

GLSA PODCAST – HSF TRANSCRIPT

00:00 - Annie (Host)

Hello everyone and welcome to the GLSA podcast Think Global. Before we begin, I would like to acknowledge the Wurundjeri people, who are the traditional custodians of this land. I would also like to pay respect to elders, both past and present, of the Kulin nation, and extend our respect to other Indigenous Australians with us today listening to this podcast. On this special episode, we have Sarah from Herbert Smith Freehills. Welcome, Sarah, it is lovely to have you here. Could you please introduce yourself?

00:30 - Sarah (Guest)

Sure, it's good to be here and thank you so much for having me. My name is Sarah, my pronouns are she, her, and I'm a solicitor in the IP disputes team at HSF, based in the Melbourne office.

00:41 - Annie (Host)

Thank you so much for your lovely introduction. Before we go forth to discuss your current life as a legal practitioner, could you let us know why did you want to pursue a career in law?

00:51 - Sarah (Guest)

Very good question. It is a question that comes up quite a lot but unfortunately, mostly because of my own journey to figuring out that this was what I wanted to do, I don't have a nice elevator pitch that sums up my journey. On how I got here, I would say that the decision to study law, or the decision to pursue law as a career, started when I was in high school, trying to decide which university degree to choose, and at that time I was sort of split between humanities and science, and so I ended up settling on a double degree in law and biomedical science. So I went through uni sort of half expecting that I might end up doing medicine. But obviously from the fact that we're talking today you know that I ended up doing law, and the reason that I went that way was sort of twofold.

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Throughout uni I enjoyed having the mix of the two different degrees, sort of two different ways of thinking to keep the variety up. But I did a lot better in my law degree. My grades were just better and I really enjoyed the extracurricular activities that the law faculty offered. So I did a lot of mooting, negotiation, mediation, competitions during uni. I also had a part-time job as a paralegal. So I sort of had a bit of an insight into the industry already throughout uni, which I think is one of the reasons why Clerkships is so valuable. It lets you sort of pull that curtain back and see what's on the inside. So I had that going for me and it gave me a bit of confidence that I'd be able to give it a go.

02:22

So when it came to applying for Clerkship, I'd actually just got back from a study abroad semester in Italy, got back just before Clerkship application started, and so it was a bit sad sort of wintery Melbourne weather, me applying from my lounge room at the time. But the process of going through the Clerkship applications and having to really reflect on who you are as a person, who you want to be as a professional, what your strengths are, and researching all the different firms reinforced things I already thought that I'd want from my career and also helped me to kind of set some goals and crystallize who I wanted to be. So that's why I'm here. But it's always it's an ongoing process. I'm constantly figuring out what kind of lawyer I want to be and whether this is right for me. So I think the conversation being ongoing is a really important thing. It's not a decision that you have to figure out while you're applying for clerkships or while you're applying for uni. It's an ongoing process throughout your life.

03:23 - Annie (Host)

Absolutely agree with you, Sarah. As a second year student, where we have the option of choosing elective subjects, I am exposed to a variety of areas that I'm interested in and learn about how it intersects with law, and the more that I learn about the opportunities that are available, I also find myself reevaluate how I want to practice law in the future. And also, Sarah, it is always impressive to meet someone who's able to manage the time effectively between law school and range of activities such as mooting. I myself I partake in some of these activities and at times it is quite overwhelming. Do you have any tips about managing competing priorities?

04:03 - Sarah (Guest)

Really good question. I am a very visual person and while I was at uni I would literally print out big A3 versions of calendars and have all my deadlines written down and then on the individual day, I'd say this is the day I'm going to the gym, this is the time I'm setting aside, so that I kind of would block everything out in a physical sense before it had to happen in my life. That's the way that it works for me. I've tutored students who have a very different process of managing deadlines. People use reminders on their phone. It's almost. I think there's something really powerful about externalizing it rather than trying to keep it all in your head, because it seems like much more of an overwhelming amount of deadlines and tasks that you have to manage if it's floating around up in the cerebral space. But if you get it out onto your phone, plot it out on a calendar, everything's much more manageable and you're less likely to forget stuff.

04:56 - Annie (Host)

Those are definitely some tips that I will take under my belt. Sarah, many of our listeners will be students like me, and one thing I know that we are all looking forward to is finishing our law degree to kickstart our own legal careers. Clerkship is obviously a huge part of this and, Sarah, as someone who has gone through the Clerkship experience at HSF, how did this experience make you decide that this is a firm for

you? So, as a grad lawyer, was life always as you had imagined, or was there elements that differed from your expectations?

05:28 - Sarah (Guest)

Yeah, really good question. I didn't know that HSF was a firm for me until I clerked here and I came through as one of the COVID Clarks. So HSF Clerkship was only two weeks long. It was virtual. It was from my lounge room at the time, so things were a little bit strange. The environment was not as everyone expected, but the people who I interacted with, even though it was mediated through a screen at that time, made me feel so welcome and I could genuinely feel how much people cared and wanted to mentor me. So I think that was something that stood out from my HSF Clerkship over my other Clerkships and it was basically the reason why I chose the firm when it came to offer day.

06:13

The other half of the question about my expectations. This is a really good question because I think a lot of law graduates go through a bit of a tough time when they transition from university into the workforce and there are quite a few things that are different in the way that you have to think, the way that you have to manage yourself when I was a paralegal and actually I think the way that a lot of university is taught everything is very focused around the law and the technical aspects of the law and obviously that's really important when you get to the workforce. But as a graduate, your role is often to be really across the facts and deeply understanding what happened when and then being able to apply the law to that is the key skill. So it's a little bit of a transition. In addition to that, I think I had some expectations around myself which can be a little bit difficult to manage.

07:03

So I had to sort of manage my own perfectionism and manage being a high performing student and then coming into a workforce where you're back down to being the graduate who knows nothing, where the people are more senior than you not that it's hierarchical, but they are the ones that have more wisdom and can guide you through processes that you just haven't seen before. So, making mistakes if I made mistakes in exams in the past, I would be very self-critical, but I had to learn pretty quickly in the workforce that making mistakes is okay and it's a really good way to learn. And in a protected environment where you've got senior people in the team who can help you and manage it internally before it ends up being a mistake that has a huge impact externally, that's a really good way to learn, absolutely.

07:46 - Annie (Host)

Sarah, I totally agree with you that sometimes in your workforce there are just things we cannot control and the best cause of action is for us to stay curious and ask lots of questions. Sarah, I was very excited to speak with you today because I know you had the exciting opportunity to work in Tokyo. Could you

please tell us a little bit about how you gained this opportunity and some of your highlights working in the Japan office? Thank, you?

08:11 - Sarah (Guest)

Yeah, definitely. I was really lucky in that I did my three graduate rotations at HSF Melbourne and then was offered to do a fourth graduate rotation in the Tokyo office. So I mean it's Japan. When you're over there, it's an incredible experience because you're absorbing a new culture. It's very different to the way that people interact in Melbourne. There's obviously all of the kind of elements of being in Asia versus being in a Western country, and then on top of that it's working in a new office with a bunch of new people who.

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I kind of think of the Tokyo office as a melting pot of lawyers from all different jurisdictions, because there's English qualified lawyers, Australian qualified lawyers, Japanese qualified lawyers everyone mixed in together. So that was a really eye-opening experience and one of the highlights of being able to work with people from all different backgrounds. I really enjoyed that, and another a part that sort of made the process easier and has also been a highlight was that HSF supported me to do Japanese language lessons while I was over there. So I built up a really good relationship with my language teacher and she sort of helped me to navigate the everyday situations in Japan where you actually just need basic Japanese language skills to survive. So I really enjoyed that and I've kept up those language lessons as well. We've got we have Zoom Japanese lessons every Wednesday before I start work, so that's really really good to sort of have an ongoing relationship with people from Tokyo.

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On the point of relationships, I think, like most experiences, the people make the place, and I was lucky enough while I was over there to have two HSF grads from the London office who I became friends with, as well as a whole load of graduates from different international firms who'd also sent their grad lawyers over there for a similar program. So now I've got this international network of lawyers who all happened to be in Tokyo at the same time and we've kept in touch. So I think that's the part that is the biggest highlight to people.

10:11 - Annie (Host)

Lovely. Could you perhaps walk us through the process of getting this opportunity and some of your thought process of why you really wanted to pursue this international secondment in Tokyo?

10:22 - Sarah (Guest)

Yeah, really good question. So from a very practical perspective, the way that the application process worked was kind of similar to a clerkship application, but I would say it was much less intense. So there wasn't an interview or anything, but I had to update my CV which was a shock to the system because I hadn't even got it post-clerkship applications and then there was a series of short answer questions which I sort of made sure that my personal brand was coming through in those. And I would say that my personal brand, just for me, given my science background, is that I'm an innovation lawyer and I really care about new things, novel inventions. So it made sense in a context like Japan it's very innovative in the software and tech space and is known also for its pharma companies that I could basically make a business case for going over there.

11:11

And then, once I submitted those short answer questions, they were reviewed by the HR department, who also spoke to the supervising partners and senior associates who I had worked under in my previous grad rotations, and then my name was submitted to the head of disputes in Australia and she made the final call. So it was a process, but most of that happened behind the scenes Once I submitted my short answer questions. I just waited and then finally got the call. It was actually a funny story because HR had let my senior associate, who I'm currently she's my supervisor let her know that I had gotten the position before telling me.

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And so she sent me a text message saying congratulations and I was like what are you congratulating me for? I don't know what's going on. So she spoiled this surprise, but it was a very good way to find out that I'd gotten this exciting opportunity. And I think I've probably answered the second part of your question already about why I really wanted to go overseas and specifically to Japan is because I wanted to experience a really innovative culture and bring that back to my practice in Melbourne.

12:19 - Annie (Host)

I often feel like that. A lot of students think that working internationally is only viable if we are familiar with the law in the foreign jurisdiction. I know that personally. I have felt intimidated about pursuing such opportunities. Do you have any encouragement for students who are hesitating from working internationally?

12:39 - Sarah (Guest)

It's a really good question because I think often we conceive of law as a jurisdiction specific qualification. You sort of pop out of uni in the specific country where you studied and then you do your practical legal training and you become admitted to practice in a specific jurisdiction. Something that was really unique

about my experience was that I went through the international arbitration and corporate crime investigations group at the HSF Tokyo office, and both of those groups are made up of people from all different jurisdictions, so it doesn't necessarily matter where you're qualified or what law you know from university. A lot of the work that we were doing in the arbitration space is basic principles of contract, and the reason that I'm qualified to advise, albeit under a supervisor, is that the contracts that the arbitrations that we were advising on were based in Australian or English law. So it sounds really fancy. Oh, I'm going to Japan, but I wasn't necessarily advising on Japanese law because I wasn't qualified to do so.

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That type of work we would engage Japanese lawyers to do. On the corporate crime investigation side as well, it was more about the soft skills and the understanding of how an investigation works. A lot of those laws are jurisdiction specific but also based in industry codes and things like that. So the deep understanding that I had of document review, document analysis that was really the part of my experience that I brought to the team, rather than my understanding of what is the law. So I think the messages don't be scared if you're chosen for a position like this, it's because you're qualified for it, so you should go for it.

14:21 - Annie (Host)

Flowing on from that, we know Zasterconment opportunities are quite competitive. Do you have any tips on how to acquire such opportunities in the future?

14:30 - Sarah (Guest)

A really good question. I think it depends what type of overseas working opportunity you're talking about. For example, I've seen a lot of peers and lawyers one or two years ahead of me now going across to London and whether that's with the firm that they're currently with. I know HSF has a London office and lots of people do transfer throughout the network. I've seen people move firms in order to go overseas, which is also available opportunity.

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Specifically to my experience with an international circumvent, I would say the first step is to go to or try to get a position out of firm that offers an international graduate rotation.

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That was a really big draw card for HSF for me because I knew that it was something that I wanted to explore, so that sort of brought it up in my rankings when I was thinking about offer day. So that's the

first step setting yourself up to be in a place where it's even an opportunity and then the second step is to set yourself up as a really valuable candidate to actually be chosen for this position. So I think the way that you do that is by building really deep and strong connections with supervising partners, senior associates and solicitors in the teams that you rotate through, trying your hardest at every single task, because every little piece is like a building block to your brand within the firm, and so when HR is looking at your application or discussing with your supervisors about whether to choose you, they're going to go into bat for you because you've worked hard with them and you've built those relationships. It's a people business. That's how I work, honey.

15:57 - Annie (Host)

Absolutely a guru is you, Sarah? I think interacting with people is such an important element of working in law, because that is how you grow, that is how you get to know your clients and it is just a way of building community when you're in a firm. I know you have said that the highlight of working in the Tokyo office is the people and the network you have built, but was there any other benefits to your own professional development?

16:22 - Sarah (Guest)

Yeah, it's a really good question. I think the answer is yes, absolutely so. Commercially, I was working in industries that are similar to the industries that I work in now. The senior associate who I was working under is building up his practice in pharmaceuticals, and now I'm an intellectual property lawyer. So a lot of the work that we do relates to pharmaceuticals, and having a slightly different angle on understanding on the way that those clients run their business was really valuable and I've brought it forward into my practice.

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Now. From a more legal perspective, I would say, especially again the international arbitration work. It solidified my contract skills, taking what you've learned in the basic building blocks of contract law from university and then putting it into a real life practice. Where arbitration is a little bit interesting. It's different to the courts because the rules of civil procedure are quite opposite and so the parties have a lot more power in how the proceeding is actually run and the principles of contract law or what it all boils down to, because arbitration is a creature of contract. So getting to be overseas learning about principles of contract law that cross over jurisdictional boundaries was a really good way for me to reinforce those basics, and I've again brought it back to my practice back in Melbourne.

17:36 - Annie (Host)

It sounds like this opportunity has been extremely beneficial for you, Sarah, and I'm very happy to hear that. On a lighter note, the Tokyo office and the Melbourne office will obviously have their differences in terms of office culture. Was there any culture shocks when you arrived?

17:52 - Sarah (Guest)

I'm not sure if this is technically culture shock, but when you get there, none of the signs are in English.

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Before I learned Kanji and Katakana, I would be walking around the street having no idea what any of the shops even were until you go inside, which was a little bit off-putting, and reading menus and things like that was really difficult.

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I think Japan is also known for being quite a formal and polite society, whereas Australia has this sort of stereotypical larricanism, and so you sort of fill yourself towing the line between playing this character of an Australian, maybe also even exaggerating some of your jokey characteristics, in all of the field rapport. But then in the business sense and other contexts you need to tone it down a little bit and really practice that cultural competency in reading the room and understanding how to behave in the specific context that you're in. So that was really good practice and definitely definitely an experience that was challenging at times. I think it can be quite lonely being in a place where it's a foreign culture for you, but once you put that effort into understanding the people who you're interacting with and deeply understand what you should be bringing to that interaction, I think that it's a really valuable experience to learn from.

19:12 - Annie (Host)

Wow, I never needed someone to tell me about working in Japan, but, Sarah, your stories have definitely made me more excited about potentially working there one day. Thank you so much for telling us about your experiences in Tokyo, but before we finish off, could you please offer some of your tips and tricks in perhaps acquiring a clock ship at HSF?

19:33 - Sarah (Guest)

Yeah, good question.

19:34

I think the best thing that you can do is not go in with a set idea about what you want your career to look like or what teams you want to rotate through or anything like that.

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The best way to approach this whole process is to have your eyes open, have an idea of your values, your goals and who you want to be as a person and as a lawyer, but then let those experiences wash over you and take in any opportunities that come your way.

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It's such a cliché thing to say, but it's really true. I think it's a big mistake when clerks come in with a strict idea of, I want to be this because you don't know the unknown unknowns yet, and then, if you're too rigid in your mindset, once you start to know what the unknowns are, you might overlook those opportunities to really explore and ask questions. On that note of asking questions, I think the most valuable thing that you can do throughout the clock ship process and while you're a grad is to speak to people who are doing the thing that you might like to do, because a lot of the information that you want to glean is not on the internet. You can't research it out. You need to have coffees with people, have conversations with people and ask them what their day-to-day looks like and what they're working on.

20:41 - Annie (Host)

I totally agree, Sarah. I have an interest in mergers and acquisitions, but I find it almost impossible to find out what M&A lawyers actually do. However, finding people in the field really allowed me to learn about it and find out whether that is where my interests lie. Thank you so much for all your stories, insight and time for today's episode. I'm sure everyone enjoyed the podcast as much as I had talking with you. Also, thank you to our lovely listeners. Hopefully this has benefited you as much as me. Thank you once again and see you on the next episode.