

*Constituency Records*

Members of parliament hold files on behalf of constituents, whether they are individuals or corporations. They are held in trust and should be turned over to our successors. Members of parliament have various files. They have files which deal with taxation matters for private individuals, health, the Canada Pension Plan, the guaranteed income supplement, unemployment insurance and immigration. To some people this is very personal information. Because of our offices, these people come to us for assistance. Members build up files on corporations and industries in their constituencies. Perhaps these files deal with tax problems, grants or with any number of things from tariffs to inquiring about getting landed immigrant status for a certain person who is an expert required by them. These files cannot be kicking around and opened up to the rest of the world because they contain personal information. They are particular to an industry, corporation or company. It is their right to deal with their respective members of parliament in a sense of confidentiality and trust. One should not bandy about this particular information. It is important for a member to retain the right to the information contained in files on a basis of trust only. The contents belong to the respective constituents, be they individuals or corporations.

In the cases where my predecessor destroyed files resulting in the loss of original documents, individual constituents were left without a remedy. They were left in awkward and difficult positions. In the case of some of the corporations in my constituency which wanted me to pursue matters that had been dealt with by my predecessor, I was required to write to them indicating that I had no files in my possession. They wanted me to continue pursuing matters on their behalf. I wrote to them indicating that I had no such files. They replied by saying that they had sent down an inch of material to my predecessor. They asked where this material was. I had to apologize and say that I had not received it. I asked them to send me photocopies of their files. At their expense, they provided me with complete photocopied files, including my predecessor's letters to them. I ended up being in possession of the files respecting corporations in photocopied form. That situation is unsatisfactory. I feel we must hold these files in trust.

That is the purpose of this bill. It provides in the preamble that:

● (1612)

—it is desirous to provide for continuity in the management of constituency affairs by members of the House of Commons and to ensure the preservation and maintenance of all constituency records that are relevant to and necessary for the better servicing of constituency needs, and generally to promote and to improve public confidence in their day-to-day dealings with elected representatives.

The bill contains a definition dealing with constituency records. It suggests what these records are that have to be passed on. I do not think this would appropriately include every file I have in my office. The bill states that:

"constituency record" means any record, file, correspondence or other document concerning constituency matters but does not include any such material that pertains to matters of a purely personal or political nature.

Naturally I have some files in a drawer labelled "personal" which have to do with Paul Dick and are not necessarily of a political or constituency nature. They may contain my life insurance policies, dealings with my bank or what-have-you. I happen to have these files in a drawer. Some people may have a filing system at home which they use for this purpose. Those personal files should not be turned over to a successor, and that is why I included that explanation.

Every member in this House probably has a number of files that deal with their constituency, but deal with it in a political way in the sense of who the member has as organizers in each municipality, ward or area. The files may contain mailing lists, voting trends in the constituency in federal and provincial elections. Those are files of a political nature and do not deal with individual or corporate constituents. Those are files that most members have for political reasons. I call those files political in nature, but I do not feel they should be passed on. Naturally a successor can dig out those facts if he wants, or he may be using a different method for compiling such files of a political nature. However, other files that deal with constituency matters, particularly in respect of individuals or corporations, should be turned over to a successor. This would include any record, file, correspondence or document that would constitute a constituency record.

One might wonder just who is to be considered a successor. A successor may come into being if a member retires from office and a by-election is called in that electoral district. The person elected would receive that material. A member may die in office or be defeated during an election. This measure provides for a time within which those constituency documents as they relate to people, corporations, unions or whatever in the constituency, may be turned over to the successor.

Of course, there is the matter of redistribution. I suppose the constituency of York Scarborough is a classic example. This is a constituency that is to become part of five constituencies after redistribution. The most recent member for York Scarborough who has had those files would have an obligation to pass them out to the new members. He could look at the street addresses to determine where the people live and turn those documents over to the new members for those areas.

I am not suggesting this is a simple matter, but I suggest it might be a way of ensuring continuity. If an individual wants to indicate that he has moved from Toronto to Vancouver, for example, he could request that the member send his file to the member representing that area in Vancouver. I also suggest in clause 4 that no person should be allowed to shred a person's file. These files are of an important nature and deal with the government and individuals' elected representatives. I was disgusted, quite frankly, when I discovered that my predecessor had shredded files of his constituents, and that some of those files contained original documents. The least he might have done was to send them back to the constituents.

This bill provides for arbitration in the case of any dispute. Mr. Speaker would appoint an individual, perhaps the whip of a party, or more than one if there were two parties involved. I do not have to elaborate on that. Someone may argue that the