

Parole Board Queensland

Code of Conduct

The Parole Board Queensland (the Board) is a high profile, independent statutory authority with the important function of make parole decisions.

The work of the Board is particularly sensitive. As an integral part of Queensland's criminal justice system, it operates in a difficult, challenging and dynamic environment. Its decisions are, by their very nature, high risk. The Board is highly accountable – it is closely scrutinised by the public and media, its decisions may be subjected to judicial review, and as a public sector entity it is accountable on many levels.

Membership of the Board brings with it a responsibility to behave in a way that ensures the Board's integrity and standing is maintained at the highest standard, so the community can have absolute confidence in it and its decisions.

Our aim in documenting professional standards that are expected of Board members is to make them simple, clear, and relevant to the experience of being a member.

Michael Byrne QC

President

Parole Board Queensland



Purpose of the Code of Conduct

The Code of Conduct for Members of the Parole Board Queensland articulates the standard of behaviour expected of members of the Parole Board Queensland.

It provides guidance as to the general standards of performance and ethical conduct expected of all Board members. It cannot and does not deal with every conceivable situation a member may encounter, but the general thrust of it can be relied on by members to inform appropriate behaviour.

The Public Service Commission publishes a Code of Conduct that applies to all employees, Senior Officers and Senior Executives within the Queensland Public Sector. This document outlines principles of good practice and standards of expected behaviour that apply to all public sector employees and they have informed the drafting of the Board's Code of Conduct.

The *Public Sector Ethics Act (1994)* requires public sector entities to develop and implement a code of conduct. This must include standards of conduct based on the 4 ethics principles and values:

- Integrity and impartiality
- Promoting the public good
- Commitment to the system of government
- Accountability and transparency

To Whom does this Code of Conduct apply?

These standards apply to all members of the Parole Board Queensland as defined in the s221 *Corrective Services (Parole Board) and Other Legislation Amendment Bill 2017 (Act)*.



Breaching the Code of Conduct

Members who breach the Board's Code of Conduct may be liable for their actions under civil and criminal law.

All breaches must be brought to the immediate attention of the President who will consider the appropriate way to deal with them.

Responsibilities

Members should behave with propriety, professionalism and discretion, especially in public places and when they are identifiable as a member of the Board.

Members should not use, or attempt to use, their position as a member of the Board to gain advantage or influence other persons and situations.

Except with the specific prior consent of the President, members should avoid engaging in public discussion, make public statements, or talking with the media about the affairs of the Board.

Members should immediately notify the President of anything that has the potential to adversely impact on their membership or the Board, even if the member is of the view that there is no substance to the issue.

Board members may hold other appointments or occupy other senior positions and have a high public profile. This means that from time to time they may be the subject of media or other interest. Even though not related to the Board, it is possible that their Board membership may be referred to in the context of such interest. Members should inform the President of the potential of any such interest.

Members should not give a written reference for anyone in their capacity as a member of the Board (or in a way that leaves open to interpretation that they are doing so in their capacity as a member of the Board) or on behalf of the Board. Any request for a reference from the Board or a member of the Board should be directed to the President.

It is the member's responsibility to actively keep themselves informed about Board-related news and issues including changes to practice and procedures.



The President will inform members of important information from time to time. It is the member's responsibility to read the President's communications and, if needed, contact the President to seek clarification or further information.

Members who become aware of questionable conduct of a fellow member are obligated to report it to the President. A situation can then be managed appropriately before it turns into a serious issue.

Gifts and Rewards

Members should reject favours of any kind where the offer is related to, or could reasonably be perceived as being related to, their membership on the Board. Members should immediately report to the President any circumstances where an offer of a benefit or gift is made.

Disclosure of personal or confidential information

Through the course of their duties, members will acquire detailed knowledge about prisoners and the parole system. This information may be of interest to a range of people, who may seek access to it directly or indirectly, formally or informally.

Members must be particularly aware of their privileged access to personal or confidential information and the need to protect it from unauthorised disclosure.

Members must use the information they gain in the course of their Board duties only for its intended purpose.

Members must ensure the confidentiality of all sensitive information that comes to the attention of the Board. Official information of a confidential or privileged nature must not be disclosed to unauthorised persons or organisations except with the prior approval of the President.

Members should be aware, and take all reasonable measures to ensure compliance with, the confidentiality provisions of the *Corrective Services Act 2006*.

Members must not disclose personal or confidential information obtained in the course of the Board duties unless authorised.



Members should not seek confidential information outside of Board duties

There is no legitimate reason for members to access information about cases that they are not directly involved with as part of their Board duties.

The Board receives and holds confidential and sensitive information about prisoners, including criminal histories, mental health details, and written correspondence from their families, friends and legal representatives. Unless the member is directly involved with the case, they should not access confidential information.

Conflict of Interest

Conflicts of interest can be perceived, potential or actual conflicts. Depending on the nature of the conflict, the President may need to restrict a Member's involvement in a matter. If the President determines that the conflict is real, the President will ensure that the member does not participate in the matter at all.

Having a conflict of interest is not unusual and it is not wrongdoing in itself. However failing to disclose and manage the conflict appropriately is likely to be wrongdoing.

As Board members we are committed to demonstrating our impartiality and integrity in fulfilling our responsibilities and as such we will:

- a. Always disclose a personal interest that could, now or in the future, be seen as influencing the performance of our duties. This will be done in accordance with agency policies and procedures;
- b. Actively participate with the President in developing and implementing resolution strategies for any conflict of interest; and
- c. Ensure that any conflict of interest is resolved in the public interest.

Members should inform the presiding judicial member of a meeting about any potential conflict with scheduled matters. If a presiding judicial member or other panel members have previously dealt or associated in another capacity with a prisoner, they must carefully consider whether that previous dealing or association may give rise to a real, potential or perceived conflict of interest. This may depend on the circumstances in which they dealt or associated with the prisoner previously and the purpose for which the matter is scheduled for consideration by the Board on which they are sitting.



A cautious approach should be taken. The Board is comprised of sufficient members to enable matters to be re-scheduled to avoid any suggestion of a conflict of interest due to previous dealings or associated between a prisoner and a member. If the member or presiding chair is not sure about the approach to take, they should consult the President.

Members must advise the President of all affiliations with persons or organisations which have the potential to cause a conflict of interest or adversely affect the reputation of the Board, and to accept and act upon directions given by the President about how to handle the conflict.

Ethics Principles and Values

The Code contains the ethics principles and their associated sets of values prescribed in the *Public Sector Ethics Act 1994 (PSEA)*. Under the PSEA and as a government entity, (as defined under *Public Service Act 2008*) the Parole Board Queensland is required to develop and implement a code of conduct. This must include standards of conduct based on the 4 ethics principles and values:

1. Integrity and impartiality
2. Promoting the public good
3. Commitment to the system of government
4. Accountability and transparency

These are the fundamental principles of ethical behaviour essential to robust public sector entity integrity and accountability and which public sector entities must promote in their internal and external relationships.

The standards of conduct, contained in this Code under each set of principles and values, help us as individuals to understand how we put these principles and values into practice. The standards are not intended to cover every possible scenario, therefore in adhering to the Code, we are committed to upholding the intention and spirit of the principles and values.

1 Integrity and impartiality

The *Public Sector Ethics Act 1994* states:

In recognition that public office involves a public trust; public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and –



- a. are committed to the highest ethical standards;
- b. accept and value their duty to provide advice which is objective, independent, apolitical and impartial;
- c. show respect towards all persons, including employees, clients and the general public;
- d. acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
- e. are committed to honest, fair and respectful engagement with the community.

2 Promoting the public good

The *Public Sector Ethics Act 1994* states:

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and public officials –

- a. accept and value their duty to be responsive to both the requirements of government and to the public interest;
- b. accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;
- c. accept and value their duty to manage public resources effectively, efficiently and economically;
- d. value and seek to achieve excellence in service delivery; and
- e. value and seek to achieve enhanced integration of services to better service clients.

3 Commitment to the system of government

The *Public Sector Ethics Act 1994* states:

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials –

- a. accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government;
- b. are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
- c. accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.



This does not limit the responsibility of a public service agency, public sector entity or public sector official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

4 Accountability and transparency

The *Public Sector Ethics Act 1994* states:

In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials –

- a. are committed to exercising proper diligence, care and attention;
- b. are committed to using public resources in an effective and accountable way;
- c. are committed to managing information as openly as practicable within the legal framework;
- d. value and seek to achieve high standards of public administration;
- e. value and seek to innovate and continuously improve performance; and
- f. value and seek to operate within a framework of mutual obligation and shared responsibility between public service agencies, public sector entities and public officials.



