

McDonald, Sarah - CBR

Subject: FW: Confidentiality breach - New Car Retailing Industry market study - 28 July 2017
[SEC=UNCLASSIFIED]

From: Mulhall, Paul
Sent: Friday, 28 July 2017 4:51 PM
To: Grimwade, Timothy; Salisbury, David; Fleming, Richard
Cc: Clancy, Sharon; Keen, Elissa
Subject: Confidentiality breach - New Car Retailing Industry market study - 28 July 2017 [SEC=UNCLASSIFIED]

Dear Tim, David and Richard,

The purpose of this email is to advise of a confidentiality breach which inadvertently occurred this afternoon relating to the new car retailing industry market study.

This email details what occurred and the steps taken to remedy the issue on advice of Elissa Keen.

Breach

This afternoon, at 2.47pm, I accidentally emailed a draft of the attached New Car Retailing Industry Market Study Media Release to my friend, Lawrence Irlam (a Senior Advisor at the Carbon Capture Storage Institute – and who worked at the AER for eight years). I was intending to email Ian Lawrence as relevant to consultation on the draft with staff involved in the ACL Review (I also emailed Claire Bunch).

The draft media release contains confidential information including the draft findings of the report (as they currently stand) as well as indicates that ss 47G & 47E(d)

Action

Following identifying it had been sent to Lawrence in error I:

- Recalled the email.
- Contacted Lawrence requesting he delete the email. He wrote back confirming that he had deleted the email.
- Joelle advised David of the breach and then called Elissa for further advice in relation to managing a confidentiality breach.
- Lawrence confirmed, following my email to confirm that the email had not been forwarded further (per advice from Elissa) that he did not review the content of the attachment (being the media release) or forward it further (see email below).
- Joelle called Richard Fleming (ACT enf) to advise of the breach and confirmed that we had been advised that the email had not been forwarded further.

This email to you is upon advice from Elissa that we should advise you, Tim, as EGM of our work group and to ensure that you (Richard and David) are aware as SES in charge of the study/case.

If you require any further information please let me know.

Many thanks,

Paul

Paul Mulhall

A/g Assistant Director | Consumer Markets Analysis
Australian Competition & Consumer Commission
Level 35 | 360 Elizabeth Street Melbourne VIC 3000
T: 03 9290 1876
www.accc.gov.au

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From: Lawrence Irlam [<mailto:Lawrence.Irlam@globalccsinstitute.com>]
Sent: Friday, 28 July 2017 4:29 PM
To: Mulhall, Paul
Subject: RE: NCR market study - Draft Media Release [SEC=UNCLASSIFIED]

Paul

I didn't read any attachments or forward the email.

Cheers
Lawrence

Lawrence Irlam
P +61 (0)3 8620 7342

From: Mulhall, Paul [<mailto:paul.mulhall@acc.gov.au>]
Sent: Friday, 28 July 2017 4:06 PM
To: Lawrence Irlam <Lawrence.Irlam@globalccsinstitute.com>
Subject: RE: NCR market study - Draft Media Release [SEC=UNCLASSIFIED]

Hi Lawrence,

Thank you for your email indicating you have deleted the email I sent to you in an error. Can you please confirm that you did not read the attachment in my earlier email, and confirm that the email was not further circulated.

Many thanks,
Paul

Paul Mulhall

A/g Assistant Director | Consumer Markets Analysis
Australian Competition & Consumer Commission
Level 35 | 360 Elizabeth Street Melbourne VIC 3000
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From: Lawrence Irlam [<mailto:Lawrence.Irlam@globalccsinstitute.com>]
Sent: Friday, 28 July 2017 3:01 PM
To: Mulhall, Paul
Subject: RE: NCR market study - Draft Media Release [SEC=UNCLASSIFIED]

Hi Paul

As per the ACCC disclaimer I'm letting you know that I received this email in error and have deleted it from my inbox.

Let me know if you need anything further.

Lawrence
P +61 (0)3 8620 7342

From: Mulhall, Paul [<mailto:paul.mulhall@acc.gov.au>]
Sent: Friday, 28 July 2017 2:47 PM
o: Bunch, Claire <claire.bunch@acc.gov.au>
Cc: Leggett, Joelle <joelle.leggett@acc.gov.au>; Bulle, Jabulani <jabulani.bulle@acc.gov.au>; Taylor, Christian <christian.taylor@acc.gov.au>; Lawrence Irlam <Lawrence.Irlam@globalccsinstitute.com>
Subject: NCR market study - Draft Media Release [SEC=UNCLASSIFIED]

Hi Claire,

As discussed, attached is the draft media release in relation to the forthcoming draft report regarding the NCR market study.

We'd much appreciate your comments on the draft as it relates to the ACL Review (specifically our attempt to summarise Proposals 1 – 3).

If possible, we'd much appreciate your comments by the end of the day, so we can start the long process of review by other parties.

Thanks in advance and happy to discuss further,
Paul

Paul Mulhall

A/g Assistant Director | Consumer Markets Analysis
Australian Competition & Consumer Commission
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