

## STATEMENT OF JOSEPH SULLIVAN

Name Joseph Sullivan  
Address Known to Ashurst  
Occupation  
Date May 2013

I state that:

1. I am currently an employee of IBM United Kingdom Limited ("**IBM UK**"). I started working for IBM UK approximately 3 years ago when another IT business for which I was working was acquired by IBM UK.
2. In around the middle of 2007 I was working for IBM Australia Limited ("**IBM**") and was located in Brisbane at the offices of CorpTech as part of a CorpTech workforce management team (the "**Team**") involved in the delivery of the Shared Services Program. The Team had two sub-streams - the technical team and the functional team. I was (in mid-2007) the only member of the technical team. At that stage we were still in the process of recruiting additional resources to the team. I was to be the team lead. The functional team at that time consisted of approximately 10 people, led by Mary-Anne McCarthy of Accenture and included CorpTech employees.
3. While I was working at CorpTech I reported to a CorpTech employee for administrative purposes (i.e. signing off my timesheets). If I had any project management or implementation queries I would escalate questions to Jason Cameron, a Senior Managing Consultant at IBM. My actual manager was based in Melbourne and had no involvement with the CorpTech project.
4. I have been shown two emails by the Commission. The first email is an email that I sent to Lochlan Bloomfield on 29 August 2007, in which I cc'd Jason Cameron (the "**First Email**"). The second email is dated 30 August 2007 and is a response from Lochlan Bloomfield to the First Email (the "**Second Email**") (collectively, "**the Emails**"). I am informed by Ashurst Australia that the Emails form part of exhibit 32 before the Commission.
5. I did not, before reading the emails, have an independent recollection of the Emails or the matters raised in them. Now that I have had the opportunity to review the emails, I consider it is likely that the following occurred.
6. A "government guy" told me that proposals which had been generated by various suppliers for CorpTech at that time were stored on the CorpTech G Drive. The "government guy" would have been a CorpTech employee, likely one of those who was part of the functional team. I indicated to the Commission in my draft of this statement that it is likely this person was either Brendan

Pollock or Nathan Hulse, as these were the two individuals at the government (and from that team) with whom I had most contact. At my interview with the Commission I was informed that Mr. Hulse says that for most of 2007 and a lot of 2008 he was seconded to the Queensland Police Service. Whilst, with that prompt, I now recall that Mr. Hulse was seconded to the Queensland Police Service at some point in 2007, I distinctly recall spending a number of months working with Mr. Hulse at CorpTech, though I am not certain as to the timing of that.

7. Further at my interview with the Commission I was informed that Mr. Pollock does not recall such events or conversations.
8. I concede that I do not have a strong memory of the events. I would note however that I was from Melbourne, and I was in Brisbane only for this task. Our group at CorpTech was small and physically removed from the "rest" of CorpTech. I was providing those names on the basis that they are some of the few people I knew in CorpTech (or at all in Brisbane) to whom I could have been referring in the Emails, not having a specific recollection that they were to whom I was referring.
9. I have been asked whether in using the term "government guy" I could have been referring to an IBM employee. I would not have used the phrase "government guy" to refer to an IBM employee. What I would have intended to mean by using the term "government guy" was a person employed by the government (and not by IBM). If I had been referring to an IBM employee I would have used that employee's name (like I did in referring to Mr. Cameron).
10. As the email records, the CorpTech employee mentioned to me that he had looked through all of the proposals on the G Drive. This would have been of concern to me. At the time Accenture had a large number of staff working at CorpTech. I knew that they too would have had access to the G Drive as part of their work there. Given the competitive nature of the project and therefore the confidential nature of proposals, access by Accenture staff to proposals made to CorpTech by IBM (if that could occur) would have been of concern to me. The use of the WorkBrain software for non-rostering agencies was considered to be a significant point of differentiation for IBM's proposal at the time. If this had leaked to Accenture it would have been a real concern to me and IBM.
11. This was, as best as I can recall, the reason that I checked the G Drive. That is, because I had been made aware that the IBM proposal had been viewable on the G Drive. I reported that to IBM so that the issue could be addressed (and also reported the fact that the access issue seemed to have been fixed – so that there might not be proof that the issue had previously existed).

12. I was asked further in my interview with the Commission my recollections of what triggered me to look for the proposals on the G Drive. Since reading the emails provided to me by the Commission I had considered what could have prompted me to look for the proposals. Again, I am not certain and I do not have a direct recollection. It may have been that the government guy said to me that he was aware that the IBM proposal used WorkBrain for non-rostering agencies. This was a point of differentiation for the IBM proposal. That Accenture could have been made aware of that matter would have been a point of significant concern to me.
13. I never saw the proposals made by other suppliers to CorpTech either around mid-2007 or at all. I was never made aware of the contents of such proposals or any evaluation of those proposals by CorpTech. In looking at the G Drive I would have been looking for IBM's proposal. Had I located Accenture's proposal I would not have read it. I do not recall being asked to look for the competitor proposals by Lochlan Bloomfield, Jason Cameron or anyone else at IBM. It is not the sort of thing they or IBM would do. As I said in my interview, looking for the proposals would likely have been done on my own initiative, and not at anyone's direction.
14. During the interview with the Commission I was also asked when I returned from a recent overseas trip. That trip was to Jordan. I said in my interview that it was Tuesday evening being 7 May 2013. I have checked and can confirm that I arrived home in the United Kingdom at approximately 2am on Wednesday 8 May 2013.
15. Prior to going on leave I had a teleconference involving Ian Innes of Ashurst on 29 April 2013. This was the first time I had spoken to Mr Innes, and I had only the previous day United Kingdom time contacted IBM Australia to let them know I had been approached by the Commission. I said to him in that call that after I returned from overseas I would not be available for a further telephone call until Thursday morning United Kingdom time after I returned (that is on the morning of 9 May 2013 United Kingdom time).

Signed:



Date:

29/5/2013

Witness:



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29/5/2013