



HERBERT
SMITH
FREEHILLS



RECONCILIATION
ACTION PLAN
ELEVATE

RECONCILIATION ACTION PLAN

September 2018–September 2021



Acknowledgement of Country

Herbert Smith Freehills would like to acknowledge the Traditional Owners of the land where our Australian offices are based.

We would also like to acknowledge Elders past, present and emerging.

We seek to foster a culture of friendship and partnership between Herbert Smith Freehills and Aboriginal and Torres Strait Islander peoples, organisations and communities.



Our Leaders

Message from Reconciliation Australia

Reconciliation Australia congratulates Herbert Smith Freehills (HSF) on its past successes and ongoing commitment to advancing reconciliation as it adopts its second Elevate Reconciliation Action Plan (RAP).

The RAP program inspires social change in workplaces across Australia, generating economic and behavioural transformation with far-reaching, positive impacts. By raising the bar of its RAP ambitions, HSF continues to lead national reconciliation action in the law and justice sector.

HSF's RAP actions, including advocating for justice reinvestment and support of the Statement from the Heart, are contributing positively to national policy and legislative change conversations. This support strengthens the work of Aboriginal and Torres Strait Islander-led organisations and lends weight to the positions they hold.

On behalf of Reconciliation Australia, I congratulate HSF on adopting its second Elevate RAP, and look forward to following its future achievements.



Karen Mundine
CEO,
Reconciliation Australia



We are very proud of the evolution of our RAP work.

As we launch our fourth RAP, we should reflect on the progress we have made in our original vision of fostering a culture of friendship and partnership between our firm and Aboriginal and Torres Strait Islander peoples. We are deeply proud of becoming the first law firm to receive an "Elevate" RAP in 2015 and we are committed to continue leading in this area.

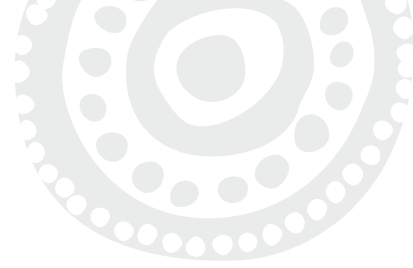
We have learnt that we can achieve the greatest impact when we work together, share our expertise and reach to lead and empower others. We will use this as a framework over the next three years as we continue to facilitate important reconciliation dialogue and relationship building across all sectors of business.

As Australia's leading commercial law firm, we are committed to making a significant contribution to the community. Our RAP work is central to this. We aim to make a difference by partnering with Aboriginal and Torres Strait Islander members of our community and using the skills and commitment of our people. Key areas we are focused on include access to justice, thought leadership and career opportunities. We look forward to continuing this work into the future.



Andrew Pike
Regional Managing Partner, Australia
Herbert Smith Freehills





Changing Landscapes

Over hot desert sands and through rocky stone country a journey begins. Similar to travelling through country, the legal journey can be complex and demanding. Through saltpan country, sacred sites are established and ceremonies performed. Landscapes change and pathways become easier to navigate. The law is established and these pathways allow travel for many more to follow, to bring knowledge, understanding and hope.

Paralleling the journey through country, the Herbert Smith Freehills journey begins at the centre of the artwork. The red and orange dots represent the arrival of Irish immigrants Patrick and Margaret Freehills to the shores of Sydney Town. The blue and white dots surrounding them represent their twelve children, two of whom, Bernard and Frank, would go on to study Law at Sydney University and start their own practice in Sydney Central Business District. From these beginnings Freehills flourished and the practice grew, first across Australia and now internationally as Herbert Smith Freehills. The corner elements that form pillars of the artwork represent Herbert Smith Freehills' core values: connect, collaborate, lead and excel.

Herbert Smith Freehills uses knowledge and insight to assist clients in their journey to the best possible outcomes. 'Changing Landscapes' represents a journey through diverse country and parallels the diverse legal landscapes Herbert Smith Freehills navigates with its clients.

About the Artist

Riki Salam, Principal, Creative Director and artist of We are 27 Creative developed 'Changing Landscapes' for Herbert Smith Freehills' first Reconciliation Action Plan. Riki was born and raised in Cairns on Yidinji land in 1972 and is a member of and connected to Kala Lagaw Ya - Western Island groups (St. Pauls - Moa Island), Kuku Yalanji Peoples on his Father and Grandfather's side and a member of the Ngai Tahu people in the South Island of New Zealand on his Mother's side. Educated in both Cairns and Brisbane he has over 20 years of industry experience as a graphic designer and artist.

Riki has worked on many high-profile projects including the Qantas painted Boeing 747/800, Yananyi Dreaming, produced artworks for Telstra, Origin, Woolworths, the Healing Foundation and the Australian Human Rights Commission to name a few. Riki also designed the identity for the G20 in 2014. He works in pen, ink and brush, gouache on paper, and with acrylic paints, exploring concepts of traditional culture in a contemporary format.

To view more of Riki's artworks visit www.weare27.com.au



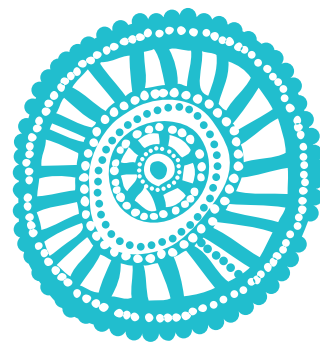
Changing Landscapes

Riki Salam, We are 27 Creative

Ink artwork paint up phase in the creative process before being digitally developed. Artist Riki Salam, We are 27 Creative studio, Brisbane, Queensland.

Our Vision

Our vision for reconciliation is to increase the representation of Aboriginal and Torres Strait Islander peoples in the legal profession and to help reduce their over-representation in the criminal justice system.



Over the next three years we commit to:

- taking a lead facilitation role in the development of an educational eco-system to nurture a pipeline of talent to significantly increase employment outcomes for Aboriginal and Torres Strait Islander peoples in the legal and corporate sectors;
- providing access to justice through pro bono legal advice and representation, in particular for the most vulnerable young people at risk of incarceration; and
- advocating actively for justice reinvestment and constitutional reform.

Self-determination

At Herbert Smith Freehills we seek to create a safe space where the aspirations of our Aboriginal and Torres Strait Islander clients can be expressed and supported. We want to empower our clients to navigate their own pathways towards a better future.

Our guiding principles to ensure cultural legitimacy in all of our RAP relationships are to:

- listen carefully to Aboriginal and Torres Strait Islander voices before we speak or act;
- speak out in support of Aboriginal and Torres Strait Islander led solutions and empowerment; and
- always act in partnership with Aboriginal and Torres Strait Islander individuals, organisations and communities.

As legal advisors, we have a distinct relationship with our clients. We have a legal duty to act under instructions and in our clients' best interests, sometimes confidentially or behind the scenes. We seek to be truly responsive to our clients' legal and strategic needs. For that reason, our RAP focuses on client relationships as this is the area we can have the greatest impact.

Our leadership role

Our clients tell us that we are at our best when we are using our expertise, networks and resources to provide a point of connection for new projects and relationships between Aboriginal and Torres Strait Islander communities and potential collaborators in the public, philanthropic, corporate, legal and non-profit sectors.

Over the next three years we aim to facilitate a vibrant cross-sector dialogue across four key thought leadership projects. These projects have been selected as they are a close fit for our expertise and each advance multiple dimensions of reconciliation.



Constitutional reform



As legal professionals, we are in a unique position to be able to assist in distilling the complexity of the debate around constitutional reform so it is readily understood. This enables our colleagues, families, clients and networks to better understand and consider the issues at stake.

Leverage RAP knowledge



We commit to sharing everything we have learned on our RAP journey with other law firms, corporates and non-profit clients.

We broaden our impact by building the capacity of others to act with cultural sensitivity, confidence and care.

Empowering remote communities



Our aim is to support the vision of Binarrri-binya-yarrowoo (BBY) and its member organisations for the East Kimberley: to be a region with a sizeable Aboriginal population consisting of high-functioning families who own their own homes, who have well-educated children, who participate equally in the economy and who value their culture. In this society, the five social norms of the Empowered Communities' model are embedded in individuals, families and the community.

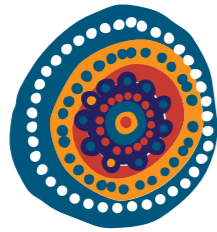
Justice reinvestment advocacy



In order to fulfil our vision to reduce Aboriginal and Torres Strait Islander over-representation in the criminal justice system, Herbert Smith Freehills will advocate for justice reinvestment - a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can reduce crime and strengthen communities.

DIMENSIONS OF RECONCILIATION ICONS:





Our RAP Journey

Our business

Operating from more than 27 offices across Africa, Asia-Pacific, Europe, Middle East and North America, our firm provides premium quality full-service legal advice. Globally, our firm employs over 4,900 staff with around 2,927 lawyers including 474 partners. In Australia, we employ around 1,700 staff across 5 offices with around 900 lawyers including 166 partners.

Currently 1% of Australian staff identify as Aboriginal or Torres Strait Islander. This is perhaps lower than might typically be expected of an ELEVATE RAP organisation as our efforts to increase Aboriginal and Torres Strait Islander participation in the legal profession have gone beyond our own footprint. Herbert Smith Freehills takes a sector wide view of success. We assisted CareerTrackers to recruit 13 other law firms to its ground-breaking legal internship program that has since provided over 200 legal internship opportunities at firms and in-house teams across Australia. We are so proud that many Herbert Smith Freehills and other CareerTrackers interns have qualified as lawyers at other firms and taken up corporate roles.

Herbert Smith Freehills RAP Steering Committee 2018:

- Sue Gilchrist, Chair and Partner
- Andrew Pike, Regional Managing Partner, Australia
- Shelley Reys AO, CEO, Arrilla Indigenous Consulting and Partner, KPMG Indigenous Services
- Ante Golem, Partner
- Brooke Massender, Head of Pro Bono
- Rebecca Benfield, Pro Bono & Citizenship Manager

Our Elevate RAP Steering Committee

Our ELEVATE RAP Steering Committee (2015–2017) had the benefit of executive leadership from former Regional Managing Partners Jason Ricketts and Sue Gilchrist and a range of partners and senior leaders including Mel Cave (Partner), Mal Cooke (Partner), Brooke Massender (Head of Pro Bono & Citizenship, Australia and Asia) and Rebecca Benfield (Pro Bono & Citizenship Manager). We also enjoyed strategic guidance and friendship from our external consultants Natalie Walker (2012–2016) and Shelley Reys AO (from 2016).

Our RAP Steering Committee sets the strategic direction of our 'whole of business' engagement with Aboriginal and Torres Strait Islander clients and communities and draws heavily on advisory input from our Aboriginal and Torres Strait Islander employees, clients, local RAP Champion networks and CareerTrackers interns in each of our Australian offices.

Herbert Smith Freehills RAP milestones

1999

Indigenous Enterprise Partnerships (now Jawun)
– established (*pro bono*)

2006

Koorie Heritage Award
– John Emerson

NSW Aboriginal Trust Fund Repayment Scheme
– casework (*pro bono*)

Clontarf Aboriginal College
– established (*pro bono*)

2004

Rosemary Bishop Scholarship Foundation
– established (*pro bono*)

NSW Aboriginal Trust Fund Repayment Scheme
– advocacy regarding establishment (*pro bono*)

2005

Yalari Limited
– established (*pro bono*)

2007

Clontarf Foundation
– established (*pro bono*)

Djarragun College Foundation
– established (*pro bono*)

2008

Supply Nation (formerly Australian Indigenous Minority Supplier Council) (AIMSC) – established (*pro bono*)

2009

National Centre of Indigenous Excellence, Redfern – established (*pro bono*)

2010

NSW Aboriginal Trust Fund Repayment Scheme – Kinchela Boys Home group claim (*pro bono*)

Provided first Jawun secondees to the East Kimberley region

Supply Nation member (formerly AIMSC)

2011

Freehills RAP #1 launched
CareerTrackers Indigenous Internship Program pilot

2012

Aboriginal Trust Fund Repayment Scheme concludes
– 47 clients, 75 matters (*pro bono*)

2013

Herbert Smith Freehills RAP #2 launched

Empowered Communities Reform agenda launched

2014

Herbert Smith Freehills hosts legal profession Indigenous Tertiary Education and Employment Boardroom Lunch with Minister Dominello

2015

Herbert Smith Freehills RAP #3 launched (ELEVATE)

Herbert Smith Freehills submission to the Inquiry into Reparations for Stolen Generations

Signed a 10 year commitment with CareerTrackers Indigenous Internship Program

2016

BBY (Empowered Communities backbone organisation) in the East Kimberley
– established (*pro bono*)

Bangarra Dance Theatre partnership developed

50th Jawun secondee to the East Kimberley region

2017

Engaged Arrilla Digital

GO Foundation partnership developed

Stolen Generations compensation scheme announced by NSW government

Herbert Smith Freehills Access to Justice 2015-2017 Impact

\$ **4.2** million
pro bono legal
support

12,695 hours

90 clients

Herbert Smith Freehills
takes a sector wide view
of success.

10 year
partnership with
CareerTrackers

13
interns

Access to Arrilla
Digital cultural
competency
training

26
Jawun secondees

Elevate RAP (2015-2017) Impact



The leadership focus of our first ELEVATE RAP was Access to Justice.

We have made significant progress towards meeting our commitments and realising access to justice for Aboriginal and Torres Strait Islander clients.

Pro bono legal

We committed to provide up to \$5 million in pro bono legal support for Aboriginal and Torres Strait Islander clients over three years. This was a stretch target for us and in fact we provided \$4.2 million from 2015-2017.

The Shopfront Youth Legal Centre

Aboriginal and Torres Strait Islander young people comprise approximately 20% of all clients and over 40% of our current victims' compensation caseload. In addition, the Shopfront has a strong focus on areas of law which disproportionately affect Indigenous Australians, including police powers.

Justice Reinvestment

Jacki Maxton (Senior Associate) represented The Shopfront Youth Legal Centre on the Just Reinvest NSW Steering Committee and contributed to the Just Reinvest policy papers including the Key Proposals #1 – Smarter Sentencing and Parole Law Reform launched at NSW Parliament House in August 2017. Further policy papers are to be delivered in 2018.

Supporting survivors of violent crime

We prepared victims of crime applications and appeals for vulnerable Aboriginal young people and women subjected to domestic and sexual abuse.

Other highlights include:

Employment

As well as hosting 18 interns, we worked closely with CareerTrackers Indigenous Internship Program to provide pro bono legal services and to recruit new law firms and other corporates, expanding the opportunities for Aboriginal and Torres Strait Islander interns within the legal profession. We also laid the foundations for a 10 year partnership with CareerTrackers.

Capacity Building

We provided 26 Jawun secondees or 156 weeks of capacity building to Indigenous organisations in the East Kimberley including in relation to the Empowered Communities reform agenda. Binarri-binyja-yarrowoo (BBY) performs a secretariat function and works closely with the Indigenous leadership groups in the East Kimberley. We have acted pro bono for BBY on charitable tax exemption applications, employment advice and policies and procedures.

Cultural competency

We were the first law firm to offer all our staff access to Arrilla Digital, the first cultural competency product to be endorsed by Reconciliation Australia. We have seen a cultural shift in terms of proactive engagement by partners and staff in seeking out information on how to Acknowledge Country. The most recent intake of global partners received a Welcome to Country at their partner induction.

Elevate RAP (2015-2017) Client Listening

A consistent theme from our ELEVATE client listening is that our clients value our solution focus, our ability to see beyond the immediate possibilities and to facilitate cross-sector collaborations to push boundaries in partnership with our clients:

HSF get what we do and the organisation demonstrates this in every dealing and engagement with our program. **The organisation goes above and beyond the expectations of our partnership** and they show how committed they are to our vision through the opportunities it creates in employment, training, pro bono support, hosting important gatherings and engaging its staff in CareerTrackers activities.

Adam Davids, Director, Learning, CareerTrackers Indigenous Internship Program

Always seeking to understand the context of a partnership organisation's values, beliefs, working capacity and desired outcomes. Working in partnership to create a mutually beneficial relationship.

Gary O'Brien, Student Development Coordinator, Yalari

Herbert Smith Freehills always asked us, **"What else can we do?"** And we were always honest with them about what we needed - and what we didn't.

Llew Mullins, Managing Director, Yalari

HSF get it. Getting time with the Pro Bono team is always inspiring and motivating. **They encourage us to think outside the square and consider the bigger picture.** Bangarra and HSF's relationship isn't about funding - it's about intellectual collaboration.

Kitty Walker, Director Development, Bangarra Dance Theatre

HSF do things the right way with integrity, inclusiveness with a willingness to listen and learn.

Riki Salam, Director, We are 27 Creative

HSF have created real opportunities for organisations to grow and develop as a result of the investment their staff have made in helping to build capacity and capabilities.

Michele Pucci, Regional Director, East Kimberley, Jawun

Since 2010, this mutually respectful partnership has provided tremendous outcomes and the enduring nature of our relationship has created much respect across a broad stakeholder group. **Consistently open to supporting new opportunities as they arise.** Provide outstanding expertise in supporting a variety of opportunities.

Karyn Baylis, CEO, Jawun

HSF's relationships are long, deep and connected and their partners (Aboriginal organisations) always speak with great warmth, sincerity and admiration about their relationship with HSF. **I love opportunities to work with the HSF pro bono team who are always open to collaborating and they share the same values as our RAP team,** particularly around respecting the rights of Aboriginal and Torres Strait Islander people to exercise self-determination. HSF's approach is led by the cultural advice and sensitivity of their Aboriginal and Torres Strait Islander partners and stakeholders.

Liz Potter, Head of Indigenous Affairs, Building, Lendlease

Elevate RAP (2015-2017) Key Learnings

In our Elevate RAP we built on the foundations of trust and friendship laid during our first and second RAPs from 2011-2015.

Our signature commitment was to increase access to justice through providing pro bono legal services for Aboriginal and Torres Strait Islander clients. A major milestone was the release of the NSW Government response to the report of the Inquiry into Reparations for the Stolen Generation in New South Wales. As urged in Herbert Smith Freehills' submission to the Inquiry, the response was holistic with a total reparations package of \$73.8 million. Furthermore, the response adopted some of our more specific submissions around funeral funds and access to records.

We made good progress in core leadership projects. We were proud to see many of our early cohorts of CareerTrackers interns settle into graduate roles and clerkships with a range of global and national firms and corporates.

We followed the journey towards constitutional reform, culminating in the Uluru Statement from the Heart and we hope to facilitate further dialogue on this topic within corporate Australia.

We also did an enormous amount we hadn't planned on. This is a timely reminder that we need to listen and remain open-minded and flexible as we continue our reconciliation journey. For example, we developed new relationships with the GO Foundation and Bangarra Dance Theatre as well as hosting a range of corporate RAP roundtables to share knowledge.



HSF seeks to be flexible and responsive to what their RAP partners need. This means that HSF can grab opportunities when they see them, tweak plans when they have to and always be solutions-based. The alternative would be to stick to a strict set of activities - and that wouldn't represent leadership, in my view.

Shelley Reys AO, CEO, Arrilla Indigenous Consulting and Partner,
KPMG Indigenous Services

We recognise that we had most impact when operating collaboratively to have cross-sector influence. Accordingly over the next three years we will be spending more time and focus on thought leadership activities.

In other areas we did not achieve as much as we had hoped in the timeframe and we are aiming to do more in these areas in the next year and beyond. These areas include supporting Indigenous businesses with pro bono legal support - while many pro bono referrals were insufficiently developed to pose a clear legal question, we remain keen to develop this area and we are open to referrals.

We are aiming to do more in the area of supplier diversity and providing Aboriginal and Torres Strait Islander businesses with pro bono legal support.

Elevate RAP (2018-2021)



Building relationships through Thought Leadership

Strong and honest relationships with Aboriginal and Torres Strait Islander peoples, organisations, businesses and communities are the foundation for creating trust and working together to effect change.

Our clients have told us that we are at our best when we are using our expertise, networks and resources to provide a point of connection for new projects and relationships between Aboriginal and Torres Strait Islander communities and potential collaborators in the public, philanthropic, corporate, legal and non-profit sectors.

HSF's deep connections into a number of vastly different networks including corporate, Indigenous and NGO means that it is in a unique position to connect organisations like GO. HSF has shared these connections and knowledge openly with us and our Ecosystem partners.

Shirley Chowdhary, CEO, GO Foundation

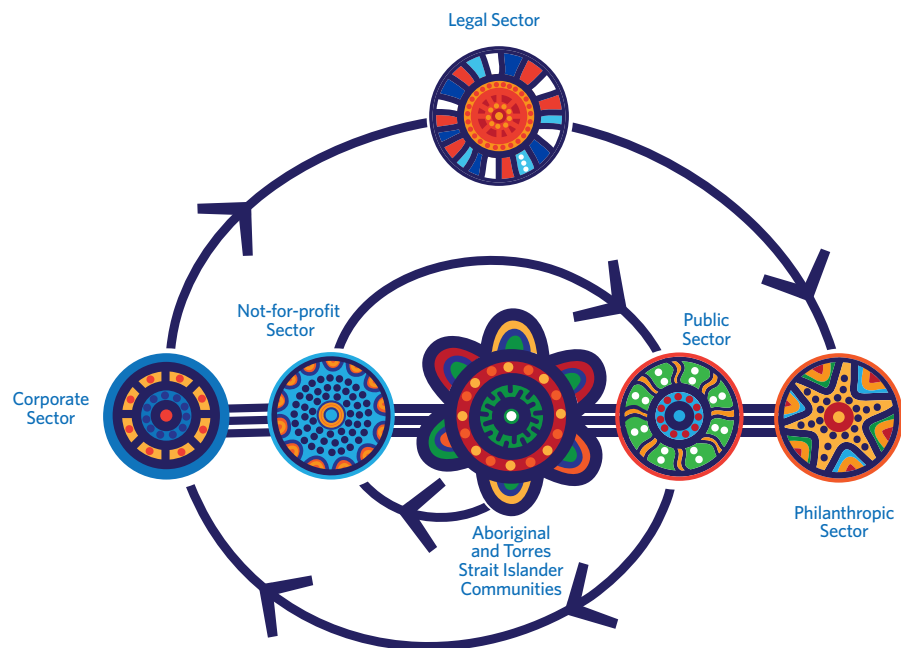
We commit to sharing everything we have learned on our RAP journey with other law firms, corporates and non-profit clients. We broaden our impact by building the capacity of others to act with cultural sensitivity, confidence and care.

Over the next three years we will be increasing our time and focus on thought leadership activities. In Australia we will apply our minds and resources to advance the national dialogue around justice reinvestment, constitutional reform and Empowered Communities. We will also seek opportunities to leverage RAP knowledge across our global network.



Building relationships through thought leadership:

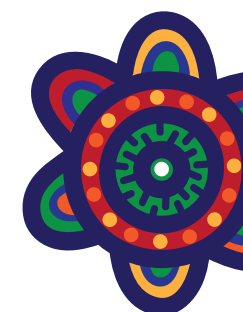
The diagram represents equality through exchange of knowledge, building connections and working together to achieve the desired outcomes.



Thought Leadership Projects

We aim to facilitate a vibrant cross-sector dialogue across four key thought leadership projects.

These projects have been selected on the basis that they are a close fit for Herbert Smith Freehills' pro bono expertise and will each advance multiple dimensions of reconciliation as symbolised below.



1. Justice Reinvestment advocacy.



In order to fulfil our vision to reduce Aboriginal and Torres Strait Islander over-representation in the criminal justice system, Herbert Smith Freehills will advocate for justice reinvestment – a data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can reduce crime and strengthen communities.

We aim to achieve policy change whereby in three year's time there is more funding for place based justice reinvestment projects, potentially supported by new technologies, that measurably reduce incarceration rates and improve wellbeing in those communities.

Herbert Smith Freehills will provide a range of resources into the design, advocacy and implementation phases of the justice reinvestment approach.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>Herbert Smith Freehills will:</p> <ul style="list-style-type: none"> • Provide specialist criminal law input at strategic planning meetings and Annual General Meetings of Just Reinvest NSW as scheduled each year. • Advocate publicly, for example in support of the implementation of the recommendations of the Australian Law Reform Commission Report: Pathways to Justice—Incarceration Rate of Aboriginal and Torres Strait Islander Peoples. • Explore the potential use of digital platforms or similar technologies to reduce the causes of incarceration such as infringements and breaches of bail. 	<p>Head of Pro Bono Pro Bono team The Shopfront Youth Legal Centre</p>	<p>Review annually in September</p>

DIMENSIONS OF RECONCILIATION ICONS:



2. Constitutional reform.



As legal professionals, we are in a unique position to be able to assist in distilling down the complexity of the debate around constitutional reform so it is readily understood. This enables our colleagues, families, clients and networks to better understand and consider the issues at stake.

We aim to further broaden our impact by encouraging other law firms and businesses to discuss constitutional reform openly and with cultural sensitivity, confidence and care.

We aim to encourage further detailed consideration of the Aboriginal and Torres Strait Islander views and voices expressed with clarity, consistency and urgency in the Uluru Statement such that in three year's time we can see evidence of progress in relation to Voice, Treaty and Truth in practice.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>Herbert Smith Freehills will:</p> <ul style="list-style-type: none"> Listen carefully to determine how best to lend in principle support for Aboriginal and Torres Strait Islander peoples in the efforts to give effect to the Uluru 'Statement from the Heart'. Lead a dialogue around constitutional reform in the wider community including through the Business Council of Australia's Business Indigenous Network, Legal Profession Reconciliation Network and broader RAP networks. For example, by making submissions to Parliamentary Committees and raising awareness by hosting internal panel events and encouraging attendance at external events. 	<p>Head of Pro Bono Pro Bono & Citizenship Manager Pro Bono Team RAP Champions</p>	<p>Review annually in September</p>

3. Empowering Remote Communities.



Empowered Communities is a transformational reform agenda that aims to empower communities by empowering people. Consistent with the idea of self-determination, Aboriginal and Torres Strait Islander people themselves should be empowered to have greater influence and control over decisions that impact their lives.

Our aim is to support the vision of Binarri-binyja-yarrawoo (BBY) and its member organisations for the East Kimberley: to be a region with a sizeable Aboriginal population consisting of high-functioning families who own their own homes, who have well-educated children, who participate equally in the economy and who value their culture. In this society, the five social norms of the Empowered Communities model are embedded in individuals, families and the community.

In partnership with Jawun, Herbert Smith Freehills will contribute secondees, skills and resources to the ambitious Empowered Communities strategic reform agenda in the East Kimberley.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>For example Herbert Smith Freehills will:</p> <ul style="list-style-type: none"> Provide 8-12 legal and business services secondees for at least 6 weeks each per year to support Jawun to build capacity; and Support Jawun and its partner organisations such as Wunan with pro bono legal support and in-kind support such as hosting key alumni events. 	<p>Pro Bono & Citizenship Manager Pro Bono Team Jawun secondees</p>	<p>Review annually in December</p>

4. Leverage RAP knowledge nationally and internationally.



We commit to sharing everything we have learned on our RAP journey with other law firms and corporate and non-profit clients in Australia and overseas. This will build capacity within legal and RAP networks and increase their effectiveness and impact when partnering with Aboriginal and Torres Strait Islander groups.

We aim to be in a position to reflect with Reconciliation Australia in three year's time that we have challenged a broad range of organisations to listen more, think more and act in partnership with Aboriginal and Torres Strait Islander communities with confidence.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>Herbert Smith Freehills will:</p> <ul style="list-style-type: none"> On request, partner with Reconciliation Australia to conduct 'Think Tank' workshops to formulate key aspects of RAP policy and/or mentor ASX 50 and NFP organisations developing RAPs. Meet 1:1 to share RAP knowledge with at least 10 Australian corporate clients and community organisations annually. Convene legal and corporate RAP Roundtable discussions annually to promote a collective dialogue. Explore opportunities to share RAP knowledge and contacts across the Herbert Smith Freehills global network (e.g. in South Africa) and report findings to Reconciliation Australia. 	<p>Head of Pro Bono Head of Citizenship Pro Bono & Citizenship Manager</p>	<p>Review annually in September</p>



Jawun Executive Visit 2018 - Herbert Smith Freehills secondees Melanie Houlahan and Madeleine Codey with Regional Managing Partner, Australia, Andrew Pike Credit: Jawun

DIMENSIONS OF RECONCILIATION ICONS:



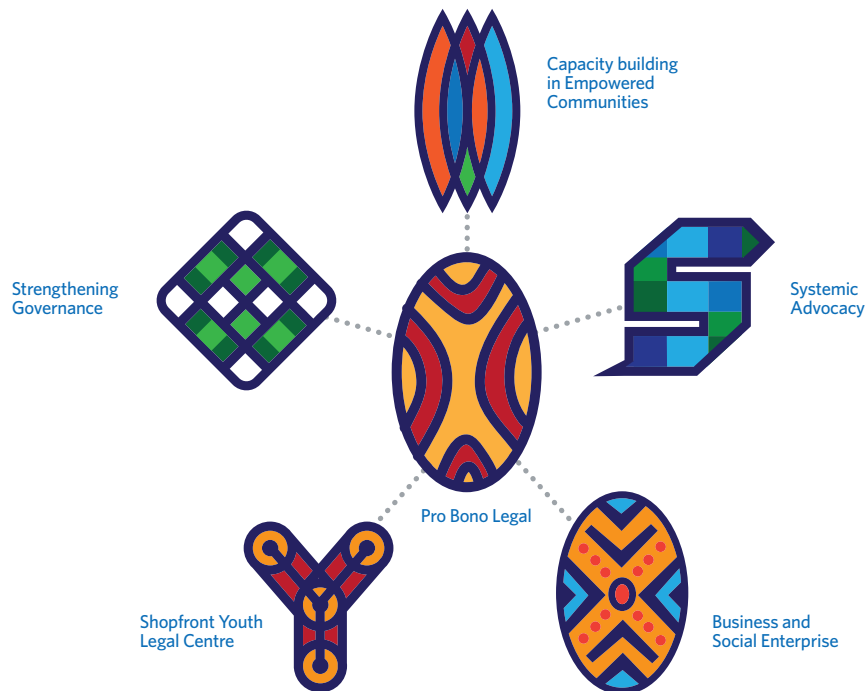
Access to Justice

As a leading global law firm, we can have the most impact by using our expertise and resources in the pursuit of equal access to justice and inclusion for Aboriginal and Torres Strait Islander peoples.

We assess eligibility for pro bono legal support on the basis of expertise, capacity, conflicts and impact. **If we can help, we will.**

Our signature commitment is to provide up to \$5 million of pro bono legal services to Aboriginal and Torres Strait Islander clients across a range of practice areas including:

- **Capacity building and strategic reform** – e.g. advising Jawun and Binarrri-binyja yarrowoo Aboriginal Corporation (BBY).
- **Advocacy for individuals with systemic issues** – e.g. assisting Stolen Generations survivors and vulnerable young people.
- **Supporting Aboriginal and Torres Strait Islander businesses and social enterprise** – e.g. advising Supply Nation certified suppliers on privacy, services agreements and employment advice.
- **Strengthening Aboriginal and Torres Strait Islander governance** – e.g. advising on corporate structure, board issues and charitable tax exemptions.



5. Provide pro bono legal advice and representation to Aboriginal and Torres Strait Islander organisations, businesses and individuals on request.



TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> • Provide legal services and representation to Aboriginal and Torres Strait Islander clients to the value of up to \$5 million over three years (2018-2021). Report annually to Reconciliation Australia on progress. • Acting annually for over 100 Aboriginal and Torres Strait Islander young people with a range of legal and social issues at The Shopfront Youth Legal Centre, a longstanding partnership between Herbert Smith Freehills, Mission Australia and The Salvation Army. • Providing access to Herbert Smith Freehills' legal and other skills based training tailored to our partner organisations: e.g. HR training with CareerTrackers and company law basics workshops with Kanyirrinpa Jukurpa. 	Head of Pro Bono Pro Bono Team Pro Bono & Citizenship Manager Shopfront Youth Legal Centre Team	Review annually in July



Our lawyers in action at Court

DIMENSIONS OF RECONCILIATION ICONS:



Education and Employment Opportunities

In order to provide the best opportunities for Aboriginal and Torres Strait Islander people, Herbert Smith Freehills will continue to commit to increasing Aboriginal and Torres Strait Islander education, business skills training and employment.

Herbert Smith Freehills recognises that this begins with providing opportunities to Aboriginal and Torres Strait Islander primary, high school and university students so they have the support to fulfil their potential.

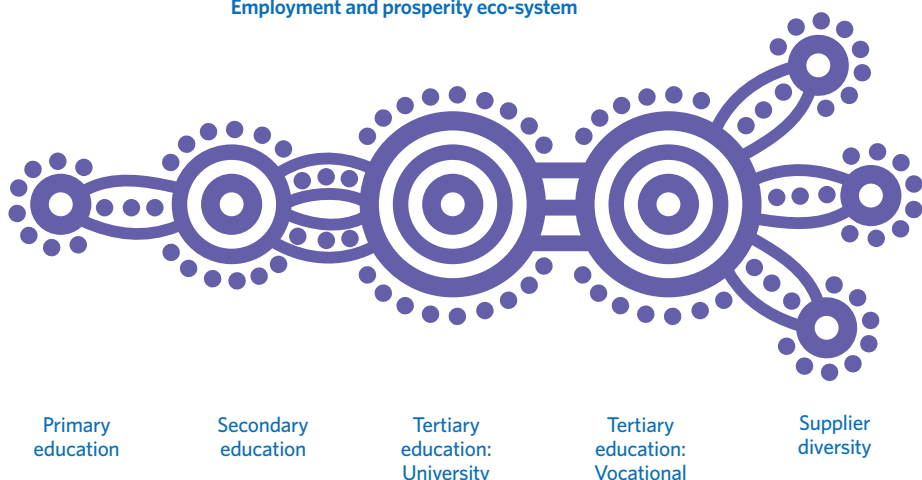
HSF created opportunities I would not have had access to and also provided me with the skills and confidence needed to succeed as a young Aboriginal graduate.

Aaron Lowth, Contracts Administrator, Lendlease Building Pty Ltd

Research shows that further education feeds into a range of well-being indicators including increased employment prospects and earning potential. Further education also reduces the incidence of engaging in risky behaviour and contact with the criminal justice system.

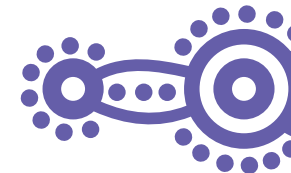
Herbert Smith Freehills has also continued to commit to supplier diversity as this opportunity promotes a vibrant and prosperous Aboriginal and Torres Strait Islander enterprise sector which in turn helps to increase employment within the Aboriginal and Torres Strait Islander communities.

Employment and prosperity eco-system



It is readily acknowledged that Aboriginal and Torres Strait Islander peoples are under-represented in the legal profession and over-represented in the criminal justice system. A critical factor in reversing that trend will be to increase the level of Aboriginal and Torres Strait Islander participation across all facets of the legal profession.

It is not always possible to specifically predict the needs of our major Aboriginal and Torres Strait Islander clients over a three year period. We need to be respectful of their vision of self-empowerment and responsive to their legal and strategic needs.

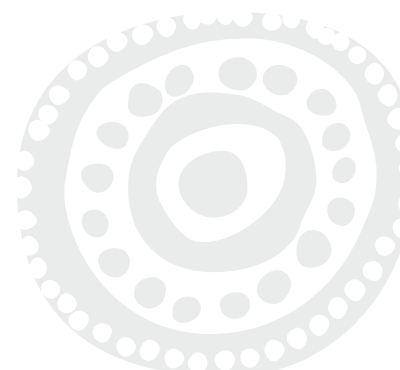


6. Develop key partnerships to provide support to Aboriginal and Torres Strait Islander students in the public school sector.

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Develop a partnership with the GO Foundation to provide opportunities for Aboriginal and Torres Strait Islander students in the public school sector. Each year identify opportunities to provide financial, pro bono, strategic guidance, networking and in-kind assistance to the GO Foundation and pathways for GO scholars interested in a career in law. 	Head of Pro Bono Pro Bono & Citizenship Manager Pro Bono Team	Review partnership annually in March

7. Develop key partnerships to provide support to Aboriginal and Torres Strait Islander high school students.

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Partner with Clontarf and Yalari to provide annual mentoring, tutoring, business skills and social networking opportunities to Aboriginal and Torres Strait Islander High School students. Each year identify opportunities to provide financial, pro bono and in-kind assistance to organisations that work to enhance educational outcomes for Aboriginal and Torres Strait Islander students such as Yalari and Clontarf. 	Pro Bono & Citizenship Manager RAP Champions Community volunteers	Review partnership annually in March



Herbert Smith Freehills Careers Fair for Indigenous students

DIMENSIONS OF RECONCILIATION ICONS:



8. Develop key partnerships to provide support to Aboriginal and Torres Strait Islander university students.



TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Explore partnering with the University of New South Wales to provide financial assistance and specialised vocational and skills-based workshops to assist Indigenous law students. Develop new opportunities with Kulbaradi Aboriginal Centre at Murdoch University to provide skills-based workshops and mentoring to assist Indigenous students. 	RAP Champions Community volunteers	Review partnership annually in March

9. Lead legal sector engagement with the CareerTrackers Indigenous Internship Program.

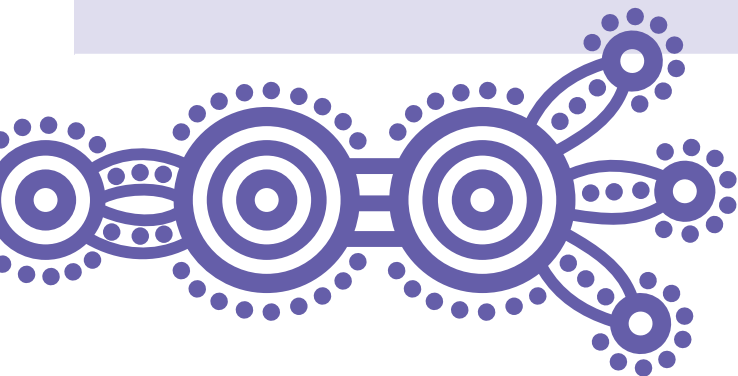


TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Host up to 10 interns each year in legal and business services roles. Leverage networks and provide mentoring to support interns to obtain graduate or direct employment, whether at Herbert Smith Freehills or another employer of their choice. Provide pro bono legal services to CareerTrackers on request. Each year provide strategic guidance to support the CEO, including attracting other law firms and corporates to the program. Each year provide capacity building support to all CareerTrackers interns and staff including, but not limited to, mentoring, legal skills training, participation at Leadership Development Institute or other CareerTrackers and alumni events through use of skills, networks and facilities. 	Graduate Recruitment Team Pro Bono & Citizenship Manager Head of Pro Bono Pro Bono Team	Review annually in line with 10x10 agreement

10. Provide mentoring and support to Aboriginal and Torres Strait Islander law graduates.



TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Work with CareerTrackers to develop a new Aboriginal and Torres Strait Islander professional mentoring network to support alumni in the legal sector. 	Pro Bono & Citizenship Manager Graduate Recruitment Team RAP Champions	Aim to launch during 2019



11. Increase Aboriginal and Torres Strait Islander employment opportunities across the legal and corporate sectors.



TARGET	RESPONSIBILITY	TIMEFRAME
<p>Develop and implement an employee engagement and retention strategy comprising 3 key elements:</p> <ul style="list-style-type: none"> Engage with existing Aboriginal and Torres Strait Islander staff to consult on retention strategies, including professional development. Set a graduate employment target for Herbert Smith Freehills' CareerTrackers alumni of at least 3 new graduate roles per year whether at Herbert Smith Freehills or in other organisations. Work with HR and Recruitment Managers to explore opportunities for Aboriginal and Torres Strait Islander employees through Supply Nation accredited Indigenous Recruitment providers. 	Pro Bono & Citizenship Manager Resourcing Manager, Australia Procurement Team	Review annually in September

12. Support supplier diversity to promote a vibrant and prosperous Aboriginal and Torres Strait Islander enterprise sector.



TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Purchase goods or services from Supply Nation suppliers at least 4 times each year. Enter \$150,000 of contracts over 3 years (2018-2021). Procurement team to attend Supply Nation Connect trade show each year and promote procurement opportunities to Aboriginal and Torres Strait Islander businesses. Refer at least one supplier to another business within our corporate network. Membership of Supply Nation and provide pro bono legal services to Supply Nation. 	Procurement Team Pro Bono & Citizenship Manager Pro Bono Team	Review annually in September



Herbert Smith Freehills staff at the 2018 CareerTrackers Gala Dinner

Respect and Cultural Engagement

Herbert Smith Freehills is a place where Aboriginal and Torres Strait Islander peoples and cultures are welcome and respected.

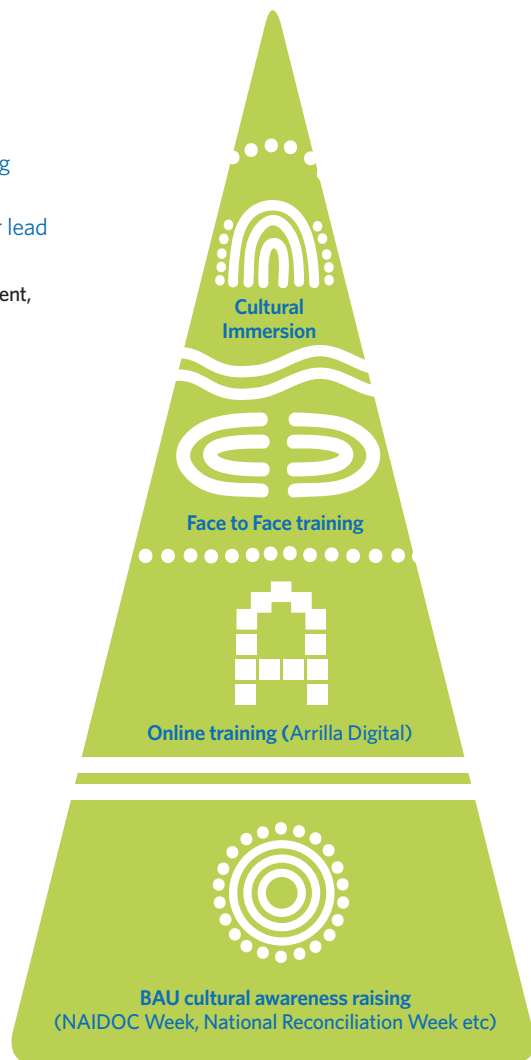
We encourage staff to engage with their local Aboriginal and Torres Strait Islander communities and to increase their knowledge of Aboriginal and Torres Strait Islander cultures.

We encourage Herbert Smith Freehills people to be champions for reconciliation amongst their clients, colleagues, family and friends.

We are proud to continue to implement a cultural engagement strategy in partnership with specialist service providers such as Arrilla Indigenous Consulting. The strategy prioritises senior leaders, Jawun secondees, CareerTrackers hosts and RAP champions for face to face training. Online training is also available more broadly.

HSF is always open to thinking about new opportunities to collaborate and have input, or lead and provide guidance.

Kitty Walker, Director Development, Bangarra Dance Theatre



Dark Emu - Bangarra; Sydney Opera House Credit: Daniel Boud

13. Display respect and appreciation to Australia's First Peoples by continuing to use Acknowledgement of Country and Welcome to Country protocols.



TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Ensure Acknowledgement of Country and Welcome to Country protocols and contact lists are accessible and followed by senior management at official internal and external events annually, such as: Managing Partner Town Hall events, client events, Diversity Week events, NRW and NAIDOC week events, annual pro bono lunch and community committee events etc. Display an Acknowledgment of Country plaque at each of our 5 Australian offices. Engage authorised local Aboriginal people to conduct Welcome to Country. 	Senior Management Client Services RAP Champions	BAU

DIMENSIONS OF RECONCILIATION ICONS:



14. Continue to implement a cultural engagement strategy in partnership with specialist service providers.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>Refine our cultural engagement strategy to include a tiered approach featuring:</p> <ul style="list-style-type: none"> • Access for up to 12 participants to 1 week cultural immersion in partnership with Jawun. • In-person half day cultural competency workshops for up to 80 staff across each of our 5 Australian offices annually (with priority access to teams engaging with CareerTrackers interns). • An invitation for at least one external RAP partner organisation or client to access face to face cultural competency training with Herbert Smith Freehills annually. • Access to Arrilla Digital's one hour online Indigenous Cultural Competency Course for all Australian based staff, with compulsory participation for Australian Regional Executive (ARX) leaders. • Access to a range of educational resources including an internally produced CLE module on the legal context behind the Stolen Generations to promote historical acceptance, with target participation of 75% of all Herbert Smith Freehills Australian lawyers. CLE module to be openly available for use by other firms, community legal centres and in-house legal teams. <p>Participation will be reported to Reconciliation Australia annually.</p>	<p>Learning and Development Team Pro Bono & Citizenship Manager Regional Managing Partner, Australia Chair, RAP Steering Committee</p>	<p>Review annually in September</p>

15. Partner with Bangarra Dance Theatre to support its mission to create inspiring experiences that change the cultural landscape.

TARGET	RESPONSIBILITY	TIMEFRAME
<p>Each year identify opportunities to provide financial, pro bono, strategic guidance and in-kind assistance to Bangarra Dance Theatre.</p>	<p>Head of Pro Bono Pro Bono & Citizenship Manager</p>	<p>Review annually in March</p>

16. Continue to celebrate National Reconciliation Week nationally.

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> • Hold at least one event in each of our 5 Australian offices to celebrate National Reconciliation Week (NRW) each year, engaging RAP partners as guest speakers and Supply Nation certified suppliers where possible. • Register each NRW event on Reconciliation Australia's website. • Promote the Reconciliation Australia's Share our Pride online tool internally. 	<p>RAP Champions Pro Bono & Citizenship Manager</p>	<p>27 May to 3 June each year</p>

17. Continue to celebrate Aboriginal and Torres Strait Islander cultures nationally.

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> • Promote and celebrate NAIDOC Week annually by showcasing Aboriginal and Torres Strait Islander cultures in each office e.g. via displays of artworks, books, journals, DVDs and musicians. • Publish a calendar of local community events and lead engagement in those events annually e.g. Bangarra Dance Theatre, AFL Indigenous Round (Melbourne), NRL Indigenous Round (Brisbane), NAIDOC Week launch in Hyde Park (Sydney) and Kings Park Heritage Walk (Perth). 	<p>Pro Bono & Citizenship Manager RAP Champions</p>	<p>July each year</p>



Dark Emu - Bangarra; Sydney Opera House Credit: Daniel Boud

DIMENSIONS OF RECONCILIATION ICONS:




22. RAP champions share knowledge. 

TARGET	RESPONSIBILITY	TIMEFRAME
RAP champions to connect nationally at least 2 times per year to plan and report on local initiatives.	Pro Bono & Citizenship Manager RAP Champions	April and August

23. Continue to report on RAP achievements to Reconciliation Australia annually. 

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Complete and submit RAP Impact Measurement Questionnaire by 30 September annually. Provide Reconciliation Australia with annual case studies on core leadership projects. Participate in the biannual Australian Workplace RAP Barometer. Conduct a RAP limited assurance audit, preferably with a Supply Nation service provider and provide to Reconciliation Australia. 	Pro Bono & Citizenship Manager	Report annually in September May 2020

24. Refresh the RAP based on learnings and achievements during our reconciliation journey to date. 

TARGET	RESPONSIBILITY	TIMEFRAME
<ul style="list-style-type: none"> Report on progress publicly and refresh RAP commitments in 2021. Forward refreshed RAP to Reconciliation Australia for formal review and endorsement in 2021. 	Head of Pro Bono Pro Bono & Citizenship Manager	September 2021



Jawun secondees visit the Purnululu National Park while on secondment in the East Kimberley

Our symbols



Friendship

The symbol of valued relationships formed between Herbert Smith Freehills and our clients.



Lead

We share our knowledge and expertise with Aboriginal and Torres Strait Islander clients and with the broader RAP community with a spirit of generosity. We partner with Aboriginal and Torres Strait Islander organisations that exhibit strong leadership and governance.



Excel

We work in partnership with Aboriginal and Torres Strait Islander clients and friends to strive for excellence as they work towards their goals. We offer our skills and networks to help our clients achieve these goals.



Collaborate

We work collaboratively with Aboriginal and Torres Strait Islander peoples and organisations with a shared vision to achieve important social and economic goals. A symbol that reflects many people seated, working together.



Connect

We value our relationship with Aboriginal and Torres Strait Islander peoples and organisations and the opportunity to work together in an environment of trust and mutual respect. A very dynamic symbol that reflects people moving in and out of Herbert Smith Freehills.

Case Studies

See our website for our RAP case studies:

- Empowering remote communities in the East Kimberley
- Nurturing Indigenous talent with CareerTrackers: Aaron Lowth
- Celebrating our long-standing partnership with Yalari



CONTACT

Rebecca Benfield
Pro Bono & Citizenship Manager
Herbert Smith Freehills

reconciliation@hsf.com

HERBERTSMITHFREEHILLS.COM



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