

MEDIA RELEASE

Future steps for Operation Kingfisher Investigation

19 December 2023

The ACT Integrity Commission (the Commission) has today confirmed that the public aspect of its Operation Kingfisher investigation will continue with a public submissions process.

Operation Kingfisher is an investigation into 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.

To date, the Commission has held four blocks of public examinations regarding Operation Kingfisher between August and December 2023. Following the December block, the Integrity Commissioner, the Hon. Michael F Adams KC, determined that no further witnesses will be called to provide evidence to the Commission in a public examination.

He also set out the processes to occur and the timetable for those processes as follows:

- Counsel assisting the Commissioner will provide written submissions to the Commissioner by 12 February 2024
- Any party to this matter (including witnesses who have given evidence in the public examinations) have until 4 March 2024 to provide responses to Counsel Assisting's submission
- Public hearings to accept oral submissions from parties will occur from 12 March 2024, with four days set aside to hear submissions.

The oral submission process will operate similarly to the public examinations, in that they will be live streamed and transcripts available on the Commission's website. During this process, legal representatives for affected parties will orally address the Integrity Commissioner, as will Counsel Assisting the Commission. The Integrity Commissioner will consider these submissions in the drafting of the final investigation report for Operation Kingfisher and whether it is appropriate to make any formal corruption findings.

Speaking about the public examinations process, the Integrity Commissioner said:

'With Operation Kingfisher, significant amounts of evidence have been given in public. In the interests of procedural fairness, I have determined that it is most appropriate to conclude this process with public submissions that allows affected parties the opportunity to respond to the evidence put forward. '

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The Integrity Commissioner also noted that the conclusion of the public examination and public submission processes does not mean a final investigation report is imminent. The process for drafting such a report is considerable and requires the deliberation of significant volumes of evidence and materials. Before an investigation report can be finalised, it must be circulated to the affected parties to give them an opportunity to comment. The Act mandates a six week period to enable this to be done. The comments are then taken into account and, following any appropriate changes, the final report will be tabled in the ACT Legislative Assembly and published on the Commission's website.

Further information about Operation Kingfisher is available on the [Commission's website](#). Media representatives who wish to attend the public submissions must register their interest in attending in advance. Registration requests can be sent to media@integrity.act.gov.au. Due to space limitations, the Commission asks that each outlet sends one representative only.

Members of the public are not able to attend the public submissions and may watch proceedings via a live stream that will be available on the Commission's website – integrity.act.gov.au.

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