

Constituency Records

That is not the way I do things. When I discuss a particular case and must use the originals, I make a photostat copy of them and immediately return the original to its owner, because one never knows just how many years or months a member will stay in parliament. The point is that this is a temporary period, and I underline temporary, because one cannot risk having important documents destroyed, as the hon. member indicated a moment ago. That is unfortunate but I think that if the hon. member had understood his role he would not have kept these important papers in his offices.

I have been keeping files for 16 years, but I have only photostats. If the client wants his original copies, he has them himself or his legal counsel. I only have photostats. I feel this is the safest way for a member in this House to deal fairly with his clients, considering conditions here in parliament. For certain exchanges of correspondence that are strictly of a private nature, and even political correspondence, I strongly object to a member being obliged to submit to regulations under the penalty of being fined, as proposed in the bill. This is going too far, this is asking too much from a member that may be elected for six months or a year only. That is asking too much because once again the best way is not to keep originals but to return them, with the constant feeling that we are here on a short-term basis only. Those who are here on a long-term basis have a chance of a lifetime, because we are always asking ourselves whether we will be re-elected at the next election that comes every three years or so. Therefore there is an absolute necessity to protect the confidentiality of correspondence. Those who write to us, members from the Social Credit Party of Canada, would not write to a Liberal member. They will often not tell me secrets they will disclose to one of their friends who is a Liberal member, but other people will tell me secrets they would not disclose to someone else.

So this is a very difficult matter, this is a very sensitive subject because our correspondence is to some degree privileged. When people come to see us, they trust us. They do not trust someone else who may beat us at the next election, but they trust us not to betray their confidence, not to kneel before someone else they never liked and they never trusted. I feel that immediate steps should be taken to avoid their having to do something they would not like to do. This is the suggestion I wanted to make. So let each member, instead of keeping originals, simply keep photostats and return to the originator as soon as possible the originals of any correspondence and important documents.

[English]

Mr. Rod Blaker (Parliamentary Secretary to Solicitor General): Mr. Speaker, when I looked at this bill earlier this afternoon I thought that perhaps the hon. member for Lanark-Renfrew-Carleton (Mr. Dick) had put his finger on one of the problems that members of parliament have faced. As I read the bill, however, and listened to those who have spoken on it, I wondered whether he had done me and others the service I had hoped he might.

[Mr. Gauthier (Roberval).]

I share the experience of coming to parliament and finding not so much as a single constituency file left by my predecessor. One spends the next few months explaining to constituents that there is not a great deal one can do about their lost property or documents. It is also distasteful in that one is locked into the position of trying to explain it is no one's fault. As time went on I encountered a couple of other problems, and I will conclude by suggesting to the hon. member who proposed Bill C-244 that he has not found the solution.

On the one hand, I think I can put forward the argument that there is available existing law to satisfy the problem he has raised, but he does not seem to satisfy the problem I have found not only of predecessors not dealing with files properly, but the other problems that all of us have as members of parliament.

The hon. member argues that ownership of constituency files is a matter of trust. I take that to be an expression more common in the law in which the hon. member opposite was trained, the common law, than it is in the law in which I had my training. But if we agree on the general legal meaning of the word "trust," there is no difficulty. The obligations which flow from the care of handling of information and documentation would be about the same in Canada whether in the common or the civil law.

The hon. member raised the question of how these documents are to be dealt with. I want to propose that there is existing law to handle that problem, but it does not solve some of the other problems I have seen.

When both the hon. member and I first arrived here, public archives was willing to store the documents and files of ministers and members of parliament. Some time in 1973 or 1974 they stopped doing that because they could no longer afford the incredible amount of space required. Furthermore, they were running into a very serious problem on the method of storage. It was not clear for how many years documents were to be stored, who owned them, what was to be done with them and who would have access to them. Since we as members of parliament have never given instructions on what should be done with these files, it was obviously going to become a serious storage problem.

● (1642)

To give some idea of what we are talking about, I would assume that each and every member of parliament would probably have about 100 square feet of document space accumulating per annum. Taking a storage cost of about \$6 a square foot, which is the warehousing storage cost today in Ottawa for files, it would run \$250,000 per annum to store these files. This would be without any thought as to their eventual disposition which is the original Kafkaesque problem of bureaucracy building upon bureaucracy with the never ending horror of nobody being allowed to see the files and nobody being allowed to dispose of them. We would be inundated with files within about five years and we would be unable to come into the chamber.