

Constituency Records

private members' business as listed on today's order paper, namely public bills and notices of motions.

Mr. Yvon Pinard (Parliamentary Secretary to President of Privy Council): Mr. Speaker, I ask for the unanimous consent of the House to proceed with Bill C-244 in the name of the hon. member for Lanark-Renfrew-Carleton (Mr. Dick) and to stand all preceding bills.

[English]

The Acting Speaker (Mr. Ethier): Hon. members have heard the request of the parliamentary secretary. Is there unanimous consent?

Some hon. Members: Agreed.

PRIVATE MEMBERS' PUBLIC BILLS

[English]

CONSTITUENCY RECORDS ACT

MEASURE TO ENSURE PRESERVATION OF CONSTITUENCY RECORDS

Mr. Paul Dick (Lanark-Renfrew-Carleton) moved that Bill C-244, respecting the preservation and surrender of constituency records, be read the second time and referred to the Standing Committee on Privileges and Elections.

He said: Mr. Speaker, this bill, which is entitled "An Act respecting the preservation and surrender of constituency records", is in many ways like a devil's advocate bill. I am bringing it forward because I think an important issue is involved and there should be some open discussion on it. I am not necessarily wedded to the exact form in which I have drafted this bill. I would like to see this subject matter referred to the Standing Committee on Privileges and Elections, where perhaps it could be altered or a new bill drafted.

● (1602)

There have been discussions regarding bills dealing with conflicts of interest for members of parliament and so on. Let me outline generally the reason for bringing in this bill and why members of parliament cannot shy away from certain duties. We must come to grips with this problem and resolve it.

If a client has certain work done on his behalf by a lawyer, then the lawyer opens a file in his name. The lawyer is required to keep that file. It is not his file, it belongs to the client. If the client subsequently requests his file in order to take it to another law firm, as long as his bill is paid, the lawyer must give him that file because it is the client's property.

Doctors are required by law to keep files on patients. Those files must be kept for a certain number of years after they have ceased seeing the patients. Those files deal with particular persons and are important. They contain personal private

[The Acting Speaker (Mr. Ethier).]

matters about patients. Frequently those files are passed on from one doctor's practice to another. Notification goes out to the patients so that they always know where their files are.

The same happens in an accountant's office. An accountant cannot throw a client's file away because he is finished with him. Perhaps there will be a requirement for that file some years in the future. Other professions such as optometrists and dentists have patients' files on trust. Those files belong to the patients and are held in trust.

I am suggesting that members of parliament, in dealing with their constituents, should put material, letters written to them and their replies in files opened in the names of constituents. I believe those files are held in trust by the member who holds the office of a particular constituency. I point this out because I consider it to be important.

This was the first private members' bill which I introduced after I was elected in 1972. Unfortunately this is the first time it has been debated.

I should like to refer to an incident involving my predecessor, who shall remain nameless. I am sure this has happened in almost every other constituency. My predecessor was doing active work on a number of files. I was elected to office on October 30, and on November 7, 1972 I wrote a letter congratulating my predecessor and his wife for a vigorous, clean and hard-fought campaign. The letter read as follows:

I would especially like to congratulate you for the earnest work you have put in in the last four and one-half years as the member of parliament for Lanark-Renfrew-Carleton.

Knowing your feeling that the constituents of Lanark-Renfrew-Carleton must be fully and actively served, I would enquire whether or not there are any matters involving them which you commenced during your term which I should now follow up in order that continuity be maintained and the electorate served and their problems dealt with. If you find that there are certain files or actions which you feel would be best handled by an uninterrupted service to the constituency, then I would be only too happy to get together with you at your convenience for a full discussion and to hear your suggestions.

I did not receive a written reply, but I happened to meet that member a few days later in the west block cafeteria. It was during lunch hour and he was sitting with a constituent from Lanark-Renfrew-Carleton. He told me that all his files were personal to him and that I would receive none.

Perhaps that does not seem to be an important issue, but in the following three months a number of constituents wrote to me and telephoned me indicating they had occasion to communicate with my predecessor. Apparently they had sent certain original documents. They asked me to follow up on these matters. I was put in the position of having to say, "I do not have any files; I do not have any such documents. Would you replace them and start again with me?" In some cases the documents were originals and could not be replaced. Those constituents never received what they deserved. Later I found out that those documents were not just thrown in the garbage; they were put through a shredding machine in the centre block. Those original documents belonged to the constituents. They were sent to the member representing them. They were not his. They were in his custody only because he held the office of member for Lanark-Renfrew-Carleton.