

PURSUING PROFESSIONAL GOALS: RICHARD BURGESS

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As an Australian who loves his football (that is soccer to non-British readers), Richard Burgess was delighted when he was offered a chance to join the legal team of Football Australia in 2018. Football Australia is the professional body that regulates the sport. “By then, I knew I wanted to move in-house.

I was looking to find a brand that I was passionate about and in which I was keen to really invest my time and experience. The commerciality, precision and versatility that I had picked up in my tool belt at Herbert Smith Freehills was exactly what Football Australia was looking for – which made it a perfect fit.”

At Football Australia, Richard is the Senior Legal Counsel and General Manager – Integrity. He advises on the commercial and regulatory practice areas of the national sporting organisation’s business, covering everything from contracts, intellectual property, privacy, employment, grievances, governance and sports law.

As the General Manager of Integrity, Richard also has a focus on anti-doping; match manipulation; member protection, which includes things like referee abuse; and child safeguarding. While thankfully these issues haven’t (yet) been a significant problem for football in Australia, Richard is of course very keen that his organisation nips any problems in the bud.

More generally, Football Australia has the mission to promote the growth and sustainability of the sport throughout the country, spreading to the grassroots (as well as the professionals), women and minorities. As Richard explains, “The objective is to provide an equal and open opportunity to all sections of society. We want to see what the obstacles are and then make sure there are no structural rigidity or stereotypes that stop anyone from being able to pursue their interest in the sport.”

Richard brought with him his knowledge and experience from his time at Herbert Smith Freehills. First coming into contact with the firm on a summer clerkship in 2011, Richard did a stint as a paralegal in 2013, joined as a graduate in 2014 and qualified as a solicitor in 2015. After his graduate rotations, he settled in the Projects and Construction practice group, largely so he could gain variety and a range of skills, including expertise in negotiating and drafting contracts.

Those skills have been very useful with his move to Football Australia, where he has negotiated a wide range of contracts, everything from player collective bargaining agreements to marketing endorsements. However, he also had to get to grips with much more besides, including familiarising himself with the regulations governing the sport domestically and internationally.

While with Herbert Smith Freehills, Richard participated in the Sydney office's LEAPS programme (Law Firms Assisting Promising Students), which was aimed at Year 9 students to encourage and support them to reach their full potential. This was not only a rewarding experience in itself for Richard, but, as his wife is a teacher, helped provide a common area of focus for the couple, and another topic of discussion at the dinner table. Richard has always been driven in giving back to the community and ensuring children, in particular, have the same opportunities to succeed that he benefited from. The role that Football Australia plays in empowering and unifying people across Australia and pushing for a better tomorrow has allowed Richard to continue fostering his values, nurtured at Herbert Smith Freehills, within his current workplace.

Richard made the move in-house following two secondments, one with RES Australia and AGL Energy (both energy companies), that convinced him that an in-house role would suit him more than private practice. "I enjoyed the range of work that you do as an in-house lawyer, coupled with the fact that in-house, I could see myself helping to build a business - or brand - which appealed to me."

Richard will be closely involved both in the forthcoming Men's World Cup in Qatar and the Women's World Cup in Australia and New Zealand next year. For the Men's World Cup, he will be responsible for providing advice to the organisation's commercial team and partners to make sure they comply with FIFA's media and marketing regulations governing the World Cup in Qatar (which are very strict). His responsibility will be to ensure Football Australia engages in the correct exercise of rights granted to it by FIFA and otherwise promotes the protection of FIFA's retained World Cup commercial right.

He will also be responsible for responding to any disciplinary action (on and off field) against the Australian delegation at Qatar, should that happen. For example, were a player to receive a red card, Football Australia may need to prepare submissions to either contest or reduce any proposed suspension or monetary fine.

As he watches from a distance, Richard is optimistic that Australia will progress beyond the group stage. "Regardless of the outcome though, I am looking forward to the festival of football in November/December," he says.

So far as the Women's World Cup is concerned, Football Australia will liaise closely with the FIFA Local Organising Committee. As well as fulfilling similar duties as he will carry out for the Men's World Cup, he will also be supporting the commercial and government relations teams to extract maximum value from a once-in-a-generation opportunity for the sport. He is hopeful that the Matildas (the Australian women's football team) will benefit from home support to do well.

He closely follows his teams in England (Manchester United) and France (OGC Nice) and is very excited for the start of the new season of the A-League this week; however, as the regulator of Australian football, Richard has adopted an impartial approach when it comes to supporting Australian clubs. He continues to enjoy playing park football whenever he can although, with small children, his week nights and weekends are often filled with other priorities. When he can't blow off steam with a football game, he likes to do some long-distance running, where he can plug in a sports, language or history podcast and switch off. Morning yoga is also an adjustment that he has made to his routine since COVID "to make sure all my muscles are still bending the way they should!" Richard says.