



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDD FOI 2025-433
Date of Application	3 December 2025
Date of Decision	16 January 2026
Processing time (in working days)	26
Fees	Waived
Decision on Access	Partial Release
<b>Information Requested (summary)</b>	All information in relation to meetings and discussions involving Craig Sloan and Chris Steel regarding a contract with CIT between June 1 and July 30 2022
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

**From:** "CMTEDD FOI"  
**Sent:** 05/12/2025 12:12 PM  
**To:** "Brown, KellyX (CIT)" <KellyX.Brown@cit.edu.au>  
**Cc:** "STEEL" <STEEL@act.gov.au>; "Ferguson, David" <David.Ferguson@act.gov.au>; "ARCG (CITEDU)" <ARCG@citeduau.mail.onmicrosoft.com>; "Kumar, SarwanS (CIT)" <SarwanS.Kumar@cit.edu.au>  
**Subject:** FW: Freedom of Information request – CIT Board Chair Meetings and Discussions with Minister Steel – CIT FOI-11 – Partial Transfer  
**Attachments:** Application CIT FOI 11.docx

Dear Kelly

CMTEDD has been approached by Minister Steel's office to deal with this access application.

Minister Steel's office accepts partial transfer. Transfer date to Minister Steel's office being 3 December 2025.

The applicant will be advised via acknowledgment of access application, that the request has been partially transferred in line with section 58(2).

Please don't hesitate to reach out if there are any questions.

Katharine

**Katharine Stuart (she/her) | Senior Director, Information Management**  
Phone: 02 6207 4497 | Email: [katharine.stuart@act.gov.au](mailto:katharine.stuart@act.gov.au)  
**Governance, Reporting, Information and Facilities | Corporate**  
**Chief Minister, Treasury and Economic Development Directorate | ACT Government**  
220 London Circuit, Canberra City | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

---

**From:** STEEL  
**Sent:** Wednesday, 3 December 2025 3:34 PM  
**To:** CMTEDD FOI  
**Cc:** Ferguson, David  
**Subject:** FW: Freedom of Information request – CIT Board Chair Meetings and Discussions with Minister Steel – CIT FOI-11 – Partial Transfer

Good afternoon

Could I please request CMTEDD to take carriage of this FOI request and decide on Minister Steel's behalf?

May our office please seek advice on what actions are needed.

Kind regards,  
**Emily Byass**  
Office Manager  
**Office of Chris Steel MLA**  
Labor Member for Murrumbidgee  
Treasurer  
Minister for Transport

Minister for Planning and Sustainable Development  
Minister for Heritage  
ACT Legislative Assembly  
GPO Box 1020, CANBERRA ACT 2601  
[www.chrissteel.com.au](http://www.chrissteel.com.au)



---

**From:** Brown, KellyX (CIT) <[KellyX.Brown@cit.edu.au](mailto:KellyX.Brown@cit.edu.au)>  
**Sent:** Wednesday, 3 December 2025 2:23 PM  
**To:** STEEL <[STEEL@act.gov.au](mailto:STEEL@act.gov.au)>  
**Cc:** Kumar, SarwanS (CIT) <[SarwanS.Kumar@cit.edu.au](mailto:SarwanS.Kumar@cit.edu.au)>; ARCG (CITEDU) <[ARCG@citeduau.mail.onmicrosoft.com](mailto:ARCG@citeduau.mail.onmicrosoft.com)>  
**Subject:** FW: Freedom of Information request – CIT Board Chair Meetings and Discussions with Minister Steel – CIT FOI-11 – Partial Transfer

You don't often get email from [kellyx.brown@cit.edu.au](mailto:kellyx.brown@cit.edu.au). [Learn why this is important](#)

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**OFFICIAL:  
Sensitive**

Forwarding to general email address for Minister Steel

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**From:** Brown, KellyX (CIT)  
**Sent:** Tuesday, 2 December 2025 3:52 PM  
**To:** Byass, Emily (ACTGOV) <[Emily.Byass@act.gov.au](mailto:Emily.Byass@act.gov.au)>  
**Subject:** Freedom of Information request – CIT Board Chair Meetings and Discussions with Minister Steel – CIT FOI-11 – Partial Transfer

Good Afternoon

**Subject:** Freedom of Information request – CIT Board Chair Meetings and Discussions with Minister Steel – CIT FOI-11 – Partial Transfer

The Audit, Risk, Governance and Compliance area of CIT has received the attached Freedom of Information (FOI) request regarding meetings and discussions between the CIT Board Chair, Craig Sloan and Minister Chris Steel between 1 June and 30 July 2022. The request is specifically seeking information in relation to meetings and discussions between CIT Board Chair Chris Sloan and Minister Chris Steel about Think Gardens sixth contract with CIT over the specified dates.

Under Section 58(1) of the Freedom of Information Act 2016, an FOI request may be partially transferred to another entity that is likely to hold relevant information. Accordingly, we are requesting that Minister Steel's Office accept a partial transfer of this request for any information within the scope outlined below that your office may hold.

The scope of request is as follows:

'All information in relation to meetings and discussions involving CIT Board Chair Craig Sloan and CIT Minister Chris Steel regarding Think Garden's sixth contract with CIT between June 1 and July 30 2022, including but not limited to a meeting held on or around 13, 14 or 15 June.'

No further information or refinement of the request has been sought from the applicant.

Should you require any additional details or have questions regarding this transfer, please do not hesitate to contact us.

Regards

Djan Yimaba Yara  
(Thank you and Bye in Ngunnawal language)

**Kelly Brown**

Project Officer

Audit, Risk and Corporate Governance

**Canberra Institute of Technology**

Tel: +61 (02) 6207 8600 | Email: [kellyx.brown@cit.edu.au](mailto:kellyx.brown@cit.edu.au)

Address: CIT Woden, Bulilding C, Level 5, 36 Bradley Street, Phillip ACT, 2602 | GPO 826, Canberra 2601 CRICOS No. 00001K | RTO 0101 **Connect with CIT on:** [cit.edu.au](http://cit.edu.au) | [Facebook](#) | [Instagram](#) | [YouTube](#) | [LinkedIn](#)



In the spirit of reconciliation, we acknowledge that we are on Ngunnawal land.  
Please consider the environment before printing this email.

OFFICIAL

**From:** [REDACTED]  
**Sent:** Friday, 31 October 2025 3:17 PM  
**To:** CIT Office of the Chief Executive <[CITOfficeoftheChiefExecutive@cit.edu.au](mailto:CITOfficeoftheChiefExecutive@cit.edu.au)>  
**Subject:** FOI Request

You don't often get email from [REDACTED] [Learn why this is important](#)

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello,

This is a request for the following information under the FOI Act:

All information in relation to meetings and discussions involving CIT Board Chair Craig Sloan and CIT Minister Chris Steel regarding Think Garden's sixth contract with CIT between June 1 and July 30 2022, including but not limited to a meeting held on or around 13, 14 or 15 June.



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2025-433

via email: [REDACTED]

Dear Sir/Madam

## FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), which was partially transferred from Canberra Institute of Technology (CIT) to the Office of Chris Steel MLA on 3 December 2025.

Specifically, you have sought access to the following information:

*“All information in relation to meetings and discussions involving CIT Board Chair Craig Sloan and CIT Minister Chris Steel regarding Think Garden's sixth contract with CIT between June 1 and July 30 2022, including but not limited to a meeting held on or around 13, 14 or 15 June.”*

**Please note** that in addition to this response you can expect to receive a separate decision from CIT on information held by them.

### Authority

Under section 33(2) of the Act, *an access application made to a Minister may be dealt with by the person the Minister directs*. CMTEDD FOI has been asked to deal with this application. I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days.

Therefore, a decision is due by **22 January 2026**.

### Decision on access

Searches within records of Minister Steel's Office have identified seven documents within the scope of your request.

I have decided to grant **partial access** to all seven documents.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I note that the total number of documents listed excludes duplicate copies of documents.

### Release of documents

The information being released to you is provided at **Attachment B**.

### Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request
- the *Human Rights Act 2004*
- ACT Ombudsman FOI Guidelines

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring nondisclosure in **Schedule 2** of the Act.

### **Exemptions claimed**

#### **Schedule 1: Information taken to be contrary to the public interest**

My reasons for deciding not to grant access to the identified documents and/or components of these documents (refer the schedule at **Attachment A**) are based on the following provision.

- Section 1.2 - Information subject to legal professional privilege.

Some of the information within your requested scope is exempt from release under section 1.2 of Schedule 1 of the Act as it is information that is deemed privileged under Legal Professional Privilege. This information can only be released if the parties involved agree to waive that privilege. The parties have not waived privilege.

#### **Public Interest Test**

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

#### **Schedule 2: Factors to be considered when deciding the public interest**

Taking into consideration the information within scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

#### ***Factors favouring disclosure (Section 2.1)***

- *Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government’s accountability.*
- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(iv) - ensure effective oversight of expenditure of public funds.*

I consider release of the information contained in these documents would promote open discussion and enhance the government's accountability regarding the handling of specific contracts. I find the release of this information would reasonably contribute to government's accountability, contribute to informed debate on matters of public interest including those regarding education in the Territory, and provide background on a government response.

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

***Factors favouring nondisclosure (Section 2.2)***

- *Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

Having reviewed the information, I consider that the protection of an individual's right to privacy, is a significant factor. Release of information concerning individuals working within the ACT Public Service is generally not considered to prejudice the protection of an individual's right to privacy. However, where non-ACT government email addresses, mobile phone numbers and signatures to sign documents have been used, this information has been redacted as it could or would reasonably be expected to prejudice an individual's right to privacy under the *Human Rights Act 2004*.

Having applied the test outlined in section 17 of the Act and deciding that release of some information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

**Charges**

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

**Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a [disclosure log](#).

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

**Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601  
Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

**ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740  
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact the CMTEDD FOI Team by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate

16 January 2026



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

**WHAT ARE THE PARAMETERS OF THE REQUEST**

Reference NO.

*All information in relation to meetings and discussions involving CIT Board Chair Craig Sloan and CIT Minister Chris Steel regarding Think Garden's sixth contract with CIT between June 1 and July 30 2022, including but not limited to a meeting held on or around 13, 14 or 15 June.*

CMTEDDFOI 2025-433

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-3	Email Correspondence: Correspondence from ACT Minister for Skills Chris Steel	7 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
2	4-5	Email Correspondence: Re Meeting request phone call with Minister Steel	14 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
3	6-9	Email Correspondence: Additional Information as requested	15 June 2022	Partial	Sch 1 s1.2 and Sch 2 s2.2 (a)(ii)	Yes
4	10-13	Email Correspondence: Correspondence from Minister Chris Steel	17 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
5	14	Email Correspondence: Correspondence from Minister Chris Steel (1)	17 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
6	15-22	Email Correspondence: Correspondence from Minister Chris Steel (2)	17 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
7	23-24	Email Correspondence: CIT Independent Audit Update	24 June 2022	Partial	Sch 2 s2.2 (a)(ii)	Yes
<b>Total No of Docs</b>						
7						

**From:** "STEEL"  
**Sent:** 07/06/2022 2:00 PM  
**To:** "'Sloan, Craig J'" Sch 2.2(a)(ii)  
**Cc:** "'Sch 2.2(a)(ii)"; "Cover, Leanne (CIT)"  
<Leanne.Cover@cit.edu.au>  
**Subject:** Correspondence from ACT Minister for Skills Chris Steel  
**Attachments:** Correspondence - Minister Chris Steel - CIT Board - CIT contracts.pdf

Good afternoon,

Please find attached correspondence from ACT Minister for Skills Chris Steel.

Regards

**Office of Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

ACT Legislative Assembly

GPO Box 1020, CANBERRA, ACT 2601 Australia

[steel@act.gov.au](mailto:steel@act.gov.au) | 02 6205 1470





**Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

Member for Murrumbidgee

---

Mr Craig Sloan

Chair, Board of Directors

Canberra Institute of Technology

[cjsloan@kpmg.com.au](mailto:cjsloan@kpmg.com.au)

Dear Mr Sloan, *Craig*

I write in relation to Canberra Institute of Technology (CIT) contract 2022.GS3003590.220, which has recently been notified on the Tenders ACT Contracts Register.

This contract commits CIT to \$4.99 million in expenditure from 2022 to 2024 on professional services via a provider who has been engaged on multiple prior contracts with the Institute. According to external analysis of the ACT contracts register, this will bring CIT's expenditure with this provider to more than \$8 million since 2018.

In March 2021 I wrote to you seeking clarification of the nature of the first four contracts and how they contributed to the efficient, effective delivery of CIT's mission to deliver high quality skills and training for the Canberra community. In my subsequent discussions directly with you, and between my office and CIT's CEO, the government flagged concerns that these contracts may not represent efficient use of public funds in line with community expectations.

I am therefore concerned that CIT has entered into another, significantly larger contract with this provider, following those discussions and advice. I have reviewed the tender documentation and contract for this procurement and am unable to determine the specific work to be delivered through it, based on the use of jargon and an ill-defined statement of requirements.

I seek your advice on the following matters in line with my responsibilities as Minister for Skills:

- How and why has CIT determined that the work to be procured under this contract represents necessary, efficient and appropriate expenditure of public funds?

ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601

+61 2 6205 1470

[steel@act.gov.au](mailto:steel@act.gov.au)

[@ChrisSteelMLA](https://twitter.com/ChrisSteelMLA)

[chrissteellabor](https://www.facebook.com/chrissteellabor)

[chrissteelmla](https://www.instagram.com/chrissteelmla)

- Specifically what will be delivered under the terms of this new contract, and what personnel will be involved in its delivery? Please provide a detailed itemised breakdown, of the kind provided in response to my correspondence of March 2021.
- What justification is there for such a large quantum of funding, at \$4.99 million, being used for change management services of this nature? Were lower cost alternatives considered?
- Given CIT has been procuring change management services from this external consultant since 2018, why has the Institute not recruited an in-house adviser or team to undertake this work at less expense than ongoing external consultancies?
- What oversight has the CIT Board had of services delivered under the prior contracts, and how have you assured yourselves that this expenditure represents ongoing value for money?
- Can the Board provide assurance that the procurement process for this contract was conducted with the highest levels of probity and impartiality? In particular, I seek your direct assurance that no representatives of the external provider – either directors or staff members – were involved in the preparation of tender documents, statements of requirements or other materials associated with the conduct of this tender.

I request that this advice be provided, in writing, by 14 June 2022.

Yours sincerely



Chris Steel MLA

CC:

Kate Lundy, Deputy Chair, Canberra Institute of Technology Board

Leanne Cover, Chief Executive Officer, Canberra Institute of Technology

**From:** "Sloan, Craig J" [Sch 2.2(a)(ii)]  
**Sent:** 14/06/2022 6:34 PM  
**To:** "Rayner, Jennifer" <Jennifer.Rayner@act.gov.au>  
**Cc:** "STEEL" <STEEL@act.gov.au>  
**Subject:** Re: Meeting request: phone call with Minister Steel

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Thanks  
Jen. I will  
be in our

Melb office tomorrow so my mobile is best. Number is [Sch 2.2(a)(ii)].

Get [Outlook for iOS](#)

**From:** Rayner, Jennifer  
**Sent:** Tuesday, June 14, 2022 5:53:59 PM  
**To:** Sloan, Craig J  
**Cc:** STEEL  
**Subject:** [EXTERNAL] RE: Meeting request: phone call with Minister Steel

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Thanks Craig – we'll book that in. What number would be best for him to call you on?  
Jen

**From:** Sloan, Craig J  
**Sent:** Tuesday, 14 June 2022 5:05 PM  
**To:** Rayner, Jennifer  
**Cc:** STEEL  
**Subject:** RE: Meeting request: phone call with Minister Steel

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Hi Jen. I am  
very happy  
to meet  
with the  
Minister

and can do 10am if that is still available.  
Cheers  
Craig

**From:** Rayner, Jennifer <[Jennifer.Rayner@act.gov.au](mailto:Jennifer.Rayner@act.gov.au)>  
**Sent:** Tuesday, 14 June 2022 4:56 PM  
**To:** Sloan, Craig J [Sch 2.2(a)(ii)]  
**Cc:** STEEL <[STEEL@act.gov.au](mailto:STEEL@act.gov.au)>  
**Subject:** [EXTERNAL] Meeting request: phone call with Minister Steel

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Hi Craig,  
Minister Steel would like to speak with you by phone to discuss the correspondence received this afternoon from the CIT Board.  
Could you please advise if you would be available tomorrow morning at either 10am or 11am for a conversation with him?  
Thank you,  
Jen

**Dr Jennifer Rayner**  
**Chief of Staff**  
**Office of Chris Steel MLA**  
Minister for Transport and City Services  
Minister for Skills  
Special Minister of State

ACT Legislative Assembly  
GPO Box 1020, CANBERRA, ACT 2601 Australia  
Mob: Sch 2.2(a)(ii)  
[www.chrissteel.com.au](http://www.chrissteel.com.au)



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\*\*\*\*\*

**From:** "Sloan, Craig J" [Sch 2.2(a)(ii)]  
**Sent:** 15/06/2022 3:05 PM  
**To:** "STEEL" <STEEL@act.gov.au>  
**Cc:** "Rayner, Jennifer" <Jennifer.Rayner@act.gov.au>  
**Subject:** Additional Information as requested  
**Attachments:** ACTGS Request for Legal Advice Draft CIT Board contract TG.docx

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Hi Minister  
Further to  
our

conversation this morning, I would like to provide you with the following information as requested:

- The Board's request for legal advice from the ACT Government Solicitor which was submitted this afternoon (attached). [Sch 1 1.2]

Sch 1 1.2

- The members of the Tender Evaluation Team for the most recent procurement process were:
  - Cheryl Steff, CIT – Team Chair
  - Jaci Ganendran, CIT – member
  - Sean McDonnell, Canberra Health Services – member

Thank you again for your time this morning to discuss this matter and for your support of CIT. The Board will be finalising our terms of reference for the scope of the independent review and will share that when finalised. In the meantime should you have any further queries or require any additional information please contact me at any time.

Kind regards

**Craig Sloan**  
Chair  
Canberra Institute of Technology

Tel +61 2 6248 1301

[Sch 2.2(a)(ii)]

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\*\*\*\*\*  
\*\*\*\*\*

Sch 1 1.2

Sch 1 1.2

Sch 1 1.2

**From:** "STEEL"  
**Sent:** 17/06/2022 9:51 AM  
**To:** "Sloan, Craig J" [Sch 2.2(a)(ii)]  
**Cc:** "STEEL" <STEEL@act.gov.au>  
**Subject:** Correspondence from Minister Chris Steel  
**Attachments:** STEEL - CIT Board Chair - CIT contracts - 20220617.pdf

Good morning,

Please find attached correspondence from Minister Chris Steel.

Regards,

**Office of Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

ACT Legislative Assembly

GPO Box 1020, CANBERRA, ACT 2601 Australia

[www.chrissteel.com.au](http://www.chrissteel.com.au)





**Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

Member for Murrumbidgee

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Mr Craig Sloan  
Chair  
Canberra Institute of Technology Governing Board  
GPO Box 826  
CANBERRA ACT 2601

Our ref: CMTEDD2022/2666

Dear Mr Sloan *Craig*

I refer to your letter of 14 June 2022, in response to my correspondence about Canberra Institute of Technology (CIT) contract 2022.GS3003590.220.

I recognise CIT is an independent authority established under the *Canberra Institute of Technology Act 1987*, with a governing board. Nevertheless, the Board has been entrusted with public funding to deliver vocational education and training to Canberrans, and continue to strengthen CIT's teaching and learning outcomes.

Overall, I am underwhelmed by your response and disappointed that CIT's governance arrangements have resulted in a situation where a series of procurements have, in my view, seriously damaged CIT's reputation. This is very unfortunate for the hundreds of CIT staff members who work hard every day to deliver high quality education, and who take considerable pride in the contribution CIT makes to training Canberrans.

Under the *Financial Management Act 1996*, the CIT Board is responsible for the efficient and effective financial management of CIT resources. I note your advice that the CIT Board was not involved in the procurement, nor briefed on the evaluation process or contract value, and that the procurement was undertaken by the CIT Executive within the Chief Executive Officer's financial delegations.

I am disappointed the CIT Board, by its own admission, was apparently unaware of such a significant contract and the financial implications, particularly given I, and my office, had raised concerns about how the previous contracts had contributed to the efficient and effective delivery of CIT's mission.

---

ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601



+61 2 6205 1470



steel@act.gov.au



@ChrisSteelMLA



chrissteellabor



chrissteelmla

My primary, and ongoing, concerns with this series of contracts, and particularly the latest contract, are the quantum of funding provided, what this will deliver and how it will provide value-for-money for the CIT and ACT taxpayers.

It is unclear what actions, if any, were undertaken to address my concerns, given CIT went on to procure this latest, and much larger, \$4.9 million contract. I also now understand the Government Procurement Board provided advice to the CIT Executive in relation to a number of these procurements, including for the latest and largest procurement. On my current understanding, this advice was largely not addressed by the delegate.

I now expect the Board to act with urgency to restore confidence in CIT for staff, students and the community.

I welcome the CIT Board's intention to undertake an independent audit. However, I expected stronger and more decisive action on the part of the Board to have already been taken, given previous correspondence and discussions about related contracts. This audit should be completed as soon as possible so its findings can be quickly acted upon. I request a report of the outcomes of the audit by no later than 31 July 2022. While a matter for the Chief Executive Officer and the Board, it is my view that the Board should endeavour to take all steps to ensure the current contract is placed on hold until the audit is complete and a determination is made about the future of this arrangement.

Based on the matters outlined in your response, pertaining to the Board's oversight of contracts, this example has raised serious concerns about CIT's governance framework and risk controls relating to procurements. An appropriate governance framework must underpin the efficient and effective use of public funds to deliver clear and tangible vocational education and training outcomes for Canberrans.

I therefore intend to use my powers under section 7 of the *Canberra Institute of Technology Act 1987* to give directions to the CIT Board in relation to the exercise of CIT's functions. These directions will address governance of the CIT pertaining to procurement matters, and prioritisation of teaching and learning within CIT's transformation agenda. To support the development of these directions, I request you provide further information on the existing governance arrangements for CIT, particularly in relation to the financial management of CIT resources.

Further, while the employment of the Chief Executive Officer is a matter for the CIT Board, I expect the Board will ensure the Chief Executive Officer's management of these contractual matters is appropriately reviewed, given the matters that have been raised. Careful stewardship of an organisation's financial, human and reputational resources is both a core responsibility and an important performance indicator for any senior executive.

In closing, I acknowledge CIT is undergoing transformational change aligned to the *Strategic Compass*, and that the leadership and broader workforce require the skills and capabilities to drive this reform. This work is extremely important in ensuring CIT remains the cornerstone public provider of the ACT's training system, and can continue to adapt to changing student and workforce needs. The Government supports the Board's ambition to drive organisation change and ongoing evolution of CIT's offerings so that the Institute can maximise the opportunities presented by the move to its new Woden campus.

However, I am yet to be convinced that the quantum of this investment is warranted or will deliver tangible outcomes for CIT's transformation agenda that represent value for money, when considering the opaque deliverables and outcomes described in the series of contracts.

Finally, the apparent lack of process and questioning by the CIT Board of these contracts, even after I made my concerns clear last year, is unacceptable. Given that your term is ending shortly, I will be issuing a statement of expectations to the incoming CIT Board Chair in coming weeks, and will be requiring the Board to review its governance arrangements and skills matrix to ensure it can guide CIT through its important reform agenda.

The upcoming appointment of a new CIT Board Chair represents an important opportunity to re-set and move forward in a manner that better aligns with government and community expectations for the conduct of Canberra's public skills and training provider.

Yours sincerely



Chris Steel MLA

**From:** "STEEL" <STEEL@act.gov.au>  
**Sent:** 17/06/2022 9:51 AM  
**To:** "Sloan, Craig J" Sch 2.2(a)(ii)  
**Cc:** "STEEL" <STEEL@act.gov.au>  
**Subject:** Correspondence from Minister Chris Steel  
**Attachments:** STEEL - CIT Board Chair - CIT contracts - 20220617.pdf

Good morning,

Please find attached correspondence from Minister Chris Steel.

Regards,

**Office of Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

ACT Legislative Assembly

GPO Box 1020, CANBERRA, ACT 2601 Australia

[www.chrissteel.com.au](http://www.chrissteel.com.au)



**From:** "STEEL"  
**Sent:** 17/06/2022 10:15 AM  
**To:** "Duncan, Tom" <Tom.Duncan@parliament.act.gov.au>  
**Cc:** "STEEL" <STEEL@act.gov.au>  
**Subject:** Correspondence from Minister Chris Steel  
**Attachments:** Attachment A - CIT correspondence to Minister Steel - 20220614.pdf, Attachment B - Steel - CIT Board Chair - CIT contracts - 20220617.pdf, Steel - Letter to Clerk - 20220617.pdf

Good morning,

Please find attached correspondence from Minister Chris Steel.

Regards,

**Office of Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

ACT Legislative Assembly

GPO Box 1020, CANBERRA, ACT 2601 Australia

[www.chrissteel.com.au](http://www.chrissteel.com.au)



Mr Chris Steel MLA  
Minister for Skills  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA ACT 2600

Dear Minister

Thank you for your letter received on 7 June 2022, requesting further information about Canberra Institute of Technology (CIT) contract 2022.GS3003590.220.

The CIT Board is committed to ensuring that CIT is primed to meet the twin objectives to operate as a public provider of vocational education and training and operate with greater commercial and entrepreneurial focus in an increasingly contestable training marketplace.

To ensure that CIT is a fit-for-purpose and effective institute ready to respond in rapidly-changing circumstances, ensuring future viability and sustainability the institute needs to evolve into a modern and responsive vocational training institution. The Board's commitment to the Strategic Compass and Evolving Together as agreed by the ACT Government on 4 May 2021 remains the key mechanism that will drive this evolution.

On Monday, 13 June 2022, the Board met and considered its response to your letter which raised concerns with the procurement process and value for money proposition of contract 2022.GS3003590.220 (the contract). At this meeting your earlier letter of February 2021 regarding the same contractor was provided to the Board.

In relation to the contract, the procurement process for Think Garden was undertaken by the CIT Executive within the Chief Executive's financial delegations. The CIT Board was not involved in the procurement and was not briefed on the evaluation process or the value of the successful contract.

While the CIT Board has had regular briefings from Think Garden on the progress of their work it will be important to assess the ongoing effectiveness of the services offered to ensure that outcomes are being achieved and the contract represents ongoing value for money.

The CIT Board will therefore undertake an independent review of the contract against desired outcomes and will work with the Executive to ensure that clear milestones and KPIs are being achieved.

The CIT Board has agreed that based on the information we have at hand it is not currently in a position to provide assurance to you that this contract represents value for money. In order to remedy this position, the Board has resolved to immediately review the contract in question through an independent internal audit. The internal audit will be conducted by an external, independent auditor and will:

1. review the contract in its entirety, including whether it constitutes value for money, taking into account the prior performance of the contractor.
2. investigate the procurement process undertaken to secure the contract, including
  - a. compliance with relevant ACT Legislation and regulations.
  - b. any potential conflicts regarding the drafting of the statement of intent or other aspects of the tender documentation.
  - c. provision of information to the Board.

The Board has been advised by CIT Executive that all procurement processes relating to the contract have been undertaken in accordance with the ACT procurement rules. The internal audit will also seek to verify this and assurance that no director or staff members were involved in the preparation of the range tender documents association with this contract.

Following delivery of the final report of the internal audit the Board will make a decision regarding the future of the contract. The Board will request the Executive to provide advice on placing the contract hold while the internal audit takes place.

With regard to your questions regarding the staff, activities, and outcomes of the contract in question, the Board has requested the CIT Executive prepare a detailed response, found at [Attachment A](#). This document will be considered as part of the internal audit.

The Board acknowledges the commitment of CIT's Chief Executive Officer and Executive team to CIT's ambitious and necessary transformation agenda and they continue to have the Board's support in driving these reforms. CIT continues to raise our ambitions to meet new expectations; adapt our courses and means of delivery to provide skills for the future; support jobs, economic resilience, and future prosperity; and invest in our business for viability and value.

The Board looks forward to continuing to work constructively with the ACT Government to this transformation agenda and seeks your support for the actions we have outlined.

Yours sincerely

Sch 2.2(a)(ii)



Craig Sloan  
CIT Board Chair  
14 June 2022

CIT has embarked on a process of major transformation and change which has been led by the CIT Board with the implementation of the new strategic direction *Strategic Compass 2020* and the revised reform agenda *Strategic Compass 2025 – CIT Futures* which was endorsed by Government in May 2021.

CIT more than ever must position itself to respond to rapid changes in the workforce and the VET environment. Key to building this adaptive capacity has been investment in organisational change and building a culture and workforce within CIT that is innovative and flexible and able to respond to the rapidly changing needs of industry and students.

The need and value of this adaptive workforce has been highlighted over the last two years where CIT was able to respond effectively to COVID-19 restrictions and continue to deliver quality courses to students and support increasing numbers of apprentices while remaining financially sustainable. This would not have been possible without the support of the ACT Government and an investment in building the resilience and adaptive capacity of CIT staff.

**How and why has CIT determined that the work to be procured under this contract represents necessary, efficient and appropriate expenditure of public funds?**

The Board supports the Evolving Together approach which is what CIT went to market for in relation to this contract. The Evolving Together approach is underpinned by a complex adaptive system methodology. The work is a major systems approach, appropriate for the scale of the opportunities and challenges we are facing.

CIT is seeing a decline in student enrolments at a time where there are significant skill shortages in the economy. It is important that CIT and CIT staff have the capacity to assess the changes that are occurring in the economy and reconfigure course offerings and work with industry in responding to the skill needs for the future. The work that Think Garden is doing with staff is integral to building that capacity and developing a culture that is more adaptive, connected with industry and responsive.

It is the intention that the work procured under this contract will be the continuation of an intense program of reform to transform CIT as articulated within the *Strategic Compass 2025 – CIT Futures* Implementation Plan. The implementation of the Strategic Compass 2025 will also support the ACT Government's *Skilled to Succeed* agenda and *Canberra Switched On*.

The Board has identified three major structures as being priorities for CIT - the physical, digital and social/people infrastructures of CIT requiring additional focus and investment, particularly between now and the opening of the CIT Woden campus.

The ACT Government has invested significant funds in the physical infrastructure of CIT. The purpose of this procurement is to focus on the social/people structure to support the adaptive capacity required to fully utilise both the physical and digital infrastructures into the future.

As a Territory Authority, CIT is required to follow all relevant legislative and procedural requirements including the procurement of goods and services. The CIT Executive gave careful consideration to the procurement methodology in relation to this work. Advice was sought from ACT Procurement and the Government Procurement Board in making these decisions. CIT prepared a Statement of Requirements to go to market reflecting the specialised and technical skills required in a complex adaptive systems approach to organisational transformation. The Request for Proposal was out to market for four weeks from 14 January to 11 February 2022, which is normal process. A Tender Evaluation Team was established, which included an independent member from another ACT Government entity, to assess the proposals.

All processes required under the ACT procurement guidelines have been adhered to. The procurement process for Think Garden was undertaken by the CIT Executive and is within the Chief Executive's financial delegations.

The CIT Board was not involved in the procurement and was not briefed on the evaluation process or the value of the successful contract. However, the Board has had regular briefings from Think Garden on the progress of their work.

**Specifically, what will be delivered under the terms of this new contract, and what personnel will be involved in its delivery? Please provide a detailed itemised breakdown, of the kind provided in response to my correspondence of March 2021.**

The successful service provider is providing strategic guidance to design and implement a range of learning, feedback and evaluation mechanisms that assist CIT to adapt and implement transformational reform.

The work to be undertaken includes designing and implementing:

- a coordination function, which is a set of processes used by teams of staff to support a coherent Institute-wide implementation of the reform directions, enabling customised responses to meet the diversity of CIT's needs;
- formal and informal learning to develop CIT's capacity to undertake the strategic initiatives and reform objectives in a coordinated, coherent and timely manner;
- learning opportunities for CIT staff to improve their understanding of the changing environment CIT is operating in and develop ongoing context appropriate responses;
- processes to ensure staff can practice what they have learned in a disciplined manner using appropriate constraints ensuring greater co-ordination of CIT's decision-making practices related to products, offerings and services; and
- digital platforms and collaboration spaces to record, monitor and share information and findings as the work is conducted.

The service provider will also provide regular strategic guidance to relevant staff through teleconference, video, face-to-face meetings, and other digital communication platforms. The CIT Board will receive presentations on the progress of this work.

In an attempt to provide further clarity, CIT is using a science-based approach to:

- acquire knowledge and practise learning;
- understand our changing environment, both internally and externally, so we can apply appropriate solutions and understand what we can and cannot change;
- identify or expose patterns within the organisation that are conducive to change or inhibit change;
- create a safe environment to test assumptions and long held views;
- design and scale out solutions at the appropriate level – whole of institute or local area (centralised/de-centralised);
- reduce duplication and working in isolation;
- increase visibility of the connections between things and be cognisant of the impact, intended or otherwise, of actions;
- implement tighter feedback loops;
- increase communication and connections of staff across CIT to explore future possibilities;
- develop standard ways of operating - create flexibility in the CIT system where appropriate and greater standardisation it is appropriate; and
- use data and visualise connected information to make evidence-based decisions.

Given that the contract with the service provider only commenced on 28 March 2022, it is not possible to give a breakdown similar to that contained in the March 2021 report, which was prepared following the completion of that stage of work.

The service provider has five staff identified to work on this contract. The specific details of this has been identified as confidential text. In the time period 28 March to 10 June 2022, Think Garden has worked directly with CIT staff on 49 days (out of a possible 52 days), in addition to preparatory work that has been undertaken separately.

**What justification is there for such a large quantum of funding, at \$4.99 million, being used for change management services of this nature? Were lower cost alternatives considered?**

CIT went to Government with CIT's new *Strategic Compass 2025 – CIT Futures* in May 2021. In endorsing the strategy the Government asked CIT to develop a reform agenda focussed on its operating model, course offerings and workforce.

The CIT Board has incorporated the Government's reform agenda within its two-year Strategic Compass implementation plan and is focused on CIT:

- a) being a provider of choice for students and industry and continuing to support those who study with the Institute to achieve positive outcomes;
- b) better aligning our offerings with students and industry needs today and into the future;
- c) strengthening capability and alignment of its workforce with the Institute's future direction including in relation to digital and online service delivery; and
- d) establishing a positive financial footing to achieve ongoing sustainability.

The alignment of the ACT Government and the CIT Board's ambition for the Institute has created a window of opportunity for CIT to effect a generational change in what we deliver to the ACT community and how we deliver it.

The work procured under this contract is the continuation of an intense program of work to transform CIT. The work is a continuation of the predecessor *Strategic Compass 2020* strategy and also supports the content of the recently launched *Skilled to Succeed* and *Canberra Switched On*.

As indicated the Board intends to undertake a review to assure itself of the value for money assessment of this contract.

**Given CIT has been procuring change management services from this external consultant since 2018, why has the Institute not recruited an in-house adviser or team to undertake this work at less expense than ongoing external consultancies?**

In considering a range of options to meet the highly specialised needs, it was determined that the level of expertise and experience in this complex scientific field was not readily available and that external services would be required.

It is normal procedure within the ACT Government and CIT to procure external professional services where highly specialised and technical services are required. These types of services are procured for whole-of-organisation benefit and/or application and vary in their scope and duration. Examples include design services for campus modernisation, ICT systems, HR expertise and education and training quality assurances.

The *Strategic Compass 2020* identified nine projects, which the Board believed would transform CIT to achieve the dual objectives and create a sustainable future for CIT. Despite our best efforts to change through the projects, at the time CIT did not know what the constraints were in our system. Therefore, benefits from the projects were short-term rather than long-term and did not adequately address the root cause issues of the organisation. The organisation had limited propensity to achieve the second objective, i.e., to operate with greater commercial and entrepreneurial focus in an increasingly contestable training marketplace, in a scalable way across the Institute.

CIT learned from its projects that without a different holistic approach to the government's reform agenda CIT would repeat its pattern of approaching the work in a fragmented, isolated and disconnected way, severely limiting CIT's ability to undertake further transformation work in an efficient and effective way to achieve the Strategic Compass aspiration and intent.

CIT's internal capability and adaptive capacity is continually building throughout the course of the ongoing work that is being delivered by the service provider.

**What oversight has the CIT Board had of services delivered under the prior contracts, and how have you assured yourselves that this expenditure represents ongoing value for money?**

From the Executive's perspective the Board maintained strategic oversight of the work of Evolving Together through monitoring the progress of the Strategic Compass. Over this period, as a measure in providing assurance regarding ongoing value for money, formal Board updates included progress of the Evolving Together project, regular updates within the CEO report, Board papers and specific presentations from the CEO, other CIT staff and the service provider, where appropriate.

The CEO and Board Chair meet weekly about Institute business, and regularly discussed the Evolving Together work providing an additional layer of oversight.

**Can the Board provide assurance that the procurement process for this contract was conducted with the highest levels of probity and impartiality? In particular, I seek your direct assurance that no representatives of the external provider – either directors or staff members – were involved in the preparation of tender documents, statements of requirements or other materials associated with the conduct of this tender.**

From the Executive's perspective all processes to engage the service provider for this contract were consistent with all ACT Government procurement policy and practices. The procurement process for this contract included the strict application of probity and impartiality assurances including appointing a member of the Tender Evaluation Team from another ACT Government entity. All members signed non-disclosure agreements and conflict of interest declarations.

No staff members from Think Garden including directors, were involved in the preparation of the tender documents including the statement of requirements via the Request for Proposal or other materials associated with the conduct of this tender.



**Chris Steel MLA**

Minister for Transport and City Services

Minister for Skills

Special Minister of State

Member for Murrumbidgee

---

Mr Tom Duncan  
Clerk  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601

Dear Mr Duncan,

During the June sittings of the ACT Legislative Assembly, issues were raised with me in relation to procurements undertaken by the Canberra Institute of Technology (CIT).

I undertook to keep members of the Assembly updated about developments in relation to these matters. Accordingly, please find enclosed correspondence received by me from the CIT Board (Attachment A), and my correspondence in reply (Attachment B).

I request that you circulate these papers to all Members of the Legislative Assembly for their information. I intend to table them in the Assembly during the next sitting period, but seek your assistance to ensure they are received by Members in a timely way ahead of this.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Steel'.

Chris Steel MLA  
Minister for Transport and City Services  
16 June 2022

ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601



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steel@act.gov.au



@ChrisSteelMLA



chrysteellabor



chrissteelmla

**From:** "Sloan, Craig J" [Sch 2.2(a)(ii)]  
**Sent:** 24/06/2022 6:19 PM  
**To:** "Steel, Chris" <Chris.Steel@act.gov.au>  
**Cc:** [Sch 2.2(a)(ii)] "STEEL" <STEEL@act.gov.au>  
**Subject:** CIT Independent Audit Update

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Dear  
Minister  
Thank you

for your email and for your advice to the Board on this matter.

Today we received a request from the ACT Integrity Commission to pause the independent internal audit planned by the Board until the Commission's investigation has been completed.

At a Board meeting held this afternoon the Board noted this request and moved the following motion:

*The Board welcomes the announcement by the ACT Integrity Commission that it is conducting an investigation into the consultancy contracts with ThinkGarden and Redrouge Nominees Pty Ltd. The Commission's investigation has the full support and cooperation of the Board, Executive and staff of CIT. Accordingly, the Board agrees, in accordance with the request of the Commission, to pause the independent internal audit planned by the Board until the Commission's investigation has been completed.*

I understand that the Commissioner discussed such a request with you this morning.

Given that our brief media statement and CIT staff communique that were issued yesterday referred to our independent audit being conducted by the Board and completed by 31 July we will be issuing an updated statement exactly as stated in the motion above.

Once the ACT Integrity Commission has completed their review the Board of CIT will then finalise their Terms of Reference (which may be impacted by the results of the Commission) as well as ensuring the matters noted by you in your email below are addressed.

I hope this is in line with your understanding and expectations and very happy to discuss this matter with you should you wish.

Kind regards  
Craig

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**From:** Steel, Chris  
**Sent:** Thursday, 23 June 2022 4:50 PM  
**To:** Sloan, Craig J  
**Cc:** [Sch 2.2(a)(ii)]  
**Subject:** [EXTERNAL] RE: Documents to go to Minister

**CAUTION:** This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Craig,

Thank you for your advice regarding steps taken by the CIT Board in relation to the Think Garden contracts issue.

I appreciate you sharing the proposed Terms of Reference for the independent review that the Board is commissioning. I wish to raise a number of points which do not yet appear to be addressed by this, for your further consideration.

The Legislative Assembly's resolution of 7 June 2022 raised a wider range of issues than are canvassed in the proposed Terms of Reference. Of particular note, the resolution addressed the *series* of contracts signed with consultant Patrick Hollingworth and associated entities, not just the most recent one. It also went to broader issues of what has – and will – be achieved and delivered for CIT (including performance benchmarks) in the context of its transformation agenda, rather than just focusing on a narrow question of 'value for money'.

The Terms of Reference are a matter for the CIT Board in line with the governance arrangements outlined by the *Canberra Institute of Technology Act 1987*. I would, however, encourage the Board to consider the full range of issues and questions which have been raised in the Legislative Assembly and public discussion about these contracts, when determining appropriate Terms of Reference for this independent review.

Sincerely,

**Chris Steel MLA**  
**Labor Member for Murrumbidgee**  
Minister for Transport and City Services  
Minister for Skills  
Special Minister of State  
ACT Legislative Assembly  
GPO Box 1020, CANBERRA, ACT 2601 Australia  
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