disputes and shortening or avoiding litigation.

The proposed legislation would not affect a victim's right to sue, or their right to compensation for harm done.

**QUOTES**

"The goal of the legislation is to encourage sincere apologies — saying sorry for a mistake or wrongdoing is the right thing to do," said Attorney General Chris Bentley. "David Orazietti's private member's bill has led the way on this government initiative."

"The Apology Act is an important step for the health care community," said David Caplan, Minister of Health and Long-Term Care. "It would allow health care professionals to deal openly and honestly with patients and their families and improve patient safety in Ontario."

"I am extremely pleased that our government is moving forward with legislation that would allow all Ontarians to communicate genuine compassion, sorrow and regret for a mistake without worrying that it could later be used against them in civil court," said Sault Ste. Marie MPP David Orazietti, who introduced the issue in a Private Member's Bill.

## QUICK FACTS

- Apologies have been promoted and supported in many jurisdictions as a way to reduce suffering and to facilitate dispute resolution.
- British Columbia passed its Apology Act in May 2006, followed by Saskatchewan in May 2007, through an amendment to its Evidence Act, and Manitoba in November 2007.
- Most Australian states and over 30 US states have enacted some form of apology legislation.

## LEARN MORE

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