

The Ministère des Ressources naturelles et de la Faune

The Ministère des Ressources naturelles et de la Faune is responsible for managing Québec's land and natural resources. Its mission revolves around fostering the development and preservation of land and natural resources in Québec, as well as generating related information, within the context of sustainable development and integrated management for the benefit of the citizens.

The department is mostly active in the following sectors: territory, wildlife, forests, mines, energy, publication in the Land Register of Québec and cadastral reform.

Type of complaints

Complaints reviewed by the Québec Ombudsman

Ressources naturelles et Faune						
Under investigation at April 1, 2007	Received	Investigated*				Under investigation at March 31, 2007
		Referred	Interrupted	Unsubstantiated	Substantiated	
12	54	5	18	11	7	19

* Excluding complaints whose processing was interrupted or which were referred.

The complaints brought to our attention this year once again involved activity sectors where the department is most in contact with citizens. These are wildlife (delivery of licences and the actions of wildlife officers), the public territory (sales and leasing criteria for State land) and land surveys (cadastral reform).

Overview of the situation

Supervision of wildlife officers

Wildlife officers are public servants named under the Civil Service Act who serve as peace officers when carrying out their duties and who oversee, among others, the application of the Act respecting the conservation and development of wildlife and its Regulations. In addition to the department's operational directives, the Act sets forth their powers in various areas, including inspections, seizures, searches and arrests.

The officers have a particular status. They bear weapons and enjoy the exceptional power of a peace officer over citizens. This being said, their conduct is not governed by any code of ethics or discipline as is the case for other peace officer agencies such as police officers, special constables and highways controllers.

Complaints involving the wildlife sector concern the behaviour and attitude of officers vis-à-vis citizens. Because of the lack of any other standards, the analysis of these complaints was conducted by considering the department's commitments as outlined in its Declaration of Services to the Public, notably with regard to promptness, respect and courtesy.

In the Québec Ombudsman's opinion, these commitments are not broad enough to adequately oversee the conduct of officers with extraordinary powers. The Québec Ombudsman has repeatedly brought this matter to the attention of the Ministère des Ressources naturelles et de la Faune.

In the fall of 2006, the department created an internal working committee on officer supervision which was given the mandate of developing a code of ethics as well as a specific mechanism for handling complaints.

In December 2007, the Minister of Public Security tabled Bill 60, the Act to amend the Police Act, which includes provisions requiring that wildlife officers adhere to the police code of conduct. If this bill is passed, citizens will henceforth be able to exercise a recourse with the Commissaire à la déontologie policière.

The Québec Ombudsman feels that this bill's adoption would meet citizens' concerns and offer them an impartial means of recourse with regard to officer behaviour and attitudes.

La Direction des services à la clientèle

In June 2007, the Ministère des Ressources naturelles et de la Faune modified its organizational structure with the creation of the Direction des services à la clientèle. This new directorate, incorporated to the Secteur de la coordination et des services partagés, has jurisdiction over all of the department's activity sectors.

Its mission focuses on providing citizens with front-line information, using appropriate training and tools to standardize the information transmitted to the clientele by general directorates, and eventually linking up with Services Québec in those areas in which it serves the department.

The Québec Ombudsman notes that one of the department's objectives, to introduce a structure and adopt methods of standardizing the information transmitted by its general and regional directorates, meets the concerns it expressed in last year's report and appears designed to improve services to citizens.

Ombudsman follow-up and actions

Standardization and coordination

In its last annual report, the Québec Ombudsman mentioned its plan to closely monitor the issue of cadastral reform as well as the department's administrative reorganization and the resulting impact on services to citizens. It also put forth two recommendations regarding standardization and coordination of the department's ways of doing things.

2006-2007 RECOMMENDATION :

That whenever the Government makes a decision calling for it to exercise its discretionary authority, it should be sufficiently reasoned so that its grounds can be well understood by the public agency. This will have the effect of keeping arbitrary decisions to a minimum, while ensuring respect for the principles of the Act respecting administrative justice.

To avoid situations such as those observed by the Québec Ombudsman last year, department authorities reminded directors general that whenever administrative decisions were communicated to citizens, the applicable regulatory or legislative framework, namely the laws and regulations regarding the management of forests, wildlife, territory, energy or mines, had to be specifically mentioned.

The Québec Ombudsman is of the opinion that the actions of the Ministère des Ressources naturelles et de la Faune adequately addressed its recommendation.

2006-2007 RECOMMENDATION :

That whenever more than one administrative unit is involved in a file, a person be designated as responsible. This person will be accountable for ensuring that actions are coordinated, and will serve as the primary contact in dealing with the client. Such a recommendation can easily be implemented under the existing legal framework.

Over the last year, the department has introduced integrated and regionalized management of land and natural resources. The creation of eleven general directorates covering all regions of Québec has enabled the integrated handling of citizen requests, regardless of the activity sector involved (energy, wildlife, forests, mines, land). This means that a citizen with a file involving a forest regional directorate and a wildlife regional directorate can now communicate with the new general directorate, which encompasses these two mandates for the region concerned. Not only is this simpler and more efficient, but it also limits the risk of errors.

It bears noting that the Ministère des Ressources naturelles et de la Faune is continuing its efforts to coordinate and improve its services, notably through the creation of the Direction des services à la clientèle, whose mission includes standardization of the information transmitted to citizens in the regions.

The implementation of this new structure is in line with the Québec Ombudsman's recommendations.

The issue of shoreline erosion

Recommendations were made to the Ministère des Ressources naturelles et de la Faune, as well as to four other departments (Affaires municipales et Régions, Développement durable, Environnement et Parcs, Sécurité publique et Transports) regarding the implementation of the government framework for prevention of natural hazards, and more specifically its section on shoreline erosion.

The four recommendations concerned the need for coordination of government actors, standardization of methods, and implementation of a clear action plan with set time-frames, to notably provide citizens with timely and comprehensive information.

For more information on our follow-up of these recommendations, we invite you to read the section of this annual report concerning the Ministère de la Sécurité publique.

Comments from the department

The following statement from the Ministère des Ressources naturelles et de la Faune was transmitted by its Deputy Minister :

“I have read the submitted text and feel that it accurately depicts the complaints brought to the attention of our respective agencies. I am also satisfied with the department's actions over the past year to ensure the quality of services offered its clientele. I am also pleased to observe that these actions were in line with your organizations 2006-2007 recommendations.

Please rest assured that the department will continue its efforts to meet citizen needs and expectations.”