

PROBLEM SOLVER

He is the man responsible for overseeing the privatisation of TAB, a former chairman of Energex and is on the national board of Minter Ellison – a firm that employs around 4000 staff. Minter Ellison senior partner Khory McCormick resolves disputes between some of Australia's largest private and public companies and lists Rio Tinto and Macarthur Coal as clients. As *Brisbane Legal* discovered, the 52-year-old is also equally as content practicing pro bono.

What are some of the challenges of retaining competitive edge in the legal sector given the current economic turbulence?

The downturn is producing a variety of pressures on firms and on the profession in the current market. The real challenge is to bring a depth of knowledge to your clients. If individuals have interest in a client's business in a meaningful way, the contribution they can make is more significant. Cost matters are important too and there's an increased sensitivity.

Firms that approached the boom situation in a balanced and measured way are well placed to get through this with their clients and there should be no material effect. It's also a different labour market, but the trick is to maintain areas through cycles of boom and bust.

Taking a long-term view with the portfolio of the business means having breadth as well as depth in your practice. We have a broad and deep practice, not deep and narrow, which is reflected by my own approach, to try and bring something extra. You need to stay close to your clients. Just because there's a recession, it doesn't mean that all of your clients are recessionary in their thinking.

Tell us a bit about your responsibilities within Minter Ellison's Commercial Advisory, Dispute Resolution and Government Law Groups.

What I do at Minters is a very broad church. I oversight and direct and keep the momentum. My area of practice covers both private and public interface that are a significant part of top end markets. We work with large corporates such as Rio Tinto Aluminium and Macarthur Coal as well as public space and government bodies. In that space we work in a mezzanine way, front, back and crossing over into other facets.

We also work with supply chains, railways and infrastructure pertinent to Brisbane. Then there's the Pharmaceutical Guild in NSW and we act on broad governance. In essence we operate in the problem-solving space where there are major corporate disputes. We are also working closely with Queensland mining companies in Asia, where we are seeing more flexibly drawn

contracts in the current era. It creates new mechanisms which to resolve disputes.

How have areas such as commercial litigation, banking litigation and insolvency shifted?

The change in commercial litigation has come about with banking clients. Off the back of a bad foreign currency period, the paradigm has changed. It's become much more resolution focused. Insolvency has been very quiet. You hear about the 'vanishing trial' with commercial litigation in the US. We are ADR specialists and client's focus is on avoiding disputes. The courts are successful in promoting ADR and have a role in driving it, but the market has moved on.

You were the chairman of Energex Limited from 2004 to 2006. What did you learn from that?

DID YOU KNOW?

- Khory McCormick was born in Ipswich
- He studied law at UQ
- Has been a partner at Minters since 1982
- Worked as an associate to Australian Chief Justice Sir Harry Gibbs in 1980
- Was on the Queensland Greyhound board
- Mentors mooters and lectures at Griffith University and UQ
- His two sons Kaerlin and Lachlan each snared hat tricks within weeks of one another, while daughter Emily is a skilled district soccer player and dancer.
- Kaerlin is also the world's No.1 school debating champion after winning in Korea last year.

Energex is a great company with great people. Bringing legal skills to that role is a great strength. Having the ability to conceptualise a problem brings with it a new set of issue management skills.

There's also a great strength in solicitors being in boards away from their practice. It gives a breadth of experience. You know how a client's chairman thinks and a practice can only benefit from knowing what's going on in the broader business community.

On a personal level, there is obvious leadership advantages and finding clarity around issues. Ultimately the decision rests with the client but the legal advice should be directed so clients can make measured and considered decisions.

What other public positions do you hold?

I'm on the national board at Minters and an honorary solicitor for a couple of charitable bodies including one for Huntington Disease, a nervous genetic disease that is debilitating and leads to the loss of motor skills. I'm also responsible for pro bono legal work for Green Cross Australia – founded by Mikhail Gorbachev – to foster a global values shift towards a sustainable and secure future.

There are other opportunities and invitations to join the boards of public companies but the challenge is to make sure that I contribute and give the appropriate time to the position.

How important is leadership and what constitutes a good leader in today's legal landscape?

It gives a sense of challenge and excitement. You can only up-skill by applying and you need to look for quality opportunities. I have a very strong commitment to that. The exciting thing for us is the calibre of people we are getting through the door. I was never told a mantra, but I developed one and it's that you have to continue to grow. If you're not growing, you're dying, both mentally and physically. There needs to be a complementary desire to be stretched. The secret is not to complicate but to simplify, and you have to like people.

