

**March 28, 2006**

**Apology Act, 2006**

*Introduction and First Reading Debates*

I am most pleased to introduce the Apology Act, 2006. This is new legislation. It is designed to reduce litigation and to promote an early resolution of legal disputes.

The bill will establish that an apology does not constitute an express or an implied admission of liability or fault. Also, an integral part of this bill is that evidence of an apology is not admissible in legal proceedings.

The bill embodies principles recommended by various people. To that extent, in particular I want to thank the hon. member for Vancouver-Burrard whose very thoughtful private member's bill raised a public profile about the value of an apology in the settlement of disputes. As well, I want to pay particular tribute and recognize the work that was done within my ministry — the very diligent people in the ministry who were integral in the advancement of this legislation.

It is becoming accepted wisdom that an apology often will go a long way towards resolving a matter. Many times, persons who have been injured simply want an explanation and an apology as to what happened.

In the early 1990s, I was asked by the government of the day to conduct a commission of inquiry into policing. During that, one of the terms of reference referred to public complaints and public accountability of police. We heard from many people who came before the Commission of Inquiry, and they advised us that had the erring officer come to them and offered an explanation for his or her actions, and an apology, they would not have laid a complaint. As well, we know that the litigation in the United States has been eliminated, particularly in medical malpractice cases where apologies have been offered.

Our current laws discourage people from apologizing. This apology act is designed to change this. It will eliminate the concerns that an apology amounts to an admission of liability or that it may void the provisions of an insurance policy. As a result, it will encourage natural, open, direct dialogue between aggrieved parties and will allow an apology to be made at an early stage of legal proceedings as well.

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