

Episode Five: Global Thinking with Madeline de Garis (sponsored by Ashurst).

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Mimi is an Events and Engagement co-opt for the GLSA. Madeleine de Garis is a Partner in Ashurst's Banking Practice team in the Melbourne office

Mimi: The GLSA acknowledges that the Melbourne law school is situated on stolen Wurundjeri land of the Kulin nation of which sovereignty was never ceded. We pay our respects to their elders past present and emerging

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Mimi: Hi welcome to the fifth episode of the Think Global Careers in International Law Podcast Series brought to you by the Global Law Students Association and Ashurst. This episode explores what it is like to work in various common law jurisdictions and work on large scale global transactions. Ashurst is a prominent multinational law firm with headquarters in London. It is a truly global law firm with 27 offices in 15 countries across Asia, Australia, Europe, the Middle East and North America.

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Mimi: Welcome to this episode of GLSA's Think Global Careers in International Law Podcast Series. My name is Mimi and I'm one of the co-opts for the GLSA Events and Engagement portfolio. Today I'm speaking to Madeleine from Ashurst, an international law firm and GLSA sponsor .

Welcome Madeleine thank you for joining us on the podcast today.

Maddie: thanks Mimi, no worries

Mimi: just before we jump into our discussion about your legal career at Ashurst would you mind firstly introducing yourself and telling us why you decided to do law

Maddie: Sure! So I'm Madeleine de Garis but I prefer to go by Maddi because I feel like Madeline is the name I am called by my mom when I'm in trouble, so all my clients, friends everybody knows me as Maddi. I've been practising law since 2009, which sounds like a long time ago now it feels like it was quite recently that I started. I actually always wanted to be a lawyer. When I was really young I watched shows like Ally Mcbeal and stuff like that and I just always want to be a lawyer. I like debating, I like talking too much, talking too quickly and everyone said I'd be a lawyer. So one of those kids want to be a lawyer, did law, and became a lawyer and been lawyering ever since.

Mimi: yeah I get told the same thing, everyone told me to do law.

Maddie: Yeah not sure whether it's a compliment or not when they tell you that! But just take it as one.

Mimi: yeah so was working internationally something that you always aspired to do? And how did that come up for you?

Maddie: um actually it wasn't to be honest. I am from Melbourne originally and I went to university of Canberra and I started working as a lawyer in Sydney and then came back to Melbourne, so I was sort of happy enough with movements in that sense. And when I was at Blake Dawson as Ashurst was then known I just got a call one day from a recruiter from here that were recruiting for job in New York and I hadn't even been thinking about it didn't know what I wanted to do it. It may have been slightly less common back then when I did it. I thought I'd have a crack thinking I wouldn't get it and then when I got the offer I thought well I can't really say no to New York. So off I went and that's how my international career started. Maybe different to most people have aspiration from day dot. I was quite happy living in Melbourne to be honest, but when the opportunity arose I felt like I couldn't really say no.

Mimi: yeah so what do you think was the most valuable thing you've learned from your international experience in New York and then onwards, i know you move then to Hong Kong and London was it?

Maddie: Yes I did New York then London and then Hong Kong. I was away for four and a half/ five years. It was a valuable experience. I think it's good just getting to work for different people, different cultures and different work styles. It might not be that all the all the deal experience you get overseas is that relevant when you come home because it might be different governing laws or different markets but I think the experience of working with different people and different styles and understanding how people operate is really valuable on the work side. And I think also just on the personal side living overseas, travelling, learning about different cultures. Even in New York and London people might not think there's very much cultural difference between them and Australia but I definitely found, for example, New York to be quite different to what I was expecting where as London is quite similar to Australia. I think for personal front just having those experiences while being able to work, so not just in a holiday short context ,I think is really great from the personal experience as well.

Mimi: yeah I think that its definitely a very different experience than what you do on a holiday once you actually live somewhere.

On the flip side what was some of the challenges you face in working in each of these cities or just working overseas in general?

Maddie: I think particularly when i wwent to New York I was still a junior lawyers and was I think about three years qualified at that point and I did sort of get thrown in the deep end in an area of law that wasn't necessarily my specialty. I'm a finance lawyer . Before moving to New York I managed corporate and in New Yorl I was doing project finance and projects generally and it wasn't sort of my area. Also New York law is actually quite different and

New York drafting style is American drafting style is very different to Australia because they haven't taken on yet the simple drafting approach that the UK and Australia taken on. There they still have a very convoluted you know 3 page paragraphs and things like that so the style is very different area of law. Also different personalities at the firm and the work style was quite different so I found that very confronting and quite challenging at first. But that being said going in London and Hong Kong it was a bit more like Australia in terms of the working style and the documentation. So I felt a little bit more comfortable once I left New York in terms of getting back to my roots in terms of Corporate Finance and Acquisition Leverage finance which I really enjoyed and also just the plain English language drafting which I think is a real gift under the UK and Australian models that America still hasn't sort picked up.

Mimi: Thanks Maddie super interesting to hear about the different work styles. I've heard that the New York system is a little more formal would that be correct?

Maddi: A little bit I mean in their drafting style they it's very like provided further hitherto you know that kind of old world language and it is very much sort of like you can only read documents if you're a lawyer. But in terms of their approach it wasn't like the office was particularly formal like wearing three piece suits. Everyone was still working hard, getting on with it and having a laugh so it was still really nice from that perspective but just very different.

I guess to and also to my expectations I thought that culturally America would be just like Australia just I don't know why they based on the movies or something . But certainly in New York I found that even silly small things like in Australia and I think in England often someone will stay and hold the door open for you if you've go in after them whereas I found in New York everyone was so busy they just shut doors in your face and it was all just really intense and an fast. There's not the same level like I think in in England and Australia. And when people might ask you to do something and they'll say lot of pleases and thank yous and would you mind terribly if you did this for me, and what they mean is do it do it now but they say it with this nice fluffy stuff around the outside. Whereas in America that would be like do it now. Its the same meaning and they're not being rude or anything but it's just a different style.I think when you come from Australia or London where you're used to the extra fluff around the outside when people really direct with you you something maybe think they are angry at you or you're in trouble but actually they are just so much more direct.

I certainly found that so I tell anyone, you know my colleagues or friends who moved to New York, just be wary it's a slightly different style they're not angry at you all the time they just very direct and they often don't the English style of you know fluffing around the edges and saying all the please and thank you.

Mimi: yeah no that's interesting, good to keep that in mind . Do you have any advice for students who would want to pursue law internationally?

Maddi: yes I mean I think it's a really good experience for anyone to have. I mean it's different for different areas of law. If you want to go international it's probably a good idea to sort of start your career at a big firm because a lot of the big firms as I'm sure your listeners know do have international officers so the chances of being able to go on an international secondment for example is enhanced by being at a big firm that has those links and those opportunities. If you started at a smaller firm or you know you're in family law or something a bit different it's probably a little bit harder to extrapolate that experience and go overseas. Not impossible but it's just probably less of a well trodden path. So if you're really keen on it and you like Corporate law I would recommend you investigate working at one of the big firms with international links like Ashurst and others that will give you sort of pathway. That will be a little bit cleaner and like as I said well trodden compared to if you have to sort of just try and do it yourself and arrange it somehow bilaterally with the other firms in countries.

Mimi: Yeah that's great advice I'm sure our listeners who no doubt have international ambitions for their law career can really take that on board.

We know that you're now a Partner at Ashurst, so what does a regular day look like?

Maddi: it's kind of funny I think it's like regular days probably aren't thing anymore it's very different depending on the day or week. As a partner we still do a lot of the same work that you do as a Senior Associate. Once you become partner it's not like you are not drafting documents anymore or we just get everyone else to do that, and we sit around and drink whiskey and delegate. We very much are still on the tools. At Ashurst particularly the Banking Banking team you know we love our clients, we love the deals so we're sort of still on everything but there is certainly an added element like business management and team management and fee proposals and other things that is the administrative side business that you don't appreciate when you're not a partner. Certainly everyone told me that was going to happen but I didn't appreciate I guess the extra work and the difference in the work that you would do as a partner on top of your daily work. But it's good to have something extra or something different while still being able to really stay on the tools stay close to your clients and stay doing the work that you obviously enjoyed to make Partner in the first place.

Mimi: yeah, and was there anything about Ashurst that drew to move to Ashurst or something that stands out about Ashurst as a firm for you?

Maddi: when I so I sort of actually started my career at DLA back in the day in Sydney and they were lovely but when I started out really serious about Finance and wanted to make sure I was sort of a top finance group. That's why I moved to Blakes when I was bit younger, now Ashurst. When I went overseas I actually went with a different firm Allen and Overy just because at that time the Ashurst connection hadn't really happened yet so there weren't clear pathways like there is now.

But when I was looking to come back Hong Kong, I only wanted to come back Ashurst. That was quite funny when I was thinking about coming home and I told my boyfriend at the time so I'm going back to Martin Coleman's team and go back to Ashurst and he said, have

you told him that is there a place for you and he's like maybe you could call them because you're pretty sure you're gonna get that job back if you haven't actually spoken to him. So I remember thinking well better do that. I called Martin I said all I want to come home, can I come back and I come back home to you? And he's like I should be able to figure it out. So for me it was always going to Ashurst and my old team here.

I love the culture here I love the people and even though a lot of the Associates obviously moved around in the five years I've been away the key Senior people are still there and all the people that I met when I came back have the same great vibe that they had when I left. Because obviously people at the top hire the same kind of people and people who will get along with each other and have the same kind of focus on being really great legal practitioners and all that good stuff, but also being sort being mates and appreciating that we will get stuck in together and you know sometimes the hours are long and the work is hard but we kind of band together and have a laugh about it. So for me I definitely want to go back to a firm that was top tier, doing the best work but that's quite important to me.

I don't think I'd be happy doing anything else but once that sort of box tick, obviously there is a lot of good firms like that in Australia, the choice for me was about sort of the culture and wanting to come back to the teams I really loved.

Mimi: Thank you and as a financial lawyer is there a particular case or transaction you feel stands out for you, I think students always like to hear example?

Maddi: In finance I guess when we talked friend stuff they ask what cases, we are very much sort of front end. I'm sure people find it very boring but we don't want to go to court unless something goes wrong in which case we hand it to the insolvency team and say good luck with that. So very much of the front end so we're really about you know facilitating people getting money to do things they need to do for their businesses. I really like that actually because it means that even though there's someone on the other side the goal of your client and the other side's client is the same. Like our client working for the bank wants to lend money for the borrower borrow money and the other side wants to also lend or borrow money, so we do have the same goal and it's just how you get there which I really enjoy. I don't think I'm very good at being litigator where you know it's very acrimonious.

There's lots of exciting transactions! I know one I did New York involved Chicago parking metres and it was in my first couple of months in New York and it actually was very acrimonious because of the way the structure was set up. I got sent to Chicago with a Partner and we were in these all day meetings with the Chicago Mayoral officers and all their lawyers and all of our clients for investment banks and sort of nutting out in real-time amendments to these documents to make them work for the city because the way they've been structured wasn't really working for the city. I had to sit down with the internal guy at the investment bank, more of a numbers guy and I'm very much not a numbers person, and we had to sit down all weekend with sort of a white board and we had to try to translate I guess between words and the numbers. He was doing the numbers side and I was doing the word side. And we were ordering in together and he was lovely and I know having this weekend of trying to convert numbers to words sounds very very lame and nerdy, but it was actually I think sometimes on transactions had another one in Singapore where you

spend a weekend of negotiating in real time with like 20 parties around the table and that stuff is actually it is exciting and you know it's difficult on your private life sometimes but when you are in those environments where you're in real time negotiating things urgent as lots of people around the room having real conversations that really discussing the business of the transaction that's actually really exciting!

So yeah that's anytime a transaction does that we've had a couple in Australia as well like the Healthscope acquisition that we did in 2019 acting for North Western for the hospital portfolios Helthscope. Wery similar very high intensity lots of moving parts acting really closely with the client. You really feel like a trusted advisor and that you are really helping them make important business decisions. That's kind of where I nerdily have the best time on deals.

Mimi: Yeah it sounds awesome. I'm kind of glad that you don't have to be a numbers person and you can still do big financial transactions.

Maddi: yeah 100%. like I didn't do Commerce at uni I did arts with my law and I liked history and politics and law. I did methods at school because I thought I might do Commerce at uni, but I wasn't great at it and so yeah numbers are not my strong suit and in fact I think now in the team only a couple people that actually done like either a Finance or Commerce major with their law, most people have done in arts or something else. So certainly I think this is a good message generally I think for whatever area of Law you choose. I never thought I'd go into Finance it was my last choice it was summer Clerk when I put down my preferences at DLA. I did my clerkship in Sydney so it was a full summer I did two different rotations over the nine weeks. Banking was my last choice so I think IP Commercial Technology or something was my first choice and they said, look we're going to give you your first choice and your last choice, some people are getting their two middle choices so you know it's good for you. I did finance first and I loved it and I really didn't like IP and Technology and I've never done anything since. I did paralegal in Finance I graduated into Finance I got pulled out of the grad programme to stay in finance. I never thought I'd like it as I was never a numbers person, but I loved it as soon as I got into it.

I think everyone should keep an open mind at uni when you are thinking about what your Clerkships or other kind of apprenticeships. That to pick a variety of things because you just don't know. I think at Uni you might have an idea of what you want to do based on subjects you have done or friends you know or family. It might be that you end up loving some other area completely and you just don't know.

Mimi: That's really good advice thank you! Moving on to a bit of a different question, given you are female partner at Ashurst we often hear there's challenges pertaining to being a female in law and I guess for any female listeners what advice would you give to women who are entering the field or have concerns about these issues?

Maddi: I mean look it's a tough one. I think things are definitely getting a lot better, even from when I started but you know well before that sort of the 80s and 90s I'm sure there were really significant barriers to entry and barriers to promotion. But we are certainly going through period now and you know Paul Jenkins our managing partner you know is

committed to change partner and is very heavily involved in making sure that Ashurst going forward is promoting women and focused on diversity. So it's definitely getting a lot better and you know I mean when I was promoted I think there was more than 50% of women in that promotion around and it's been more than 50% I think the last couple of years and we're also getting better on making sure that women equity because it's not just about when making Partner you know within a lot of firms a salary partner concept an equity partner concept and you know I Ashurst is really working hard to actually make sure that they really focus as well on looking at why there might be less women in the equity pool and trying to do things about that.

I definitely think that things are getting better which is great but you know I think you just you have back yourself you have to work hard. My personal view is that you know you're in control of your own destiny and if you believe that all women can't make it in particular industry because you know Banking and I'm the only female partner in Melbourne and Sydney in Banking. But if we sort of looked at it and said there's not many in the market so I'm never going to make it, never really tried. It's a bit like women not trying engineering or not trying in math science thinking well there's not many people so I'm not going try. It's like no you can definitely make it, it's hard work for sure in a big firm in any area but it's not like that at all. It's not like if you are a woman you can only do employment or family Law and you can't do Banking or M&A, is definitely not the case.

So back yourself, work hard and if it's something that you want then go for it. It is really tough when people want to have families and stuff like that, but at the end of the day you know we have parental leave it's not just Mat leave anymore so your partner hopefully can stump up and do their bit as well. It's not all just Women to take the burden of childbearing.

So I think if you want to go for it, and it's not for everyone, like Partnership in a Law firm is not for everyone and it's not some Holy Grail that everyone should aspire to It's hard and it's not what everyone wants, but if it is something that you want and you want to go gangbusters don't be held back just because you're a woman and you think maybe this particular areas of law that you won't be able to excel in because of the hours or because it's masculine but just back yourself and go for it. I think that there are certainly opportunities and the barriers to entry is certainly not what they were but you gotta keep pushing and just showing that you know we are more than capable of doing it and in my personal view better sometimes with managing things. We bring something different to the table and that's the key thing about diversity is that all the studies show that if you bring something different to the table businesses are better for it so it's not even about the diversity for diversity is actually directed with business doing better and that's better for everyone.

Mimi: yeah 100% thank you for that. I think as a female and for all our listeners you have really given some important insight into being a female Partner at top tier firm.

So from your experience and knowing what you know now, what do you think a lawyer will look like 10 years from now?

Maddi: I am hoping to go grey in 10 years time secretly because you know I'm spend a lot of time and money going Blonde in the salon and if I just naturally go grey that I canto stop.

So there obviously a lot of disruption, I know this personality working at Ashurst with the legal technology In Ashurst Advanced our consulting business and we're shifting certainly into the technology space. I certainly see that all around me here and can only assume that's going to keep growing and that's really exciting. We've got dedicated people and dedicated partners ad teams all working on that and it's pretty cool to be part of that environment, but I think there will always be they'll always be lawyers. We are a bit like a cockroach, we will be there at the end of the nuclear war. People always need lawyers and at the end of the day you can't take away someones so that you can't completely replace the skills that lawyers have with computers. You can do a lot of streamlining in a lot of helpful services come with bringing technology to the field in that area. But I think we will always need smart people to lead the charge on things so I think it'll look different, there will be more of a focus on technology, but in 10 years time you know we'll still have Banking Partners will still have Litigation, will still have big operations that require actual physical humans using their brains. It's not just a matter of it is bodies in seats and so we can replace them with computers, there's valuable work that we do that involves our brains and there's also the human element as well in terms of understanding of business and understanding what your clients trying to get out of something that I think means we will always have a job and a role in society. I hope.

Mimi: yeah thank you for that insight into where you think lawyers in the future might be. I'm sure all our listeners are hoping they will still be here! So just for our last question if you were able to go back and give yourself a piece of advice before you began your legal career what would it be?

Maddi: My pathway to be here was not quite exactly where I thought it would be. I think that when I was, I'm sure like a lot of students who would be listening to this, I really excelled in school and I did really well at uni I just thought it was a kind of person I thought id just walked into whatever job I wanted you know get the clerkships I wanted and I would walk straight into like Freehills or whatever. And I had that career, I just always thought that that would be a bit of a walk in the park. I always studied hard and I always got benefit of my studying hard and then what actually did happen to me with I didn't get exactly what I wanted. So my pathway to eventually being a Partner at a top teir firm like Ashurst was a bit different. I moved a couple of times and I started working my way up and I proved myself in the context outside university to get those jobs. So I think that I'd tell myself back then as I know I was stressed about it when I was at going through the clerkship process, that Id tell myself not to worry and things will workout and there's lots of different pathway. I think this is true for students as well coming into uni there's lots of different pathways to get what you want.

I had a friend at school who he didn't get a great ennterscore as it was known then, and he said he took a year or so off and then he went to Uni. Did and Arts degree and then sort of did a law degree. And he didn't get into law until like five years after me but he's smashing it as a Senior Associate for Freehills whose noww going to the bar and he's amazing. Married to doctor shout out to James! and he's you know he wouldn't have had that

traditional path and when he was going through school I'm sure there were some teachers are like this guy, he's just gonna be a joker but you know it took a little bit longer to figure out what we wanted and then he's just smashed it.

I think I'd tell myself that just because you don't have that clear path that you thought of when you're 18 or whatever, that doesn't mean that you're a failure and doesn't mean that you're not going to get there. Actually, getting there is quite fun and you'll experience lots of different things. Working in different places or living overseas, it's not just about the end goal. It was looking at the end goal and what I've done, how I got here has been a great experience and maybe actually is better experience. So go the winding route to where you ultimately want to be.

Mimi: yeah definitely good keep in mind. A lot of us will be facing clerkship applications this season so definitely good keep the bigger picture in mind.

So that is the end of our questions thank you for taking time out of your busy schedule today to learn about your career and hear your valuable advice.

Maddie: no worries thanks Mimi it's always good to always go to chat

Mimi: Thank you for listening to our fifth episode of the Think Global series. To learn more about what Maddie discussed today please see our facebook page for further links.