

### **Disclosure of Documents on Serious Disciplinary Breach Investigation**

This article concerns an appeal filed by an expelled state official requesting copies of documents from a serious disciplinary breach investigation. Let's see whether such information shall be disclosed.

Mr. Wichai, a civil official of Department A, was expelled after being found to have committed a disciplinary offence for collecting money from job applicants in exchange for employment at the department. He filed a request for copies of the fact-finding committee's investigation documents to support his appeal against the expulsion order. However, Department A refused, arguing that disclosure could endanger the life or safety of individuals under Section 15, Paragraphs 1(4) and 1(6) of the Official Information Act B.E. 2540 (1997). Mr. Wichai therefore filed an appeal to the Information Disclosure Commissioner.

The Information Disclosure Commissioner relating to society, public administration, and law enforcement concluded that nothing in the requested documents indicates that disclosure would endanger individuals' lives or safety under Section 15, Paragraph 1(4) of such Act. As the subject of the disciplinary action, Mr. Wichai is a direct stakeholder entitled to access the information to protect his rights, and such disclosure would reflect transparency of the government agency's operations. Regarding the documents' classification under Section 15 (6) of such Act, the Commissioner noted that such classification does not deprive the Commissioner of the authority to order disclosure under Clause 24 of the Rule on Maintenance of Official Secrets, B.E. 2544 (2001). Therefore, having regard to the performance of duties of the State agencies under the law, public interest, and the interests of the private individuals concerned, it is ruled that Department A shall disclose the requested information to Mr. Wichai, with the redaction of witnesses' and other individuals' personal information including titles, names, surnames, national identification numbers, ages, nationalities, religions, occupations, addresses, signatures, and copies of identification cards as full disclosure of such details would unreasonably encroach upon the personal privacy of others under Section 15 (5) of the Official Information Act B.E. 2540 (1997).

Should there be any inquiries on practices regarding the Official Information Act, B.E. 2540 (1997), please contact the Office of the Official Information Commission, the Office of Permanent Secretary, the Prime Minister's Office via telephone at 0 2283 4678-79.

**"Transparent Information without any Corruption among Thai Authorities"**

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