



HERBERT  
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FREEHILLS  
ALUMNI

## IN THIS ISSUE

### **Four Go Into One**

How four antipodean alumni are now innovating for Amazon in Seattle

**Kerry Stares:** On the frontline of social change as TrustLaw's global head of legal

**Getting Onboard:** Hilary Newiss on how to pursue a board role

## GROWING WITH GOOGLE

**Yoram Elkaim**, head of legal, EMEA for Google, on life and law at one of the global tech giants

ALUMNI

# matters

2018



# From the CEO

Thinking differently, the theme of this edition of *Alumni Matters*, is one that is close to my heart. This is not just a day dreaming fantasy as I reflect on the huge challenges facing law firms; it is absolutely central to the firm's strategy, who we are as a firm and, above all, how we best deliver our service to our clients.



What does thinking differently mean in reality? How does it apply in our business? And how much different is different? I always give the example of the out-of-the-box thinking adopted by Team New Zealand in the 2017 Americas Cup sailing competition. The ingenuity was to use bikes ridden by athletes including racing cyclists to power the hydraulic systems, the sails and the foils. These bikes generated many times more power than conventional winches and the team duly won. Who would have thought about putting bikes on boats? And why cannot such imagination power law firms? I want our lawyers and business services teams, metaphorically speaking, to "put bikes on their boats", to come up with new ideas of serving clients and, thereby, to help us cross the finishing line first.

For this issue, we have assembled a range of alumni who demonstrate *par excellence* how businesses and their people are thinking differently. It is no surprise that these include two of the five global tech companies. Four alumni moved from Australia to Seattle in Washington State to join Amazon, and our cover feature, Yoram Elkaim, is with Google. They provide fascinating insight into the dynamism and ambition of each of these giants and emphasise how the innovation that is the businesses' lifeblood calls for a wholly new mindset from their lawyers.

We learn from Jacqui Knox, in-house counsel with the top Dutch telecoms company, VEON, of the changing relationship between clients and law firms that puts the onus on partnership and co-creation – an approach our firm is taking with our law firm-client relationships. Hilary Newiss offers invaluable guidance to those aiming for non-executive directorships on how to capitalise on their legal skills.

Among other stories we share on how our alumni are thinking differently every day in their careers and business ventures, and we are also delighted to welcome back into the fold as a returning partner James Robinson, who is leading our corporate practice in New York.

At Herbert Smith Freehills, we are putting in place innovative features of our own: we have appointed two dedicated innovators; we encourage time to be spent on innovation activities as part of one's contribution; and we are creating a separate Legal Operations

Group that will focus on research; pricing and other skills such as project management: applying externally accrued project management skills in the cause of improved delivery of our professional management services.

Over and above these initiatives, we are developing new products – sometimes in collaboration with clients – that are moving us into new and exciting areas of business. We have formed a consortium with IBM and Data61, part of the Australian government agency responsible for scientific research, to develop blockchain technology to create smart legal contracts. The Australian National Blockchain (ANB), as it is known, will be Australia's first permanent, large-scale, legally-binding blockchain platform, and the aim is to roll it out elsewhere. In every case, we check our actions against three simple tests: Will it make our clients' lives better? Will it make us more profitable? Does it move us towards our goal to be a world-class professional services firm?

We hope that the ideas in these pages will stimulate some innovative thinking in you, our alumni. Please do get in touch if you have ideas that you would like to share with us or to offer any other feedback. We always love to hear from our alumni, as our alumni network grows ever stronger.

*Mark Rigotti*

Mark Rigotti  
CEO

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## Disclaimer

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## Alumni Matters

We hope you enjoy reading this issue of *Alumni Matters*. Please recycle it, or pass it on to another alumnus once you have finished reading it.



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# GETTING TOGETHER

A collection of photographs from alumni events held across the globe over the past year.

10 Year Reunion, London



Retired Partners Reception, London



20 Year Reunion, London



Alumni Reunion, Brisbane



Christmas Lunch, London



Alumni Reunion, Hong Kong





Alumni Reunion, Perth



Alumni Energy Event, London



Alumni Banking Event, London



Alumni TMT Event, London



Alumni Reunion, Melbourne



Alumni Reunion, Sydney





## Alumni Reunion, Shanghai



## Grand Reunion, London



## 25 Year Reunion, London



# 10 QUESTIONS WITH... KATRINA SHI

An alumna of our Beijing office, **Katrina Shi** has held in-house roles at Siemens and the State Grid Corporation of China. She is now Vice President – General Counsel at Total China, part of the Total Group which is the world's fourth-largest oil and gas company.

### 1. What inspired you to become a lawyer?

As a child, I watched movies with lawyers wearing silk wigs and was inspired by their cross-examinations and how they defended clients. I understood that lawyers were logical and persuasive thinkers who behave well. This is the type of person I wanted to be.

### 2. What shaped you in becoming the lawyer you are today?

I spent a year in the UK as part of the Chinese Young Lawyer Training Scheme where I was guided by barristers and solicitors, an experience which gave me wonderful exposure to the legal profession in western countries. Then I pursued an LLM degree in the US and, shortly after, gained a Master's in Banking and Financial Law. I valued the experience of studying common law and working in private practice at a local law firm and Herbert Smith (legacy). These experiences made me strong and competent when serving my clients.

### 3. What's been the biggest challenge in your career, and how did you overcome it?

Becoming a leader in a legal function means managing other lawyers. This requires a different skillset than pure "lawyering" and a career in a law firm might not necessarily provide training to

become an effective manager. I overcame this challenge by consciously learning how to manage employees and moving from tactical execution to being more strategic.

### 4. What attracted you to going in-house?

In-house lawyers work regularly with management and colleagues in different work streams and functions. They are part of the business. As a private practice lawyer, I was only dealing with the in-house legal team which could be isolating. Now, I can see what happens with our legal advice. To witness where we advised correctly and where we didn't is a fascinating experience.

### 5. What do you enjoy most about your role?

Understanding the perspectives of my colleagues and earning their respect for truly knowing what matters to the business, without compromising on the legal obligations. Endlessly debating with the CEO and saying "no" without attempting to find a solution serves no purpose, except for guaranteeing that the legal department will be less involved in the future.

### 6. What do you feel is the most pressing concern facing the energy sector?

Climate change. There is no single solution but we must be able to supply sufficient and affordable energy to support the development of the world's

growing population. We need to embrace innovation, technology, collaboration, flexibility, behavioural change and adequate policies. Oil and gas companies are at the centre of this challenge. We must continue to reduce greenhouse gas emissions whilst developing carbon capture, utilization and storage, as well as improving the efficiency of our facilities and products.

### 7. What are the recent market trends that have impacted Total China's legal function?

The massive increase in the size, availability and usage of data has resulted in the emergence of new risks and legal concepts. Data is not only targeted in the form of cybercrime, it is also subject to complex legal protection. The rise of artificial intelligence, blockchain and smart contracts indicate disruption as well as opportunities for legal.

### 8. What makes a good leader?

Trusting colleagues, listening to others, coaching people and motivating team members to be influential not only on the legal issues but also the strategic business decisions.

### 9. The theme of this issue of *Alumni Matters* is "Thinking Differently". How have your team had to think differently in order to achieve your business objectives?

Our philosophy is that we should not be the "deal breakers". Instead, we are pragmatic lawyers who take interest in the business and look for solutions while protecting the company. We also think about issues in the long-term and are ready to bear the consequences of poor legal advice.

### 10. What do you like to do in your leisure time?

I like to read and spend time in the gym. Exercise helps me regain energy and reading gives me a glimpse into other people's lives. The books that I am currently reading are *Beyond Business* (John Browne), *Lean In* (Sheryl Sandberg) and *When Breath Becomes Air* (Paul Kalanithi).







## A VIEW FROM... **AMSTERDAM**



**Jacqueline Knox** is Associate General Counsel, M&A, for VEON, a leading Dutch telecoms company that operates globally. She thoroughly enjoys living and working in Amsterdam, but maintains close ties with London.

**You are an Australian, now based in Amsterdam. How did you get from there to here?**

I was raised, educated and qualified in Brisbane. Queensland's economy is based on natural resources, so it was fairly obvious that I would gravitate to working as a lawyer in the mining, energy and resources sector. I was happy doing that for a couple of years until I realised that most of my friends had left, mostly for Europe, and I followed suit.

**Is that how you came to Herbert Smith Freehills?**

Yes, it was. I applied for a job in the firm in 2005 and happily was accepted, joining the corporate energy practice. While I was there, I did a client secondment with BP, and that gave me first-hand perspective of working in-house. I felt somewhat conflicted about leaving the firm, but Stephen Wilkinson, my partner and mentor, was very supportive.

**Who did you choose?**

Ophir Energy, at the time a very small upstream oil and gas exploration company. When I joined in March 2011, I was employee number 12. The company had been founded by a couple of brilliant people, a geophysicist and a geologist, and their business model entailed making a discovery and then finding joint venture partners to help exploit it. They did this very successfully in several African countries.

For me, this was an extraordinary opportunity to create and shape a legal function for a new company. It also brought me into contact regularly with outside counsel, especially when Ophir listed on the AIM exchange.

Some people in private practice have this idea of in-house lawyers that they roll into work, do a few tasks and then cruise home. That couldn't be further from the truth! At Ophir, I was involved in a huge range of issues, from negotiating joint ventures, establishing a corporate governance structure and compliance to dealing with the technical people's most minor concerns. As the cliché goes, every day was completely different.

**How long were you with Ophir?**

Four years. By the time I left, the legal department was 10-strong, and the business had spread its wings.

**Why did you leave?**

It was a high-pressure environment, and I felt I needed a break. I took a year off in 2015, travelled the world, including going back to Australia for a while. Personally and professionally, that was one of the best things I ever did. Having the space made me a different human being. I actually gained more confidence in myself and realised that I had very transferable skills.



**“I wanted an opportunity to balance the skills and knowledge I already had with doing something new.”**



#### **What did you do next?**

I wanted an opportunity to balance the skills and knowledge I already had with doing something new. I saw an ad in the legal press asking for “Lawyer, M&A, Telco sector”. I knew nothing about telecoms and neither did I know about the company that was advertising, VEON, but I was interested. VEON is a major telecoms company, listed on Euronext Amsterdam and the sixth largest mobile network operator in the world by number of subscribers.

Just previously, VEON had negotiated a DPA – a deferred prosecution agreement – with the US Department of Justice, the Securities and Exchange Commission and the Dutch Public Prosecution Service. This covered allegations of corruption in Uzbekistan. I then learned that VEON has customers in many emerging markets, which appealed to me. Finally, I was attracted by the idea that VEON was diversifying from telecoms to include technological products and digital solutions. All in all, this was a great opportunity just staring me in the face.

#### **How did things transpire after you joined?**

I joined two years ago. It has been fantastic and fantastically interesting. My role since joining has expanded, and now I cover a wide range of deals, not just mergers or acquisitions. As VEON operates in many different jurisdictions, this throws up all sorts of legal issues to resolve, for example, working out ways to repatriate profits from Uzbekistan.

The DPA means that the company is subject to the scrutiny of a monitor and that is driving change in the company. Compliance

is now at the heart of what we do, especially given the current situation we find ourselves with Uzbekistan. We must ensure we are operating at the high watermark, not just there but everywhere.

#### **How do you achieve that?**

We go beyond the standard anti-bribery and corruption training. We are focused on becoming a good corporate citizen but, beyond that, I have had a role in developing a strong set of corporate values that mark us out for being a truly great company. That is what I really like – being part of a whole new approach to corporate governance and what the company stands for.

This is a huge task: the company has around 60,000 employees, supported by a legal function of around 30 lawyers and a separate compliance function. I work with many different nationalities, which makes for a great working environment.

#### **How do you like living in Amsterdam?**

I love it! It is a great city, full of culture and sporting options. I ride to work over a canal and through a park in seven minutes!

#### **How is the relationship between law firms and clients changing?**

The longer I have been in-house, the more I realise the best type of relationship between law firms and their clients is as partners. The key thing is openness and honesty. I am direct and I want my lawyers to be the same with me. They must be clear about the scope of the work and how much they will charge. I dislike it when law firms pitch to win the work and come back later with unnecessary

changes dressed up as a change of work scope.

Of course, I realise that there has to be some flexibility. Most of the jurisdictions we operate in are challenging – we can face heavy regulation or, sometimes, no regulation at all! That makes it difficult to have clear legal answers, I understand that. Our lawyers need to know our risk profile, and offer solutions that fit. And, of course, our risk profile may change over time, so they have keep up to date.

That is why we need to have a very good relationship with our external lawyers, to work these things through together.

#### **Do you have secondments?**

Yes, we do, and we have been very happy with the secondees placed by Herbert Smith Freehills.

I should also say that I find the Herbert Smith Freehills alumni programme very useful to stay in touch with former colleagues. It was striking that contact was maintained even when I was between jobs. I appreciated that.

# DELIVERING EXCELLENT CLIENT SERVICE

Every law firm should obsess about its clients. To succeed at Herbert Smith Freehills we have to make sure we obsess that little bit more.

Of course, it is easy to say that. What I have to make sure in leading the firm is we put our ambition into practice every day.

One client came in to the London office for a meeting recently and I was struck by what he said about our relationship.

“I might not remember specifically the service you provided me with – but I remember how you made me feel,” he said.

I think that is the key to how we should think about serving our clients. Excellence of service must be a given. However, empathy is vital too. We must make sure clients feel valued because of what we provide to them – and also reassured that they are in safe hands.

To do that involves asking lots of questions, much like a doctor diagnosing their patient. Our people are very talented at what they do, but they must not make assumptions about what clients need or want. Instead, we have

to listen to what they say before deciding what to do about it.

Earlier in my career, I remember working on a refinancing for a client. I was focused on getting the very best deal terms for them – however, the ultimate client sat in New York and had a very different perspective. Their priority was timing – get the deal done. They prioritised timing over terms and I didn't pick up on that until very late in the day. The moral of the story is to ask before you act.

Our role has expanded over the years. It is no longer limited to the delivery of precise legal solutions. Our clients demand reassurance and commercial intelligence: what have we seen, what does the market expect around this sort of issue? The correct answer is very varied. Quite often the way forward is something that we develop together, helped by new technologies that bring us closer together.

It may sound obvious but also a bit counterintuitive but I would advise anyone joining Herbert Smith Freehills today to focus on the external market. The world we live in is far more complicated than it was a generation ago. It is the world our clients inhabit, not the legal world that we occupy. If we can help them understand what is going on out there we will prosper.

The second part of my advice would be to remember that our clients are people – not faceless institutions. They are no different to the colleagues we share an office with and we should connect with them on the same human level. There is no better way to understand what is important to them.

**“I might not remember specifically the service you provided me with – but I remember how you made me feel”**





# GROWING WITH GOOGLE

**Yoram Elkaim** is head of legal, EMEA, for Google, one of the 'big five' IT companies in the world. At the heart of it is the technology of the business. "I have always been interested in how technology affects all areas of law; I believe there is no such thing as technology law," Yoram says.

When Yoram Elkaim applied to join Herbert Smith (legacy) in 2001, he had all the right credentials: a top law degree from Sorbonne University, a US law qualification and a particular interest in intellectual property just at the time when the firm's Paris office was looking to develop an IP/IT capability. But he also had one extra selling point: he had already worked as a de facto general counsel for a start-up IT business.

Yoram takes up the story: "The business was an internet news headline aggregator – actually, one of the first – set up by a friend of mine. He said he was spending a fortune on lawyers' fees, so could I help? I was then only a student and was not quite sure how things would work out, but it turned out to be a great experience which I am pretty sure helped my case when I applied to join Herbert Smith Freehills later on!"

It was certainly the start of an interesting career in the world of high-tech. These days, Yoram is responsible for a legal team of 110 and indirectly responsible for a further 60, combining his legal expertise with a senior management role.

## From humble beginnings

Yoram's parents are Moroccan Jews who emigrated from Morocco to Lausanne, Switzerland in the 1960s. His parents set up the city's first kosher butcher's. When his parents divorced, Yoram moved aged 13

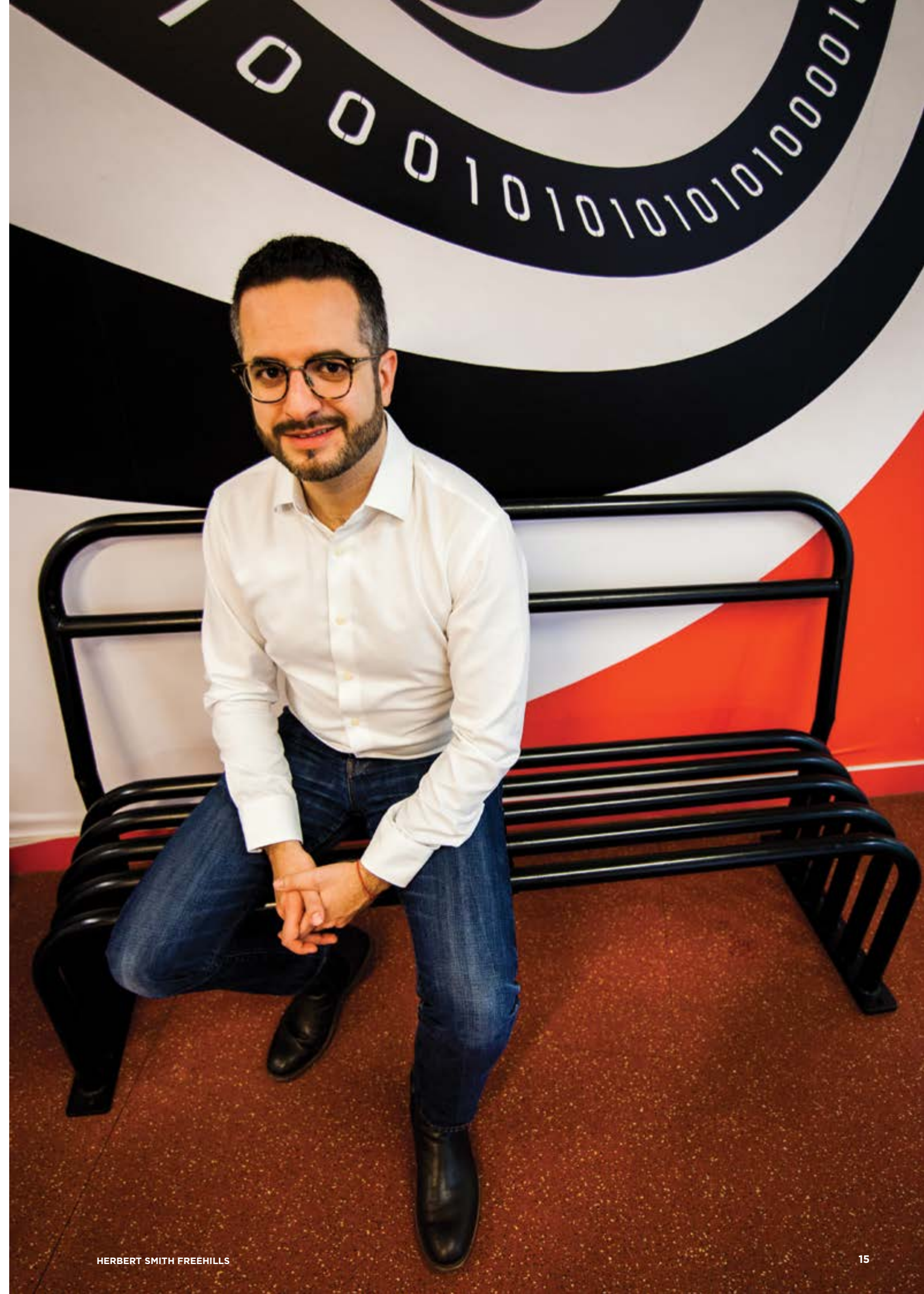
with his mother to Paris, going to school in the city and then winning a place at Sorbonne University.

Originally intending to be a journalist, Yoram had a change of heart when, as part of his degree course, he opted for a module on English and American law. This was when he was approached by his friend to help out on the law side with his new internet start-up. "My friend said he was being sent 50-page memos by law firms that he could not understand," Yoram remembers. "I helped simplify them – which was my first lesson in making advice straightforward and intelligible for clients, and what I now expect of my law firms."

Yoram put his newly acquired legal knowledge into practice, doing everything from drafting and reviewing contracts to helping the company defend some threats of law suits by newspapers claiming that publishing news headlines with direct links to the articles constituted a breach of copyright. The counter argument was that the site was just a mechanism to direct visitors to the newspaper sites (an argument that would prove useful again, in Google's case). That copyright debate is still going on 20 years later.

Yoram had always been keen to study in the United States and won a place at Fordham Law School to study for an LL.M, partly funded by a Fulbright Scholarship.

**"I started learning English by listening to bands and musicians such as Prince, Michael Jackson and Queen."**





By now, his English had reached a suitably high standard (“I started learning English by listening to bands and musicians such as Prince, Michael Jackson and Queen,” he laughs). On returning to France, he started looking for a job, but the timing was unfortunate as it was a couple of weeks after 9/11. Yoram sent off 80 letters to different law firms, attracting a lot of interest. However, he found that all except one said they were not recruiting because of the existing uncertainty in the wake of the terrorist attack.

The exception was Herbert Smith Freehills, which was starting an IP/IT practice in Paris. Initially a sub-group within the Corporate department, it soon turned into a fully fledged IP/IT Department headed by Alexandra Neri. As the practice developed, the firm gained new clients, one of which was Google, which had turned to the firm to advise and represent the company in a series of trademark disputes over the use of keywords in searches. The case eventually went to the European Court of Justice, which found in Google’s favour, in essence, confirming that a trademark attaches to a product and not to words used in searches. Additionally, the court agreed with the Google case that, even if the keywords breached trademarks, Google itself as the intermediary was not liable.

These were formative times in Yoram’s practice, not least because he was doing so much work for Google. So, when he was approached in 2005 to join the company’s small in-house legal department, the idea appealed and he made the move from private practice to in-house.

At that time, the Google operation in Paris comprised some 20 people; today, there are around 900. Yoram found himself covering a huge and disparate range of issues, as the company rapidly expanded and developed or acquired new businesses, such as Gmail and YouTube. For example, when it launched the Street View feature of Google Maps, Yoram had to find out whether it was permitted to fit a 360-degree camera onto a car, which was needed to carry out street level mapping. Privacy law was an obvious area of focus.

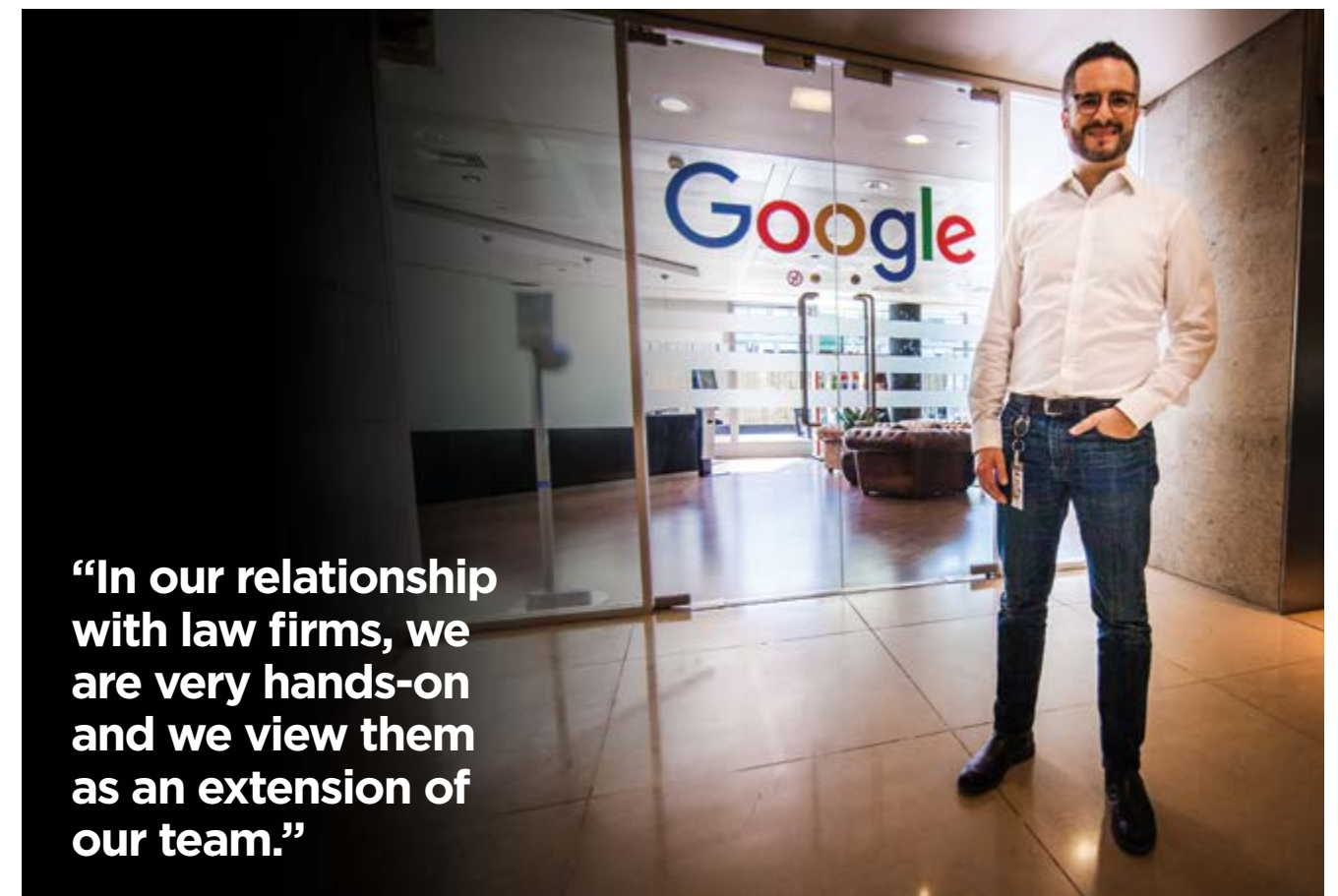
Today, whilst seven of Google’s services already count over a billion users (Search, YouTube, Maps, Gmail, Android, Chrome and, most recently, Drive), the company continues to innovate and develop new products. It is now part of the larger Alphabet group – a conglomerate investing in fields as varied as artificial intelligence (DeepMind), life sciences (Verily), autonomous cars (Waymo), delivery drones (Wing) and home-connected devices (Nest). Each of these

**“They are not lawyers and, generally speaking, are not interested in the legal reasoning underpinning my advice.”**

areas raises countless new legal questions, keeping Yoram and his team on their toes.

#### Dealing with complexity

Based on his experience, Yoram has a number of practical pieces of advice for lawyers in private practice thinking of switching to working in-house for a tech company. “This might apply not just to tech companies but to companies in many industries, but the most important thing I have learned is that advice must always be framed in a commercial context,” offers Yoram. “My internal commercial clients want to know the risks of the different courses



**“In our relationship with law firms, we are very hands-on and we view them as an extension of our team.”**

of action that they wish to take. They are not lawyers and, generally speaking, are not interested in the legal reasoning underpinning my advice.”

He continues: “I am often asked what course of action I would recommend, given the risks. For a lawyer, that takes you out of your comfort zone, because we are used to our internal clients ultimately making the commercial decisions. What I would say to others thinking of moving out of private practice is that, increasingly, we have to be prepared to stick our necks out.”

Another useful skill is project management, Yoram notes. “I have certainly found that being able to manage teams has become a critical skill - and one that is not necessarily taught during legal studies. I like this part of my job and believe that in-house lawyers need to be prepared to take on these project management-type roles.”

Exciting though it is to deal with a variety of complex legal issues, it also posed challenges for Yoram and the rest of the team tasked with delivering certain legal advice in a rapidly changing world where, often, the law lags behind changes in the marketplace. “Working in such an environment can be unsettling in that it is hard to give definitive answers to problems, but, on the other hand, it is fascinating for a lawyer because you have an opportunity to shape the law,” Yoram notes. “As Google became more successful,

we have increasingly been consulted in regulatory forums and asked for our views on new laws or improvements to old ones.”

Yoram has also come to understand that what businesses want from their lawyers is their assessment of risk, as much as their technical legal advice. “Working in-house, I learnt that, often, we are expected to be part of the decision making process, and that requires us to make judgment calls,” Yoram explains. “As a lawyer, I had been trained to set out the options and let the client make the decision. But I found that my business clients within Google did not want the analysis, or how I could come to a certain conclusion – they just wanted a decision.”

The quid pro quo for sticking his neck out is that there is no comeback if and when decisions turned out to be wrong. “I got good feedback early on that I could be assertive, and that it was OK to make the wrong judgment call in uncertain situations. We were often operating in a grey area.”

Yoram applies that same approach to his dealings with external law firms, including, of course, Herbert Smith Freehills. The aim is to achieve more of a partnership with legal services providers, in which decisions are jointly shared. “In our relationship with law firms, we are very hands-on and we view them as an extension of our team. We like to work together on strategy and, most of the time, we co-draft.”

Yoram picks up on the theme of lawyers being bolder in sharing in decision-making. “In the same way that our businesses have given me greater latitude to make decisions, so I have offered our law firms greater scope to think beyond what they would normally do, without recrimination, if things don’t turn out the way they predicted,” Yoram says. “We tell them, ‘Give me an honest answer, don’t tell me 50/50.’ Don’t hesitate to say how you think it will play out. We also share the victories and losses together.”

With responsibility for the whole of Europe, Africa and the Middle East, and a team scattered across 15 countries, Yoram has to cover a large area. In the past, he has travelled a lot, including to the company’s headquarters in California, but now with a son aged three, he tries to make full use of video technology so that he is not so often away from home.

As for the future, Yoram is more than happy in his current role, but the entrepreneur in him (perhaps derived from his parents’ business) does contemplate a life after law where he can combine his legal skills, business management and love of innovation. Any such role would also serve a higher social purpose. “Most of all, I love connecting people of different cultures and helping to create dialogue between them. That is a lofty aim, but also very practical.”







# BRINGING A TOUCH OF BONDI TO LONDON

**Prue Freeman** has successfully opened a chain of thriving antipodean-inspired café, bar and restaurants in London, drawing on her prior experience as a lawyer and investment banker in Australia and London. “You never know when you start a business where it is going to take you,” she tells *Alumni Matters*.

When in late 2017 Prue Freeman, lawyer turned businesswoman, approached OakNorth Bank for finance to expand her Bondi-inspired café/bar/restaurant business in London, she knew all too well from her past experience of lawyering and investment banking that she would have to make an outstanding presentation. Was she nervous? “Not at all,” Prue replies. “I have always been comfortable with what you might call the professional side of the business, such as the legal structures and financing. What excites me, and may make me nervous, are the challenges of creating and building a business. In the restaurant business, which is always changing, you have to be thinking all the time – about the market, people’s habits and tastes and how to differentiate yourself from your competitors. That is what I find exciting.”

Prue has always been interested in food – whether as a cook, consumer or even market fruit stall trader. As a graduate solicitor in Brisbane, she would spend her weekends getting up at 4:00 a.m. to sell oranges at local farmers’ markets. She joined Freehills (legacy) in 2004 and then moved to join the investment bank, UBS, in Sydney before moving to London for the bank in 2010.

While in London, Prue developed the idea of starting out in the food business with her husband, Tom Onions. Starting off with the idea of selling “street food”, Prue found that there was a good market for great coffee and healthy food, all served up with a touch of Australian flair.

Quickly developing from selling her food from a van in a street market in King’s Cross, Prue hooked up with Monmouth Coffee and opened her first coffee stand, Beany Green. In 2013 she opened up her first fixed site, just off Oxford Street, and today the Daisy Green Collection comprises nine outlets. Scarlett Green is the latest, opening in June.

So what explains the success, especially in a market such as London where you can hardly move for cafés? Prue says there are many factors that combine to contribute towards the popularity of their restaurants, principally adaptability, and the quality of the food. “Our reading of the market was that, on the positive side, people were looking to eat and drink whenever they wanted without any categorisation. So they might have brunch at 4.00 in the afternoon, for example, or just not worry about the times for meals. We have created cafés and menus that allow for that flexibility.”

“The second thing is the importance of getting the food right. I feel that many of the chains somewhat stinted on quality in order to keep their profit margins high, and that was a mistake. We also make sure we cater, literally, for people’s dietary requirements, including vegan, vegetarian, dairy-free and

paleo diet followers, which are becoming far more important. That is part of what has become the Flexible Eating Movement.

The buildings themselves are flexible, moving from being cafes in the morning, through brunch, lunch and tea to becoming bars and restaurants in the evening. A subtle and effective touch is that the lighting changes automatically to match the type of meal being served.

How the business has raised the finance is a further illustration of Prue’s imaginative approach. Initially, Prue and Tom ploughed the profits from the fledgling business into reinvestment. Then Daisy Green issued corporate bonds to raise £775,000. Those bonds were repaid early, when the business raised some £3.4 million from OakNorth Bank.

This year, Daisy Green turned to crowdfunding to raise a further £500,000 (in the end the business raised more than four times this amount) as a further innovative method of raising finance. For Prue, tapping into a wider set of investors and lenders is part of the attraction. “We like those backing us to be engaged in the business. They give us feedback, but we also invite them to our openings,” she says. With her inside knowledge of private equity, she and Tom have resisted throwing in their lot with PE investors (and there have been many expressions of interest) precisely because she knows that their objectives will not chime with those who want simply to maximise the value of the business before exiting.

Prue is also clear that, while she is expanding the number of outlets, she is not creating a chain with identical outlets. Each one has to be right for the local environment. That requires good market knowledge and understanding of people’s habits.

**“I never propose anything that is not going to work, and, even if I don’t know how it will work, I expect others to get back to me with resolutions.”**

Much responsibility is delegated to the individual café managers, who are obviously carefully chosen. They are paid above market rate and with good incentives, but, by the same token, are expected to deliver against several key performance indicators.

Prue emphasises that she requires of her people imagination and a willingness to find answers to problems. “As both a lawyer and a banker, I was used to finding solutions to problems, and I expect the same of my managers,” she says. “I never propose anything that is not going to work, and, even if I don’t know how it will work, I expect others to get back to me with resolutions.”

Having her own business has certainly widened Prue’s horizons. Much though she enjoyed being first a lawyer and then an investment banker, she thrives on operating in a wider commercial environment. “When you start your own business, you tap into the skills and ideas of a much wider range of people than when you are working in a law firm or a bank,” Prue notes. “I strongly recommend it!” We can all drink to that.





# LAWYER TO FOUNDER

The germ of an idea for a great business often comes from a single moment and the exciting realisation that the product taking shape in your head cannot be found on the market. For lawyers turned founders **Alex McCabe** and **Paul Benjamin**, this was very much the case.



"There's also the naïve idea that it wouldn't be that hard to start a business," laughs Alex McCabe, co-founder of fun and quirky brand Kip&Co, whose beginnings can be traced back to her childhood when she busied herself trying out decoupage, puff-painting clothes, and making scrunchies to sell at the local market in Mornington, Victoria. "Hey, it was the '80s, plus my mum is very creative and so we were always absorbed in some craft or the other," she recalls.

**"Hey, it was the '80s, plus my mum is very creative and so we were always absorbed in some craft or the other."**

Creativity was always of interest to Alex, who would go on to study arts at university. "I thought about becoming a curator, but the profession seemed to be full of wealthy women in their fifties with hip spectacles, and I didn't fit that bill," she says. She took a year off, looking for "the light bulb moment that didn't arrive", following which she decided to study law. "Dad has been a lawyer his whole life and is incredibly passionate about the law, so it wasn't surprising that I

followed in his footsteps. By the time I finished studying, I had inherited his passion and loved how analytical my thinking had become."

Alex began her legal career at Freehills (legacy), a decision based primarily on the warmth of the people she encountered. "From my interviewer, Kate Jenkins (now Australia's Sex Discrimination Commissioner) to the HR team to my first bosses Priscilla Bryans and Quentin Digby, who remain the best bosses I've ever had, there was no sign of the cardboard cut-out, uptight lawyer I had anticipated. These were whip-smart, funny and vibrant people. They were not hierarchical and had genuine respect for everyone's contribution; they had exacting standards and taught through encouragement rather than criticism. It was a great learning experience in how to manage and get the best out of a team."

During her time at the firm, Alex discovered a passion for communications, which she identified when figuring out ways to "clearly and intelligently communicate with stakeholders". This prompted a move towards corporate affairs and media relations.

The idea of starting a business came from wanting a creative outlet that Alex was unable to find in the corporate world. After a year of brainstorming, she and her friends Kate Heppell and Hayley Pannekoek landed on a concept of a bold and colourful

brand of bed linen. Having thoroughly investigated the market, they realised the only way to find cut-through would be to create something really different in the space, an offering that would be unique to the market.

Their first design was a bright geometric print called 'the croc'. Alex grins at how the trio made jackets of the material and wore them to their first trade show. Their daring designs attracted sufficient press attention, which proved to be the launchpad for success.

The challenge was to balance the growing profile of her start-up and a full-time job in corporate affairs, which Alex continued for five years after co-founding Kip&Co. "It meant working on the business after hours, during weekends and on holidays. It did curb my social life, but I loved every minute. Because it was growing so quickly, we felt like the train had left the station and we had to hang on for the ride," she says.

Kip&Co's product range has remained faithful to its quirky style, and Alex is encouraged when she sees a greater interest in new designs and colour combinations. "Customers have so much more inspiration to draw from nowadays," she says, referring to the myriad blogs and social media pages dedicated to design. "Consumers have access to a lot more brands. These are the reasons the home decoration industry has seen huge growth, on top of which





Australians are culturally very house-proud. Ultimately, it's freed the imagination of everyone's interior designer."

In similar vein, Paul Benjamin's freeing of the imagination occurred in 2010 as he ordered a brew of Oolong tea mixed with whisky in a Tokyo bar – a popular combination in the city where he was living, but one that is only just beginning to gain popularity in the UK.

"It was a revelation," recalls Paul. "It was extremely refreshing and quite remarkable. It's easy to miss out on the flavour of tea when it's mixed with milk – but when it's paired with whisky, something different happens: the alcohol releases the flavour of the tea."

Not your standard cuppa but this particular brew convinced Paul that it was time to start his own venture, and he knew exactly what that would be. "I had already been given a taste of being close to a business during my time at Herbert Smith (legacy). As a lawyer, I had been taught to look at things from a risk perspective, but fortunately I had the opportunity to see how businesses operate across different industries when placed on secondments – that experience really helps me in my work now."

While Paul's background in arbitration and construction litigation is a far cry from his entrepreneurial exploits, his time at the firm instilled a broad understanding of commerce that has been invaluable. "Herbert Smith Freehills really impressed on me how what we do as lawyers impacts decision-making in a business, and that's an interesting layer to add to some of those day-to-day decisions as a business owner."

Paul and his wife returned to London from Tokyo in 2011, and he began the exacting

process of picking the right ingredients for the premium drink that was to launch the Benjamin & Blum portfolio. "I took my time to pick out a selection of fine and rare teas," he explains. "I wanted to create something that was sophisticated but accessible, and in order to do that I worked with tea experts and tested flavours. I was looking for interesting teas with interesting stories."

One of these was a fragrant white peony tea that only emperors used to drink and is made in very small quantities. "It's very delicate because it's not processed – it's just allowed to wither, so it doesn't go through the standard oxidation process," explains Paul.

His signature drinks – Connoisseur's Oolong and Darjeeling White Peony – are made using the finest of ingredients including ultra-pure Scottish spring water and starflower honey from the Cotswolds. The tea is cold-brewed in order to preserve flavour without releasing tannins. "I think what's unique about these drinks is they're part of the only brand to offer luxury in the non-alcoholic drink experience," says Paul. "If you don't drink alcohol at a fine dining restaurant, what are your options if you want a premium drink? The choices are limited. These drinks are for savouring. Tea has historic connections and there is so much to be experienced in drinking it that it has to be appreciated for its own sake. In the UK, tea is starting to be served as a sophisticated drink in its own right by sommeliers in high-end restaurants."

The theme to Paul's work is reviving classic drinks for a discerning audience. In the process, he's also reviving a family tradition as two of his ancestors owned food and beverage businesses; Benjamin & Blum was founded in tribute to them. "My paternal great-grandfather, Marcus Benjamin, was

a purveyor of fine food and drink in Berlin, and my other paternal great-grandfather, Friedrich Blum, supplied tea, coffee and luxury food to high society in Vienna. It wasn't until my teenage years that I developed an interest in learning more about my family."

Friedrich Blum and most of his family were killed in a concentration camp in 1942, but Paul and his father were lucky enough to meet his grandmother's cousin Herta, shortly before she died. She told them about Friedrich and the goods he sold and how she enjoyed tasting the nuts and fruits, alongside the tea and coffee range.

"Herta showed me the photo of the delivery truck with her sitting on top of it and she was able to point out who everyone was. So I was very glad both to find this wonderful picture and learn about the business from the only person alive who remembered Friedrich and the business he built," he says.

Paul recently added a line of gin cocktails to the Benjamin & Blum portfolio. "It's a fascinating process searching for the best flavour combinations," he muses. "Just like our range of premium non-alcoholic drinks, the cocktails are in a way a modern twist to classics like the Negroni and the Aviation." The cocktail range is the first of its kind – serious pre-mixed cocktails that are ready to serve and made with premium ingredients.

From cocktails to quilt covers, Paul and Alex work in very different industries, but their paths to success share some notable similarities. Family traditions and their previous experience in the legal profession gave both of them valuable tools, skill sets and, above all, the confidence and self-determination needed to succeed as entrepreneurs and business owners.

**"If you don't drink alcohol at a fine dining restaurant, what are your options if you want a premium drink? The choices are limited."**





# BANKING ON HER COUNSEL

**Ujjaini Ghosh** never saw herself as a finance lawyer, but her affinity for it was discovered during her time at Herbert Smith Freehills and has led her all the way to her current role as vice president and senior counsel for Deutsche Bank.

Ujjaini has always had a simple and commendable goal in life. And that is to make a difference and change society for the better. It's a simple goal, but in contradictory and conflict-ridden times like these, it's one that is increasingly hard to achieve.

Unsurprisingly, she decided at an early age that the best way to approach this would be through the law. She studied financial law, trade law and international dispute resolution at Oxford University and then joined Herbert Smith Freehills as a trainee solicitor in 2008. She qualified into the finance practice at the London office of Herbert Smith (legacy) in 2010.

To her pleasant surprise, she soon discovered just how much variety the legal profession afforded. "Law helped me create a multifaceted personality," she says. "Because there are so many different areas. Law is not just about humanitarian law or trying to bring changes to society... it's a reflection of how society works and of trying to help society to function in a different way. Every aspect of it requires a person to think carefully over things and see how different issues can be addressed."

Ujjaini grew up in India, but her father's work meant a lot of moving. She attended seven different schools in four different cities. "Moving every three or four years helped me to be adaptable and flexible," she says. "India is huge and every state has a different culture to it."

It wasn't until further into her career, however, that she really began to understand what she was doing. "When you're a few years into the profession and you're advising and you're able to make a difference, that's when you feel you are adding value."

She's currently vice president – senior counsel at Deutsche Bank in Singapore. She admits it took a while to understand how her experience in law, and specifically with a firm like Herbert Smith Freehills, shaped the way she operates today. "It's a lot like osmosis," she says. "And it happens gradually." One



piece of advice she really took onboard came from a partner at the firm who stressed the importance of pride. "For all the work you do, you have to be really proud of it, you have to look at it and say, 'I did this'."

"That's something I remember now," she says. "Then as you get older, you start managing and mentoring teams and advising multiple stakeholders, and it's at that point you realise the significance of your responsibilities."

The fact she would end up being a finance lawyer was a surprise to Ujjaini. "Banking law was an optional course that I took in my final year," she says. "I always thought I would be in litigation, arbitration or corporate law."

What she soon discovered was that she had a natural affinity for it. "I enjoyed the thought of, rather than resolving the experience between the entities, I would help in building something, to bring parties together and enable them to arrive at a decision or participate in something constructive. That's what drew me in."

**"Law is not just about humanitarian law or trying to bring changes to society... it's a reflection of how society works and of trying to help society to function in a different way."**

With her wide experience of both living and working overseas she also really appreciates the international nature of the work.

"As part of Deutsche Bank, I'm working with businesses in different jurisdictions and trying to see how finance plays a role and how I can contribute as a lawyer." She likens it to working in a global law firm – they often have a geo footprint that spans several regions, and so the opportunity is in finding similar issues in different countries and trying to bring them together.

Her current role is in trade finance and transaction banking, which also involves a mix of treasury related work and typical vanilla lending, as well as secured financing transactions. In relation to her work in the space of treasury, she says, "It's all about how banks help companies manage their liquidity.

"It gained prominence after the financial crisis because there was no focus on how a company or a corporate group would manage its own money."

As part of this, Ujjaini is also focused on identifying other areas of the law such as privacy and data protection issues, electronic banking and digitalisation of payment transactions, and the various legal issues that accompany such transactions in multiple jurisdictions within APAC.

Ujjaini moved from private practice to in-house around five years ago as a result of building strong connections with clients and learning more about their businesses. It's a move she doesn't regret, but it's not without its challenges.

She highlights a significant difference from private practice is the sheer number and range of different stakeholders she is required to manage as an in-house counsel. "When you're in a law firm, you're only dealing with lawyers. You know the personality type and you work accordingly."

Now she is dealing with a whole spectrum of personalities "and they just expect you to provide solutions to them".

"The role of the legal professional within Deutsche Bank requires one to be extremely flexible; I need to be able to provide legal advice, risk assessment and commercial guidance on business opportunities. The key to success here is being able to combine all three skills, and use them in different permutations based on the problem at hand."

Ujjaini sees the role of the in-house legal adviser being to partner with the business.

"By partnering with business, you need to go beyond identifying legal issues. It's your responsibility to perform a clear assessment of the risk and legal implications in conjunction with other stakeholders such as credit risk management, compliance and operational risk management and then provide an opinion or guidance that might help the business decide a direction."

When it comes to providing solutions, she finds her grounding and early experience certainly helps. She talks of thinking outside the box when faced with a challenging project or disgruntled client. "That's when you have to adopt a different skillset. It's not just about getting parties together, but about preventing dispute. You have to see both sides of the coin." Rather than simply wearing the hat of a litigating lawyer, she explains, this is when she has to be able to look at the situation

from the business' perspective and try to offer a solution that suits all parties.

Ujjaini does see her role evolving due to the climate of disruption in the industry. "Most banks, as I understand, do not see themselves as a competitor to the fintech industry, but on the contrary are looking to partner with the fintech industry. Banks will evolve in the future and will probably be a reflection of the evolving technology landscape," she says.

While she disagrees with the widespread opinion that disruptive technology has challenged existing laws and regulations, she does believe that technological advancement has advanced beyond existing regulations. "The challenge is to ensure that regulations are analysed and updated. For me, no two days are the same and the evolving legal landscape challenges me to think differently in terms of simplifying complex issues and attempting to slot them into the existing legal and regulatory paradigm."

One of her current challenges regards the gradual replacement of 'wet ink' signatures with digital ones, which gives rise to questions of authentication and definitions of electronic signatures in different jurisdictions. It's a continuing discussion, she says.

One challenge she hasn't faced, however, relates to being a female in a male-dominated industry. "In my journey I have not come across, thankfully, any sort of gender stereotyping. My boss is female and I have seen her promoted from director during my stint at Deutsche." Ujjaini is also part of the DB Woman Initiative – a drive within the industry to promote women and get them back to work if they've taken a break or been unable to find a job.

It's a decade now since she finished her studies and began her law career with Herbert Smith Freehills, but it's clear that Ujjaini's early desire to effect change and make a difference is still as strong as ever.



# FOUR GO INTO ONE OF THE BIG FIVE



From Australia to the northwest coast of the United States, four of the firm's alumni happen to have found themselves working for the same company. Perhaps not surprising when you consider that that company is one of the world's five largest tech companies. Innovation is the name of the game in everything they do.

"The worst thing you can do here is to say, 'we have always done it this way'." So says Alex Zolotarsky, one of four Herbert Smith Freehills alumni who have moved from Australia to join Amazon as in-house lawyers in Seattle, where Amazon has its headquarters. "We are expected to approach every issue afresh and constantly strive to develop new answers. That is highly stimulating." Andrea Conn, the second of the four alumni, adds: "Amazon likes to refer to itself as a Day One company. We have to treat each deal or issue as if we were starting over, having to prove ourselves all the time."

For the four, it is not just a significant leap across geographies, it has opened up new horizons and ways of working as in-house lawyers that offer some real insight into the role of corporate counsel. Each of them says the move to Amazon is one of the best things they have ever done.

The geographical distance certainly was no barrier to recruitment. One was approached directly by Amazon (Alex), two were contacted via LinkedIn (Ben Dennell and Andrea) and Kate Layman by Andrea herself (they were already friends) with the suggestion that she might be interested to apply.

What intrigued all of them was that Amazon was looking to recruit intelligent, adventurous lawyers who would fit well with the company's philosophy and approach, rather than lawyers with pre-existing skills. "Amazon's attitude is, 'employ lawyers and they will figure it out'," is how Andrea puts it. Alex was primarily a banking and finance lawyer and knew little about technology, Kate had 10 years' experience of commercial agreements, Ben had clocked up in-house experience with an airline and a bank, and Andrea had done many M&A deals, as well as also having in-house experience with an airline (see box overleaf). "They were looking for people with good judgment skills, and assumed that I would be able to pick up the law I needed quickly. And that is exactly what happened with all of us," Alex says.



All were, of course, curious about Amazon and its ambitions. Ben recalls, "Whilst I was at Westpac, I remember having a conversation with someone, who was talking about the future threats posed to banks by big technology companies like Amazon. Amazon then (2016) was not that big in Australia but my interest was piqued. I thought, it would be interesting to work for one of these big disrupting companies."

Arriving at Amazon was something of a culture shock for all four. Firstly, there was the adjustment to living and working in the United States, then there was the culture of Amazon itself. Things happen quickly. Ben continues: "It is no secret to say that banks are not fast-moving and here I was in an environment where everything moves at the speed of light - new products, new openings, new clients, new deals - everything! So you really have to enjoy that fast-paced environment."

**"... I was in an environment where everything moves at the speed of light - new products, new openings, new clients, new deals - everything! So you really have to enjoy that fast-paced environment."**



Of course, they had to get to grips with the different areas of business, whether it is Kindle, cloud services or international customers. But, above all, they adjusted to the Amazon ways of working. Key among a number of “leadership principles” is one known as “invent and simplify”. This places the onus on people to constantly find new ways of doing things, looking for new solutions and throwing out preconceived ideas.

This approach appeals to all four of the alumni. Ben: “What I really like is the attitude, ‘if something is not working, don’t think it is broken, just think we haven’t invented it the right way, so go away and come up with something new. That is a very positive mindset.” Alex adds: “You are rethinking things all the time.” Andrea: “We challenge one other to come up with the best solutions.” Kate: “You are expected to challenge and push the envelope. That is really interesting and is certainly making me a better lawyer.”

As others working in-house often say (and see elsewhere in this issue Yoram Elkaim and Jacqui Knox), all four are closely integrated into business decision making. As Kate notes, “In private practice, you have the thrill of working on large transactions and it is fantastic working in teams, but it remains the case that you are inevitably remote from the ultimate business decisions. Here, I work on business developments from start to finish. That is a big difference.”

Another facet of their working environment is they are expected to be self-sufficient. Andrea says, “At Herbert Smith Freehills, you have the support of a big organisation – the know how, the administrative back up and so on. Here, we have to be prepared to do it all ourselves. I imagine, though, that may be the same for others who are working in-house.”

Another big plus (as one might expect) is the informal working environment. People can bring their dogs into work or wear shorts, entirely as they wish.

Even though they are working in different business sections, the four see a lot of one another socially. “We are an Australian family,” jokes Alex (although Ben is actually English and moved to Australia in 2007).

All agree that they moved to some fantastic countryside, and all take full advantage of the walking (Seattle is surrounded by seven hills), hiking, biking and skiing that is on offer (“though the beaches aren’t great”, says Andrea). Seattle itself presents some more challenges as pressure on the environment and living space has pushed up the cost of living. But overall, it gets the thumbs-up from all four.



**Alex Zolotarsky** was with Herbert Smith Freehills between May 2013 and September 2016, when he moved directly to Amazon. He is now corporate counsel for the Amazon Web Services (AWS) business. His role principally involves supporting professional services, having previously supported the company’s marketing division.



**Kate Layman** was with Herbert Smith Freehills between October 2008 and May 2017. She joined Amazon (on the recommendation of Andrea) the following month. She is corporate counsel for Global Programs, which covers a range of responsibilities in contracts and dealings with international customers.



**Ben Dennell** was with Herbert Smith Freehills from April 2007 to November 2011. He moved first to Qantas, the airline, and then to Westpac, the bank, before moving to Amazon in July 2016. He supports the company’s Amazon Web Services (AWS) business division, negotiating large contracts with large North American companies who are looking for cloud storage. He is currently studying for an MBA.



**Andrea Conn** was with Herbert Smith Freehills, including her time as a paralegal, from February 2011 to April 2015. She then moved to Virgin Australia before going to Amazon in June 2016. As corporate counsel, she has a particular focus on negotiating Kindle contracts with the major publishing houses.

\* The views expressed in this article are those of the individuals and do not necessarily reflect those of Amazon.

# LEADING FOR INCLUSION

**Danielle Kelly**, Head of Diversity & Inclusion at Herbert Smith Freehills, discusses how a diverse and inclusive culture is integral to how we attract, retain, develop and engage people and the relationships we have with our clients.



As a global community representing almost 60 countries, the firm is proud to share in the success of all our former colleagues whatever they are doing. It is an exciting time to be at the forefront of embedding the culture necessary for a global professional services firm such as Herbert Smith Freehills to thrive in a time of great disruption. Many of our D&I events globally are opened up to alumni so if you are interested in hearing more, please contact [diversity@hsf.com](mailto:diversity@hsf.com) or [Danielle.kelly@hsf.com](mailto:Danielle.kelly@hsf.com).

## Criteria for success

Our vision is to be the leading global law firm for D&I and to achieve this, the *Leading for Inclusion 2018-21* strategy emphasises inclusion as the key enabler of diversity. This means that we are paying particular attention to:

- leader behaviours essential for creating an inclusive culture
- building closer relationships with clients through our shared commitment to D&I
- building a diverse pipeline to partnership and retaining that diversity in the partnership
- the role of our diversity networks in strengthening client and people engagement
- presenting rigorous data regarding D&I in a compelling way to inform decisions and assess progress
- integrating D&I into business as usual processes
- a greater sense of physical and mental health wellbeing to foster high performance

In recognition of the fact that *Leading for Inclusion 2018-21* is core to achieving our overall business goals, the Global Executive owns the strategy and is accountable for its achievement. At a local level, partners and leaders across the firm are responsible for creating an inclusive culture within their teams.

Inclusive workplaces are crucial for our wellbeing and for minimising risk. Many of our clients expect diversity in their legal teams, and want a team that can solve high levels of complexity by virtue of having diverse perspectives. Not a week goes by without a major client requesting evidence as to the diversity of our people and teams. Ten years ago, this was virtually unknown.

Diversity refers to characteristics relevant to our identity and important for individual authenticity. This includes gender and gender identity, ethnicity and race, religion and belief, nationality, sexual orientation, disability, age and social class.

Inclusion is a more intangible concept which refers to an environment that values diversity and empowers people to be their authentic self in the workplace. An inclusive workplace is characterised by openness, equality and non-discrimination. It is the enabler of diversity through which people can reach their full potential. Different perspectives are actively encouraged so people feel confident in their ability to progress, regardless of their particular background or identity. There is a high level of psychological safety within an inclusive organisation.

We first developed a global Diversity and Inclusion (D&I) strategy in 2013. Led by CEO, Mark Rigotti, who chairs our D&I council, the strategy focussed on enhancing the firm’s culture and client relationships. Our new *Leading for Inclusion 2018-21* strategy is framed by four pillars – talent, clients, innovation and values. This means that all decisions in relation to where we best direct our efforts are answered with reference to how the proposed initiative will push the dial on one or more of these pillars.

How will we know when we are achieving our goals? While there are many indicators of success, progress against our gender targets must remain at the forefront in the sense that gender balance, particularly in leadership, provides a visible and clear indication of an inclusive organisation. Other indicators include improving results in our annual global diversity audit and best practice benchmarks, and increasing diversity in the people profiled in our communications, client teams, graduate recruitment and on the partner pipeline.

The Herbert Smith Freehills alumni network reflects our commitment to D&I.



# WHY I CAME BACK

For **James Robinson**, it was the call he had been waiting for. With an American wife and a love of New York City, he had long aimed to be based in the city. So when he was approached by Herbert Smith Freehills to rejoin the firm to start an outbound corporate practice in the New York office, he jumped at the opportunity.



"Moving to New York was perfect for me both professionally and personally," James says. "Professionally, because I had always wanted to take on the challenge of building a corporate practice in New York, and personally, since that is where my wife Mica and I wanted to raise our family. The call could not have come at a better time."

That call was made early in 2017, and James moved to the city in September 2017. Since then, James has been meeting existing and potential clients the length and breadth of America to promote Herbert Smith Freehills' global offering when it comes to cross-border deals. "We are not targeting the domestic deal market," James says. "That's where the US firms are naturally the strongest and most non-US international firms have struggled to compete. Where we can really offer something different is our experience of major cross-border deals into EMEA and Asia Pacific. As US corporates look to expand abroad, a process fuelled by plenty of cash and Trump's tax cuts, the timing couldn't be better."

James first came into contact with Herbert Smith (legacy) with a vacation scheme placement in London in 1997. Despite having also done a placement with a magic circle firm in their New York office, when it came to training contract offers, he still chose Herbert Smith Freehills over others because "though there was then no US option at the firm, I felt people were interested in me as an individual, and not just in what I could bring to the firm as a generic graduate."

After his training, which included a secondment to the Tokyo office, James qualified into the Corporate department in September 2001, where he worked on a mixture of capital markets work and corporate transactions. "I was lucky enough to be part of James Palmer's team and learned a huge amount from him and other great senior partners in that group. He was a key mentor, and we all worked on some fantastic transactions."

Three years qualified, James was offered the opportunity to move to Tokyo as part of the office's growing outbound corporate practice and was made partner in April 2008. Unsurprisingly, he got to know the market very well and developed an excellent understanding of Japanese culture and the ways of doing business. "It was challenging, winning clients and developing trust in what

**"It was challenging, winning clients and developing trust in what can be a very different culture. But having won that trust, Japanese clients are very loyal."**

can be a very different culture. But having won that trust, Japanese clients are very loyal."

Longevity and duration reap their rewards in Asia, and James developed a reputation as one of the leading foreign corporate lawyers in Japan and with several major Japanese corporates and institutions.

As much as he enjoyed being in Tokyo (as did his wife and family), James was still keen to achieve his goal of moving Stateside. Herbert Smith Freehills did by 2013 have an office in New York, but focused on its dispute resolution practice. So when another international firm approached him in 2014 to join them in Tokyo with a promise to subsequently relocate to the US, he took up the opportunity.

As Herbert Smith Freehills' New York office became well established, the firm's management sought to expand its capability – and creating an outbound focused corporate practice was a key strategic goal. In 2017, James was approached and asked whether he would consider rejoining the firm and taking on the challenge of developing such a corporate practice. The answer was, yes he would.

"As an alumnus, I had maintained contact with Herbert Smith Freehills and continued to have very good friends there. So it was wonderful to be presented with the offer of returning," James says. "The continuing connection with alumni is one of the great things about the firm and speaks volumes about its culture. It is recognised that people have their own careers and priorities but they should not be cut off if they leave. As James Palmer said when I left in 2014, it was a shame that my plans and the firm's (then) plans did not align, but we both wished each other well and every success. So to be back, with paths now aligned, and be contributing to a mutual success is a very happy conclusion."

Another reason that made Herbert Smith Freehills proposition attractive is the ability to sell to US clients their footprint in Asia Pacific, James notes. "For me, as someone who knows Asia well, the great strength of our platform in the region together with our market-leading position in Australia really is a strong offering to be putting forward."

One year on from rejoining, James summarises what it is he likes about the firm. "Many firms talk about their collegiality, but that is definitely the genuine case here. We all pull together, cross-border and cross-practice and across the network. I can really count on that collaboration, which enables me to present a distinct advantage over others as I go around the country to win potential new business."

As James is now living his dream of working in New York, he devotes most of his spare time to his family and experiencing all that New York has to offer. He still tries to make time to run though. His goal this year is to beat the four hours and 15 minutes he took to run the Tokyo marathon when he competes in the New York marathon in November. "I guess I can't avoid the cliché, but my running mirrors my personal and professional long route to New York: after all, it's a marathon not a sprint."



# THE FRONTLINE OF SOCIAL CHANGE

In the autumn of 2015, **Kerry Stares** landed what for her was the ideal job combining her interest in the law with a desire to work in human rights and international development. As global head of legal for TrustLaw, she oversees a growing team worldwide and manages relationships with the 800 law firms and in-house legal teams that provide pro bono services to TrustLaw's members.



TrustLaw is the Thomson Reuters Foundation's global legal pro bono service and has the distinction of being the world's largest pro bono programme. It has an expanding membership of 3,500 non-governmental organisations (NGOs) and social enterprises that it connects with lawyers willing to offer their expertise free of charge. Through TrustLaw, pro bono lawyers in 175 countries advise social sector clients on their legal needs as organisations, and provide legal research that supports their advocacy and campaigning work.

"It is a very satisfying job," Kerry says. "We enable lawyers to put their skills to good use assisting a huge range of organisations working to create social and environmental change. For me, the role offers a great balance – working as a lawyer, while helping to support organisations around the world working to ensure that law and public policy deliver on human rights."

Kerry also enjoys working with NGOs to help them understand and identify their legal needs. "A common misconception about pro bono work is that NGOs ask for help, law firms want to assist and that we simply connect the parties. In reality most NGOs – large and small – don't have an in-

house lawyer or the resources and capacity to identify when legal advice is needed. The TrustLaw team helps them to do that."

Not surprisingly, having worked for 10 years at Herbert Smith (legacy), Kerry is delighted that the firm is an active TrustLaw member. Herbert Smith Freehills lawyers have, for example, given their time pro bono to: research supporting a memo to the Supreme Court of India, explaining the legal framework in relation to a sex-offenders register for an anti-human trafficking NGO; drafting template commercial agreements for Last Mile for BoP, a Cape Town-based social enterprise that improves access to products such as water filters and solar lights in poor areas; and researching the laws, regulations and policies of 15 countries in order to co-produce the first online anti-slavery Accountability Hub in partnership with leading NGO, Focus on Labour Exploitation.

Kerry is a member of the senior management team at the Thomson Reuters Foundation. Another of the Foundation's core projects in which she is actively involved is the Banks Alliance against Human Trafficking – an initiative that helps financial institutions to tackle human trafficking through better use of data. The Alliance members

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**"A common misconception about pro bono work is that NGOs ask for help, law firms want to assist and that we simply connect the parties."**



**“I wanted to be part of a different environment, helping to work out what responsible business looks like and supporting lawyers to make a contribution.”**



(financial institutions, expert NGOs and law enforcement agencies) collaborate to design toolkits for banks to identify human-trafficking related activity, whether that shows up in transactional data, “know your client” processes or the behaviour of customers in branch. Herbert Smith Freehills lawyers worked side-by-side with Kerry’s team and a group of leading banks to draft the toolkit for the European chapter of the Alliance.

The Alliance’s work is having a significant impact and raising awareness of the role that financial institutions can play in the fight against this global crime. When The Wolfsberg Group, an association of the world’s largest banks, endorsed the latest Toolkit on their website, TrustLaw received enquiries from all over the world, including from police forces and other banks wanting to know more about how to get involved.

#### **Fantasy to reality**

As one of the associates in the advocacy unit at the firm, Kerry represented clients in a number of cross-border disputes arising out of the financial crisis. Much though she loved the work and the stimulation of advocacy, she felt she wanted to branch out into international development.

The trigger for change was the three months she spent in Tanzania on a sabbatical in 2012. There, she carried out some pro bono

consultancy work and was inspired to explore a change of career.

She returned to the firm after her sabbatical and left shortly afterwards. “People assumed I had a burning desire to save the world,” Kerry laughs. “But my motivation was much more selfish than that. My career at the firm was very rewarding – there is nothing like quite like the intellectual challenge of litigation or the fun of being in court. But it felt increasingly like a game of chess and I wanted to be part of a different environment, helping to work out what responsible business looks like and supporting lawyers to make a contribution.”

Kerry subsequently studied for a Master’s in Human Rights at University College London and then joined the international development NGO, ActionAid UK. There, she led the organisation’s advocacy to multinational companies as its first private sector advocacy adviser. “This was a key time for NGOs to go beyond exposing bad practice and to engage constructively with businesses. What made it particularly challenging was that ActionAid was perceived as being the most radical and outspoken of the big development organisations, and sometimes that made it hard to get businesses to sit down with us, let alone understand our viewpoint.”

Among other projects at ActionAid, Kerry co-authored a paper on tax justice, *Getting*

*to Good: Towards Responsible Corporate Tax Behaviour*, which has since become even more pertinent with the spotlight on tax avoidance brought to the public’s attention via the Panama Papers.

Her time at ActionAid provided Kerry with deep experience of the world of international development and set her up well for her move to the Thomson Reuters Foundation, which she joined in 2015.

So what would Kerry like alumni to do? “That is easy. We are always looking for new law firms and in-house teams to join TrustLaw and for lawyers willing to offer their services pro bono on interesting, high-impact projects all over the world. Lawyers can make an extraordinary difference – they can help to strengthen civil society at a time when it is needed more than ever.”

Kerry can be reached at: [kerry.stares@thomsonreuters.com](mailto:kerry.stares@thomsonreuters.com)

# GETTING ONBOARD

Since leaving private practice, **Hilary Newiss** has taken on a variety of roles as an expert, patient champion, consultant, trustee and non-executive director in the ethics, legal and scientific research fields. Here, she writes that lawyers have a range of skills that can prove very valuable in the boardroom.







On my first day after leaving my old law firm, I sat down after taking my children to school, had a cup of coffee and wondered how I was going to fill my day – or even the rest of my career. I had been a lawyer for over 20 years, specialising in intellectual property, so I knew I had a lot to offer. A friend told me that I should develop a “portfolio of interests” that drew on my knowledge and experience. That sounded good, but I was not quite sure what that would involve.

I needn’t have worried: within an hour, a former colleague called me and asked whether I would be interested to be part of a pitch for some advisory work for the National Health Service, using my intellectual property expertise as a consultant and offering some training on IP law. I accepted immediately. Shortly after that, I saw an advert in *The Sunday Times* looking for patent lawyers to become members of the Human Genetics Commission. I duly applied for that, and was accepted. I would go on to serve two terms, each of three years, with the Commission. One thing led to another and, since then, I have held a number of roles and believe there will be more to come.

I can’t pretend I had a well thought-through strategy for life post-private practice, but nonetheless, I may be able to offer some tips for others looking to apply their legal skills and knowledge outside the world of private practice. Some of these may be obvious, others less so, but in combination they have served me very well, and may be helpful to others in the same position.

**Use your contacts:** Make full use of people you know and have worked with. The network I built up as a lawyer and then after has certainly opened doors that I would not have thought of myself. In my case, I have focused more on the public sector than the corporate world, but the principle is the same.

**Think ahead:** In the legal bubble, it is easy to assume that you have all the requisite skills for life after, but that is a false assumption. Don’t be afraid to get assistance with your CV and get some interview training, which is what I did. I had also acquired extra training during a career, both in mediation and to become a tribunal judge, and have found that the extra skills I learned have proved very useful in my subsequent career. Many is the time I have been called upon to mediate in a conflict or argument – not necessarily hostile – where I can help to resolve the issue.

Every appointment is an opportunity to learn new skills and to get feedback on your performance.

**You’re not just a lawyer:** Increasingly, lawyers are valued for our “competencies”, which covers a range of skills beyond technical expertise. These might include our analytical skills, an ability to “cut to the chase” and aptitude in summarising positions that those from different disciplines are not so well versed in doing. This does not mean that your point of view always carries the day, but you hope you can persuade others effectively. Above all, we as lawyers can show that we are good at solving problems.

Additionally, in my case, I have played up my interest in, and knowledge of, technology. I am a scientist by background, which is what drew me to intellectual property law in the first place. In private practice, I always looked to see how we could harness the potential of technology. I was an early advocate of introducing a document handling system and having a databank of precedents and knowledge. In my subsequent roles, I have also been a prime mover in using new technology, or looking at where law and technology interface.

**Emphasise business skills:** It is sometimes said that lawyers are not good managers, something I would certainly challenge. In my experience, and I am sure in the case of many others, we have experience of managing practices, departments and, in a few instances, entire law firms. When I applied to the Francis Crick Institute to become a non-executive director, I highlighted the experience I had of managing people of great talent – lawyers and scientists are similar. That proved invaluable on a board where the business involved multiple stakeholders in a highly innovative venture. The more boards you sit on, the more business and board skills you acquire and learn from other board members.

**It is all about risk:** Assessing and managing risk is the order of the day, both in the public sector and in the business world. More and more, lawyers are advising clients on risk – and that is a very valuable asset when brought to bear outside the law. Risk is at the heart of the public and private sectors and lawyers are good risk assessors, which is becoming ever more important. I now chair the audit and risk committee on the board of the Natural History Museum. I have put in place a “risk universe” in the museum (as I had done at the Francis Crick Institute), which establishes rigorous processes for identifying and managing risks and risk appetite across the board. Sometimes you have to take a risk to grow the business, a decision that lawyers can find hard.

As chair of National Voices, the coalition of charities that stands for people being in control of their health and care, I have an opportunity to apply all of these skills in one place. There are legal questions on which I can help point in the right direction (for example on data management). The organisation brings together many different interest groups with diverse views that need to be pulled together coherently. We need powers of persuasion to put our case to government. At the same time, where money is tight we have to run a small business effectively, being very analytical about our priorities, and ensuring we get the best return on the investment – albeit in terms of impact rather than profit.

I would not have imagined as I sat down at my kitchen table nearly 20 years ago that I would have had such a fulfilling post-law career. I have come to appreciate that we, as lawyers, have significant skills that are very valuable outside the world of private practice. My advice to others in the same position is make the most of them.

## Life after law

At various points, Hilary has held the following positions since 2000:

- Non-executive director, Cell and Gene Therapy Catapult
- Trustee, and chair of the audit and risk committee, Natural History Museum,
- Patient champion, Sir Hugh Taylor’s report, on innovation in the NHS and Accelerated Access Review for Office of Life Sciences
- Non-executive director, and member of the risk and audit committee and the remuneration committee, The Francis Crick Institute
- Chair, National Voices
- Part-time judge, Tribunals service
- Trustee and non-executive director, Charleston Trust

- Original Author and advisory board member, PLC Magazine
- Deputy chair, development board, and member, remuneration committee, Somerville College, University of Oxford
- Trustee and non-executive director, Roslin Foundation
- Deputy chair, Human Fertilisation and Embryology Authority Appeals Committee
- Member, Advisory Panel on Public Sector Information (APPSI)
- Member, National Information Governance Board for Health and Social Care
- Member, Human Genetics Commission
- Member, The Royal Society Intellectual Property working party





# THE VISIONARY LAWYER

## Ian Hutchinson

The more time spent speaking to **Ian Hutchinson**, the more it becomes clear how remarkable his career has been. Not only was he present at so many landmark moments in Australia's recent history, but he has also frequently taken on the role of visionary – thinking of concepts and possibilities that were bold and bright and often ahead of their time.

Ian helped set in motion the original contract between Lend Lease and the New South Wales Government to build the Sydney Opera House in 1959. In 1975 he was peripherally involved in the Australian Constitutional Crisis involving the dismissal of the Whitlam Government and much later played a key role in the James Hardie asbestos court case.

Ian wasn't merely present, but actively involved in many of these historical moments, although in some cases his involvement is still too sensitive to discuss in depth, even today. "I received a call from somebody in the Liberal Party and they needed legal advice, so that's how I and some of the other partners in the firm got involved, but I won't go into that at all," he says.

And then there are 'almost' moments, when he supported ideas that were notably prescient, but just 'too soon'. In 1992 the Prime Minister of Australia, Paul Keating, famously and somewhat controversially made a speech proclaiming that the country's economic future lay in its ties with Asia. But Ian was already advocating this view in the early 1980s, when he arranged a partners' conference on the topic, and followed the Australian conference with similar events in Singapore and Bangkok.

Around the same time there was also his strong relationship with Warren Christopher, who later became the US Secretary of State (during the Clinton Administration), but was then a senior partner at O'Melveny and Myers.

Meeting in a hotel room in Tokyo, Ian and Warren Christopher talked about a possible merger of their respective firms. "If it had

happened, we would probably have been the first international law firm," recalls Ian. "The discussion was based on Freehills looking after Asia and O'Melveny looking after the rest of the world."

The two lawyers raised the idea with their firms, but to no avail. "We were ahead of our time for our partners, so it never happened. Had we and O'Melveny linked at the time, apart from being one of the first law firms forming a global law firm, we would have had a much earlier and stronger focus on Asia, which would I believe have been to our considerable benefit."

But Ian isn't one for regrets. The former chairman, senior partner and CEO of Freehills (legacy) has had too varied and storied a career for that. There have been so many highlights that he finds it hard to nominate just a few. His tenure with the firm stretches back over 50 years, while he has also spent time as the general representative for Lloyd's in Australia and, "I was on the Government General Insurance Committee from 1981 to 2001," he recalls.

It all began in the most unlikely fashion. An average student, Ian left school at 16 with no clear plan. Setting off for National Service, he took with him a copy of Quentin Reynolds' 1950 book *Courtroom*, recounting the tales of Judge Samuel S Leibowitz and the criminal cases he fought as a trial lawyer. "I was so intrigued by the book, which I still have, it suddenly occurred to me one day and I said, 'I'm going to do law'."

One of his close friends' father was a QC, which helped when it came to applying to do articles and his introduction to what was then Freehill Hollingdale and Page. He recalls his

first meeting with ET Hollingdale didn't bode well, when he was asked where he had gone to school. "It wasn't [Saint Ignatius' College] Riverview and I thought, 'This is the end of it'."

At the time there was a recognised path into law firms in which boys came from Riverview and girls came out of a convent.

Ian believes, however, that his Sydney school gave him a much better grounding, as well as the tools he would need during his career to look outside of the box and approach both people and situations with fresh eyes and without prejudice. "It was in the city and one of the great benefits that I gained from that school was that there were students from all over society, rich, poor, you name it. It was not a religious school; we had Greek students, Chinese students, Jewish students, it was a real melting pot and I think that was a huge start in emphasising the importance of relationships and being able to mix with a whole range of people."

Perhaps it was this background that also gave him the resolve needed for one of his most challenging cases. It involved the infamous James Hardie trials, when the industrial building materials giant faced a series of lawsuits due to its manufacture of asbestos and the subsequent diagnoses of various asbestos-related diseases in over 12,000 victims.

As Ian recalls, "Hardie set up a trust fund to pay out the asbestos victims and they totally underprovided. Then they moved all the good assets away from the problem companies and took them offshore. So they left this shell with just a few hundred million in it. Within six months it was realised it was totally inadequate."

Ian was asked to join the board of the trustee company supervising the situation. Before accepting, he assessed the personal risk and liability to himself, but also stipulated two conditions: that he could appoint a lawyer to overview the operation and, second, that there would be an industry expert appointed to take over the insurances.

"I knew a lot about insurance in those days and the insurance portfolio was not even regarded as an asset. In fact, it turned out to be worth quite a lot of money," recalls Ian.

With his conditions satisfied, he joined the board, which then persuaded the then Premier of New South Wales, Bob Carr, to conduct a special commission of inquiry, resulting in Hardie agreeing to pay out \$1.5 billion – "way above what they had originally done".

**"One of my greatest fights was within my own board of trustees, who were anxious to protect themselves and their reputations."**

But that wasn't Ian's sole battle in the saga. "One of my greatest fights was within my own board of trustees, who were anxious to protect themselves and their reputations," he says. "Whereas I didn't have that problem at all and going to board meetings was one of the most unpleasant experiences of my life. I had to draw on all my background skills, legal and commercial, and I was very much on my own."

With its significant historical impact, there have been many books written about the case and Fremantle Media even made an ABC mini series, in which Ian was played by David Roberts. How did it feel seeing someone playing him on screen? "It was bizarre," he says.

It's been six years since the mini series and 60 years since Ian started law, but he shows no signs of slowing down. With trips to Germany and New York on the horizon, he has taken a slight pause to recover from a hip replacement. He remains upbeat though. "I'm very pleased with the progress, I'm just glad to have it over. I should have done it months and months ago, but I just put it off." Regular physio is helping immensely, he says. "I have the maidens of torture, I visit them twice a week," he laughs.





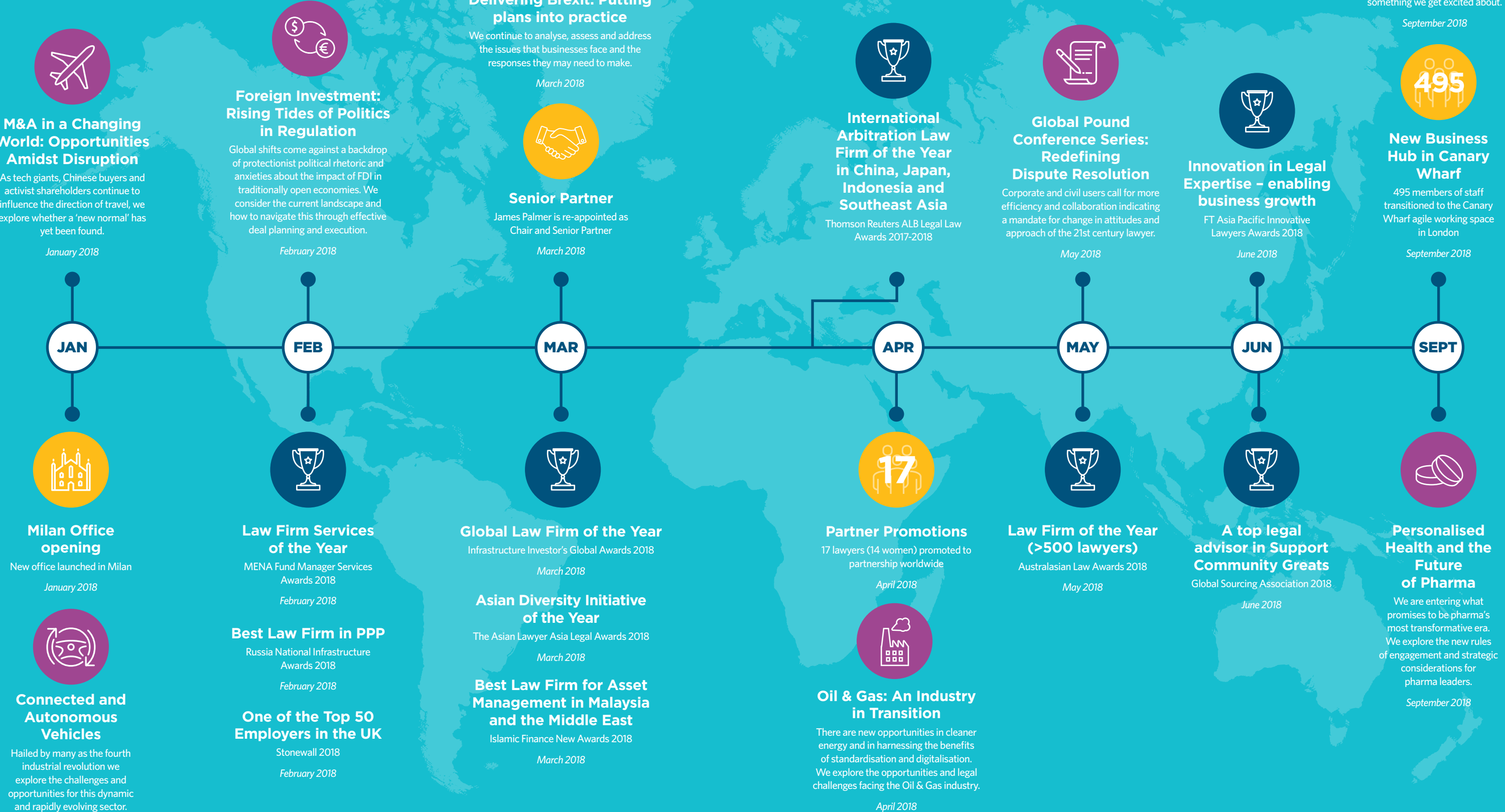
# FIRM HIGHLIGHTS

Our vision is to be a world-class professional services business bringing together the best people to achieve the best results for clients. Key achievements over the past year have contributed to global recognition for our cutting-edge expertise across a wide-range of sectors and markets.

Firm news

Thought leadership

Award wins





# IN MEMORIAM



**Stephen Hancock  
(1955–2017)**

After studying law at Sheffield University, Stephen completed his articles in a local firm before moving south with his wife, Jane. He joined Herbert Smith (legacy) in 1978 and became a partner in the London Corporate practice in 1986.

Stephen was one of the best lawyers of his generation at the firm. He was first and foremost a company lawyer, but he applied himself to financing, funds and finance law, helping to found the London office's funds and finance practices, and was never reluctant to dabble in other areas of the law which came before him.

An accomplished draftsman, Stephen also stood out on account of his considerable energy and his skills as a negotiator. Among many stories, colleagues relate how during one high-stakes negotiation, Stephen was across the table from the considerably more senior head of the corporate practice at another of the leading City firms who was laying out an exposition of the established law on the point being argued. After listening politely and without interruption, Stephen responded, "Charles, that was one of the most masterful expositions I have ever heard on this topic or, indeed, any topic. Unfortunately, though, the position under English law is rather different." That lack of pomposity and self-importance, combined with his wide-ranging knowledge of all areas of commercial law, served his clients brilliantly well.

Stephen served on the Partnership Council from 1990 to 1991. He was also a deputy head of his group and chairman of the Audit Committee. He served as a wonderful example to younger lawyers by working as a volunteer for many years at the Cripplegate Legal Advice Centre. There are many across generations within and outside the firm who have expressed gratitude for the opportunity they had to learn from him.

Stephen was the client partner for Associated British Foods for many years. Upon his retirement from the firm in 2009, he became general counsel to Wittington, the private investment arm of the Weston family, which controls Associated British Foods.

Stephen was devoted to his family, much enjoying the family Tudor manor house near Dunmow, in Essex. There, he indulged his love of wine by turning an ancient walled garden into a vineyard and the adjacent dovecote into a winery.

Jane, his children, Harold and Edith, his other family members and many friends and former colleagues will miss him dearly.

*An extended tribute for Stephen can be found on the alumni website at [www.hsf.com/alumni](http://www.hsf.com/alumni)*



**Nasser Al Hamdan  
(1976–2017)**

It was with great sadness that we received the news of the untimely passing of Nasser Al-Hamdan in November 2017.

Nasser joined forces with the firm in 7 July 2015 as Managing Partner of the Riyadh office. Nasser was an influential high profile lawyer in Saudi Arabia and possessed great client and people management skills. He was sought after by clients, and well respected by his colleagues and friends.

He was calm and measured, but led with great enthusiasm, wit and had a sense of humour which shone through making him popular with everyone that knew him. Nasser was a passionate fan of football and motor sports.

Nasser was a devoted family man, who is survived by his beloved wife Sarah and four children Saleh, Musaed, Alia and DIALA.

Nasser made a significant contribution to the firm and helped successfully relaunch our Saudi offering. He will be greatly missed.



**Sue Ram  
(1970–2017)**

Sue Ram joined the London office of Herbert Smith (legacy) in the summer of 1991. Sue was, for many years, PA to Paula Hodges, partner in the London energy disputes and arbitration teams.

Sue moved in-house with BP Legal in 2004 after 13 years with the firm, joining HSF alumna Joanne Cross in the BP disputes team in London. Sue thrived as a very highly regarded member of the BP team, a key client of the firm. The close connection between Sue's new team and her former role helped to ensure that Sue maintained close links with the firm throughout her life.

In later years Sue moved from the BP disputes team at Canary Wharf, London to the BP plc communications team at its headquarters in St James's Square, mercifully shortening her long commute from West London where she lived close to her family. Sue enjoyed staying in touch with the firm through our energy alumni network and HSF/BP social events. Sue was always interested to hear about how the firm and her former colleagues were doing. She took a characteristic interest in the success and happiness of others.

Sue passed away in July 2017 after a prolonged illness. Sue returned to work at BP after successful initial treatment for cancer, but very sadly suffered further from the disease in recent years.

Sue was an outstanding colleague, renowned for her professionalism, judgment and discretion. She juggled a heavy workload with great humour and brought tremendous energy, life and fun to her work. Sue was very welcoming to new members of the team, whether PAs, trainees or associates, and invariably became a first port of call for many seeking support or guidance. Sue demonstrated a tremendous emotional intelligence long before the term was in common currency, and was an expert listener. She was a very wise counsel, and close confidante, to many colleagues throughout the firm.

Sue was always authentic, and her ability to detect and deflate pomposity or self-importance was legendary in the group, as was the quality of her judgement. Sue was, without doubt, one of the best judges of character who has ever worked at the firm, past or present. She had a wonderful sense of humour, and her razor wit – coupled with a deserved reputation for putting up with no nonsense – was a delight to those who worked with Sue.

Sue was also a very strong person. She was determined, fiercely loyal to her principles and to her family and friends, and met every challenge head-on, including the debilitating cancer which affected her in recent years. Sue remained strong and optimistic in the face of adversity. Her courage was a great example and inspiration.

Sue is remembered with great fondness and respect at HSF, and will be very sadly missed.



**Professor Robert Baxt AO  
(1938 – 2018)**

The partners and staff of Herbert Smith Freehills were saddened by the passing of our colleague and friend, Bob Baxt.

Bob was born in Shanghai in 1938, and his family settled in Australia in 1947.

He studied law at Sydney University and became a solicitor with Freehill, Hollingdale & Page (legacy) in 1965, before pursuing other areas of law. Bob was a highly regarded academic, Dean of the Monash University Law Faculty, Chairman of the Trade practices commission (now the ACCC) and prolific author and editor of a significant number of books, journals and articles.

Bob became an Emeritus partner in 2011, and a consultant in 2016. He has received a number of prestigious accolades and awards, including an Order of Australia for services to the law, the Centenary Medal, and the Queen's Birthday Honours Award 2003. He was also awarded the first ever Honorary Life Membership by the Law Council of Australia (Business Law Section).

After many years of devoted service to the firm, Bob retired from Herbert Smith Freehills in October 2017.

Bob was highly regarded as one of the pioneers of competition law in Australia. He will be remembered for his great intellect and his unwavering love for the law, which has inspired so many of us. He is greatly missed by all who knew him.





HERBERT  
SMITH  
FREEHILLS  
ALUMNI

# Your connections matter

Herbert Smith Freehills Alumni is a growing network of more than 4,800 members who have gone on to pursue a diverse range of careers across the globe. Our mission is to help alumni connect with each other and unlock growth opportunities.

- Keep up-to-date with all our regional events
- Reconnect with former friends and colleagues
- Access legal know-how, tailored content and inspirational alumni profiles
- Enhance your professional development

Visit [www.hsf.com/alumni](http://www.hsf.com/alumni) to register and connect with your global network.