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AUSTRALIAN CAPITAL TERRITORY

MEDIA RELEASE

Kingfisher response fails the public trust test: Master Builders ACT

FOR IMMEDIATE RELEASE

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Master Builders ACT has criticised the ACT Government's response to the ACT Integrity Commission's Operation Kingfisher investigation, warning that meaningful procurement reform is essential to restoring public confidence in how taxpayers' money is spent.

Master Builders ACT Chief Executive Officer Anna Neelagama said the findings of Operation Kingfisher should mark a turning point in the governance of public procurement in the ACT.

'Operation Kingfisher has exposed serious failures. But the systems that allowed misconduct and corruption to occur must now be subject to meaningful reform.

'We must ensure that this is never repeated. Yet the ACT Government's response to date has demonstrated little more than a tepid appetite for change, favouring the preservation of the status quo over the systemic reform needed to restore public confidence.'

Ms Neelagama questioned whether the Government's internal reviews provided sufficient independent assurance that similar procurement failures had not occurred elsewhere.

'They have effectively marked their own homework, declared 'nothing to see here', and expected the Canberra community to simply move on.

'When serious failures of public administration are exposed, the answer cannot be more internal reviews and assurances that existing processes are adequate.

'Every Canberra taxpayer has a stake in this. They deserve to know that every dollar spent on public infrastructure is subject to fair competition, independent scrutiny and genuine value-for-money considerations.

‘A $1 million difference on an $18 million project might be dismissed as history. But apply that same percentage to a $1.3 billion construction pipeline and the potential cost exceeds $70 million. That is not a finding of further losses, but it illustrates why independent scrutiny and value for money matters.’

Ms Neelagama said the findings presented a once-in-a-generation opportunity to rebuild trust in ACT Government procurement.

‘Rather than doing the bare minimum, every member of the Legislative Assembly should recognise the opportunity before them to deliver generational improvements to the ACT procurement system.

‘This is about justice for businesses that have been wronged, restoring fairness for those competing for government work, and protecting public money.

‘The Canberra community deserves a procurement system that is beyond reproach, and local businesses deserve a fair opportunity to compete and win where they put in the best tender.’

Master Builders ACT calls for reform across three priorities

1. **Justice and remediation**

Those who suffered loss or harm as a result of the conduct exposed by Operation Kingfisher deserve a clear pathway to remediation and redress, alongside accessible mechanisms for reporting historical and current procurement concerns.

Master Builders ACT calls for:

- a formal apology to Manteena and the entire team involved in its Campbell Primary School tender
- an independent and confidential complaints pathway for businesses to raise concerns about live tenders
- the establishment of an independent Procurement Commissioner and a dedicated taskforce to investigate procurement concerns, review relevant historical decisions and recommend appropriate remediation.

2. **Integrity and fairness**

At an absolute minimum, ACT Government procurement must be fair, accountable, competitive and protected from improper third-party influence.

Master Builders ACT calls for:

- senior independent probity officials to be appointed to major government construction projects
- mandatory fit-and-proper-person tests for senior procurement decision-makers and political advisers
- a mandatory register of union contact relating to government procurement, with appropriate bi-annual reporting to the Legislative Assembly.

3. Value for money and local capability

ACT Government construction procurement must deliver genuine value for taxpayers while being reset to create fair opportunities for local businesses, local workers and apprentices.

Master Builders ACT calls for:

- abolition of the Secure Local Jobs Code as it has failed both local workers and businesses
- strengthened Local Industry Participation Plans, with measurable commitments incorporated into government contracts
- a mandatory Local Capability Test requiring government to assess whether capable local businesses and workers can deliver projects before interstate contractors and multinationals are invited to compete.

Ms Neelagama said meaningful reform would require more than administrative adjustments.

'The ACT community deserves more than crocodile tears and hollow assurances. The Government's response falls well short of the meaningful reform needed to restore public confidence.'

'The measure of the Government's response will not be how many recommendations it accepts or how many reviews it undertakes. It will be whether the next generation of Canberra businesses can compete for government work with confidence that the process is fair and delivers the best value for taxpayers.

'Operation Kingfisher must be remembered not only for the corruption it exposed, but for the lasting reforms it inspired.'

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