

ACT Integrity Commission's response to a recommendation of the Standing Committee on the Integrity Commission and Statutory Office Holders

Recommendation

The Committee recommends (recommendation 6) that the ACT Integrity Commission make the final report on Operation Kingfisher available at the earliest opportunity following the conclusion of the procedural fairness stage.

Response

The Commission is acutely aware of the level of interest in the investigation being conducted under operational codename Kingfisher, which is examining whether public officials within the ACT Education Directorate failed to exercise their official functions honestly and/or impartially when making recommendations and decisions regarding the Campbell Primary School Modernisation Project between 2019 and 2020.

Whilst the draft investigation report is well advanced, the Commissioner identified the need to conduct further information gathering, including examination of additional documentary material and the examination of a witness. That witness commenced legal action in The Supreme Court of the ACT in July 2025 challenging the basis of a summons for the production of a device and the legality of the extraction of data contained in it. This litigation will delay the investigation and, necessarily, completion of the proposed report and commencement of the procedural fairness process. The Commission will seek expedition of the proceedings, but this is a matter for the Court, and it is impossible to reliably predict when the litigation will be determined.

Following the conclusion of the procedural fairness stage of Operation Kingfisher, the Commissioner will complete the Investigation Report and provide to the Speaker for presentation to the Legislative Assembly according to s189 of the *Integrity Commission Act 2018*.

The Committee will be provided with a copy of the final report via the Secretariat for the Committee, following distribution to the Legislative Assembly.

The Hon. Michael F Adams KC
ACT Integrity Commissioner

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