

of the hon. member's bill. But there are some questions I should like to raise with respect to the provisions of the bill and, indeed, with respect to the concept of an ombudsman. The hon. member says that what we need is a mechanism whereby a citizen who feels he has suffered a personal injustice at the hands of the administrative bureaucracy may have his case considered. The hon. member referred this afternoon to the rights of the individual and to the need for ways in which he can find redress against administrative error or interference.

Before considering in detail the case he has placed before us, let us examine briefly the means which are immediately available for such redress. There are several. He himself put first, the Member of Parliament. I think we would all agree with this order of priority. I suggest there is another, namely, the collectivity of Members of Parliament—the House of Commons. The question period does provide an opportunity for members of opposition parties or, indeed, for any hon. member to call attention to injustice and to seek a remedy. Initiatives have been taken by this government and by other governments and some of these will be dealt with this afternoon by my colleague, the Parliamentary Secretary to the Minister of Justice (Mr. Béchard).

In his remarks today and on an earlier occasion the hon. member indicated his view that an ombudsman and, in particular, an ombudsman in the person of the Auditor General, would make civil servants more careful. I believe those are his words, and they can be found on page 8828 of *Hansard*. Surely, though, there are other ways of creating a sense of care in our public servants. Surely, we do not need an ombudsman to create this sense of responsibility. As the hon. member himself said, we are primarily concerned with administrative error. I do not think he made a case for showing that an ombudsman is going to make civil servants any more careful than they otherwise would be.

• (5:20 p.m.)

Secondly, the hon. member said that we do not have the power of inquiry. In his previous speech he referred to this question as well. He linked this, in effect, with saying that we do not have facilities for research and investigation such as the Auditor General has. I would agree with him that we do not have these facilities. I also think that he would agree with me that we need to improve the facilities of Members of Parliament, and I hope to have something more to say about this. However, we do have a very significant power when we talk about inquiries because we can initiate inquiries, though we ourselves cannot undertake inquiries. Therefore, I will agree in part with him when he says we do not have the power of inquiry, though as I say we do have the power to initiate inquiries.

Thirdly, he made the case that the Auditor General, in the role of ombudsman, would strengthen the confidence of the public in matters of public administration. I do not think that he has substantiated this point; in fact I am not at all sure it can be made. Certainly, it cannot if we examine the proposed bill before us. As I shall attempt to

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argue, the proposed bill would definitely lead eventually to a lack of confidence on the part of the public in the very agency of Parliament that we all want to protect, namely the office of the Auditor General.

Before dealing with that in detail, let me ask these questions. Do we in fact need an ombudsman for Canada? We are aware that there are four provinces in Canada with ombudsmen, Alberta, Manitoba, Quebec and New Brunswick. Some Scandinavian countries have had an ombudsman for some years; more recently other countries have been experimenting with the idea.

In the last debate the present Minister of National Defence (Mr. Macdonald) raised a number of questions in his remarks. He referred to his experience as President of the Privy Council and his particular duties in that area. He pointed out that most of the successful experiments with an ombudsman have been in fairly limited jurisdictions with small populations. He acknowledged that in West Germany, a very much larger country in terms of population, there is an ombudsman who relates his activities, as I understand it, entirely to military questions, complaints arising from the military apparatus and not from the civil apparatus.

He also argued that in other instances an ombudsman has worked well, such as in a country with a fairly homogeneous society; that is to say, a society that might perhaps be described as a unitary state. I do not mean to imply that the U.K. is necessarily homogeneous in every sense of the word, but in a unitary state there is a direct relationship between the citizen, Parliament and the ultimate authority. I think I would have to say that a federal state, particularly one as far flung as ours, would not be homogeneous in the same sense as the United Kingdom. Surely, distance and accessibility are important when it comes to the individual being able to appeal to his ombudsman.

I believe there have been references in the past to an ombudsman working well in universities. Here again, I think we are looking at quite a different kind of situation. Obviously, there is no Member of Parliament, or representative in the sense of a Member of Parliament, in the university constituencies. I think one could see the idea of accessibility and the relationship of a citizen to one man very much more clearly.

These thoughts surely lead one to believe that if we are going to ignore the problem of distance and the question of numbers, the only way we could deal with the matter would be to have what might be described as a panel of ombudsmen, not one ombudsman. However, this evening we are being asked to consider one ombudsman, the Auditor General, and I would say there are real weaknesses in such a proposal, real questions about whether one ombudsman could serve our country.

Another weakness I should like to outline this evening relates to the independence of the office of the Auditor General. The bill before us, Bill C-23, proposes a new section 75A for the Financial Administration Act. This section has three sub-sections setting out the general procedure whereby a real grievance could be brought to