



## SPARK AND CANNON

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## TRANSCRIPT OF PROCEEDINGS

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IN THE MATTER OF THE COMMISSIONS INQUIRY ACT 1950  
COMMISSIONS OF INQUIRY ORDER (No. 1) 2012  
QUEENSLAND HEALTH PAYROLL COMMISSION OF INQUIRY

### INTERVIEWERS:

COMMISSIONER CHESTERMAN  
MS A. NICHOLAS  
MR Q. CREGAN  
MR T. CORSBIE  
MR I. INNES

### INTERVIEWEE:

MR J. SULLIVAN VIA AUDIO-LINK

BRISBANE

22/05/2013

COMMISSIONER: Is that satisfactory?

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MR SULLIVAN: Okay.

COMMISSIONER: All right, thank you.

MS NICHOLAS: Mr Sullivan, it's Anastasia Nicholas again here. You're currently based in London. Is that correct?

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MR SULLIVAN: That's correct, yes.

MS NICHOLAS: And you've recently been away on holidays.

MR SULLIVAN: Yes.

MS NICHOLAS: When did you return to London?

MR SULLIVAN: I got back to London sometime last week on Tuesday, I believe.

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MS NICHOLAS: Tuesday?

MR SULLIVAN: Wait on. I'd have to check that. Maybe it was the Tuesday before. Yes, I think it was the Tuesday before because it was 1st May bank holiday.

COMMISSIONER: So you've been back in London for about two weeks, have you?

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MR SULLIVAN: Yes.

COMMISSIONER: Thank you.

MS NICHOLAS: Mr Sullivan, the commission has been provided with a draft statement. It's not been signed. When was that statement prepared?

MR SULLIVAN: Last week.

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MS NICHOLAS: Thank you. You're currently employed by IBM in the United Kingdom. Is that correct?

MR SULLIVAN: That's correct. Yes.

MS NICHOLAS: You were previously employed by IBM Australia.

MR SULLIVAN: That's correct.

MS NICHOLAS: During which period were you employed by IBM Australia?

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MR SULLIVAN: It was a period of about four and a half years, up until about March 2008, I believe.

MS NICHOLAS: Were you based in Melbourne? Is that correct? 1

MR SULLIVAN: Yes, I was.

MS NICHOLAS: Is it correct that you came in mid 2007 to be working in the offices of CorpTech in Brisbane?

MR SULLIVAN: Sorry, can you say that again?

MS NICHOLAS: I asked did you in 2007 come to be working in Brisbane at the offices of CorpTech? 10

MR SULLIVAN: Yes, that's right.

MS NICHOLAS: When did you commence at CorpTech?

MR SULLIVAN: I couldn't tell you off the top of my head.

MS NICHOLAS: Okay. Would the middle of 2007 be correct? 20

MR SULLIVAN: To tell you the truth, I can't really remember whether it was the beginning, the middle or how long it was.

MS NICHOLAS: Okay.

MR SULLIVAN: I would almost think it was probably early 2007, just I seem to recall being in Brisbane for about 12 months or longer.

MS NICHOLAS: What brought you to Brisbane? How did you come to be engaged in at CorpTech? 30

MR SULLIVAN: So it was my skills and background in a product called Workbrain.

MS NICHOLAS: You were a specialist in Workbrain. Is that correct?

MR SULLIVAN: Yes. 40

MS NICHOLAS: So did you come up to work on a specific project?

MR SULLIVAN: So I came up to work with the - I think it was called The Workforce Management Team at CorpTech as the technical team leader.

MS NICHOLAS: Okay. You mentioned the workforce management team. Is it right that that was a team that was specifically focused on Workbrain and the provision of Workbrain advice and services to CorpTech? 50

MR SULLIVAN: That's right. Yes.

MS NICHOLAS: I'm just having a look - have you got your draft statement in front of you?

MR SULLIVAN: I do, yes.

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MS NICHOLAS: Yes. At paragraph 2 of that statement you say that you were to be the team lead and the functional team at the time consisted of approximately 10 people led by Mary-Anne McCarthy - - -

MR SULLIVAN: Yes.

MS NICHOLAS: - - - of Accenture---

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MR SULLIVAN: That's right.

MS NICHOLAS: ---and included CorpTech employees. Do you recall who else was on that team?

MR SULLIVAN: I'll give it a go. I might know more first names than last names, but from the government or secondees from various government departments there was Brendan Pollock, Nathan Hulse, a guy called Dougal. I'm not sure of Dougal's last name. There was another lady from the government, I've forgotten her name now. Then from Workbrain themselves there was a guy called Milan. There was the team lead from Accenture, Cindy. I'm sorry, I've forgotten most of their last names now. There was probably another four or five other Workbrain guys. Most of their names escape me now.

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MS NICHOLAS: Okay.

MR SULLIVAN: There was a guy called Nitin Deshmukh. He was from IBM and Mary-Anne was the team lead and that was the functional team doing the functional work, design and specification.

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MS NICHOLAS: It's correct, isn't it, that Mary-Anne was an Accenture representative?

MR SULLIVAN: That's true, yes.

MS NICHOLAS: Can I just run some names past you and if you could let me know - - -

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MR SULLIVAN: Yes.

MS NICHOLAS: - - - if you think they may have formed part of that team. You mentioned Cindy. Would that be Cindy Williams?

MR SULLIVAN: Yes.

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MS NICHOLAS: And a Milan Gulic?

MR SULLIVAN: Yes. That sounds right.

MS NICHOLAS: Matt Kirkhope?

MR SULLIVAN: Yes. 1

MS NICHOLAS: Scott Euston?

MR SULLIVAN: Yes. Scott was on there.

MS NICHOLAS: Bill Grimson?

MR SULLIVAN: Sorry, what was that name? 10

MS NICHOLAS: Bill Grimson.

MR SULLIVAN: That doesn't ring a bell to me, unless he was attending at some other time.

MS NICHOLAS: Gillian Harvey?

MR SULLIVAN: Yes. I think she was the other lady seconded from the government that was on there. 20

MS NICHOLAS: Brendan Pollock?

MR SULLIVAN: Brendan Pollock. Yes, he was a government secondee?

MS NICHOLAS: Jonathon Chan?

MR SULLIVAN: Jonathon Chan came over from Canada for a short period of time. Yes. He was on there. 30

MS NICHOLAS: And Ross Wood?

MR SULLIVAN: Ross Wood doesn't ring a bell to me.

MS NICHOLAS: Okay. Thank you. When you came to CorpTech at some stage in 2007, who did you report to in that role?

MR SULLIVAN: Interestingly, I didn't have - within CorpTech I heard that there was someone who was the team leader or who was the team leader both with myself and Mary-Anne, but I never once had a meeting with her, I'm pretty sure it was a lady, and never met her. So she retired and I never actually met her. So if I had queries or questions, I suppose, about where I should be going with them, I expect that Jason Cameron purely - not really because he had oversight, but purely because he was one of the only people I knew in Brisbane and was involved in bringing me up into the role after his predecessor left IBM. I've forgotten his predecessor. 40

MS NICHOLAS: You mentioned an administrative person. Do you remember the name of that person? 50

MR SULLIVAN: I don't think she was administrative. I think she was quite senior within CorpTech.

MS NICHOLAS: All right.

MR SULLIVAN: I don't remember her name now.

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MS NICHOLAS: Okay. So were you, in effect, reporting to Jason Cameron or is that not the case?

MR SULLIVAN: Certainly, I wouldn't say I was reporting to Jason Cameron because day to day, basically, I did not immediately - Jason at a very high level said, "You've been brought in as the technical team lead. You need to do what's required for that role," which was fine. I had an understanding of that, but certainly it would only be that if I had a particular high level challenge or something, I might speak to Jason about it, but Jason wasn't my - I wasn't directly reporting to Jason, no; certainly not on a functional day-to-day role you might.

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MS NICHOLAS: Okay. Who was your supervisor at IBM?

MR SULLIVAN: IBM is a funny sort of organisation, so I have - it's matrixed managed, so my actual manager was a guy called Brendan Savage, who had nothing to do with the CorpTech project, but he was my manager within IBM.

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MS NICHOLAS: Was he based in Melbourne or Brisbane?

MR SULLIVAN: He was based in Melbourne.

MS NICHOLAS: So reporting to Brendan Savage, but in terms of the CorpTech project, there was no clear reporting line, I suppose.

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MR SULLIVAN: No, not really and I suppose I made up my own (indistinct) to Jason just because I needed someone in Brisbane - not that I needed it, it was - I speak to Jason every week or few weeks, but it was more to have someone in Brisbane to ask questions about if they so arose.

MS NICHOLAS: Was he based in CorpTech at the time?

MR SULLIVAN: I don't know. I know he'd been in CorpTech at certain times, but if I would ever meet with Jason, which wasn't very often, he'd normally be at IBM.

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MS NICHOLAS: Would you speak to him with some frequency?

MR SULLIVAN: On a personal level, maybe, but on a work level, as I say, if it was once a week I'd be surprised; maybe once a fortnight. As I recall, I didn't have a great deal to do with Jason.

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MS NICHOLAS: How frequently would you speak on a personal level?

MR SULLIVAN: Again, if it was weekly, I'd be surprised, but, yes, weekly to fortnightly, I suppose.

MS NICHOLAS: Did you work with many other IBM contractors in CorpTech? 1

MR SULLIVAN: There was one other IBM contractor, a guy called Nitin Deshmukh and other than that, I wasn't aware of anyone else from IBM in CorpTech.

MS NICHOLAS: So you were physically located at the CorpTech offices in mid to late 2007. Is that correct?

MR SULLIVAN: Yes. I think it was in Mary Street. 10

MS NICHOLAS: Okay. Do you remember if you had a CorpTech or a Treasury email address?

MR SULLIVAN: I did, yes. I had a CorpTech email address.

MS NICHOLAS: You had log on to the CorpTech information systems. 20

MR SULLIVAN: Yes.

MS NICHOLAS: You had access to the common drives at CorpTech.

MR SULLIVAN: Yes. I had the same access as everyone else there.

MS NICHOLAS: When we talk about those CorpTech information systems, do you remember what the common drives were, the communal drives, G: drive being one of them? 30

MR SULLIVAN: I only remember it from having been sent the email. The G: drive was another one of - I'm sure there were probably other common drives for different pieces, but certainly having read the email, it jogs my memory that G: drive was one of them.

MS NICHOLAS: Okay. So the G: drive was a common access drive, so anyone with a CorpTech log on could have accessed it. 40

MR SULLIVAN: From memory, that's when the functional team would have finished their specs, so they would put it on that drive and it's a common - - -

MS NICHOLAS: Right.

MR SULLIVAN: I can't recall exactly, but it was a common sort of repository and it went right across CorpTech, as far as I know, but I only had a very small part of it. I really didn't know much about the rest of the CorpTech project. 50

MS NICHOLAS: Okay. You mentioned you've seen emails before. I take it you're referring to and have with you - there's an email from you to Lochlan Bloomfield, copying Jason Cameron

in, of 29 August 2007 at 4.02 pm.

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MR SULLIVAN: I have seen that one. I don't have it directly in front of me at the moment.

MS NICHOLAS: Okay.

MR SULLIVAN: But, yes, that's the one I have seen.

MS NICHOLAS: That's fine. It's a short one. I can read out any sort of relevant passages. How did you know Mr Bloomfield? 10

MR SULLIVAN: Lochlan? I didn't know him all that well, actually, but after working with him for a period, I knew him better, but he took over from, I think it was Richard Dunn as sort of one of the GBS partners in Brisbane, but up until the big proposal piece, I'd never met him or didn't know anything about him.

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MS NICHOLAS: Do you recall when you first met him?

MR SULLIVAN: No.

MS NICHOLAS: The subject of your email - I know you don't have it with you, but it's RFO. What did you understand the RFO to be?

MR SULLIVAN: Request for offer, I'm assuming that's what that acronym means.

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MS NICHOLAS: You say in the first paragraph of your email, just so that you have it fresh in your mind:

*Hi, Lochlan. I've spoken to resource management and they said they have no issues with you staying for the next week to work on the RFO and possibly beyond.*

COMMISSIONER: "With me staying."

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MS NICHOLAS: With you staying, sorry, "They have no issues with me staying for the next week to work on the RFO and possibly beyond." You then go on to say:

*They've requested that I ensure that there is a BMP code available and that I have your okay for my expenses to be charged to this code. Can you please confirm this?*

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Did Mr Bloomfield request that you stay on to put the RFO together?

MR SULLIVAN: From the email, I'd expect so.

MS NICHOLAS: Do you have any recollection of him making that



request?

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MR SULLIVAN: No, but it stands to reason that if he was the partner doing the bidding that he would have asked me - permit me to stay on.

MS NICHOLAS: Do you recall what prompted you to email Mr Bloomfield?

MR SULLIVAN: Within GBS, basically, it's all about utilisation. I don't recall, but I'm assuming that it was due to, "I need to be able to show what I'm doing with my time and make sure that time is being billed," very high utilisation targets within GBS and you always have to have a bill code to bill to, so my expectation of the email was that it was to make sure that I was covered from a resource management point of view to make sure I had a code that I was billing to and to confirm what I could - I hadn't been allocated to another project. I'm assuming my contract with CorpTech would have come to an end by that stage.

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MS NICHOLAS: You were working as part of the workforce team, so would it have been going across to a different group or a different activity to start work on that RFO project?

MR SULLIVAN: So an RFO would normally have been an internal bill code, I would expect, so hence I would have stopped billing my time against a project code; that it went out to CorpTech and it would have been moved to whatever that proposal or RFO bill code was.

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MS NICHOLAS: So working on that would have changed your day-to-day work focus, I suppose.

MR SULLIVAN: Yes. Also, one was quite (indistinct) at the time every day and an RFO would be internal and it was back at the IBM office.

MS NICHOLAS: Are you aware that the RFO preceded by a different stage which is known as a request for proposal? Are you aware of that now or were you aware of that at the time?

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MR SULLIVAN: I know that's the standard way of these projects or procurement of these services. I couldn't 100 per cent say that I was aware of it. I'm sure I probably was, seeing I was working in Brisbane on the CorpTech project and we knew that - everyone on the project knew because we'd been doing nothing for a number of months waiting for a decision to be made that it was going to go out to tender, so I assumed that I did know.

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MS NICHOLAS: Had you worked on the request for proposal?

MR SULLIVAN: I don't believe so. I can't recall, but I don't think so because I was billing full-time to CorpTech and wasn't on that.

MS NICHOLAS: Did you have any knowledge of the request for proposal? Did you work with Mr Cameron or Mr Bloomfield on it in any capacity? Were you brought in on meetings or - - - 1

MR SULLIVAN: I don't recall. Unfortunately, I've been involved in a lot of RFP's, et cetera, subsequently and normally the one that comes up first is very much a high level, "Are you a suitable company for this?" They're very much not at the functional level of, "How would the solution work or are you capable of bidding?" So I'm assuming that I wasn't involved in it. I don't recall being involved. 10

MS NICHOLAS: Sure. As you've said, you were engaged on the workforce team in CorpTech doing something entirely different.

MR SULLIVAN: That's right.

MS NICHOLAS: Okay. If we might go then to the second paragraph of the email that I mentioned to you. Again, I might read it out to you just because you don't have it in front of you. The second paragraph says: 20

*As I told Jason this morning, I've been unable to locate any of the vendor proposals on the G drive. One of the government guys who told me that he had looked through them all said that they have all been removed, along with quite a few other directories that were with them so it looks like we were just a little bit too late. Regards.*

The first sentence that I've just read out to you, you say: 30

*As I told Jason this morning, I've been unable to locate any of the vendor proposals on the G drive.*

Who's the Jason you're referring to there?

MR SULLIVAN: It would be Jason Cameron.

MS NICHOLAS: Do you recall what was discussed with Mr Cameron? 40

MR SULLIVAN: No.

MS NICHOLAS: Do you recall what vendor proposals you're referring to there?

MR SULLIVAN: I'm assuming it was the proposals for the CorpTech - whatever it's called SSI project. 50

MS NICHOLAS: Okay. Would that be the RFP we just discussed?

MR SULLIVAN: At which stage it was, yes. I find it difficult to differentiate between the RFO and the RFP in fact. So it would be - I recall it as being the proposal, I suppose, or the - - -

MS NICHOLAS: Do you recall doing a search of the G: drive? 1

MR SULLIVAN: No.

MS NICHOLAS: Do you recall anything you found on the G: drive around that time?

MR SULLIVAN: No.

MS NICHOLAS: Did Mr Cameron ever ask you to look through or forward the vendor proposals? 10

MR SULLIVAN: No, not that I can recall.

MS NICHOLAS: Did you conduct that search of your own initiative?

MR SULLIVAN: I would expect so.

MS NICHOLAS: Did you do that search on - - - 20

MR SULLIVAN: I certainly don't - - -

MS NICHOLAS: Sorry.

MR SULLIVAN: I don't recall doing the search and I certainly don't recall being told to do it, so I'm assuming I did it of my own volition.

MS NICHOLAS: I know you don't recall doing the search, but you also don't recall be asked to do a search by anyone. 30

MR SULLIVAN: No.

MS NICHOLAS: Going to the second line of that second paragraph, you say:

*One of the government guys who told me he had looked through them all said that they've all been removed, along with quite a few other directories that were with them.* 40

Do you recall who told you that they had looked through all the proposals?

MR SULLIVAN: I don't exactly. I'm assuming because I've used the term "government guys" that it would be either Brendan Pollock or Nathan Hulse.

MS NICHOLAS: But you don't - - - 50

MR SULLIVAN: But it may - - -

MS NICHOLAS: Sorry.

MR SULLIVAN: And the reason I'd say those two was because

they're the ones that had the most to do with him. I'm assuming it came up in conversation that they'd seen them all.

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MS NICHOLAS: But you don't have a specific recollection?

MR SULLIVAN: No.

MS NICHOLAS: You use the term "government guys", what did you mean by that?

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MR SULLIVAN: Basically, as I was saying in the introduction, differentiating between who was on the team, so as opposed to someone from Accenture, Workbrain or the government secondees who were on the project. It was basically just a generic term for one of the guys, one of the government secondees. That's my assumption, anyway.

MS NICHOLAS: So you wouldn't have used the term as an IBM person who was a public sector consultant?

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MR SULLIVAN: Certainly not.

MS NICHOLAS: Okay.

MR SULLIVAN: There was only another IBM consultant and that was Nitin and I would have used his name.

MS NICHOLAS: You mentioned two names, Nathan Hulse and Brendan Pollock. Were they the main two CorpTech people that you had contact with?

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MR SULLIVAN: I played in a football team with them so I had both work dealings with them in my role in that team as well as personally having a few beers with them and playing football.

MS NICHOLAS: So I know you say in your statement you have no specific recollection of who the government guy was, but if you had to offer names it would be likely that it was either Mr Pollock or Mr Hulse. Is that correct?

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MR SULLIVAN: Yes. I would assume it would be them because - I believe it would have just come up in discussion, I suppose, go out for lunch together, and whatever, or have a cup of coffee, or whatever it may have been. I'm assuming it would have been one of them.

MS NICHOLAS: Okay.

MR SULLIVAN: I didn't have much to do with Dougal and the other lady Gillian.

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MS NICHOLAS: Okay. We've spoken to Mr Hulse and he says that for most of 2007 and a lot of 2008, he was seconded to the Queensland Police Service, so he wasn't physically located at the CorpTech offices and he had no access to the G: drive at

the time.

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MR SULLIVAN: Okay.

MS NICHOLAS: We've also spoken to Mr Pollock and he said that he never saw a vendor proposal. He never looked through the G: drive, for one, and he never had a conversation with you about the vendor proposals.

MR SULLIVAN: Okay.

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MS NICHOLAS: Is there any other - with that in mind - government guy who you think, on reflection, that might apply to or you might be referring to?

MR SULLIVAN: It would have to be someone in that team. I didn't know anyone outside of that team, so maybe it was the Workbrain people. I don't know why I would refer to the Workbrain people as government guys, but it would have to be someone on that team because, basically, I didn't interact with anyone outside of that function or that work management team.

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MS NICHOLAS: Just for the sake of clarity, when you say, "It could have been a Workbrain person," would you classify them as a government guy?

MR SULLIVAN: I wouldn't have thought so, no, so that's why I thought it would be Brendan or Nathan.

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MS NICHOLAS: Would you in using the term "government guy" be referring to a woman?

MR SULLIVAN: I could be, but I would doubt it. I don't know why I say that, but I just feel that it was - - -

MS NICHOLAS: Going to the proposals that you mention in your email, did you understand the proposals to be confidential?

MR SULLIVAN: I would assume proposals are always confidential so, yes.

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MS NICHOLAS: Okay. Should those proposals have been stored on the G drive?

MR SULLIVAN: I would have said certainly not.

MS NICHOLAS: So you understood that you shouldn't have had access to those proposals?

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MR SULLIVAN: Yes.

MS NICHOLAS: Can I ask, were you familiar with the IBM business conduct guidelines for the public sector?

MR SULLIVAN: Yes.

MS NICHOLAS: You were trained in them when you worked at IBM? 1

MR SULLIVAN: Yes.

MS NICHOLAS: Do you have any recollection - - -

MR SULLIVAN: Not for the public sector, they're for all of IBM.

MS NICHOLAS: For all of IBM. So you were familiar with them? 10

MR SULLIVAN: Yes.

MS NICHOLAS: Can I ask, do you know what those guidelines required you to do if you came across confidential information in the course of your employment?

MR SULLIVAN: Raise it up to a partner or someone senior. 20

MS NICHOLAS: Do you think those guidelines required you to, as you say, raise it up to someone up the line? What about carry out a search for the confidential proposals yourself?

MR SULLIVAN: Well, I would say no, but if IBM's document could be made available to other people, I would need to escalate that up, which I believe is the reason why I've said this in the email.

MS NICHOLAS: But what about the search that preceded that? 30

MR SULLIVAN: Sorry?

MS NICHOLAS: You escalated it up the line, but your email suggests that before you escalated it up the line, you searched the G: drive. How does that sit with the requirements of the guidelines?

MR SULLIVAN: I don't believe it was a fact that I - it was basically seeing whether IBM's proposal was available across the CorpTech network where there was a multitude of contractors. I don't see that it was in breach of the guidelines. If I had have opened someone else's proposal and known that it was their proposal and read it, that would breach them - I know identifying where IBM's confidential information was being made available was not in breach. 40

MS NICHOLAS: We've seen Mr Bloomfield's response to your email, which is - I know you don't have it in front of you - very brief. He says, "Thanks for the update." Do you recall any other response? Did you have a conversation with him following your email? 50

MR SULLIVAN: No. Until I was involved in the actual bidding proposal piece, I didn't really have anything to do with

documents. I don't even know whether I'd mentioned about - I 1  
can't remember. I can't recall.

COMMISSIONER: Why did you send him the email reporting the  
unsuccessful search?

MR SULLIVAN: Why?

COMMISSIONER: Yes.

MR SULLIVAN: Basically, I'm assuming - again, I don't 10  
remember this piece, but I would assume it's because we at IBM  
had a differentiator in our proposal, in our solution, and I  
believe that whoever the government guy was who had been  
telling me that they knew about it and hence to tell them,  
"Look, it's been made available" - and maybe I turned that to  
Jason - or said it to Jason in conversation, I don't know, and  
saying, "Look, they're not available now." I don't know  
whether it was ever the case or not.

COMMISSIONER: Did you ever report to anyone in CorpTech the 20  
fact that the proposals, IBM's and others, it seems, had been  
put on the G: drive and asked how that had happened and what  
had been done to remove them? In other words, did you  
complain to CorpTech about the potential breach of the  
confidentiality of the proposals?

MR SULLIVAN: I didn't have anyone in CorpTech to report to.  
I never reported in to anyone or had a person who was - sign 30  
my time sheet - should have reported in, I'd never met and the  
fact that I never saw them being there other than a  
conversation with someone, really, I suppose there was nothing  
to really report.

MS NICHOLAS: You talk about vendor proposals, plural, in  
your email, not just IBM's. Mary-Anne McCarthy was your team  
lead for the workforce team. Did you ever bring it to the  
attention of Ms McCarthy that Accenture's proposal might have  
been compromised?

MR SULLIVAN: Well, again, as I didn't see them myself, I 40  
couldn't say whether they were there or not. My understanding  
was that this government guy - and I can't be 100 per cent  
sure - basically said that he knew that we were presenting  
Workbrain as the rules engine across every project as opposed  
to the five that it was originally tendered for and, hence,  
had read that in our proposal and I didn't directly report  
into Mary-Anne. We were both - because she was the functional  
team lead and she had a team and I was the technical team  
lead, and didn't have a team, so I didn't report in to her, so 50  
I would see no reason to say that.

COMMISSIONER: How did you know - - -

MR SULLIVAN: And I never saw them with my own eyes.



COMMISSIONER: How did you know about the sensitivity of the Workbrain suggestion when you hadn't worked on the RFP and you hadn't yet begun work on the RFO? 1

MR SULLIVAN: So, again, not - because there were times here I couldn't tell you - I certainly knew about us using Workbrain or proposing Workbrain as the centrepiece to the IBM proposal rather than using SAP as had always been intended or - and so obviously I had knowledge of that, so maybe I have had some discussions around it. I don't know. Certainly, I had discussions around whether Workbrain was capable of doing that and if that was RFO or RFI, I don't recall when that exactly was. 10

MS NICHOLAS: Can I ask you about one matter in your email that's not dealt with in your statement. In the last line you say, "So it looks like we were just a little bit too late." Do you know what you meant in that line?

MR SULLIVAN: I don't. I assume it's just too late in confirming whether our proposal was ever there or not. If we were to have complained about solutions being made available, we would have to be able to prove that it was there and we couldn't, so I assumed we were too late for that. I don't know. 20

MS NICHOLAS: I'm sorry, I didn't hear that. Would you mind repeating the last bit please.

MR SULLIVAN: I would say we were just too late in being able to confirm whether they had been made available to - our solution - our proposal had been made available to everyone or not. I don't really know what I meant by it. That's what I'm assuming I meant. 30

MS NICHOLAS: Okay. Because in your statement you say at paragraph 9 towards the end, "Reported that the access issue seems to have been fixed." That's not what it says in the email. It says, "It looks like we were just a little bit too late." Are we to understand that they mean - - - 40

MR SULLIVAN: So where - - -

MS NICHOLAS: Sorry. Your email, the last line, says, "So it looks like we were just a little bit too late."

MR SULLIVAN: Right.

MS NICHOLAS: And at the end of paragraph 9 of your statement, if you've got that in front of you - - - 50

MR SULLIVAN: I do, yes.

MS NICHOLAS: - - - just past the bracket in the third-last line you said, "And also reported the fact that the access issue seems to have been fixed."



MR SULLIVAN: And, I suppose, we were - I don't know what I meant by that. I'm assuming we were too late in being able to prove that they were there or not, so I had someone's word that they'd been able to say to us we were using Workbrain across all departments, but I couldn't hand it on and say: I saw it and hence - was there ever an issue. I don't know.

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MS NICHOLAS: Did the job of getting proof fall to you or did you understand that it fell to you?

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MR SULLIVAN: I assume it didn't fall to me. I don't know whether it fell to me or not.

MS NICHOLAS: Did anyone ever instruct you to go out and do that or, again, was that something that you did on your own initiative?

MR SULLIVAN: I certainly don't recall whether anyone instructed me to do it.

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MS NICHOLAS: Again at paragraph 9 of your statement, you say, "So that there might not be proof that the issue had previously existed." You might have already dealt with it, but would mind just explaining what you mean there?

MR SULLIVAN: So the fact that - well, as I seem to recall following the email that someone had said to me that they knew that we were using Workbrain across all departments and that had been said to me by someone in that team. I think we then couldn't prove that that had been made available to the wider network and, hence, there were - certainly Accenture, who would have been seen as one of the bigger competitors, I suppose, that as far as I knew had hundreds - I don't know whether that was true, but certainly a lot of people in CorpTech that had access to that drive so we couldn't really prove whether they would have been able to read our proposal or not.

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MS NICHOLAS: Finally, you say in paragraph 10 of your statement in the second-last line - you say, "I would have been looking for IBM's proposal," but your email talks about proposals, plural.

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MR SULLIVAN: Yes.

MS NICHOLAS: Just so that we're clear, I know you have no recollection of looking through the drive, but if you did are we to understand that you would have just been looking for IBM's proposal?

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MR SULLIVAN: From my recollection, yes, just because that would have been what triggered me knowing that they'd read them was that they knew - the government guy, whoever that was, if it's Brendan or Nathan, as I say, I don't know who it would have been, but they had said that they knew that our differentiator was using Workbrain which we saw as quite, I suppose, an advantage from a time and cost position.

MS NICHOLAS: That's not in your statement, though. 1

COMMISSIONER: It seems quite important. Why wasn't that in your statement?

MR SULLIVAN: About that being a differentiator?

COMMISSIONER: No, no. No, no; that you had been told that the government guy had read about Workbrain and knew the point of differentiation. You told us that this evening, but that's not in your statement. Can you tell us why it's not there? 10

MR SULLIVAN: I don't know. I suppose there's lots of different pieces of information that could or could not be included. I suppose I didn't really it would be important enough to be on the statement.

COMMISSIONER: All right. Tell me, the government guy who said that the directories with the proposals had been removed, did he tell you that before or after you looked on the G: drive to find them? 20

MR SULLIVAN: I don't know whether he told me they had been removed or whether that was when I checked the G: drive and saw that they weren't there.

COMMISSIONER: Your email says, "One of the government guys said they had all been removed, along with other directories."

MR SULLIVAN: Okay. I don't know them. 30

COMMISSIONER: I mean, is it the case that you looked on the G: drive for the proposals, couldn't find them, and asked the government guy where they were?

MR SULLIVAN: That could well have been the case. I don't recall.

MS NICHOLAS: That's the end of my questions, thanks, Mr Sullivan. 40

MR SULLIVAN: Okay.

COMMISSIONER: Don't go away yet.

MR CREGAN: Joseph, it's Quentin Cregan.

MR SULLIVAN: Hi, Quentin.

MR CREGAN: They're fairly (indistinct) questions, but is being asked to look for competitive proposals the sort of thing Lochlan Bloomfield would have asked you to do? 50

MR SULLIVAN: I don't believe so.

MR CREGAN: Was it the sort of thing Jason Cameron would have

asked you to do?

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MR SULLIVAN: I don't believe so.

MR CREGAN: Or IBM would ask you to do?

MR SULLIVAN: No.

MR CREGAN: Just in terms of CorpTech, were there hundreds of people at CorpTech at the time?

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MR SULLIVAN: Certainly, from my understanding there were quite a lot. I did say hundreds, but there were a lot and I didn't have visibility of the teams outside the workforce management.

MR CREGAN: You were asked just about whether Jason Cameron had an office there. He wasn't in your group, was he?

MR SULLIVAN: No.

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MR CREGAN: No. So if he were to, you wouldn't know. Is that the general position?

MR SULLIVAN: No. No.

MR CREGAN: You were asked by Anastasia Nicholas about the RFI, RFO, RFP and all that language. Do you have any sort of clear differentiation now what those were now or what they were at the time?

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MR SULLIVAN: I know what the difference between them are. At the time, I'd never worked on one, so I didn't - I mean, in my memory I can't tell the difference between what happened in one to the other. Even when I was in IBM working with the team of people with Paul Surprenant and those, I can't remember what stage it was under. It was under one of the RF's, but I don't know which one.

MR CREGAN: Okay. Would you be asked questions generally about Workbrain's capabilities at different stages?

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MR SULLIVAN: Probably. Early on, it would have just been high level because no-one knew the detail and it was only down the track when we were all working as a team, I was asked a lot more questions about that - was actually in charge of that Workbrain team.

MR CREGAN: Do you know who would have asked you those kinds of questions about Workbrain in its capacity as that sort of thing?

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MR SULLIVAN: It would have been people like Paul Surprenant, Jason Cameron, maybe it was - I think Johan Visser, but I can't picture Johan asking me questions about how it worked or what I'd been doing. I don't know. I can't even remember who

else was in the team. There was Keith Pullen and a few others, but whether they were asking questions, I don't recall.

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MR CREGAN: Thank you. Do you recall if at CorpTech, when you were there, there were people from Logica there?

MR SULLIVAN: I never met anyone from Logica. They could well have been there. I don't know.

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MR CREGAN: Okay. So was your area somewhat detached?

MR SULLIVAN: Yes. We were in a different building by ourselves away from the main CorpTech building.

MR CREGAN: Okay.

MR SULLIVAN: And that was just our team, as far as I was aware, on this one floor in the building, so I really had nothing to do with anyone else other than the infrastructure guys.

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MR CREGAN: Okay. You were saying before that you didn't have anyone specifically at CorpTech to report to and would that be part of it that you were in a separate area altogether?

MR SULLIVAN: It was always a bit unusual that I didn't have direct oversight by someone at CorpTech, I always thought, but whether that had something to do with this being in another building, I doubt it. It just seemed to be an oversight, really.

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MR CREGAN: You were asked before whether or not you complained to anyone at CorpTech about the potential for proposals to have been compromised. Was that the sort of thing that someone at your level would do or it would be something for someone more senior than you to raise?

MR SULLIVAN: I suppose had I found IBM's proposal there, I would have escalated through IBM rather than through CorpTech. I didn't know anyone in CorpTech to be able to escalate it through really.

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MR CREGAN: Okay. That's it.

COMMISSIONER: Mr Sullivan, that's all the questions we have for you. Thank you very much for taking the call. We appreciate your assistance.

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MR SULLIVAN: Okay. I hope it was of some assistance.

COMMISSIONER: It was indeed. Thank you very much.

MR SULLIVAN: Great. Thank you.

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COMMISSIONER: Bye.

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MR SULLIVAN: Goodbye.

COMMISSIONER: Thanks for organising that.

MR CORSBIE: I'll just terminate the recording at 6.09.

THE COMMISSION ADJOURNED AT 6.09 PM

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