with his own remedy and what the hon. member has done on a short-term basis can be reviewed on a long-term basis.

My feeling is that we must decide in favour of something that is exact and which will work, and that we are bound to reject the thoughts of the Minister of Justice, "Section 28 may be good or it may be bad, so we shall study it and perhaps do something about it later." If that is the way we run this country, God help any members of parliament who have anything to do with sanctioning such an approach.

My final point has been expressed so eloquently by my hon. friend from Annapolis Valley (Mr. Nowlan) that I simply want to go on record as endorsing his position. If we can set up a procedure which follows a doctrine of consistency, that should be done. We have a long-established tradition in the courts of Canada whereby judges are bound by what other judges have decided. I should like to see this doctrine of consistency embedded here through the provision of the right to appeal through the Federal Court. Our judges operate from Newfoundland to Vancouver Island, and from Pelee Island to the Arctic pole. They are bound by standards of consistency. Tribunals, it seems to me, are not likely to achieve such standards within a reasonable period of time. Consistency is a virtue in the law, anyway.

The minister should accept the very practical suggestion put forward by the hon. member for Calgary North. The Minister of Justice has always struck me as being a very practical person. I do not know why he feels called upon to dig in his heels about a suggestion like this, one which has the hallmark of common sense. No one can point to any awful reason why it ought not to be accepted. It makes sense. Mr. Speaker, I have made my pitch in the best way I know, and I hope the minister will accept it.

Mr. Andrew Brewin (Greenwood): Unfortunately, Mr. Speaker, I was not able to be in parliament when the earlier part of the debate took place. I understand that the hon. member of Calgary North (Mr. Woolliams) made an eloquent and impassioned plea for the amendment which is now before us. Notwithstanding this, I cannot agree to the amendment. The purpose of the amendment, apparently, is to give the right of appeal to the Federal Court from any order, decision or review of a tribunal: I think both the tribunal and the review tribunal are included. The idea is that a review by a court somehow or other improves the situation; that going to court is the right way to deal with any administrative act. I have had quite a different experience. Certainly there are some matters that ought to be reviewed by the courts, but there are others which administrative tribunals are far better suited to deal with than are the courts themselves.

● (1120)

What I am afraid of, Mr. Speaker—and this has been found to be so—is that some lawyers have been protesting over the years that the courts should have a monopoly on dealing with these matters, yet in practice it has not been found to be the best way of securing the justice which parliament is seeking to enact in this type of legislation.

[Mr. McCleave.]

Mr. Woolliams: A typical socialist statement.

Mr. Brewin: If that is a typical socialist statement, then yours is a typical reactionary attitude, so we are even on that particular point.

Mr. Woolliams: I am not asking for the court; I am asking for an appeal from the tribunal.

Mr. Brewin: I know you are, and I will outline what I think is the trouble with an appeal. First of all, it would cause expense, and this matters to some people who are being discriminated against. A person cannot go to the Federal Court without considerable expense. Second, it would cause delay. There is nothing that some employers, or others who have indulged in acts of discrimination, would rather have than be able to delay matters by lengthy proceedings. The Federal Court is already overburdened with work. Apart from the theoretical result of passing this amendment, the practical result would be to delay and to add to expense. Indeed, it would help frustrate the purposes of the act, some of which are not only that justice be done, but that it be done with expedition.

Although I was not here at the time, I understand the Minister of Justice (Mr. Basford) has already called the attention of the House to the fact that in the Federal Court Act section 28 provides for review of cases where there has been a breach of national rights or excessive jurisdiction has been exercised. It seems to me that that is a perfectly adequate remedy, rather than setting up special individual rights of appeal.

It is because we want the legislation to be effective that we propose to vote against this amendment. We think it would frustrate and delay the healthy operation of the legislation. I do not think I need elaborate any further on our reasons. I dispute the proposition that courts are the only tribunals fit to consider matters of the kind encompassed within this bill. Practice has shown it to be the converse. The courts have their virtues, but they also have their failings, and sometimes their failings consist of lack of appreciation of the kinds of matters which are dealt with by this bill. General jurisdiction to review cases of injustice, or complete disregard for human rights, or breaches of jurisdiction, is something that should be preserved, but this particular right of appeal is unnecessary. I hope that the House will reject this amendment.

Mr. Benno Friesen (Surrey-White Rock): Mr. Speaker, I rise to speak on behalf of this amendment. I think the right of appeal is imperative if we are to preserve human rights in this country. I have received a notice from a constituent of mine who works on behalf of diabetics in Canada. This is a fairly small group, though probably larger as a group than we realize, which is discriminated against more frequently than we know. It has just come to my attention that one government agency or corporation, the CNR, is in the vanguard of this kind of discrimination. I am recently in receipt of a letter from a young man, 20 years old, who has been working for the CNR for about three years. He decided to apply for a different