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## **SASKATCHEWAN OMBUDSMAN SAYS APOLOGIES SHOULD NOT HAVE LEGAL IMPLICATIONS**

Saskatchewan Ombudsman Kevin Fenwick said today that it should be easier for people and governments to apologize without legal implications. A bill on that topic – an amendment to *The Evidence Act* – was given first reading last week in the Legislature.

Fenwick says that when citizens believe the provincial government has been unfair to them, the common courtesy of an apology can go a long way. “We have found that, when people come to our office, an apology is often the first step in restoring positive relationships so other discussions can take place, and in some instances, the apology itself satisfies the complainant. Unfortunately, if it could be used later as an admission of guilt in a court of law, a ‘sorry’ can be tough to get.”

This is a challenge mediators and ombudsmen encounter regularly. Howard Kushner, the former Ombudsman of British Columbia issued a special report on the topic earlier this year, titled “The Power of an Apology: Removing the Legal Barriers.” Kushner draws from several well-known examples of the positive impact of an apology and provides examples of legislation from California and some states in Australia.

Fenwick was considering making a similar recommendation when the bill was tabled. He says the removal of legal implications from apologies would help improve citizens’ relationships with each other and with the provincial government. “An apology recognizes another person’s pain or difficulty. ‘I’m sorry’ may be humbling to say, but it carries with it some very powerful things: the possibility of forgiveness, a willingness to listen, the hope of mutual respect, and the productivity of positive working relationships.”

Ombudsman Saskatchewan is an impartial body that uses mediation, investigation, conciliation and negotiation to resolve complaints from citizens about unfairness in the provincial government administration. The organization, established in 1973, operates under *The Ombudsman and Children’s Advocate Act* and reports to the Legislative Assembly of Saskatchewan.

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For more information contact:

Leila Dueck

Director of Communications

Phone: 306-787-7369

Email: [ldueck@ombudsman.sk.ca](mailto:ldueck@ombudsman.sk.ca)