

**Submission**

**No 8**

**INQUIRY INTO RECOMMENDATIONS OF THE ICAC  
REGARDING ASPECTS OF THE CODE OF CONDUCT FOR  
MEMBERS, THE INTEREST DISCLOSURE REGIME AND A  
PARLIAMENTARY INVESTIGATOR**

**Organisation:** Ombudsman NSW

**Name:** Bruce Barbour

**Position:** Ombudsman

**Date Received:** 13/03/2014

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**12 March 2014**

The Hon Trevor Kahn MLC  
Chair  
Legislative Council Privileges Committee  
Parliament of New South Wales  
Macquarie Street  
Sydney NSW 2000

Mr John Sidoti MP  
Chair  
Legislative Assembly Privileges and Ethics Committee  
Parliament of New South Wales  
Macquarie Street  
Sydney NSW 2000

Dear Mr Kahn and Mr Sidoti

**Joint inquiry into recommendations of the ICAC**

I refer to your letter of 22 January 2014 providing me with an opportunity to provide comment on the three discussion papers released by your Committees.

My office has stressed for many years in guidance materials, annual reports and following investigations the importance of having effective systems in place to allow for the identification, recording and management of actual or potential conflicts of interests. Nowhere is this more important than for those in public office.

An effective system for managing conflicts should provide clear guidance to those operating under it to ensure they are well aware of what they should report, and also how any conflict that arises may be managed. It is important that this includes not only real conflicts, but also situations and circumstances that may be perceived as constituting a conflict. This can often extend beyond the interests, dealings and views of an individual to include the individual's family. It is important that once information is provided in relation to conflicts it is appropriately considered and managed. This will mean those being asked to identify and declare conflicts have confidence the information they provide will be dealt with properly.

Effectively managing conflicts of interests not only guards against potential corruption risks, but also ensures the integrity of the relevant agency, organisation or system. In some cases, the early recognition and effective management of a conflict may mean an individual can maintain some form of managed involvement in an issue or a process.

This is an issue that should be continually considered across all levels of government, and I wish the Committees the best of luck in their inquiry. Please do not hesitate to contact my office if there is anything further we can assist with.

Yours sincerely

Bruce Barbour  
**Ombudsman**