Just Say Sorry!
The Place of Apology in Conflict Resolution Processes

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Introduction

- 1998: Lisa’s death
- 1999: Civil case settled by mediation
- 2000: Coroner’s report released
- 2001: Criminal charges laid against nurses
- 2003: Charges withdrawn
- 2005: Nurses found guilty of professional misconduct
- Lisa’s mother writes book about this “unmitigated disaster”
“This was a very sad event and we offer sincere condolences to the entire Shore family”

“Lisa’s death is a very sad thing. The hospital offers its sincere condolences to the entire Shore family”

“We apologise again to the Shore family for the pain we have caused them. They can be sure the College will review the nursing issues in detail”

• “A coordinated string on non-apologies”
• “Full apology”
• “Partial apology”
• “…an apology that fails is potentially more destructive than no apology at all”
The Paradox of Apology

- An exceedingly simple, necessary and pervasive practice

  - Reduces anger and desire for retribution
  - Improves dynamics of settlement negotiations
  - Prevents escalation
  - Beneficial to responsible party (guilt, shame, empathy)
  - Enables reconciliation and ongoing relationship
  - Cost-effective for organisations
• Extremely complex and potentially complicated practice

Three complicating factors in resolutions:

➢ Lack of skill by individuals

➢ Existence of ambiguity
  • Where harm unintentional or unavoidable
  • Where both parties share responsibility

➢ Possible legal ramifications
Some ways of easing legal concerns:

• Confidentiality or “without prejudice” agreements

• Apology legislation

• Careful wording of apologies
  – “Partial apology”
  – “Full apology”
  – A misguided distinction?
“I am sorry” is used:

- For an emotional feeling
  • “I’m sorry to hear your father died”

- For a rational acknowledgement
  • “I’m sorry, I have to leave early today”

- For a moral judgment
  • “I’m sorry I stole your wallet”
Different Types of Apology

- Polite apologies
- Pseudo-apologies
- Premature apologies
- Sympathetic apologies
- Personal, moral apologies
- Formal, public apologies

Good practice requires good preparation of parties
• Is an apology expected?
  • Should one be offered?
  • How will it be received?
  • What kind of apology is appropriate?
  • How should it be expressed?
  • What will help show its sincerity?
  • Should it include a request for forgiveness?
  • Should there be reciprocal apologies?
  • How can this happen in the meeting?
  • The issue of timing....
The Power of Apology

“Apologies have the power to heal humiliations and grudges, remove the desire for vengeance, and generate forgiveness on the part of the offended parties. For the offender, they can diminish the fear of retaliation and relieve the guilt and shame that can grip the mind with a persistence and tenacity that are hard to ignore. The result of the apology process, ideally, is the reconciliation and restoration of broken relationships” (Aaron Lazare)
Apology works because it meets needs, including:

• Need for respect

• Need for reassurance of shared values

• Need to witness a reciprocity of suffering

Justice seems to require a certain equity of suffering
Conclusion

• Eric Lomax
• Nagase Tagashi
• Basic needs
  – Power over the one who previously had power
  – Shared values
  – Truth and validation
  – Shared suffering