

Financial Administration Act

established. During the period of the Algerian war it gained the enviable reputation of being the protector of individual rights. The conseil d'état also has been particularly effective in areas in which, for example, the courts system has often failed, in providing quick action at a very limited cost to particular applicants. The value of the conseil d'état as opposed to the ombudsman is that it is a fairly substantial body. It is, incidentally, a body drawn from the upper cream of the French public service. The relationship between the adjudication of problems and the administration is indicated in a sense by the fact that a conseiller d'état may be on leave of absence working with a particular department or agency of the French public service. They may work back and forth between them.

The essential thing involved in an effective administrative procedure is, first, humanity and fairness to the individual involved and willingness to listen to the problem. But probably most important of all, an institution like the conseil d'état must have the full respect of the administrators, just as the administrators in our country have full respect for the courts, just as they have for Parliament. In France one of the great secrets of success of the conseil d'état has been the respect in which it has been held.

I think we should always hesitate to adapt to our own country an institution of another state. These are often very delicate institutions founded in the national psychology of circumstance and individual need.

The Acting Speaker (Mr. Laniel): Order, please. I regret to interrupt the minister, but his time has expired.

Mr. Macdonald (Rosedale): Mr. Speaker, I wonder if the House would allow me to make a few more remarks. I will undertake to desist after that.

The Acting Speaker (Mr. Laniel): Is the House agreeable to giving the minister an extension of time?

Some hon. Members: Agreed.

Mr. Macdonald (Rosedale): I was making the point that I think we have to be careful in adapting particular institutions to our own body politic without a very full understanding of the underlying mentality of the body politic from which they are adapted. They have to be fully understood, and understood in a much deeper sense than just knowing the rules involved. With that view, I think it is

[Mr. Macdonald (Rosedale).]

important that we should reflect deeply upon the institution of an ombudsman as it might apply in Canada as a federal state of broad expanse which has by definition and by rule a non-homogenous population. Secondly, we should think very hard and long about the adaptation of an institution here, particularly when thinking in terms of the kind of institution that might develop.

I agree, as I know my colleague would agree, that it is important to try to evolve a good means of administrative procedure and to try within the framework of our courts and parliamentary systems to deal with these problems. I think this debate has provided a useful opportunity to put some of these problems forward and I hope we will be able to resolve them in this Parliament.

Mr. Alastair Gillespie (Parliamentary Secretary to President of the Treasury Board): Mr. Speaker, I commend the hon. member for Red Deer (Mr. Thompson) for his persistence and for the thoughts which inspired his Bill C-40. In a very few minutes I have been able to familiarize myself with some of the background of this bill. I have been able to review, for instance, Bill C-13 and some of the debate which took place earlier this year.

• (5:50 p.m.)

On that occasion it seemed to me there was a very full debate on some of the key issues, many of which have been touched upon by the Minister of National Defence (Mr. Macdonald). I was touched by some of the examples given by the hon. member for Red Deer. I can well imagine the frustration of the individual who was seeking proof of his birth. The suggestion which came back via the bureaucracy, or the computer, that he did not exist and could not be alive reminds me of the story of the individual who upon reading in the newspaper of his untimely death, when speaking to friends said, "The news of my demise has been greatly exaggerated".

I think we all feel the kind of frustration the hon. member for Red Deer articulated this evening and which indeed, as I have indicated, inspired his bill. I refer to the frustration of the individual in dealing with the government. Let us face the fact that big government will get bigger. As our society becomes more complex and more sophisticated, the problem of remoteness and alienation which exists between the individual and the institutions of this government will grow; it will not become less.