

Rebecca Lindhout

Special Counsel at McCullough Robertson

Belyndy Rowe, Senior Associate at Sainty Law, chats with **Rebecca Lindhout**, Special Counsel at McCullough Robertson.

Rebecca is Special Counsel in McCullough Robertson's Digital & IP Team. She acts across a broad range of TMT matters, including telco, media rights, sponsorship, talent, marketing, technology procurement and technology services agreements. She also advises on general commercial arrangements and the IP/IT aspects of corporate transactions. Rebecca obtained her law degree from Oxford University and trained at Slaughter and May in London, including on secondment to ITV. She also spent a number of years working at FOX SPORTS Australia.

BELYNDY ROWE: Did you always want this job? If so, what did you do to position yourself to get it? If not, how did your career path lead you here?

REBECCA LINDHOUT: Funnily enough, I didn't grow up wanting to be a lawyer. I studied law at uni because I knew it would open lots of doors, and then when I graduated from Oxford I was offered a grad role at Slaughter and May in London and so I started their 2 year program.

I went on secondment in my third rotation to one of the UK's main TV stations – ITV – and spent 6 months as a commercial lawyer in the sports space, negotiating sports rights deals and also acquiring some factual programming. After that, I knew I wanted to be a lawyer and to work in the TMT space. After a few years at Slaughters, I returned home to Sydney and soon found myself at Fox Sports which was definitely a dream role. I was exposed to the real commercial and strategic drivers behind a deal, got to work as part of a team which produced awesome content and services, and really felt like I was a part of the company (rather than an external legal cost).

Fast forward a few years and I made the very unusual decision to return to private practice. Despite the return to time sheets, I really enjoy



being in private practice for the mix of work – including across different areas and sectors – and having a range of clients that I get to work alongside.

ROWE: Are there any law reforms in your sector that you think are desperately needed? If so, what are they?

LINDHOUT: There are a couple of key areas I'm keeping a keen eye on.

First, the changes to defamation law – and in particular the long-term approach which is taken following the decision in *Voller*. With recent high profile defamation claims – including Christian Porter's commencement of proceedings this month, and the proliferation of information sharing through social media platforms – including pages facilitated by traditional news

outlets, it's an area which doesn't benefit from the fairly slow reforms process.

The other area which I'm watching is around the anti-siphoning list, the operation of which has just been extended for another 2 years. With both changes in consumption via TV compared to online, and the increase in digital streaming platforms (which are not caught by the regime), some change is definitely required. Recent data suggests that over 17 million Australians (about 80% of us) watch subscription services – and so the argument that premium content needs to be accessible on free-to-air TV is definitely worth reconsidering. Although I admit the market fragmentation – and potential need to have multiple subscriptions to access content is an issue – I don't

think that's a good enough reason to provide preferable treatment to free-to-air TV compared to pay TV in the current multi-platform environment.

ROWE: What's the best work-related advice you've ever received?

LINDHOUT: Definitely to surround yourself with really smart people in a place with good culture.

I love working as part of a team – I've always worked in roles where I was surrounded by smart people who wanted to help lift each other up, and I feel like that makes a huge difference. Whether it's someone who is helping teach you the finer points of a really technical argument, helping you with your negotiation skills, or as you get more senior, the ability to act in more of a mentoring role, it's definitely these 'soft' aspects of my job that keep me motivated. In my experience, the more people around you are focused on lifting each other up, the less room there is for petty politics. I think it's also the best way to achieve continued professional development in a pretty organic way.

ROWE: What energises you about work?

LINDHOUT: The best part of being a lawyer in this space is that the environment we're working in constantly changes – both because of changes in technology and media and also in the way people are interacting with that technology and media. No sooner do we get our heads around the way a piece of technology operates, and how it needs to be addressed from a regulatory and contract perspective, something new enters the market – whether it's new ways for people to interact with live content; the role of AI; a new market entrant which doesn't quite fit within the regulatory landscape; or a change to overseas regulations which has an impact on Australian businesses. It's great for keeping me on my toes.

That also means it's especially important to get to know our clients and their businesses and really understand their key drivers so that

advice continues to be relevant and appropriate – and I think that deeper client connection makes work more meaningful because you're doing more than negotiating an agreement, or providing advice, you're actually impacting your clients' experiences too which gives our jobs that human element which might otherwise be lacking if you spend a lot of your time behind a computer / negotiating over Zoom.

ROWE: What's the greatest risk you've taken as a professional?

LINDHOUT: I think probably moving in-house at the stage that I did (around 5-6 years). At the time, I was working in private practice in a team with really talented lawyers and interesting work. But when my recruiter called and said Fox Sports was looking for a new lawyer at my level, it was too good an opportunity to miss (even though stepping off the traditional law firm ladder seemed a bit scary at the time).

Moving in-house definitely exposed me to a greater range of matters – my background was in the M&A/TMT space and at Fox Sports the work ranged from pre-publication advice, negotiating talent agreements, cutting edge telco and technology deals, and of course the coveted media rights negotiations for a range of fantastic sports. It also gave me the opportunity to be fully embedded in the business – so the advice we were giving was commercially focused and strategically aligned (something which is a bit harder to achieve when you're a step removed in private practice). I also really enjoyed being part of a team – both legal and commercial – where we all had really diverse career experiences which meant we had a positive impact on the way each other approached tasks and worked together.

So, while at the time, stepping away from the traditional trajectory of law firm life seemed risky, it's definitely the step which has added the most depth to my working experience.

ROWE: If you could have dinner with any woman – living or passed, real or fictional, who would it be and why?

LINDHOUT: Since this is CAMLA, I'll focus on someone in the media space! I think it would have to be Liz Ellis. As a keen netballer, I grew up watching Liz Ellis play for the Swifts and the Diamonds. She always struck me as someone who was both a great leader and team player (not to mention an incredible defender). As with most of the Australian netball elite, there were never any scandals surrounding Liz's career – she is a world champion and did it with class (for want of a better word). Since retiring from netball, Liz has been a prominent netball commentator and seems to speak pretty candidly, even in relation to difficult topics. She's also not afraid to use her voice for good – evidenced just this week as she spoke out against sexist and derogatory comments made by Toby Rudolf.