2026

THE LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

ELEVENTH ASSEMBLY

ACT Integrity Commission Investigation Report

Operation Kingfisher

Government Response

Presented by
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Chief Minister

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BACKGROUND

1. The 2018-19 Budget provided $18.189 million to undertake a major refurbishment of Campbell Primary School - the Campbell Primary School Modernisation Project.
2. On 10 July 2019 the procurement plan for the Campbell Primary School Modernisation Project was developed and approved. A process to develop a Request for Expression of Interest commences with the project going to market on 30 July 2019 and closing on 27 August 2019.
3. In November 2020 the ACT Integrity Commission (ACTIC) received a corruption report.
4. In March 2021, the ACTIC decided to investigate whether a process to procure a firm to undertake the Campbell Primary School Modernisation Project between 2019 and 2020 was conducted with probity and whether it was affected by corrupt conduct. This investigation is known as Operation Kingfisher.
5. The ACTIC continued its investigations between 2021 and 2026.
6. On 22 December 2021 the ACT Auditor-General presented the Campbell Primary School Modernisation Project Procurement performance audit report to the Speaker for tabling in the ACT Legislative Assembly. The audit, which had commenced in April 2021 considered the procurement for design and construction services for the Campbell Primary School Modernisation Project.
7. In April 2022 the ACT Government tabled a government response to the ACT Auditor-General's report, agreeing or agreeing in principle with its six recommendations. The response committed to specific actions and continual improvements to ensure public and industry confidence in ACT Government procurement processes.
8. On 2 August 2023 the Integrity Commissioner, the Hon Michael F Adams KC, confirmed that the ACTIC's intention to hold public examinations that month.
9. The ACTIC held public hearings between August and December 2023 over 12 days.
10. On 19 December 2023 the ACTIC announced the public aspect of its Operation Kingfisher investigation will continue with a public submissions process.
11. In July 2024 five days of closing submissions were conducted publicly.
12. On 23 July 2026 the ACTIC delivered *Investigation Report – Operation Kingfisher* to the Speaker of the ACT Legislative Assembly Jeremy Hanson MLA, pursuant to section 189 of the *Integrity Commission Act 2018* (IC Act).
13. The Integrity Commissioner made findings of serious corrupt conduct against two individuals – Katy Haire (former Director-General of the Education Directorate) and Joshua Ceramidas (former Chief of Staff to the then Minister for Education and Early Childhood Development).

GOVERNMENT RESPONSE

14. Section 191 of the *Integrity Commission Act 2018* (IC Act) requires the Minister responsible for the ACT public service entity respond to an ACTIC investigation report if:
    a. An investigation report is presented to the Assembly under section 189, and
    b. The investigation report made a finding of serious or systemic corrupt conduct in relation to an ACT public service entity.
15. Section 16 of the IC Act defines an 'ACT public service entity' as any of the following:
    a. the public service;
    b. a statutory office holder;
    c. a territory authority;
    d. a territory-owned corporation;
    e. a subsidiary of a territory-owned corporation; or
    f. a territory instrumentality.
16. Further, Section 15 of the IC Act defines a 'Legislative Assembly Entity' as any of the following:
    a. a member of the Legislative Assembly;
    b. a member of staff of an MLA;
    c. the Office of the Legislative Assembly;
    d. an officer of the Assembly; or
    e. a member of staff of an officer of the Assembly.
17. The ACT Government response is to be presented in the Legislative Assembly in accordance with the IC Act by the Chief Minister as the Minister responsible for the *Legislative Assembly (Members' Staff) Act 1989*, the capacity in which Mr Ceramidas was employed at the time, and the Minister for Education as the Minister responsible for the Education directorate.

Statement

18. The ACT Government acknowledges the ACT Integrity Commission's *Investigation Report – Operation Kingfisher* and its findings and is taking immediate steps to address its findings and observations.

19. The Government also acknowledges the impact the findings and observations have on the community.

20. The Government recognises that the report's findings demonstrate the oversight mechanisms in place are operating as intended and thanks the Integrity Commission for its work.

21. The Government's focus now is on responding to the Commission's findings and observations and ensuring Canberrans can continue to have confidence in the integrity, accountability and transparency of their public institutions.

Measures to respond to ACTIC's findings regarding personnel

22. The ACT Government notes the ACTIC's *Investigation Report – Operation Kingfisher,* presented to the Assembly pursuant to section 189 of the IC Act.

23. In *Investigation Report – Operation Kingfisher* the Commission examined whether the procurement for the Campbell Primary School Modernisation Project was conducted with probity and whether it was affected by corrupt conduct.

Adverse findings

24. The Investigation Report makes adverse findings in relation to the conduct of Ms Haire. The ACT Government notes the report also makes adverse findings against Mr Ceramidas, in his former capacity as the Chief of Staff of former Deputy Chief Minister Berry's Office.

25. The ACT Government also notes there were comments made against other current and former ACTPS employees, and others.

26. While the report does not contain discrete recommendations for Government consideration or action, the Commission has identified in the report and in commentary since the report's release a range areas where the ACT Government may consider there is benefit in investigating reform options or acting. The ACT Government will consider these in due time.

27. The Commission found that the conduct of Mr Ceramidas and Ms Haire satisfies the definition of 'corrupt conduct' under section 9 of the IC Act. The Commission also found that the conduct of Mr Ceramidas and Ms Haire satisfies the definition of 'serious corrupt conduct' under section 10 of the IC Act.

28. The Commissioner referred the conduct of Mr Ferguson to the relevant Minister to consider whether actions should be taken pursuant to the *Legislative Assembly Members Staff Enterprise Agreement 2023-2026*.

Ministerial response

29. The Government notes the Commission's findings in relation to the conduct of Mr Ceramidas and Ms Haire.

30. The Government notes the Commission's findings in relation to Mr Ceramidas' and Ms Haire's conduct, including that the conduct could or might amount to a criminal offence/s in addition to the conduct constituting a serious disciplinary offence and reasonable grounds for dismissal, dispensing or termination of their services.

31. The Government notes that Ms Haire resigned from her position as Director-General of the ACT Education Directorate in 2024.

32. The Government is aware the Commission has provided a copy of *Investigation Report – Operation Kingfisher* to relevant authorities for their consideration.

33. The ACTPS moved quickly in response to the Commissioner's report reflecting the seriousness of the issues raised. Employment matters arising from Integrity Commission reports have appropriate referral pathways under both employment law and other legal processes. The ACTPS is ensuring that these processes are followed.

34. Preliminary Assessments have been taken in accordance with the *Public Sector Management Act 1994*, *Public Sector Management Standards 2016* and relevant Enterprise Agreements. As a result of these assessments several actions have been taken, as well as referrals to the Public Sector Standards Commissioner for further investigation.

35. Processes are also underway to address issues raised in the report in relation to Ministerial staff.

Measures to Improve Procurement Practice and Outcomes

36. The ACT Government is committed to a rigorous, transparent, accountable procurement framework that upholds the highest standards of ethics, probity and integrity.

37. The findings of the Investigation Report relate to events that occurred between 2019 and 2020. The Government has since implemented significant reforms to strengthen integrity, governance and procurement practices across the ACT Public Service.

38. Following the release of the Operation Kingfisher Report, the ACT Government requested that the Acting Head of Service seek assurances from Directors-General that no probity issues of the type highlighted in the report existed for procurements currently underway. Directors-General consulted internally and no issues were raised with the Acting Head of Service.

39. Successive amendments to the *Government Procurement Act 2001* and other relevant legislation have provided practical improvements to strengthen the ACT Government Procurement Framework in delivering procurement outcomes and to support more efficient, flexible and accountable procurement practices.

40. Throughout the reform process, core principles of value for money, transparency, probity and evidence-based decision-making remained unchanged. As a result of these and other changes, procurement capability continues to grow across the ACT Public Service, with new learning opportunities, updated resources and ongoing support available to procurement practitioners and leaders.

41. Individuals engaged in procurement are bound by a legal framework underpinned by the *Financial Management Act 1996*, the *Government Procurement Act 2001*, the *Government Procurement Regulation 2007* and the *Public Sector Management Act 1994*. In addition, the ACT Public Service and the Ministerial codes of conduct articulate the behaviours that support individual accountabilities.

42. The ACT Government is committed to continual improvement of the procurement framework to support compliance with these and other legislative requirements, and to continually improve practice, governance and outcomes.

Procurement Reform Program 2022 - 2026

43. The ACT Government's Procurement Reform Program commenced on 1 July 2022. It has delivered substantial improvements in procurement practices through legislative amendments and practical efforts to improve capability.

44. Procurement ACT has delivered significant reforms including by implementing recommendations of the Auditor-General's 2021 *Campbell Primary School Modernisation Project Procurement* performance audit.

45. In 2022, the Government introduced clearer accountability for senior executives, enhanced probity requirements, stronger compliance measures, and mandatory procurement training for officials involved in procurement activities. Ministerial staff are also required to complete training on probity obligations and the Territory's procurement framework.

46. Continuous improvement and review of the Territory's Procurement Framework ensures it is contemporary, that government expenditure is conducted with transparency, fairness and rigour, and that it achieves value for money in alignment with community values and expectations.

2024 Reforms

47. From 1 July 2024, the *Government Procurement Amendment Act 2024* (Amendment Act 2024) introduced major amendments to the Territory's legislative framework, clarifying key procurement concepts with clear lines for decisions and accountability.

48. The 2024 reforms included the introduction of a legislative requirement for probity in procurement, the expanded definition of value for money, and the creation of Government Procurement Rules. These reforms were the most significant update to the ACT Government's procurement legislation since 2007 and together they form the foundation of the current ACT procurement framework.

49. The 2024 reforms also included expanding the remit of the Government Procurement Board and introduced public reporting requirements on compliance with procurement legislation, increasing transparency and accountability.

50. Through changes to the Administrative Arrangements in November 2024, the Government established Infrastructure Canberra with responsibility to deliver major infrastructure projects in partnership with directorates. Subsequent changes to the Administrative Arrangements in 2024 transferred further capital works responsibilities (including Education Directorate major projects) to Infrastructure Canberra.

51. Additionally, from 1 July 2025 all infrastructure delivery, except for strategic infrastructure planning, was transferred from the then ACT Health Directorate and Community Services Directorate to Infrastructure Canberra. This included public housing growth, renewal and maintenance, and the Facilities Insourcing Taskforce.

52. These changes ensure procurements are handled by a team whose key expertise is in handling capital works procurements. Under Infrastructure Canberra's leadership, project procurement processes have undergone significant reform to ensure transparency and accountability for the procurement and delivery of Tier 1 and Tier 2 projects.

2026 Reforms

53. Building on the 2024 reforms, the most recent round of legislative amendments commenced on 1 July 2026, enhancing the *Government Procurement Act 2001* and *Government Procurement Regulation 2007* to improve efficiency, streamline procurement practices, and strengthen transparency. These changes also support Aboriginal and Torres Strait Islander enterprises and local small to medium enterprises while simplifying the requirements for engaging with suppliers for lower value procurements, detailed in quotation and tender thresholds.

54. The changes outlined in the *Government Procurement Amendment Act* (Amendment Act 2026) make it easier for procurement officers to conduct procurements that are transparent, evidence-based and achieve value for money. Several amendments clarify the legislation to support effective procurement by public servants.

Strengthening Procurement Capability

55. At each stage of reform, change has been supported by improvements to integrity and procurement policy, processes, practice, guidance, and staff training.

56. Most recently, new and updated training and guidance material incorporating changes in the Amendment Act 2026 have been developed and are available on the Procurement Hub. These resources support the operationalisation of procurement reforms to embed them within Territory entities' practices.

57. Procurement capability uplift will continue to be prioritised through targeted engagement and training, guidance, digital resources, and administration of the goods and services procurement accreditation program.

Guidance and Training on Working with Ministers and Ministerial Offices

58. The Office of Industrial Relations and Workforce Strategy in the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) has reviewed and refreshed guidance material for all staff on the roles, responsibilities, protocols and practices for public servants in working with Ministers and their offices.

59. This includes the release of a better practice guide in August 2026 regarding Ministers and probity in procurement. The better practice guide provides practical guidance to Territory entities on engaging with Ministers and their staff throughout the procurement lifecycle.

60. The practice guide outlines how to manage ministerial engagement, protect confidential information, handle enquiries and complaints, and maintain probity. The guide has been provided to all ministers and their offices and includes practical tools, such as ministerial questions and a template probity notice for ministerial offices.

61. Additional material to be delivered will include the rollout of a mandatory training module for all members of the Senior Executive Service.

Repeal of Memorandum of Understanding with UnionsACT

62. In March 2015 a Memorandum of Understanding on Procurement of Works and Services by the ACT Government (the MoU) was agreed with UnionsACT. The 2015 MoU is an update to a document that had been in place since 2005, signed by then Chief Minister Jon Stanhope.

63. The MoU established consultation and information-sharing arrangements in relation to procurement processes and labour-related compliance matters. Since the 2015 MoU was signed, the ACT's procurement framework has been revised.

64. The contemporary procurement framework now provides the relevant mechanisms and safeguards that the MoU was intended to support. In particular, the MoU was superseded by the Secure Local Jobs Code and has not had practical effect since 2019.

65. The ACT Government and UnionsACT have understood the Secure Local Jobs Package replaced the MoU, and consistent with this understanding neither party has actively administered or reviewed the MoU following the commencement of Secure Local Jobs reforms in 2019.

66. The Government has now formally concluded the MoU by exchange of letters with UnionsACT, recognising that the contemporary procurement framework provides the relevant mechanisms and safeguards the MoU was intended to support.

Independent review of the Secure Local Jobs Code

67. The Secure Local Jobs Code provides a transparent and accountable framework to promote high standards of workplace safety, industrial relations compliance and ethical employment practices by employers engaged in ACT Government procurement. The ACT Government is committed to ensuring businesses delivering Territory-funded work meet these standards while achieving value for money for the community.

68. The Secure Local Jobs Code has been in place since 2019 and was last reviewed by the Secure Local Jobs Code Advisory Council (the Council) in 2020, in accordance with legislative requirements.

69. The ACT Government is already taking action, through the Minister for Finance, in line with Recommendation 12 of the Inquiry Report of the Select Committee on Financial Management and Government Procurement Legislative Compliance, which recommended an independent review of the Secure Local Jobs Code.

70. The Government has recently sought advice from and circulated a discussion paper to the Council on key issues, including about how the code may be strengthened to ensure community expectations are better met.

71. The Government will subsequently commission an independent review of the Code to be completed within this term of Government. The review will examine, in part, opportunities to streamline interactions with other ethical and local procurement requirements. The Government is consulting with the Council on Terms of Reference for the independent review.

Review of Tier 1 and Tier 2 Procurements

72. The Chief Minister has tasked the ACT Public Service to undertake a comprehensive review of procurement decisions for construction projects with a total spend of over $500,000 across all portfolios, between 2019 and 2024, to provide assurance on decision-making processes. The findings of the review will be considered in determining any appropriate future examinations, including whether referral pathways should be pursued.

73. Phase 1 of the review has been completed. The ACT Education Directorate reviewed all Tier 1 and Tier 2 procurements in the education portfolio between 2019 and 2026 against risk factors for improper influence identified in the *Investigation Report – Operation Kingfisher*. The review considered whether delegates accepted tender review team recommendations and whether the delegate changed during the procurement process. It found no evidence of improper influence in any procurement process.

74. Phase 2 of the review will consider procurement decisions for construction projects across all portfolios between 2019 and 2024 with a total spend of over $500,000. Consistent with Phase 1, the review will consider whether delegates accepted the tender review team recommendations, and whether the delegate changed during the procurement process.

75. The approach is proportionate to risk and the level of resources necessary to undertake it. The review will include an independent validation process to provide additional assurance. The Phase 2 review findings will be tabled in the ACT Legislative Assembly.

Measures to improve and maintain a culture of integrity across the ACTPS

76. The ACT Government recognises that it is essential to maintain a culture across the ACTPS where staff are confident to raise integrity concerns and those concerns are listened to and taken seriously.

77. Since 2022, there has been a significant uplift in the promotion of integrity across the ACTPS including education campaigns and awareness raising by the ACT Integrity Commission, the ACT Public Sector Standards Commissioner and internal directorate messaging through the Senior Executives Responsible for Business Integrity and Risk (SERBIR) in each directorate.

78. ACTPS staff receive regular communication regarding information and resources about integrity and outlining pathways where integrity concerns could be raised.

79. In support of their unique responsibilities in relation to integrity matters, Directors-General and CEOs receive training and guidance in the delivery of their obligations, while the SERBIR in each Directorate assists Directors-General and CEOs with their work. The audit and risk committee and internal audit functions also play a role in Directors-General and CEOs meeting

their legislative requirements. For example, Directors-General recently attended a workshop with the Integrity Commissioner on integrity matters.

80. There are a range of measures currently underway in addition to the reforms the ACT Government has already delivered to support ACT public servants to act with integrity outlined below.

Implementing Recommendations of the 2023 Govey Review

81. The ACT Government remains committed to improving the operation of the IC Act. The first tranche of legislative amendments to the IC ACT have been made to implement Government-agreed recommendations from the 2023 Govey Review.

82. In the 2025-26 Budget, Government committed $1.571 million over four years to progress the legislative reform agenda associated with responding to the Review, and to provide for reimbursement of personal expenses incurred by witnesses appearing before the Commission.

83. The Government is considering potential future reform options including the recommendations of the Govey Review and is actively engaging with stakeholders on these. The implementation of several recommendations will require significant legislative reform and consideration of the related budgetary implications. Parallel work is continuing to consider how non-legislative tools may be used or put in place.

84. Work also continues to implement the second and third tranche legislative amendments for the remaining agreed recommendations of the Govey Review, including amendments to the *Public Interest Disclosure Act 2012*.

Reforms to the Ministerial Staff Code of Conduct

85. The Government is undertaking a review of the *Legislative Assembly (Members' Staff) Code of Conduct for Ministerial Staff and Staff of Other Office-holders Determination 2015* to ensure it remains fit-for-purpose and inform potential future change. The review will ensure it provides greater clarity around roles, responsibilities, and expected standards of behaviour.

86. Formalised induction including mandatory training processes have been implemented for Ministerial Staff and will be updated to reflect changes to the Ministerial Staff Code of Conduct following the implementation of those reforms.

87. These processes will reinforce that Ministers and ministerial staff are not procurement decision-makers and should not be involved in procurement assessments. Equally, individuals or organisations should not seek to influence Ministers or ministerial staff in relation to procurement processes.

88. This principle is reflected in the *Ministers and Probity in Procurement Better Practice Guide* released in August 2026, which provides guidance for Territory entities on appropriate engagement with Ministers and their staff.

Review of Integrity Framework whole-of-government documents

89. The ACTPS Integrity Framework ('the Integrity Framework' or 'the Framework') consolidates the key standards of conduct and accountabilities that apply to ACTPS directorates and public sector bodies and their employees.

90. It is underpinned by Section 9 of the *Public Sector Management Act 1994,* Part 2.3 of the *Public Sector Management Standards 2006,* ACTPS Values and Signature Behaviours and ACTPS Code of Conduct.

91. Creating a pro-integrity culture is an ongoing work program for the ACT Public Service, having had a particular focus in recent years as the ACT's integrity and anti-corruption framework continues to mature.

92. A review has commenced of the ACTPS Integrity Framework and related whole of government policies to ensure they are contemporary and consider matters raised in the Operation Kingfisher Report.