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In House Solicitors as Leaders An Employer's Perspective

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Personal Background

- University College Cork: B Comm
- Chartered Accountants Ireland: F.C.A.
- Accountancy Training: Pricewaterhouse Coopers
- Companies:
 - Pulse Engineering – Tuam / San Diego
 - Elan Corporation Plc – Athlone
 - Fountainhead Holdings – Braselton G.A.
 - Medisys Plc – London
 - Bord na Móna – Newbridge

What am I going to speak about?

-) My experience over the years dealing with in-house Lawyers
-) How I see the role changing
-) The in-house Lawyer as a leader
-) Earning a seat at the Senior Management Table

My experience of In house lawyers

-) Early in my career – few companies had in-house Lawyers
 -) Solicitors were seen as external service providers
 -) Used for conveyancing, drafting major contracts, acted for a company on major disputes
 -) Not seen as an integral part of running the day to day business
-) First time I saw a Lawyer as a strategic partner for the business
 -) Pulse Engineering – San Diego
 -) External Lawyer had a key role in structuring a leveraged buyout and in subsequent preparation for an I.P.O.

My experience of In house lawyers

) Elan

-) Company operating in a highly regulated environment
-) Business success driven by development of new products, creation and defence of intellectual property and sophisticated and complex financing structures
-) Legal aspects rapidly became a key business driver and differentiator
-) In-house legal became an integral part of the Management Team
-) In-house legal became trusted advisors and key players in negotiation of business deals, licencing deals, J.V.'s and other strategic alliances and M&A transactions
-) Key negotiating team typically combined strategic, financial and in-house legal expertise

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My experience of In house lawyers

) Medisys

-) Early stage growth company in medical devices area
-) Publicly listed on AIM through a reverse takeover
-) Became a FTE 250 Company within 2 years of the reverse
-) Head of in-house legal retained at an early stage – Johnathan Chapman
-) Key strategic hire
-) Dealt with regulatory (stock exchange compliance etc.), integral part of the deal negotiation team on M&A and key business contracts
-) Also quickly emerged as ‘the’ trusted adviser to the C.E.O. and C.F.O.

My experience of In house lawyers

) Medisys (CTD)

) Helped us to balance risk and return

) Increasingly became part of all major business decisions

) He was compliance and regulation aware, but not totally driven by rules

) He helped us to make informed decisions on business issues

My experience of In house lawyers

-) Bord na Móna
 -) When I joined in 2005 the company had a small in-house legal team, focused almost totally on land/conveyancing matters
 -) No in-house expertise in areas such as M&A, large transaction execution, financing, large contract negotiation, etc.
 -) Myself and the Company Secretary set about developing an in-house legal capability as I had seen in my previous companies
 -) I recognised that we had a significant deficit compared to leading companies of our size with our growth aspirations
 -) Hired Anna-Marie Curry out of Arthur Cox to head up and lead the team

How has the role of In House Lawyer evolved?

-) From technical legal experts to trusted advisers with a grounding in law
-) From strictly legal specialists with little understanding of the business to influential advisers with a well-developed knowledge and understanding of the business

What is the future for the role of In House Lawyer?

-) Can become a member of the key decision making team in a business
-) Can take the next step into a business leadership role – including, ultimately, running a business
-) To do this an individual needs to be willing to take decisions rather than just advise those that do

Key Personal Qualities of Business Leaders

-) Driven and passionate
-) Good listener
-) Strategic thinker
-) Tenacious and resilient
-) Responsible and accountable
-) Decisive
-) Ability to analyse complex issues
-) Team builder
-) Collaborative
-) High integrity
-) Persuasive

) In my experience good in-house counsel possess most/all of these characteristics

Thoughts/Pointers for younger members/those new to In house

-) Develop a knowledge of the business
-) Use your well-developed analytical skills to help solve business problems
-) Be willing to move outside your comfort zone – volunteer for projects
-) Develop skills that complement your core discipline e.g. –
 -) Finance for non-financial managers
 -) Project management
-) Be solution orientated – your job is not done when you say that something can't be done

Thoughts/Pointers for younger members/those new to In house

-) Work on developing your credibility in your organisation – first steps towards becoming a trusted adviser
-) Ask questions – express opinions
-) Never compromise your integrity and ethics – people will respect you for it