

## Neilan, Ron

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**From:** Copley, Suzie  
**Sent:** Thursday, 3 December 2015 7:42 PM  
**To:** Greiss, Rami; Rakers, Mark  
**Cc:** Leuner, Thomas; Jones, David; Mullen, Baethan; Neilan, Ron  
**Subject:** RE: Confidentiality breach [DLM=For-Official-Use-Only]

I have just received the call back from [REDACTED] ss 47E(d) & 47G. I explained the circumstances that lead to the breach of confidentiality and he said he was comforted by the fact that the disclosure was not to a party in the same industry as [REDACTED]. I talked him through the type of information that was contained in the staff paper that was disclosed. [REDACTED] said that he will let his client know and while he could not speak for them, he did not consider that it was likely to cause significant concern particularly in that it was not disclosed to parties in the same industry and that the receiving party has said they had destroyed the paper. [REDACTED] commented that the information that [REDACTED] had provided to us was information to assist us with conducting market inquiries but noted that some of the information was confidential. He also said that he appreciated that we were taking it seriously in terms of letting him know promptly and our actions in response to the disclosure.

We agreed that I would send him an email in the morning with a summary of the confidential information that was disclosed and the steps we have taken once we were aware of the security breach. He will pass this onto his client and then respond to us.

### Suzie Copley

General Manager | Coordination & Strategy Branch  
Merger & Authorisation Review Division  
**Australian Competition & Consumer Commission**  
Level 24 | 400 George Street Brisbane 4000  
T: +61 7 3835 4646 | M: +61 0 409 929 540

 Please consider the environment before printing this email

**From:** Copley, Suzie  
**Sent:** Thursday, 3 December 2015 6:16 PM  
**To:** Greiss, Rami; Rakers, Mark  
**Cc:** Leuner, Thomas; Jones, David; Mullen, Baethan; Neilan, Ron  
**Subject:** RE: Confidentiality breach [DLM=For-Official-Use-Only]

I have called [REDACTED] ss 47E(d) & 47G but only got his voice mail. I have left a brief message informing of the inadvertent disclosure of information relating to his client [REDACTED] to an external party who is in a separate industry to [REDACTED]. I asked him to give me a call tonight if possible.

The information in the staff paper that is most likely to have commercial sensitivities is [REDACTED] ss 47E(d) & 47G

[REDACTED] ss 47E(d) & 47G  
[REDACTED] ss 47E(d) & 47G I will email [REDACTED] ss 47E(d) & 47G shortly if I don't hear back from him soon. I will send a detailed email in the morning explaining what information had been disclosed and the steps that had been taken following the disclosure.

I am about to email Elissa Keen to let her know about this and the steps taken.

Regards  
Suzie

**From:** Greiss, Rami  
**Sent:** Thursday, 3 December 2015 5:20 PM  
**To:** Rakers, Mark; Copley, Suzie

**Cc:** Leuner, Thomas; Jones, David; Mullen, Baethan; Neilan, Ron  
**Subject:** RE: Confidentiality breach [DLM=For-Official-Use-Only]

Mark I have had a quick chat to Suzie about this and she will deal with it now thanks

GMs we are going to work harder at avoiding this happening again. One step is that I will speak to Adrian to find out how we can disable the email address auto suggestion feature

**From:** Rakers, Mark  
**Sent:** Thursday, 3 December 2015 6:10 PM  
**To:** Greiss, Rami; Copley, Suzie  
**Subject:** Confidentiality breach [DLM=For-Official-Use-Only]

Rami and Suzie

An internal email intended for James in ITAP was inadvertently sent just now to James Willison at Primary Health Care.

James Willison at Primary has confirmed that he has deleted the email (as per below).

Unfortunately the email sent in error attached the [redacted] ss 47E(d) & 47G [redacted] and [redacted] ss 47E(d) & 47G [redacted] I've cautioned Pete about the need to take more care in future when emailing sensitive documents.

I propose to email [redacted] ss 47E(d) & 47G [redacted] first thing tomorrow to let him know of this confidentiality breach. Please let me know of any further steps required.

Thanks

Mark

**From:** WILLISON, James [mailto:James.Willison@primaryhealthcare.com.au]  
**Sent:** Thursday, 3 December 2015 5:56 PM  
**To:** Gray, Peter  
**Subject:** RE: Consult request - [redacted] ss 47E(d) & 47G [redacted] [DLM=For-Official-Use-Only]

Dear Peter,

I think you may have sent this email to me in error.

I have deleted it.

Regards

**James Willison**  
Senior Legal Counsel – Pathology and Imaging  
Primary Health Care Limited  
60 Waterloo Road  
NORTH RYDE NSW 2113  
T: (02) 9005 7011  
F: (02) 9005 7645  
M: 0478 318 845

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**From:** Gray, Peter [mailto:peter.gray@accc.gov.au]  
**Sent:** Thursday, 3 December 2015 5:51 PM  
**To:** WILLISON, James  
**Cc:** Rakers, Mark; Bulle, Jabulani  
**Subject:** Consult request - ss 47E(d) & 47G [DLM=For-Official-Use-Only]

Hi James,

Please find attached ss 47E(d) & 47G  
ss 47E(d) & 47G

ss 47E(d) & 47G

We would appreciate your views on the matter s 47G

Regards,  
Peter

**Peter Gray**  
Analyst | Coordination & Strategy Branch  
Merger & Authorisation Review Division  
**Australian Competition & Consumer Commission**  
L35 360 Elizabeth Street MELBOURNE 3000  
T: 03 9290 6943

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