

Edition: March 2021

Q&A: Roger Jepson – “It’s a great profession. You have to work hard, but that’s the same in every profession. Anything that is worthwhile requires commitment and dedication.”

In our Q&A, Roger Jepson, a recently retired partner and litigation specialist with Mills Oakley, reflects on the highlights of a career that spanned more than 45 years, and explains how a great culture and leadership have been behind the firm’s growth.

You brought down the curtain late last year on a fantastic legal career. How did you get into the profession?

At the end of school I thought, ‘Well, I’m not really good at maths and science and I’m okay in other areas. So I got into Monash University – in those days you got a Commonwealth scholarship and it didn’t cost anything – and away I went.

You were admitted in 1974 and went on to practise general commercial litigation involving numerous trials in the Federal Court and the Supreme Court of Victoria. Can you tell us about the early days and how you got your first break?

I was doing my first year of articles and I was asked by the principal of the firm if I would like to go out and manage the branch office at Ferntree Gully one day a week. It was a great opportunity and I took it. I was there for less than 12 months and another lawyer who’d been a year ahead of me at Monash said to me, ‘Why don’t we join up and start a law firm?’ And we did.

Was it tough setting up a firm in those days?

It was pretty easy when I think back. The conveyancing boom was in full swing and I did all the common law work and our firm was just around from the local courthouse, so I did my own appearances. It wasn’t that hard and it was very successful.

You went on to practise with Mills Oakley for 31 years before retiring. How do you reflect on your career?

I thoroughly enjoyed my life in law. I was saying to all the young lawyers recently at a farewell dinner that it's a great job because it's so challenging. Not every day is terrific, but most of the time it's great because you deal with different people and different facts. The law changes and no two jobs are the same. I've loved it.

Is there a particular aspect of the work that you enjoy?

There's a challenge on every occasion that a client comes to you and is looking for your guidance. You then have to get your head around the facts, decide what is appropriate legally and express that view to your client and get them to work with you. I really enjoyed that engagement.

We understand you are going to spend a portion of your retirement pursuing your love of cycling and sailing. How is that plan going?

Well, I cycle most days and I sail my Far East 28 – which is like a big sports boat – once or twice a week. That seems to be working out and I fill my days reasonably well. I'm also doing bits and pieces on various committees.

Was it difficult to retire?

No, it wasn't really a tough decision. Unfortunately, my wife had Alzheimer's disease and ultimately died a couple of years ago, so I had already reduced my workload because I was spending a lot of time as her carer. I could have gone back to working fulltime, but the impact of COVID-19, lockdowns and working from home became a factor. I don't think the other states really appreciate the effect that the coronavirus had on people trying to work from Melbourne. The truth is that I lost the spark – I didn't have the urge to jump out of bed and get to work as I had done for more than 40 years. On the other side of the equation, I'm still pretty fit and healthy and I figured that I'm 70 and if I don't get out and do some of the things I want to do, then I'll miss the chance."

You have been described as "one of the true gentlemen of the legal profession". How have you sought to carry yourself as a lawyer and engage with clients and others?

I don't know who described me in such a way, but I'll take it! The first step is to listen to people and really understand what's driving them and then try to work with them to overcome difficult problems. That might be a work problem, or it might be a life problem. Then, if you're not seeing any results, don't let the issue linger because it can really have an impact on the firm and the people around them.

How has client service changed over the years?

I think the key is still about having face-to-face contact with clients and ensuring that they have confidence in you, and that you have confidence in the client. What has changed is that the clients are much more choosy now about who they're going to use for their legal services and how they're going to pay. The pendulum has swung back towards the clients, but not hugely so. If you've got a good relationship with them, you don't usually have too many problems.

You must have seen some technology changes during your career.

Yes, it's quite remarkable. At my speech when I was finishing up I commented that what no one in the room will really appreciate is that we didn't have computers when I started my career, and we certainly didn't have mobile phones. We had secretaries who took shorthand and, later, faxes were considered to be cutting-edge technology. So the changes have been enormous and I could have kept up with them better than I did, but I coped and I had good support people and we survived.

Has the technology helped in terms of practising law?

Well, it's helped in some ways, but it has also created problems. For instance, there are now so many documents with every piece of litigation because of emails that pass between people. Lawyers come into cases with millions of documents and not all of them are particularly relevant or useful. We certainly didn't have that volume of documents in the early days of my career. The other factor today is that with emails and mobile phones, you are just so connected and clients have no qualms about sending you an email or ringing you on the weekend, which wasn't the case early on in my career.

What impact does that have on work-life balance?

Yes, work-life balance certainly is not what it used to be. Law is an inherently stressful profession and more needs to be done to protect the mental health of lawyers at every level. The pressure is just immense during the larger matters.

What can be done?

It comes down to that great word 'culture'. Firms need to change the culture and be much more supportive of their partners and staff. They should recognise that not all of them can work incredible hours under great stress. As a firm you've got to be conscious of this issue and be prepared to put your hand up and say, 'Look, I think Joe Blow is struggling and needs some help.' It requires a cultural shift more than anything. Whether that will happen or not, I don't know.

Technology aside, what other key breakthroughs have you witnessed during the course of your career?

Diversity has become a key topic in our professional discourse. One of the most rewarding aspects of my career has been overseeing the progression of Mills Oakley's first 'home-grown' female partners. We have women who started as clerks and graduates and who are now supervising multimillion-dollar practices.

You have served in a variety of roles over the years at Mills Oakley, including chairman, board director, risk management committee member and general counsel. This has no doubt exposed you to some good people and leaders. What characteristics make for the best leaders?

It comes back to listening to all of the people all of the time, and making it clear to people that they are being heard. You might not ultimately agree with them, but you must at least acknowledge their views and not just run roughshod over people.

Mills Oakley has enjoyed considerable growth since you started at the firm, opening new offices in Sydney, Brisbane, Canberra and Perth and passing the \$200 million revenue mark. You must have watched that growth with pride.

Absolutely. Look, there have been ups and downs over the years, but the trajectory in the past 10 years or so has been quite incredible and you sit back and think, 'Wow, this firm is really going places and we've got some quality people.' Of course, we've also lost a few people along the way because they didn't cut it, or they didn't like it. But we've, in general, attracted some really fine lawyers and people who've added value to the firm. Through all the changes, the firm's commitment to integrity and working collaboratively in our clients' best interests has never wavered.

As part of the firm's growth strategy, Mills Oakley brought in professional managing partners who weren't lawyers. At a time when some people still think that lawyers should run firms, what is your view?

Bringing in a professional manager – and it could be one of the lawyers, but it usually isn't – is a really useful exercise because managing and running a firm is quite different to being a lawyer. It's generally a positive thing for lawyers to be able to call on someone with management skills and ideas, rather than relying on someone simply because they have been part of the organisation for a considerable period of time.

What has been the key to success in recent years as Mills Oakley has expanded from a mid-size firm to a leading national law firm?

I really attribute it to John Nerurker, who has been the CEO for about 15 years, and the way he has led the firm.

He has established a clear vision for the firm and united our partners and staff with a common sense of purpose. That vision and the firm's track record for delivering on it over the past decade has created a compelling case for lateral hires to join Mills Oakley. John is uniquely capable of telling that story because he was the leading architect behind it. So in short, I largely attribute the growth of the firm to him. He's done a wonderful job.

So the future of the firm looks assured, despite your departure?

Or perhaps because of it! The firm is reasonably young and the quality of the people we've got is really good. I left thinking Mills Oakley is in really good hands and it's continuing to head in the right direction.

Will you go back into the office occasionally?

I certainly want to encourage the younger lawyers where possible. I'm going back into the office soon to do a session on ethics as part of what they call Story Time, and I'll discuss some of the ethical issues I had to deal with during my career.

As you start to enjoy your retirement, do you have any career regrets?

No, it's a great profession. You have to work hard, but that's the same in every profession. Anything that is worthwhile requires commitment and dedication.

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