

Penny Hobart

Executive Counsel at Nine Entertainment Co

Caitlin Surman, a senior associate at HWL Ebsworth Lawyers in Adelaide, sits down with **Penny Hobart**, Executive Counsel at Nine Entertainment Co, to discuss her thoughts on International Women's Day in 2022, and to celebrate the invaluable contribution Penny has made, and continues to make, to the media and communications law community.

CAITLIN SURMAN: Penny, thanks for taking the time to talk to us about your career so far and your thoughts on International Women's Day in 2022. You've had a great mix of private practice and in-house experience. You've previously worked as an Associate in DibbsBarker's IP, Technology and Competition Law Team, before making the switch to Legal Counsel at KPMG Australia, and then Senior Legal Counsel at Bauer Media. You currently serve as the Executive Counsel at Nine Entertainment Co. How would you describe your role at Nine?

PENNY HOBART: Thanks, Caitlin. It's great to be a part of CAMLA's special 2022 IWD edition. My role at Nine is primarily looking after Nine's regulatory compliance and policy interests. I am lucky enough to work across Nine's broadcast TV and radio, 9Now (Nine's linear streaming and catch up platform), print and digital mastheads (such as The Sydney Morning Herald, The Australian Financial Review and The Age) as well as Nine's digital offerings.

CAITLIN: Can you provide us with a run-down of how you came to be in your position? Is it a role that you have always wanted? If so, what did you do to position yourself to get it? If not, how did your career path lead you here?

PENNY: I think a lot of good luck definitely helped, but I've also tried to apply for roles that I thought would be interesting or challenging or that would help me develop a particular skill set.

I started off as a summer clerk at Addisons, and then went to DibbsBarker as a paralegal. During my time at DibbsBarker, I worked hard to progress up the ranks and I put my hand up for as many different opportunities that I could. During that time I also worked with many great clients, including Bauer (now, Are Media) and decided to try an in-house role at KPMG. Whilst at KPMG I was approached by Bauer for a contract role and it was there that I discovered how interesting, fun and exciting a career in a media company could be. I am eternally thankful for that opportunity, which ultimately gave me the confidence to apply for my current role at Nine. I have been at Nine for nearly 4 years and I am very grateful to have such an interesting role and to work with so many inspiring, open-minded and supportive people.

CAITLIN: What does a typical day look like for you?

PENNY: I'm never sure what any given day might look like, but currently there have been a lot of different consultation

and review processes that I need to read, communicate, get internal feedback on, draft submissions for and also ensure Nine's interests are represented in various industry body submissions.

In the past year, there have been countless consultations but preparing Nine's responses to, and contributing to the industry body responses for, the following have been highlights: the Department's Media Reform Green Paper, the ACCC's Digital Platform services inquiry 2020-2025, the ACCC's News Media Bargaining Code, the Privacy Act Review, OP Code Bill and the Anti-trolling Bill.

There's also ensuring compliance training is rolled out and up to date, communicating changes to regulatory laws that affect Nine, day to day approvals and responding to the curly questions that always seem to come my way. I also try to provide as much feedback and knowledge as I can to those that I am lucky enough to work with and train. I've always appreciated the feedback that I've been given - it's helped me grow as a lawyer and I try to pass that on when I can.

CAITLIN: What do you like best about working in the communications and media law landscape?

PENNY: It's an exciting industry to work in - there is also a lot of change happening at the moment in the regulatory and policy space, so there is never a dull day. The odd celebrity spotting in the building is also something that I love and that will never get old for me!

CAITLIN: What developments or reforms do you see on the horizon in 2022 for the communications and media legal landscape?

PENNY: There are some really important consultations going on for the media and communications industry at the moment - the Media Reform Green Paper process is one of the biggest. This particular consultation is looking at the future of broadcast, and the sustainability of Australian news and Australian content. Critical to the sustainability of these key public policy considerations, are the following essential changes that I hope will be implemented in 2022:

1. Prominence (Australian audiences should be able to easily find and access Australian news and Australian content. We are asking for the



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introduction of a new law to require that Free TV services are prominent and easy to find on connected TVs and other content distribution platforms).

2. Keep sport free (Sporting events of national importance and cultural significance are available to all Australians free of charge - thanks to the anti-siphoning list. We are asking for the anti-siphoning list to be renewed and also for it to be expanded so that these iconic sporting events are not put behind paywalls on streaming services).
3. Reduction in broadcast spectrum tax (Australia's broadcast spectrum tax is charged at a very high rate that is out of step with the rest of the world, and this tax is disproportionately affecting regional broadcasters. We are asking for a proper review of the level of broadcast tax and for the support payments to regional broadcasters to be made permanent).

CAITLIN: Who is one woman in the legal profession (living or passed) who has inspired you and why?

PENNY: One person who has genuinely helped me, on a personal and professional level is Kate Gibbons, Senior Legal Counsel at KPMG International - she is an outstanding lawyer, fantastic negotiator, and is so kind and generous with her time. She is someone who builds you up and is an amazing support. Anyone who has (or has had) the pleasure to work with her or call her a friend is truly very lucky.

CAITLIN: The 2022 International Women's Day campaign theme is #BreakTheBias. What does this mean to you? What action(s) do you think women in the legal profession can take to contribute to the movement and empower other women?

PENNY: #BreakTheBias is something that resonates strongly with me. Overall, my experiences within the legal profession have been positive, but perhaps the most challenging time for me, and where I felt that there were the most barriers to overcome,

was finding a role after being on maternity leave. I received the following comments “if you and a male candidate were the final two, they would choose the male because they don’t have family commitments and will be more reliable,” “you have not worked for 15 months, no one will want to hire you with such a large gap in your resume” and “you’re not going to be able to find a good role that is part time.”

Those comments were very difficult to hear - whether intentional or not, they did to a certain extent undermine my confidence and made me question my ability to realistically proceed with my legal career.

I think that the most powerful way that everyone can contribute to #BreakTheBias and empower women is to be open minded, to treat others with respect and kindness and to give everyone a fair opportunity to participate.

There are several women in leadership positions that I work closely with at Nine and I can see them living by this ethos daily - something that is very inspiring to me.

CAITLIN: What is the most important piece of advice you would give to a woman aspiring to be a leader in the legal profession?

PENNY: Try not to be too hard on yourself if you miss out on an opportunity, or if something unexpected or different comes up to what you had planned - there are so many different paths that can still lead to your end goal.

CAITLIN: Penny, on behalf of all our readers, thank you so much for taking the time to chat with us. Your insights have been invaluable and you’ve given us some great takeaways to think about. Happy International Women’s Day!

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Episode 2 – Our hosts **Joel Parsons** (Bird & Bird) and **Belyndy Rowe** (Sainty Law) are joined by **Rob Nicholls** (Associate Professor in Business Law at UNSW) to discuss all things Media Reform Green Paper and the wonderful world of ‘Spectrum Reforms’.

Episode 3 – In this episode, CAMLA Young Lawyer **Jessica Millner** (Minter Ellison) speaks with **Rachael Zavodnyik** (Associate Vice President and Assistant General Counsel at Infosys Limited) about her career and progression tips for young lawyers. **Belyndy Rowe** (Sainty Law) is joined by **Meena Muthuraman** (Senior Associate, McCullough Robertson) to discuss the ‘internet of things’ (IOT) and IOT solutions.

We hope our members enjoy the latest episodes.

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