



Freehills partner given boot

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Body

Top-tier law firm Herbert Smith Freehills has voted to remove one of its longstanding partners, Damien Hazard, over what it described as a "deeply offensive" tweet targeting Jeremy Leibler, a prominent partner at Arnold Bloch Leibler and president of the Zionist Federation of -Australian.

Thursday's decision ended a week of mortification for Hazard's bosses following numerous complaints about his online output directed at Israel and the war in Gaza. Not only was Hazard -ordered to immediately take down the offending tweet, but he was placed under investigation and instructed not to show his face in the office.

A raft of Jewish employees at the firm raised a riot with executive partner Kristin Stammer and director of culture and inclusion Danielle Kelly alleging Hazard had a "singular and obsessive focus on Israel" and published posts that displayed the "classic traits" of anti-Semitism.

Clearly outraged, and moving quickly to draw a line under the scandal, HSF chair and senior partner Rebecca Maslen-Stannage said the leadership council had voted to end Hazard's near-three-decade association with the firm.

"The council of Herbert Smith Freehills has resolved today that Damien Hazard should be removed as a partner from our firm," Ms Maslen-Stannage said. "We have issued him with the relevant notice." Numerous HSF clients were privately making their displeasure known to management about the matter, and presumably these hints of reputational damage bore no small weight on the council's decision-making. Plus, the timing couldn't have been worse: HSF is in the middle of merging with Jewish law firm Kramer Levin, whose bosses in New York wouldn't have looked kindly on the tweets either.

Hazard's back catalogue of online posting, according to the complaint letter from his colleagues, included expressions that allegedly played on tropes of "Jewish power", "Jews as murderous and blood thirsty" and -invoked "holocaust inversion" and "conspiracy theories".

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The tweet that appears to have cost him his partnership took aim at Leibler for linking the arson attack on the Adass Israel synagogue with the weekly Jew-hate parades that, as Leibler said, had been "displayed on the streets of Melbourne every week for over a year".

Hazard's response, amid the collective rage surrounding the anti-Semitic attack, was to accuse Leibler of "cynically politicising" the crime and "inventing a link" with the anti-Israel protests, which, as a set-piece, often loudly and proudly call for an "intifada", or violent uprising, against Jews.

So in a sense Hazard was right: the need for invention was wholly unnecessary. The link was evident all along.

Albo's about-face And just on that - it was quite a sight to see Anthony Albanese attempting to warmly embrace the nation's Jewish community in the days after the terrorist attack on the Adass Israel synagogue.

The PM started by almost dancing a hora into that barmitzvah in Perth. Three days later he donned a kippah and took a tour of the gutted Melbourne synagogue, and by Wednesday he was announcing an \$8.5m upgrade to the Sydney Jewish Museum.

Such a mensch! You might have almost forgotten that the funding became necessary because the government's done such a lousy job of protecting the community.

And yet, as he shook his head and his voice almost caught in his throat, Albanese always knew that Australia was about to abandon the Jewish State - again - on two lopsided resolutions being thrown up at the UN - the first resolution calling for a ceasefire in Gaza (no strings attached on the release of hostages), and the second in defence of the criminally corrupt relief agency UNRWA.

It's strange how, on the one hand, Albanese insists that Hamas should play "no role" in any "future Palestinian state", only to then, on the other hand, barrack for a ceasefire that will entrench the terrorists and grant them space to re-arm and resupply - to the detriment of Palestinians.

It's almost as though Albanese and his Foreign Minister, Penny Wong, both suffer from a weird, childish misapprehension that the word "ceasefire" somehow equates to "peace". It doesn't, and it might be one reason why Israel PM Benjamin Netanyahu tweeted his contempt for the Albanese government a week ago.

Setback for MinRes A minor setback for Chris Ellison's Mineral Resources in its bitter legal dispute with fellow MinRes founder Steve Wyatt - but one that reveals more about Wyatt's viewing habits than the state of the lawsuit.

MinRes has been in the courts for four years with Wyatt's rival mining services business, Destec, complaining that Wyatt stole MinRes secrets ahead of setting up the company in 2015.

The latest legal skirmish saw WA Supreme Court judge Jenni Hill knock back a bit of legal overreach from MinRes, which claimed a forensic examination of Wyatt's former laptop showed he copied thousands of documents while working for the company - some of which contained MinRes trade secrets later used to set up Destec to compete with MinRes.

Justice Hill struck out part of MinRes's statement of claim this week because it's not entirely clear what information Wyatt is alleged to have stolen.

Problem is the forensic examination doesn't show the contents of the files, just their names. And while some file names suggest they probably relate to MinRes technology and pricing information, others clearly don't.

And how do we know this? Well, as Hill pointed out in her decision, it's pretty unlikely that a set of files titled "Game of Thrones Season 5" includes any intimate details of the design mining machinery.

Mind you, given recent revelations about the internal workings of MinRes, you could probably mount an argument that the bloody fantasy saga is a pretty good guide to the internal workings of the company - though not to the standards required in a legal claim.

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Still, it wasn't a major setback. The sloppy bit of legal argument only cost MinRes a couple of paragraphs from its claims, with liberty to re-plead those aspects of its case.

And it could have been worse. Rather than a fantasy epic, Wyatt could instead have been getting business advice from the final season of The Sopranos.

Green dreams Andrew Forrest has always run a pretty shameless line in self justification when things don't work out as planned. But this week's effort is pretty close to peak Twiggy.

Asked by the Australian Financial Review whether **Fortescue's** grand promises on green hydrogen - such as a "deal" to deliver 5 million tonnes a year to Germany's E.ON Energy by 2030 - weren't perhaps a touch over-egged, Forrest blamed the government for his failure.

"Governments were saying we need all this green hydrogen, [including] the government of Germany," he said. "E.ON is a government instrumentality. And so they're telling us what they need, and we're believing them. Now, when they suddenly back out, we're high and dry." This from the man who spent years flying around the world hectoring governments and industry about the need to replace fossil fuel sources with green hydrogen. And is yet to produce a single molecule of commercially viable hydrogen for sale, despite spending more than \$2bn in shareholder money on the idea.

Since Forrest floated his hydrogen balloon, governments have announced billions of dollars worth of hydrogen production credits and subsidies. Germany updated its hydrogen strategy only days after Forrest cut loose **Fortescue's** hydrogen dreams in mid-July, and signed a \$660m deal with Australia to encourage hydrogen production in September.

Forrest argues that **Fortescue** was forced to dump hydrogen because governments didn't act fast enough, and didn't do enough to drive down energy costs to help make hydrogen viable.

Why would they? If you can get renewable power prices low enough to make hydrogen viable, you're probably going to use it to do something more useful - like deliver cheap power to households and businesses, perhaps.

Forrest was told this over and over again by experts, inside and outside of **Fortescue**, but kept making promises that seemingly could never be delivered.

But it's OK, because green iron is now **Fortescue's** bright and shiny new thing. Rather than produce 15 million tonnes of hydrogen by 2030, **Fortescue** will be shipping 100 million tonnes of carbon-free iron by an unspecified date.

Earlier in **Fortescue's** history, plenty of people said this and were wrong - but we'll believe it when we see the first shipment leave Port Hedland.

INSIDE MARGIN CALL Quite a sight seeing Albo embrace the Jewish cause

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