

# Legal Review

## SPECIAL REPORT



# Legal Review

## Taking stock as sector splutters

The ranking of Perth's major law firms has changed substantially over the past two years.



**GROWING:** Kylie Groves says her firm is still building a full-service offering in Perth. **Photo:** Gabriel Oliveira



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PERTH'S commercial lawyers generally agree the market is continuing at a low ebb in Western Australia, but the lack of activity has not halted further changes in the sector's make-up.

Data collected by *Business News* shows several firms have defied the lull in activity to achieve substantial growth over the past two years (see table, page 26).

The growing firms include tier one Australian players Clayton Utz and Minter Ellison, along with international firm Norton Rose Fulbright.

Clayton Utz has grown to be the second largest law firm in

the local market with 17 partners and 91 legal professionals, according to the BNiQ database.

It was notable for being one of the few big Australian firms to not merge or partner with a global law firm during the past decade.

Minter Ellison is not far behind Clayton Utz in the WA market with 17 partners and 85 legal professionals.

Those numbers highlight a remarkable revival by Minter Ellison, which was left with just four partners in Perth in 2012 after most of its WA cohort started trading as Squire Patton Boggs.

While Minter Ellison is now firmly back as a major player in the WA market, US-based Squire Patton has not fared so well. It started in WA with 15 partners and now has nine.

Other firms enjoying growth include HWL Ebsworth Lawyers and Hall & Wilcox, both of which are big east coast players that moved into WA in recent years.

In contrast to these expanding firms, several others have trimmed their numbers over the past two years.

Most notable has been independent Perth firm Jackson McDonald. After several years of growth it has dropped to third place on the BNiQ database, with 26 partners and 88 legal professionals.

King & Wood Mallesons, Lavan, and Corrs Chambers Westgarth have also cut their numbers over the past two years, but to a much lesser extent.

### Breakdown

To put these numbers into a longer-term context, the BNiQ data shows that many of Perth's large law firms have shrunk over the past decade.

The decline has been most pronounced for Ashurst and market leader Herbert Smith Freehills.

London-based Ashurst (formerly Blake Dawson Waldron) used to be the second largest firm in Perth with about 120 legal professionals; it is now ranked seventh with 67 legal professionals.

HSF continues to be the largest firm in Perth, with 22 partners and 131 legal professionals.

**“The number of lawyers in the Perth market seems pretty consistent, they just re-arrange themselves from time to time** - Kylie Groves

As well as being the largest, it's also the firm that others look up to as the market leader, with an unmatched depth of expertise and reach.

Offsetting the decline at big firms has been growth by a raft of new players and mid-tier firms.

HHG Legal Group, which evolved from Albany firm Hudson Henning and Goodman, has more than doubled in size over the past decade.

Celebrating its 100th anniversary this year, HHG now has 48 legal professionals in its ranks.

Another independent Perth firm to achieve long-term growth has been Steinepreis Paganin, based on its niche servicing small listed companies.

### Patchy outlook

These changes come against a backdrop of patchy activity in the local market.

Herbert Smith Freehills managing partner Perth, **Tony Joyner**, said there was some pickup in 2018 after five or six soft years.

"It's been reasonably strong since," Mr Joyner told *Business News*.

"It's not back at 2012 levels, but the firms have resized."

Mr Joyner said the future looked okay but still choppy, adding it was hard to see what would drive substantial growth.

Lavan managing partner **Dean Hely** described the past three years as a period of

## WA's CHANGING LEGAL LANDSCAPE

Rank	Law Firm	Partners	Legal Professionals	Change in legal prof. since 2017
1	<b>Herbert Smith Freehills</b>	22	<b>131</b>	1
2	<b>Clayton Utz</b>	17	<b>91</b>	15
3	<b>Jackson McDonald</b>	26	<b>88</b>	<b>-34</b>
5	<b>MinterEllison</b>	17	<b>85</b>	17
4	<b>King &amp; Wood Mallesons</b>	14	<b>81</b>	<b>-7</b>
6	<b>Lavan</b>	26	<b>71</b>	<b>-7</b>
7	<b>Ashurst</b>	15	<b>67</b>	2
8	<b>Allens</b>	10	<b>67</b>	5
9	<b>Corrs Chambers Westgarth</b>	13	<b>66</b>	<b>-7</b>
10	<b>Norton Rose Fulbright</b>	16	<b>64</b>	13
12	<b>HWL Ebsworth Lawyers</b>	14	<b>62</b>	18
11	<b>DLA Piper</b>	13	<b>59</b>	2
13	<b>HHG Legal Group</b>	2	<b>48</b>	1
14	<b>Squire Patton Boggs</b>	9	<b>44</b>	2
15	<b>LOD</b>	n/a	<b>43</b>	2
23	<b>Sparke Helmore Lawyers</b>	5	<b>40</b>	<b>-1</b>
16	<b>Mills Oakley</b>	9	<b>40</b>	3
17	<b>Dentons</b>	5	<b>37</b>	<b>-2</b>
18	<b>Allen &amp; Overy</b>	6	<b>39</b>	<b>-2</b>
19	<b>Gilbert + Tobin</b>	10	<b>37</b>	6
20	<b>Steinepreis Paganin</b>	9	<b>35</b>	2
21	<b>Bennett + Co</b>	9	<b>34</b>	5
22	<b>Slater &amp; Gordon</b>	n/a	<b>33</b>	0
24	<b>Clifford Chance</b>	4	<b>33</b>	<b>-1</b>
25	<b>Hall &amp; Wilcox</b>	3	<b>32</b>	13

constrained legal spend with increased competition.

"In the earlier part of 2018 there was real optimism and the corporate market was very busy, but this tailed off in July," he said.

"We have found that, since October 2018, the workflow in all areas has increased and that there is renewed confidence that the WA market and economy is on the improve.

"Whilst the federal election will have a bearing on this, I don't think it will disrupt the continual improvement in the WA economy."

Jackson McDonald chief executive **Malcolm Shelton-Agar** said the volume of legal work tended to reflect trends in the WA economy at large, as measured by state final demand.

"It's pretty clear we have been bubbling along the bottom," he said.

Mr Shelton-Agar was quietly optimistic about activity picking up.

"It is getting better; we are seeing more activity in the mid-tier mining sector and the services that support the

mining sector," he said, adding that banking and commercial property were other sectors picking up.

"It's clearly coming back, it's just a matter of time," Mr Shelton-Agar said.

King & Wood Mallesons partner **John Naughton** said commercial litigation following the end of the resources construction boom was still providing plenty of work for his firm.

"As sure as night follows day, the last phase is litigation," he said.

Mr Naughton said much of this work was run offshore in arbitration centres such as Singapore and London.

"The really big matters that provide sustained work has been arbitration," he said.

Mr Naughton said KWM's Perth office continued to undertake a lot of work for non-WA clients.

"A significant portion of our client base is institutions in Sydney, Melbourne or Asia," he said.

Mr Naughton told *Business News* the Perth partners won



**INFLUENCE:** Tony Joyner says the WA market is reasonably strong but it's hard to see what will drive substantial growth. **Photo:** Gabriel Oliveira

this work because of their expertise or established relationships.

In a similar vein, Mr Joyner said HSF's Perth partners were doing a lot of work for interstate and overseas clients.

"It's significant and growing," he said.

"We have a lot of expertise that we export, in mining, energy, infrastructure.

"It's how we maintained our team here."

MinterEllison's managing partner, WA, **Matthew Knox** has a more upbeat assessment than many of his peers.

Nationally, MinterEllison had a record year in FY2018 with revenue growing 20 per cent to \$564 million.

On this measure, MinterEllison was the largest law firm in the Australian market.

"We're also the most profitable we've been," Mr Knox added.

He said the demand for legal services has picked up significantly since 2012.

"MinterEllison has always

**It's [activity] been reasonably strong since (2018); it's not back at 2012 levels, but the firms have resized** - Tony Joyner

been fortunate that we have significant practices around government and inbound investment which have kept the firm busy even when local activity has been quiet," Mr Knox said.

He said additions to the partnership, such as Shaun McRobert, brought new capabilities while also helping the firm service existing clients.

"We've been very busy against the broader economic trend in WA, so that's made it easier to attract new people when you've already got a book of work there," Mr Knox said.

"We were exporting a lot of work (to other offices) because we just didn't have the capability here."

For some Perth law firms, growth has been driven by their entry into new practice areas and lateral hires.

Hall & Wilcox moved into Perth in 2015, initially with a focus on insurance, but with a goal to build a full-service offering.

Partner **Kylie Groves** said the firm had made substantial progress.

"This is still a work in progress, although we have expanded significantly since 2015, as we have added employment with my team and commercial litigation

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# Lawyers take stock as local sector splutters

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with Scott Meacock joining earlier this year," she said.

Ms Groves said Hall & Wilcox operated as a national firm and the Perth office was able to draw on the expertise of colleagues in other practices and offices as required.

Global law firm Norton Rose Fulbright is another investing in its Perth practice.

It has recruited five partners over the past year, with the most notable being Paul Lingard, who was previously managing partner at Clifford Chance's Perth office.

Mr Lingard is now the firm's co-head of its energy industry group for the Asia Pacific.

As usually occurs when partners with an established reputation move firms, clients tend to follow.

Since Mr Lingard began last October he has received instructions from companies including Synergy, Western Power, Woodside, Macmahon and South32.

The firm's Asia Pacific chair, **Chris McLeod**, said Norton Rose had initially enjoyed a relatively easy run of growth after it bought the old Deacons practice in 2012, but it was now tougher.

"The Australian legal market has just become so much more competitive and harder to grow revenue," he said.

Perth-based Mr McLeod said the firm nationally made a conscious decision to invest in the WA market.

He said other recent recruits, such as Jessica Davies from Clifford Chance and David Jewkes from KWM, would build capability around Mr Lingard.

"When you recruit quality, the work really does start to come," Mr McLeod said.

## Competitive tension

While numerous new law firms have entered the Perth market during the past decade, the overall effect of this influx is up for debate.

"The WA legal market is extremely competitive and

probably one of the most competitive markets in Australia," MinterEllison's Mr Knox said.

"However, the international firms and east coast firms have generally expanded by acquiring local partners and as such the work they have attracted has largely been based around that partner's practice.

"Where it has made a significant difference is in inbound work, which is now generally channelled via the international law firm or by unaligned international firms in an alliance or network."

HSF's Mr Joyner said the impact was not clear-cut.

"In one sense yes, but I'm not sure the overall number of quality lawyers in the city is changing that much," he said.

"They're just moving around."

Ms Groves agreed that new entrants just tended to give rise to people being shuffled around.

"The number of lawyers in the Perth market seems pretty consistent, they just re-arrange themselves from time to time," she said.

"There doesn't seem to be an influx of lawyers from other places. Indeed it seems to have returned to the situation where many lawyers (especially junior lawyers) leave Perth for different experiences on the east coast or overseas."

KWM's Mr Naughton said there were no grounds for complacency.

"The Australian legal market is among the most competitive in the world," he said, adding the degree of competition reflected the presence of very large firms with deep resources.

Mr Naughton said KWM's structure, which combined the old Australian firm Malleson Stephen Jaques with Chinese firm King & Wood, was important for the group's long-term growth.

"The China connection gives us exposure to international investment and international deal flow," he said.

Mr Shelton-Agar said new firms presented different challenges.

Some were sector specialists,



**IMPORTANCE:** Malcolm Shelton-Agar attaches weight to Jackson McDonald's long-standing brand. **Photo:** Attila Csaszar

such as insurance firms, others had special competences, such as in litigation, while others had completed their national footprint by establishing a WA presence.

"They all present different challenges," he acknowledged.

Mr Shelton-Agar said Jackson McDonald's long history in WA was crucial to securing its future.

"We have depth of presence, and a full offering that others can't match," he said.

"We have strong connections that have been built over many years."

He believes another positive is brand recognition.

"One of the great benefits of Jackson McDonald never having merged is that all the other local brands that were around 10 or 15 years ago don't exist any more, they are all something else," Mr Shelton-Agar said.

"Our name recognition is extraordinary; it's a small thing but it's helpful."

**It is getting better; we are seeing more activity in the mid-tier mining sector and the services that support the mining sector** - Malcolm Shelton-Agar

Mr Hely observed that the professional services sector has only a few large independent WA-based organisations left.

"In the legal sector, firms like Lavan and Jackson McDonald have bucked the trend by remaining independent and WA-focused and not becoming part of a national or global organisation," Mr Hely said.

"There has also been a steady disappearance of large independent WA-based firms in the accounting

and engineering sectors."

He said keeping talent based in WA and working for WA organisations should be supported and fostered.

"We are proud of our 120 years of servicing clients in WA and supporting the WA business community and WA based charities that our firm and our staff get behind," Mr Hely said.

"Buy WA should be the mantra for WA businesses and the WA government."

**BNiQ SEARCH** Clayton Utz



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# Corporate lawyers busy as M&A deals on the rise



**Pipeline:** Bryn Hardcastle says several prospective deals are yet to see the light of day.  
Photo: Attila Csaszar

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A FLURRY of hostile takeover deals has provided a boost for corporate lawyers, with an expectation there is more on the way.

Herbert Smith Freehills is advising Wesfarmers on the largest deal in Western Australia this year – an indicative \$1.5 billion acquisition of rare earths producer Lynas Corporation.

With Lynas fiercely defending its independence, and the deal attracting political controversy, it's likely to keep Wesfarmers and its advisers busy for some time yet.

Another hostile takeover is the \$635 million bid for Automotive Holdings Group by Brisbane-based competitor AP Eagers.

Automotive Holdings is being advised by Ashurst, which is also advising Sydney-based Riversdale Resources on the defence of Hancock Prospecting's \$599 million takeover bid.

Corrs Chambers Westgarth is advising Hancock, which has won the backing of several

## \$1.5bn WESFARMERS' INDICATIVE ACQUISITION OF LYNAS CORP

Riversdale directors but is yet to win over Perth-based Resource Capital Funds, which is the largest shareholder in the aspiring coal miner.

The performance of law firms is tracked in the BNiQ deals database.

Gilbert + Tobin is ranked number one, after advising on 11 merger and acquisition deals valued at \$6.9 billion over the past 12 months (see table).

It advised on several big transactions last year, including Santos buying Quadrant Energy, BGH Capital bidding for Navitas, and Albermarle buying half of the Wodgina lithium project.

Among 2019 deals, G+T is advising China's Chengtun Mining Group on its \$109 million acquisition of Africa-focused Nzuri Copper.

In terms of deal numbers, the market leader over the past year was Herbert Smith Freehills.

It advised on 13 M&A transactions worth \$5.9 billion.

The league table is very different for equity capital markets deals, with Allen & Overy advising on five transactions worth \$951 million over the past 12 months.

This includes a Fortescue Metals Group share buyback and a capital raising by international client EMR Cayman, which is serviced by A&O's Perth team.

Allen & Overy is ahead of two firms with deep penetration among small to mid-cap WA companies.

Steinepreis Paganin worked on 56 capital raisings worth \$376 million while Bellanhouse Lawyers worked on 37 transactions worth \$315 million.

They lead the league table for 2019, which is a period characterised by a distinct lack of capital raising activity.

Against this backdrop, both firms have achieved some success broadening their business into the M&A space.

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## Top Deal Advisers

### Mergers and Acquisitions\*

Legal advisers	Number of deals	Value of deals \$m	Key clients
Gilbert + Tobin	11	<b>6,890</b>	Wesfarmers, BGH Capital, Albemarle Corporation
Allens	6	<b>6,221</b>	Inpex, Macquarie Group, DIF
Herbert Smith Freehills	13	<b>5,978</b>	Santos, SRG Global, Mineral Resources, Wesfarmers
King & Wood Mallesons	5	<b>5,407</b>	Brookfield Asset Management, South32
Ashurst	7	<b>4,038</b>	BGH Capital, Riversdale Resources, Automotive Holdings
Clayton Utz	8	<b>3,218</b>	Macquarie Capital, Brookfield Asset Management, Fleetwood Corporation, Ansteel
Johnson Winter & Slattery	6	<b>2,492</b>	Inpex, Ausdrill, Ramelius Resources
McCullough Robertson	4	<b>1,581</b>	Round Oak Minerals, Intrepid Mines, AP Eagers
Norton Rose Fullbright	4	<b>682</b>	Posco, Macquarie Group, DIF, Ansteel, Australian Finance Group
Corrs Chambers Westgarth	4	<b>643</b>	Hancock Prospecting, Risco Energy Investments

\*12 months to April 2019

### Equity Capital Markets\*

Legal advisers	Number of deals	Value of deals \$m	Key clients
Allen & Overy	5	<b>951</b>	Fortescue Metals Group, ESR Cayman, Cash Converters International
Steinepreis Paganin	56	<b>376</b>	Poseidon Nickel, Finbar Group, Data Exchange Network
Bellanhouse Lawyers	37	<b>315</b>	New Century Resources, Myanmar Metals, AusCann Group, Bellevue Gold
Johnson Winter & Slattery	10	<b>284</b>	Ausdrill, TNG, Todd River Resources
Jackson McDonald	6	<b>256</b>	Jupiter Mines, Exopharm, Hot Chili, AssetOwl
Herbert Smith Freehills	3	<b>238</b>	Northern Star Resources, Cash Converters International, SRG
Gilbert + Tobin	13	<b>233</b>	IMF Bentham, Fleetwood Corporation, SRG, Panoramic Resources
Ashurst	2	<b>191</b>	Northern Star Resources, Sheffield Resources
DLA Piper	9	<b>187</b>	IMF Bentham, Paringa Resources, Primero Group
Clayton Utz	3	<b>145</b>	Squadron Resources, Fleetwood Corporation, Nusantara

\*12 months to April 2019

Bellanhouse has advised on three M&A transactions this year, including the Nzuri Copper deal.

Partner Bryn Hardcastle said his firm was doing a lot more M&A work this year, with several prospective deals yet to see the light of day.

"Our business model is to do both the ECM and M&A deals, I think they go hand in hand," he said.

"We've got a small but experienced team, we know what we're doing across the space."

Mr Hardcastle said as well as public company takeover deals, he had seen a lot of interest from companies seeking to buy or sell assets that hadn't had capital applied to them.

He believes Bellanhouse's recent experience stood it in good stead to win more work.

BNiQ SEARCH

Herbert Smith Freehills



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# LAW FIRMS AND PATENT ATTORNEYS

RANKED BY TOTAL NUMBER OF LEGAL PROFESSIONALS IN WA



Rank	Change from previous year	Company name	Senior executive and title	Year est. in WA	Offices a) WA b) interstate	No. of Partners (a)	No. of Senior Associates/Associates (b)	No. Of Consultants (c)	No. of Other Qualified Legal Professionals (d)	Total No. of Legal Professionals (Add a-d)	Total staff in WA	Types of Law Practiced
1	—	<b>Herbert Smith Freehills</b>	Mr Tony Joyner Managing Partner, Perth	1868	a) 1 b) 3	22	41	5	63	<b>131</b>	225	Banking and finance, technology, media and telecommunications, mergers and acquisitions, competition law, litigation and dispute resolution, corporate crime and investigations, projects and infrastructure, real estate, environment and planning, regulatory and government affairs, restructuring, turnaround and insolvency...
2	↑	<b>Clayton Utz</b>	Mr Nick Cooper Partner in Charge - Perth	1877	a) 1 b) 5	17	19	4	51	<b>91</b>	148	Banking & finance, corporate/M&A, capital markets, competition, construction and major projects, corporate finance, cyber security, energy & resources, environment & planning, insolvency & restructuring, intellectual property and information technology, litigation and dispute resolution, native title, real estate, taxation...
3	↓	<b>Jackson McDonald</b>	Mr Malcolm Shelton-Agar Chief Executive	1922	a) 1	26	24		38	<b>88</b>	171	Corporate and commercial law including corporate advisory, M&A, finance, mining and resources, oil and gas, energy and energy regulation, insolvency and reconstruction, alternative dispute resolution and commercial litigation, competition, construction, infrastructure access, property, planning...
4	↑	<b>MinterEllison</b>	Mr Matthew Knox Managing Partner, WA	2011	a) 1 b) 7	17	32	5	31	<b>85</b>	127	All areas of corporate and commercial law.
5	↓	<b>King &amp; Wood Mallesons</b>	Mr John Naughton Partner in Charge, Perth office	1832	a) 1 b) 4	14	20	2	45	<b>81</b>	147	All areas of corporate and commercial law.
6	—	<b>Lavan</b>	Mr Dean Hely Managing Partner	1898	a) 1	26	22		23	<b>71</b>	151	Aged care, Agribusiness, Asia and international, banking and finance, competition and regulation, construction and infrastructure, corporate services, cyber and data protection, education, employment and safety, family law, intellectual property and technology, liquor licensing hospitality and events, litigation ...
7	↑	<b>Ashurst</b>	Mr Richard Guit Head of Perth Office; Partner, Infrastructure	1988	a) 1 b) 5	15	22	2	28	<b>67</b>	114	Energy and resources, corporate advisory, M&A, commercial litigation, property, construction, employment, safety and discrimination, project finance, infrastructure development, and restructuring and insolvency.
8	↓	<b>Allens</b>	Mr Gerard Woods Partner, Perth Practice Director	1997	a) 1 b) 3	10	46		11	<b>67</b>	92	Corporate and commercial advisory, mergers and acquisitions, energy and resources, property and construction, banking and financial services, insolvency, litigation, native title, workplace relations.
9	—	<b>Corrs Chambers Westgarth</b>	Mr Nicholas Ellery Partner-in-Charge	1991	a) 1 b) 3	13	16	9	28	<b>66</b>	92	Banking and finance, corporate advisory, property and technology, competition and trade practices, taxation, litigation, workplace relations, energy, resources and projects, insolvency, property and infrastructure, construction, planning, environment and local government, information and technology...
10	↑	<b>Norton Rose Fulbright</b>	Mr Chris McLeod Partner, Head of Office	1975	a) 1 b) 4	16	27	1	20	<b>64</b>	93	Acquisition finance, alternative dispute resolution, antitrust, competition and regulatory, asset-based lending, asset finance, asset management, aviation, banking and finance, business ethics and anti-corruption, capital markets, construction and engineering, corporate, debt capital markets, employee benefits, employment...
11	↑	<b>HWL Ebsworth Lawyers</b>	Mr Mitch Artus Partner, National Chairman	1897	a) 1 b) 8	18	21		23	<b>62</b>	101	Aged care and retirement living, agribusiness, automotive, banking and finance (acquisition finance, asset and structured finance, project, resources and infrastructure finance, property finance, securitisation) capital markets (debt capital markets, equity capital markets), climate change and sustainability, commercial contracting...
12	↓	<b>DLA Piper</b>	Ms Leanne Nickels Perth Managing Partner	1985	a) 1 b) 3	13	17	1	28	<b>59</b>	116	Corporate and commercial, insurance and risk management, workplace relations, employment and safety, mining, energy and resources, construction, infrastructure, property, projects and finance, litigation and dispute resolution, marine.
13	—	<b>HHG Legal Group</b>	Mr Simon Creek Managing Director, Mediator, Special Counsel	1919	a) 4	2	9	3	33	<b>48</b>	60	Tax law, family and de facto law, banking and finance, construction, commercial litigation, wills and estate planning, probate, commercial & corporate law, property law, workplace relations and employment law, private wealth services, non-legal aid criminal law, mediation, pro bono, local government.

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14	↑	<b>Squire Patton Boggs</b>	Mr Tony Chong Managing Partner Perth & Head of Asia Desk	1891	a) 1 b) 2	9	29	2	4	<b>44</b>	83	Full service commercial law firm. Focus on the following key growth areas: cross-border investments and M&A, complex financial instrument litigation, construction disputes and arbitration, cyber security & data privacy, renewable energy, fintech and venture capital, Aboriginal enterprise, mobility.
15	↓	<b>LOD</b>	Mr Ken Jagger Chief Operating Officer	2008	a) 1 b) 3			4	39	<b>43</b>	55	Flexible legal resourcing including the provision of secondment services, remote lawyers, managed and virtual legal teams and legal operations consulting services.
16	↑	<b>Sparke Helmore Lawyers</b>	Mr Phillip Salem National Managing Partner	2002	a) 1 b) 7	5				<b>40</b>	70	Commercial Insurance, Insurance Statutory Lines, Workplace, Government
17	↓	<b>Dentons</b>	Mr Doug Stipanicev Partner, Head of Perth Office	2009	a) 1 b) 3	5	2		30	<b>37</b>	62	Corporate and commercial advisory, banking and finance, dispute resolution, workplace relations, financial services recovery, commercial property and insolvency.
18	↓	<b>Allen &amp; Overy</b>	Mr Geoff Simpson Managing Partner, Perth	2010	a) 1 b) 1	6	31	1	1	<b>39</b>	49	Corporate M&A, capital markets, commercial, competition, private equity, energy and resources, projects, infrastructure and construction, litigation and international arbitration.
19	↓	<b>Gilbert + Tobin</b>	Mr Michael Blakiston Partner, Energy and Resources	1988	a) 1 b) 2	10	10	3	14	<b>37</b>	52	Energy and resources, corporate advisory, litigation and dispute resolution.
20	↑	<b>Steinepreis Paganin</b>	Mr Roger Steinepreis Executive Chairman	1997	a) 1 b) 1	9	11		15	<b>35</b>	50	Corporate, M + A, ECM, commercial, financial services, energy and resources.
21	↑	<b>Bennett + Co</b>	Mr Martin Bennett Director	2011	a) 1	9	13	1	11	<b>34</b>	65	All areas of corporate and commercial, commercial litigation and dispute resolution, competition and consumer law, defamation, media law, duties law, energy and resources, estate planning, intellectual property, mergers and acquisitions, real property.
22	↓	<b>Slater &amp; Gordon</b>	Mr Joel Schneider State Practice Group Leader – Personal Injury Perth	1935	a) 2 b) 63		13		20	<b>33</b>	75	All areas (personal injury, wills, estates, conveyancing, commercial, family, criminal, industrial, employment)
23	↓	<b>Mills Oakley</b>	Mr John Nerurker Chief Executive	2015	a) 1 b) 4	9	15	2	9	<b>33</b>	61	Banking and finance, building, construction and infrastructure, charity and not-for-profit, commercial disputes and insolvency, corporate advisory, energy and resources, estates and succession, family law, financial services, franchising, government and administrative, insurance, intellectual property...
24	↓	<b>Clifford Chance</b>	Mr Richard Gordon Managing Partner, Australia	2011	a) 1 b) 1	4	19	1	9	<b>33</b>	39	Clifford Chance's Perth practice focuses on high-end corporate / M&A, finance, complex international arbitration, litigation and dispute resolution with a particular strength in the energy and resources sector. With offices in Perth and Sydney, Clifford Chance's areas of expertise in Australia include company...
25	↑	<b>Hall &amp; Wilcox</b>	Ms Kylie Groves Partner, Employment & Workplace Relations	2015	a) 1 b) 7	3	13		16	<b>32</b>	52	Financial services, insurance, general corporate, health & safety, migration services and employment law.
26	↑	<b>Wrays</b>	Mr Gary Cox Principal, Chairman	1920	a) 1 b) 4	12	7	2	10	<b>31</b>	65	Intellectual property (patents, trade marks, copyright), Commercial and Contractual law, IP management and strategy
27	↓	<b>K&amp;L Gates</b>	Mr Nick Nicola Managing Partner	2008	a) 1 b) 3	7	14		10	<b>31</b>	55	All areas of corporate and commercial law
28	—	<b>Clyde &amp; Co</b>	Mr Beth Cubitt Partner	2012	a) 1 b) 3	5	10		16	<b>31</b>	49	Aviation, construction, corporate and commercial, dispute resolution (including litigation, mediation and international arbitration), employment, energy and resources, governance, insurance and reinsurance, projects and infrastructure, real estate, regulatory and compliance, shipping, trade and commodities.
29	↓	<b>SRB Legal</b>	Mr Graeme Richards Partner	1991	a) 1	9	12	2	6	<b>29</b>	57	Insurance
30	↑	<b>Kott Gunning Lawyers</b>	Ms Emma Leys Managing Partner, Property, Commercial, Finance, Government	1919	a) 1	10	8	3	6	<b>27</b>	50	Commercial, property, strata, building and construction, commercial dispute resolution, litigation, employment and workplace safety, insurance and risk, government, local government, private client including family law, wills, estate planning, trusts.

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# Martin off the bench and in the game

Wayne Martin's time as a judge has informed his new career as a mediator and arbitrator, and board member.

## Mark Beyer

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WAYNE Martin has been busy since his retirement as Western Australia's chief justice in July last year, with five new board roles resulting mostly from his time as a judge.

During his judicial career, Mr Martin learned how social disadvantage played out through the judicial system, particularly among Aboriginal people.

"When I first started as a judge, I'd be dealing with an armed robbery case and the lawyer would explain their client had been abused as a child," Mr Martin recalled.

"Initially I'd say 'What's that got to do with robbing a chemist shop?' and I came to realise it has everything to do with robbing a chemist shop."

Mr Martin's board roles include chairing Parkerville Children and Youth Care, which is focused on supporting victims of child abuse.

"Joining Parkerville is a consequence of what I saw in the courts," he said.

Mr Martin is also a director of EON Foundation, which is focused on improving Aboriginal health and lifting self-sufficiency by establishing vegetable gardens in remote communities.

He is also the patron of Tura New Music's regional program, through which mainstream musicians tour remote communities and work with Aboriginal musicians.

"Music for me is a bridge between cultures, a much easier bridge than language," Mr Martin said.

Mr Martin has also been appointed chair of the Harry Perkins Institute of Medical Research and a commissioner of the WA Football Commission.

The latter role reflects his love of football, but he also sees a community focus.

"It's the opportunity for community engagement that football provides that really interests me," Mr Martin said, adding that football clubs comprised the biggest network of community organisations in the state.

"My arrival is serendipitous because the commission is moving much more towards a community-based organisation.



**OUTCOMES:** Wayne Martin is pleased to see such strong demand for mediation services.

**“** One of the problems with judicial work is that you only see people in dispute with each other or who are alleged to have done bad things - Wayne Martin

"It's now encouraging WAFL clubs to see themselves as part of a broad-based community football structure.

"That's a significant shift."

Mr Martin said he was enjoying a fresh perspective on the world since he retired.

"One of the problems with judicial work is that you only see people in dispute with each other or who are alleged to have done bad things," he said.

"You tend not to see people who are doing

great things and getting on well with each other, so you can be a little jaded about humanity."

"I'm meeting a whole range of different and really interesting people who are doing great things."

The flurry of new board appointments has meant the 66-year-old Mr Martin has effectively been working full time.

His goal is to combine the board roles with his new 'day job' as a mediator and

## BOARD ROLES

- Harry Perkins Institute of Medical Research - *chair*
- Parkerville Children and Youth Care - *chair*
- EON Foundation - *director*
- WA Football Commission - *commissioner*
- Tura New Music regional program - *patron*

arbitrator, which includes advising the Insurance Commission of Western Australia on the long-running Bell Group dispute.

Mr Martin said he was a big fan of mediation and was gratified by the demand he had seen.

"One thing that has surprised me a little is the demand for mediation services, it's stronger than I thought it would be," he said.

"There is a real thirst for mediation services because commercial enterprises are jaded with litigation, whether you call it court litigation or arbitration."

"Despite the improvements that have been made it's very expensive, it takes a lot of time, effort and energy, and the outcome is uncertain."

"Whereas with mediation you only get a result if both parties agree."

"And it's much quicker and cheaper."

Mr Martin said his job as mediator included working with the parties to find the best approach.

This could range from a hands-off facilitative style where parties were encouraged to find a solution, to a quasi-adjudicative style where the mediator formed a view.

"If I express a view about likely outcomes and risks, I would expect people are more likely to give that more weight because of my experience and the seniority of the position I held," Mr Martin said.

"When I tell people litigation is a precarious business, no place for the faint hearted, hopefully they listen."

He said the court system had become a lot more efficient over the past 20 to 30 years, in part because it had become a lot more like an arbitral body.

Mr Martin said arbitration held most appeal for international disputes, where the parties wanted a neutral forum and capacity to enforce a decision.

# Legal Review

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