

‘I COMPLAIN IF SOMETHING IS AMISS, BECAUSE HONEST FEEDBACK IS A KEY IMPROVEMENT TOOL’

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Novartis' Leonor Pissarra believes that if mistakes are not highlighted, relationships between clients and their external lawyers can never improve

Novartis' chief legal officer and country compliance head in Portugal, Leonor Pissarra is not afraid to complain if she is dissatisfied with the service provided by an external law firm.

"There is always room for improvement as everything is not always perfect," she says. "I complain when I believe something is amiss, but I do it because I see honest feedback as a key improvement tool – I really think that, if we don't point out the things that didn't go well, people can never improve, and that applies both internally and externally."

With regard to which external firms are used, the Portuguese operations of Novartis, a global healthcare firm, has maintained a three-decade working relationship with local law firm Vieira de Almeida, which was selected following a bidding process. "The company holds a periodic bidding process every two to three years for the selection of legal counsel, and VdA has continued to be the chosen firm due to a combination of quality and price," she says.

Pissarra describes the company's relationship with the firm as a win-win situation.

"I'm a lawyer and I used to work at Vieira de Almeida (VdA)," she explains. "VdA was Novartis' legal counsel long before I joined and I was therefore not involved in the selection process, but I have chosen to continue to work with them as they have consistently been providing a very good legal service over time."

Pissarra explains that Novartis contracts law firms under a retainer system and that the relationship with VdA predates the founding of Novartis, which was formed as a result of the merger of Ciba-Geigy and Sandoz in 1996. Novartis Portugal has an internal legal team comprising two compliance officers and four lawyers and all day-to-day work is dealt with internally, without resorting to external firms, Pissarra says.

Conflicts of interest

However, there are particular areas of work that Novartis passes on to law firms, explains Pissarra. "When it comes to more complex or specialised subjects such as competition, regulatory, tax or labour laws, we will use an external firm," she says. There have been instances in the past where the company's legal advisers had conflicts of interest, so alternative law firms had to be sought, according to Pissarra. "Novartis used to have a lot of divisions, a lot of areas of activity, such as vaccines, diagnostics and animal health, but now we are focused on four areas, pharmaceuticals, oncology, the Sandoz brand of generic medicines and Alcon vision care products," she says. "But

when we were dealing with diagnostics, for example, our selected firm had a conflict of interest and was not able to provide us with legal services in that field, so we had to look for another law firm." Pissarra says that, while the experience with another law firm was satisfactory, the relationship with VdA continues to provide significant advantages. "I think the fact that I worked at VdA for some time gave me a lot of internal insight, and so I always know who to resort to in different situations." Pissarra says that Novartis uses VdA in litigation cases, notably in employment lawsuits, although they are infrequent. "We also use an external firm for questions of competition and for very complex regulatory cases when we need to challenge a decision or verdict or when we have a process ongoing that we want to challenge," she explains. "Other times we resort to VdA, not because we do not have the internal knowledge, but because we don't have the time, so in a sense it's a trade-off."

'A lot of noise'

She says that a new law, decree-law 5/2017 [which relates to the advertising of medicines and medical devices and which was passed on 6 January 2017] has generated a "lot of noise" in the pharmaceutical and health sector. Pissarra explains: "The health sector is very heavily regulated, there are a lot of laws, regulations and guidelines, and public institutions and hospitals within the nation's health service are under a lot of constraints; and while we have to be more creative and innovative to find ways to continue to support doctors and scientists and healthcare institutions, we must at all times be fully compliant."

Leonor Pissarra is Novartis' chief legal officer and country compliance head in Portugal