



STATEMENT ON FORMAL RESOLUTION

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Department for Correctional Services – Conflict of Interest Policies



Essential Insights

Where an employee declares a conflict of interest, a clear and robust management plan must be agreed on and documented.

Agencies should implement policies and procedures to support the declaration and management of conflicts.

COMPLAINT ABOUT VISITING A RELATIVE IN PRISON

A DCS employee attended a prison in their personal capacity to visit a person who was detained at that prison and was refused entry. The employee had previously lodged a formal conflict of interest declaration regarding a declared criminal association and there was a conflict of interest management plan in place. However, that plan did not clearly define whether there was an absolute prohibition against the staff member conducting personal visits. The restriction on the employee visiting that person in custody was eventually lifted.

KEY OUTCOMES FOLLOWING THE OMBUDSMAN'S ASSESSMENT

In assessing this complaint, it became apparent that the department's conflict of interest policies did not distinguish between conflict management during employment related

activities and conflict management during personal interactions. There also seemed to be a level of confusion amongst staff in understanding the department's expectations in relation to them visiting family and friends in prison.

Aboriginal staff can be particularly affected by conflict of interest policies, as they often have extensive kinship relationships and responsibilities. It is important that Aboriginal staff have clarity and support in relation to conflicts of interest so they can manage their professional and personal responsibilities.

The department agreed to review and amend its conflict of interest policies and procedures to ensure there is clarity across the department in managing conflicts of interest arising from staff having a relative or friend in prison. The department agreed to the following:

- to provide clarity regarding the distinction between work related and personal contacts between staff members and prisoners
- to provide clarity and support for Aboriginal employees in declaring potential conflicts of interest in relation to family members and in managing their employment responsibilities and their cultural and familial responsibilities
- to implement staff training to ensure there is clarity and consistency across the department in managing conflicts of interest.