

## Kiah Officer

### Executive Counsel, Nine

**Kristi Hewetson**, Associate in Baker McKenzie's IP/Tech team and CAMLA Young Lawyers Committee Member, sits down with **Kiah Officer**, Executive Counsel at Nine, to discuss her career and thoughts on International Women's Day. Kiah is a highly experienced media lawyer and litigator and is recognised as a Leading In-House Intellectual Property & TMT Lawyer by Doyle's Guide for 2022. Kiah is also a Trustee of the Fairfax Foundation.

**KRISTI HEWETSON:** Kiah – thanks so much for chatting to us about your career. What does a typical day look like for you?

**KIAH OFFICER:** There are no typical days in this job! My job is very diverse and involves dealing with a wide range of issues from lots of different parts of the company. It can be a very reactive job in the sense that we can't necessarily predict what might be happening day to day. I mainly work in litigation and the editorial side of the business, so our days are largely dictated by what's going on in the business.

Generally, in a typical day I will work closely with a mix of journalists, producers, genre heads and our executives to help them solve whatever the problems of the day might be. My day is often very busy as I work across television, digital publications, and radio. We are involved in decisions about what news and stories the journalists want to pursue, and how we can or might want to cover it. We also have quite a lot of litigation at any one time which we work on, so I might be looking at that as a whole and planning our strategy, attending a mediation, or managing matters in Court while answering questions for journalists who are out on the road. We also do policy and regulatory work to ensure Nine is complying with its regulatory obligations and has a voice on matters that affect our industry. I might be working on issues involving a big 60 Minutes investigation, a new drama series, MAFS, or preparing submissions for the regulator or working with other media outlets to pursue an issue of law reform.

A lot of the work is problem solving, and involves anticipating, preventing and putting out fires, and that's one of the reasons why my job is so exciting. There can be a real

mix from macro to micro work on any given day, and a wide variety of areas of law that we might be advising upon.

The editorial work is not a 9 to 5 nor Monday to Friday job, nor is media generally, so there has always been a large element of working from home, but the technology we have now makes it much easier. We have a really flexible work policy at Nine which has been amazing. I have young children, so this has been particularly helpful. Personally, I enjoy being in the office because I think one of the things that you miss when working from home is the energy and communication. Working in a newsroom can be energising, dynamic, and frenetic and I think our whole team gets a lot of energy from working from the office.

**KRISTI:** Did you always see yourself working in-house in the media industry? If not, how did your career path lead you here, and how did you position yourself for this role?

**KIAH:** I didn't always see myself working in-house. When I was in university, I didn't have a good understanding that there were in-house media roles like this. Early in my career I worked at Blake Dawson (now Ashurst) with a couple of amazing partners who had interesting media practices. I began working primarily in media litigation which made me really interested in the industry. I also went on a secondment to News Corp where I was thrown in the deep end, doing hands on in-house work, which I loved. These experiences led to me being offered the opportunity to work at Nine.

When I first started at Nine in 2006 it was a very different company in many ways to what it has evolved into now. I started working in the television business, and when ACP Magazines and Ticketek were part of the group, I worked across the group on both disputes and editorial work. The digital



side of the business wasn't integrated in the way it is now. Nine is now publicly listed, and operates on a much larger scale including television, radio, newspapers, digital and Stan. The opportunity to work across different platforms at Nine as the media landscape evolved and reformed has meant there have always been new challenges and opportunities.

**KRISTI:** What energises you about work?

**KIAH:** One of the things that I have loved about working at Nine is working with people who are the best at what they do in their field. All across the business, everyone is incredibly passionate about what they do and incredibly skilled. Being able to learn from them and work with them is so rewarding. I've been lucky to work with some of the best journalists, content creators and producers, and on some of the biggest programs in the country. I love that I get to work across all our genres from news and current affairs, to drama, documentaries and reality, and across a whole range of platforms, each with their own unique strengths and challenges.

I also enjoy being able to help journalists tell important stories by helping them overcome what can seem like a land mine system of regulations and legislation. I find this really energising, particularly when we manage to help get an important story out, and it really lands with impact and resonance. I think that's why we all turn up every day.

**KRISTI:** Speaking of a land mine system of regulation and legislation, are there any law reforms in media and entertainment law that you think are desperately needed?

**KIAH:** It is my personal view that the system of media law that we have is unnecessarily complex. I have a real concern that the ability of journalists and the public to access information and proceedings of our courts and government is becoming more restricted and convoluted. Journalists play a vital role in keeping our justice system open and transparent. No matter how many open justice inquiries we have, we seem to end up with more restrictions rather than fewer, and no better access to documents and information.

In the defamation field, it's an incredibly onerous and expensive time to be a media defendant and we've seen the costs, risks and complexity of defending cases increase dramatically despite all these law reforms, which I do believe has a real and detrimental impact upon important public interest journalism. The mishmash of statutory restrictions vary in each jurisdiction and are often buried in legislation, and can be difficult even for professional journalists with access to specialist media lawyers to understand, much less small or independent content creators or members of the public.

At a very high level, there is a lack of recognition of the value of important public interest journalism, whether it be by way of shield laws, contempt or defamation laws, and journalists are routinely exposed to the risk of criminal penalties for simply doing their jobs. People were, quite rightly, outraged when journalists were raided by the AFP, but I wonder if most people in Australia realise that in Australia today, professional journalists can be hauled before secret hearings and threatened with jail if they refuse to disclose a confidential source, to whom they have a professional and ethical obligation of confidence, and the whole thing can be kept secret. I think reform should begin with recognising the value of protecting public interest journalism and free speech, and it should funnel down from there.

**KRISTI:** How do you unplug from work? Does unwinding change for you whether you're working from home, or from the office?

**KIAH:** Media can be a very high stimulation environment. There is a lot of information and energy coming at you all day. Switching off from this can be a real problem for people working in that environment, including both lawyers and journalists. To switch off

I find swapping screens for trees and the ocean can help. I find cooking really calming, and spending time with my children and family helps me keep a healthy perspective. I've recently taken up meditation as a way to keep balance as well.

One of the great things, but also the difficulty, with media is that it is constant so we all have to be a bit better about managing our time and boundaries. For anyone in this field, whether we work from home or in the office, it is a challenge and something we all need to improve at. I think we're all much more conscious of the toll it takes on everyone's wellbeing and we are much better at addressing it now than before. The important thing, particularly for young lawyers in this field, is knowing that it's okay to have quiet times.

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

**KIAH:** At a high level, one of the best pieces of work-related advice that I have received, particularly for people who are very passionate about what they do, is always remembering that what you do is not who you are and that it does not define you.

At a more practical level, the best work-related advice I've ever received is to draft every letter like it might be read out in open court. A very wise senior lawyer drilled into me at the start of my career the importance of professional etiquette in litigation. When they go low, you go high. This has proven to be a very valuable piece of advice and has served me well on many occasions, when my letters have been read out in court! We are often in receipt of unnecessarily aggressive or overwrought correspondence and I think it's a skill to develop to be able to temper some of those responses and to remain professional. I always try to remember that we are all doing a job and serving the courts.

**KRISTI:** The 2023 International Women's Day campaign theme is #EmbraceEquity. What does this mean to you and how would you suggest this is implemented in our readers' work and personal lives?

**KIAH:** To me, the #EmbraceEquity theme means giving people what they need to succeed. It has so many diverse applications, but the one aspect that's interesting to me is looking at the "motherhood penalty" and the way

we encourage and support women who have children, step out of the workforce, and come back to the workforce to continue their career journey. It is important to look into how the motherhood penalty affects women financially but also in terms of opportunities, confidence, influence and credibility. I think it's great we've started to have those conversations, but after speaking to both women and men in the workplace I know there are still some real challenges around how we address those issues.

You can feel very vulnerable stepping away, even for a short time, from a career you've worked hard at, as well as when you return from parental leave. Flexibility is great, but we also need to look at how we address equality and equity in respect of opportunities and financial issues. Really amazing women end up finding it too hard trying to balance the demands of work and children and we lose them from the workforce or we miss out on the benefit of having them in roles where they can have the most impact. This isn't uniquely a women problem, but it is a real issue that affects the whole community.

**KRISTI:** And finally, if you could have dinner with any woman – living or passed, real or fictional, who would it be and why?

**KIAH:** One woman whom I would love to have dinner with is the author Margaret Atwood. An English teacher in high school gave me a Margaret Atwood book and it started my lifelong obsession with her writing. Over the next 10 years I hunted down and read everything she had ever written. One of the most interesting things about her fiction is that it feels fresh even though it's so of its time, in particular how her work addresses issues of gender and women's roles in the workplace, in life, in marriage, and in partnerships, the way women relate to each other, and gender politics. The mark of someone who is a brilliant author and also a brilliant thinker is that it still feels so relevant today. Even in her early work, she was raising issues about the environment and ethics in science which are all issues we're still grappling with. I have come back to her work at different times in my life and always taken something new from it. Issues about women's identity are fascinating and I would love to discuss them with Margaret.

**KRISTI:** Thanks Kiah! Happy International Women's Day!