

DEPARTMENT OF MINES AND PETROLEUM — OFFICIAL DOCUMENTS RELEASE

7. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum:

With reference to the unauthorised disclosure of the contents of any official papers and documents and the release of confidential information/documents including, but not limited to, briefing notes, ministerial responses from the Department of Mines and Petroleum (DMP) staff by Mr Nick Galton Fenzi and other DMP staff members to various third parties including Mr Jim Williams and his wife Andrea Williams and a Corruption and Crime Commission media statement, dated 3 October 2008, titled 'Serious Misconduct Opinion', I ask:

- (a) does the Minister support the unauthorised release of the contents of any official papers and documents and the release of confidential information/documents appertaining to any party by Mr Nick Galton Fenzi to his partner whom he lives with, Ms Jayne Finch who works for Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM), Barrick Australia and Newmont Mining or any other staff member of KCGM;
- (b) if no to (a), why not;
- (c) if yes to (a), why;
- (d) with reference to the above, does the Minister support the unauthorised contents of any official papers and documents or the release of confidential information/documents to Mr Jim Williams or his wife Andrea Williams who run a business called Jim's Weeds and Seeds and also Botanica Consulting who provide consulting services to KCGM and the mining industry;
- (e) if no to (d), why not;
- (f) if yes to (d), why;
- (g) are Mr Nick Galton Fenzi and other DMP staff officers clearly aware of section 81 of the *Criminal Code* and the *Public Sector Management Act 1994* for the consequences of releasing the unauthorised disclosure of the contents of any official information papers and documents to third parties, including his partner Ms Jayne Finch;
- (h) if yes to (g), can the Minister explain how and on what specific date did Mr Nick Galton Fenzi first become aware of the consequences;
- (i) if no to (g), why not;
- (j) has Mr Nick Galton Fenzi and other departmental officers within the environmental section of the DMP attended workplace conduct and awareness training which points out the obligations of public servants not to disclose the contents of official papers, conversations and documents to third parties which is confidential information;
- (k) if yes to (j), can the Minister state on what specific dates did Mr Nick Galton Fenzi attend;
- (l) if no to (j), why not;
- (m) with reference to the above media statement, dated 3 October 2008, can the Minister explain how the public of Western Australia can have confidence that within Western Australian DMP documents, official information is not being released in an unauthorised manner;
- (n) can the Minister quote the sections of the *Mining Act 1978* or any other acts which may be applicable including any penalty which may be imposed for any officer/employee unlawfully releasing/disclosing information obtained while working within the department; and
- (o) with reference to the above media statement, dated 3 October 2008, can the Minister also state what specific measures have been in place since that date by the DMP to ensure no unauthorised confidential information is being released by Nick Galton Fenzi or other departmental staff to a senior former DMP employee Ms Janine Cameron who also works for KCGM, Barrick and Newmont?

Hon Ken Baston replied:

- (a)–(l) Mr Fenzi is a former staff member of the Department of Mines and Petroleum (DMP). While employed by DMP no complaints or allegations of improper conduct were received.

If the Member has specific allegations of misconduct and supporting evidence, I would suggest he writes to the appropriate authorities with the details, so that the matter can be dealt with through appropriate processes.

- (m)–(o) The media statement the Member refers to, relates to a report by the Corruption and Crime Commission and the outcome is on the public record.

The DMP has stringent policies and procedures in place relating to the protection of confidential information, including processes for declaring conflicts of interests, information technology security measures and training for employees on their obligations under these policies.
