

A who's who of Brussels public affairs consultants

Public affairs consultants are used on every major Brussels competition case. *Global Competition Review* decided to find out who's who. **PHILIPPA WARD** introduces the report

This is a who's who of the leading public affairs consultants working on competition cases in Brussels. Why only in Brussels is explained below. It has been researched by interviewing lawyers, economists and in-house counsel, in the same way as we do when we research *The International Who's Who of Competition Lawyers and Economists*. Individuals are only listed if they achieved a certain nomination threshold during our research.

Public affairs first emerged as a discipline in its own right a decade ago. Then the diet consisted of merger files. Nowadays, having someone handling the public affairs side is routine on a variety of matters deemed likely to be sensitive. Ten independent consultants made our final cut. Their credits include most of the substantial DG Comp matters from recent times—the Microsoft article 83 investigation, *Oracle/Peoplesoft*, *Carnival/P&O Princess*, *HP/Compaq*, *Sony/BMG*... If the *Financial Times* covered it, one of these 10 was probably behind the scenes.

Most blend a background in journalism or law with time spent inside the European Commission. They provide any number of services, including:

- advice on strategy
- development of policy arguments
- conducting lobbying programmes
- intelligence gathering
- alliance building
- media management

Not everybody is sold on their value. One Brussels lawyer says they are useful on “high-profile or difficult cases, where they can inform and rally all possible interested parties”.

Another practitioner is less clear cut. “I’m not a huge believer in public affairs consultants for competition matters,” he begins, but then adds “except in really big cases, where they can take a lot of work out of your hands, concerned with communication and dealing with other departments within the Commission”.

The strategy, and the legal and economic arguments should remain controlled by the lawyers.

In the United States, lawyers retain political consulting firms to see if any ‘fires’ are

building on Capitol Hill

Two in-house counsel from the same company responded—in contradictory terms. One said: “They are very useful in explaining what’s going on in the background and how the regulators operate.” But his colleague at another office says: “They can do unintended damage. Many of the consultants are less subtle and effective than they themselves believe.”

Says Denis Waelbroeck, a partner at Ashurst: “I have been very reluctant to use public affairs firms recently. The cases I am involved in are excessively complex and I prefer to manage the public affairs as far as possible myself.”

Yet public affairs consultants are found on nearly every major European competition case.

The long running investigation of Coca-Cola by the European Commission is seen as a good example of public affairs consultants plying their craft, with good work for both Coca-Cola and the complainants appearing to have driven the investigation forwards.

Says one consultant: “There has been careful and consistent media management, which has been particularly impressive.” Coca-Cola has emerged from the five-year investigation unscathed, without a statement of objections. It is the first icon of US business in many years to have managed the Commission so well; Microsoft, GE and even Time Warner should perhaps take note.

The *Carnival/P&O Princess* merger is another case where great sensitivities existed—both in the Commission, and in the companies in question, who were contending with a rival bid scenario and the vagaries of the stock markets. The public affairs team helped to tip the balance of the case.

Likewise, *HP/Compaq* needed advice when they found themselves caught up in the ill feeling between the US and EU officials after *GE/Honeywell*.

Some of the best public affairs work never sees the light of day. These are the cases that don’t become famous, or don’t make headlines. Says one consultant: “It is the cases that don’t go to the second stage, or the complaint that never escalates, that are most interesting—where on the numbers the case should be taken

further but DG Comp is persuaded to let it go.”

In contrast, there are cases that show what can go wrong when inappropriate strategy is used, or things are left to chance. Volvo and Skania, with hindsight, may have wished they used a different media strategy for their merger. The companies announced to the media certain concessions they planned to make before informing the Commission of them.

Says one public affairs practitioner: “Volvo and also the Swedish government used the media in an aggressive way that left the Commission little choice but to stick to its guns. It had to avoid any perception of deal-making or giving way to pressure.” The result of the case may not have changed, but the atmosphere between Volvo and the Commission was left worse than it needed to be, sources say.

Ryanair is another company thought to be “rubbing the Commission up the wrong way”. Says one source: “Ryanair’s CEO chose to attack the integrity of the Commission, turning an issue of pure economic analysis into a moral crusade and forcing the Commission to make an example of him.”

Of course standing up to the Commission can also be effective. The motorsport governing body, the FIA, once sued Karel Van Miert for slander over comments made in connection with an investigation. Van Miert, the competition commissioner at the time, apologised. Later, the matter was closed without a statement of objections.

All the same, says Joanna McDwyer of FIPRA: “One of the most important parts of the job is advising people what not to do.”

In-house vs independent

Of course there are other reasons for using public affairs people. This is the scapegoat factor. Says one consultant: “Law firms will always retain us because it spreads the blame if things go wrong.”

Law firms and in-house counsel both speak of “the inefficiency of subcontracting”. Says one in-house counsel: “Why would I want to spend a day explaining the intricacies of my industry to someone when I could take care of it in-house?” One German lawyer says: “I find them of little value, even sometimes counter-

productive. They have a rather superficial knowledge of the problems at stake because antitrust law is a complicated area.”

A number of Brussels law firms have chosen to develop public affairs skills in-house so that they know more of what is needed, and also are available to sit in at the outset of the process, and brief themselves.

White & Case has set up a five-person group, led by Thomas Tindemans, which is respected in Brussels. DLA has recently launched DLA Upstream, but this isn't yet focused on competition work.

Allen & Overy and Freshfields Bruckhaus Deringer are the best-known examples of firms that have internalised the public affairs function for competition clients.

Sarah Biontino at Allen & Overy is a lawyer by training and spent six years in the Commission. She returned to Allen & Overy in 1999 and feels that there is capability for law firms to excel in public affairs. Says Biontino: “The type of work that I do is becoming more important and other law firms will need, in the future, to offer a similar service to clients.”

Elizabeth Crossick who plays a similar role at Freshfields Bruckhaus Deringer agrees: “Law firms need someone focused on the broader issues.”

Crossick has what might be called Brussels lobbying pedigree—she is the daughter of Stanley Crossick, who is a doyen in the field. She also has a legal background and has practised as a barrister. It is helpful, she thinks, to have a legal background if you work within a law firm because it earns you respect. It also leads to giving better advice. Says Crossick: “I know how a lawyer thinks and drafts: that is very different from how a consultant thinks and drafts.”

And from the client's point of view there is one very important additional benefit. Explains Biontino: “I am bound by confidentiality and client privilege, which makes clients more comfortable.” Outside of law firms, the industry is unregulated. Independent consultants reply that in-housers inevitably accrue less experience on the largest cases, whereas they would work exclusively on phase II or their equivalents.

Says Richard Jacques of Brunswick: “I have seen more phase IIs than many involved in the process because of the nature of my job. It will always be useful to have another pair of eyes on the case, an independent point of view.”

The 10

Some respected names are not in our who's who of public affairs consultants because they are not perceived as specialising in competition sufficiently. For example—neither Louise Harvey of Blueprint nor John Robinson of Burson Marsteller achieved the nomination threshold.

The 10 chosen have a variety of back-

One of the most important parts of the job is advising people what not to do

grounds. Most blend a relevant discipline with a period working at the European Commission.

Brad Staples, chairman of APCO Europe has been in the public affairs business for 14 years, and has a background in the EU institutions. The ‘AP’ part of APCO in fact stands for Arnold & Porter, from which the firm was spun in the 1970s. They are now entirely unrelated businesses.

Mathew Heim has a background in the law, having practiced as a barrister in the 1990s. Heim now works with Paul Adamson at the newly created firm The Centre. (Adamson is named by many as the senior public affairs figure in Brussels).

Tom Brookes was Microsoft's spokesman throughout its long investigation by DG Comp. Originally a journalist, Brookes's strengths lie in communications and in managing press contacts, it is said.

Michael Tscherny came from the same firm as Brookes—GPlus—and was Mario Monti's spokesman for three years. He also began as a journalist before becoming an official working in the Council of Ministers and the Commission.

Peter Guildford, who founded GPlus, was EU affairs correspondent for newspapers such as *The Times* before working for 10 years in the Commission, including as spokesman for competition policy and spokesman for President Prodi.

Peter-Carlo Lehrell co-founded a competition-specific public affairs firm, FIPRA, with Joanna McDwyer in 2000. It now has 30 franchise offices. FIPRA sponsor and helped found two competition policy think tanks, the Nyenrode Institute for Competition and BIICL's Competition Law Forum. Lehrell coordinates the FIPRA network, while McDwyer leads the competition practice working out of London and Brussels. McDwyer moved into consulting after a law degree.

Michael Berendt of GPC International spent 17 years in the European Commission, including four years as spokesman for Commissioner Stanley Clinton Davis (air transport liberalisation etc) and Commission vice president Sir Leon Brittan. At 67, he is the oldest individual we include; all the others are under 45 years old.

Jacques Lafitte works for JHL Conseil, a public affairs consultancy that has specialised in EU relations since 1999. It is the only firm not to have any other individuals mentioned during *GCR's* research—Lafitte is praised for his specific qualities rather than for being part of a network or the central Brussels corps of consultant firms.

What about the US?

Originally, *GCR* intended this who's who to cover centres other than Brussels. Only

in Brussels did the research produce a defined group.

Attitudes to public affairs consultants vary between national traditions. It is notable that even in Brussels the majority of nominees are British, reflecting that the UK and the US are the main sources of business. German and French firms are said to be reluctant to work with external consultants. Says one public affairs consultant: "Anglo-Saxon firms are comfortable with external consultants. With German firms, it is an uphill struggle to get a seat at the table."

French firms apparently prefer to call a political 'fixer'. It also reflects France and Germany's earlier grasping of the importance of Europe's institutions, sources say. This led French and German firms to develop links to directorates in the Commission that are now useable in other ways, when the need arises.

In the US, it isn't so much that the functions performed by the public affairs specialist don't exist—they do—but that lawyers perform them directly.

The European Union is a difficult institution to divine. Apart from anything it is in a near continual state of flux, both at treaty level and the directorate level. The US's antitrust process on the other hand has been stable for a long time.

In the US, all final decisions are made by courts, whereas the European Commission is a political body that takes the final decision. And the European Commission has more 'entry points' at which pressure or influence can be applied. Says Mathew Heim of the Centre: "A particular of the EU system is the level to which DG Comp must formally consult with other DGs, competition authorities and companies. This brings public affairs into play, especially as relations between these groups are ever-changing."

Another thing that a Brussels public affairs specialist might be expected to do is provide information from sources 'within the church'. The Commission is such a matrix of interests and internal politics that officials may be unable to speak freely about the source of their concerns on a case. A public affairs specialist can either get to the 'real reasons' through their own private network of sources on the inside, or may act as a conduit.

US officials have less reason to be cryptic. Furthermore, the revolving door between the private bar and the antitrust agencies means that a US antitrust specialist probably has their own private network of sources to exploit, if they doubt they are being told the whole story on something. They don't need a consultant to get them their information. Says one US practitioner with experience of

Public affairs is a profession and as such it should probably have a code of conduct

both environments: "There is more of a black market for information in the EU. You need someone who has inside experience of the Brussels lobbying scene to smooth the way for you."

US lawyers do use political consultants on the very largest cases, to keep an ear to the ground in case of unexpected interest from Capitol Hill. Then the sheer scale of US politics plays a part. Says Janet McDavid of Hogan & Hartson: "It is very issue- and subject-specific. Who you choose may depend on which committee or senator you are interested in tracking."

A number of US specialists came to light who focus on antitrust class actions and other private litigation. For example Gershon Kekst of Kekst & Co and Kent Jarrel of APCO were praised for their litigation expertise but are not antitrust specialists. In time, this may be a role that evolves in Europe.

The future

Public affairs will be part of competition work within Brussels as long as the rules and institutions continue to change. And that could go on indefinitely. Last year, the Union expanded by 10 member states. This has not only created a new series of internal political tensions to understand, but has also expanded the consultants' client bases, as groups of ex-monopolies become subject to EU competition law.

Says Brad Staples of APCO: "I expect the industry to diversify. At the moment, the main players have come from a handful of firms and nationalities." In the future, public affairs firms from member states, such as the Scandinavian firm Kreab, may decide it is time to extend their reach to Brussels. At the same time, the Brussels firms may see a need to extend the other way, perhaps by retaining consultants in member states who are either ex-enforcers or academics.

One thing that would surely advance the prospects of the industry is a code of conduct. Says one lawyer: "Would the CEO of a high-profile dominant company feel comfortable using a journalist that had been trying to get scoops on him two months before?" Rules on disclosure or a professional body with a reliable complaints procedure would allay the fears that lawyers and in-house have. Says Sarah Biontino of Allen & Overy: "Public affairs is a profession and as such it should probably have a code of conduct. This would give confidence both to clients and to the Commission."

Richard Jacques of Brunswick says the nature of the industry makes regulation difficult: "I hope there won't be a binding code of conduct. We all have such different approaches." ■

A who's who of specialists in EU-competition public affairs



MICHAEL BERENDT
GPC International
Age: 64

How long have you been in public affairs?

Thirteen years.

Why are you qualified for this role?

Seventeen years' experience in the European Commission, including four years as spokesman for Commissioner Stanley Clinton Davis (air transport liberalisation etc) and Commission vice president, Sir Leon Brittan (competition policy including the gestation and birth of the Merger Regulation).

Briefly describe your role on a case.

Providing the flanking policy support to the legal process, including contact with European Commission beyond DG Competition, with European Parliament and national regulatory authorities. Advising the client on linked issues such as internal communications. Undertaking media activity. Supporting the broader policy aims of the client.

What is the most important quality in a public affairs consultant?

Understanding the European policy process, having the full confidence of the client, and being able to work with legal advisers.

Please name three competition cases that you have worked on:
Alcan/Pechiney/Algroup merger notification, HP/Compaq, Olympic Airways.

Says Andrew Renshaw of Freshfields Bruckhaus Deringer: "Urbane and sophisticated and with an impressive portfolio of contacts built up over many years of experience, Michael is one of the more client-friendly public affairs practitioners in Brussels."



TOM BROOKES
GPlus Europe
Age: 34

How long have you been in public affairs?

Eight years.

Why are you qualified for this role?

Through 12 years of Brussels experience, as a journalist,

consultant and working in-house at a major company, I have seen the Brussels process from all sides.

Briefly describe your role on a case.

My role has been at both a strategic and tactical level. Often, the best way to quell concerns around a deal is to package its strengths in such a way that appeals to each interlocutor, while obviously being careful to maintain a coherent message with politicians, officials and the media.

What is the most important quality in a public affairs consultant?

To be able to understand the case and communicate in a way that makes sense to your audiences. Background, contacts, industry knowledge, personal skills are all important elements, but the most fundamental is the ability to translate the case into a broader context that matters to those who can influence the decision.

Who is the 'senior figure' in your business?

At this stage, in terms of competition specialists, I am not sure there is one.

How many competition cases have you advised on?

I have advised on 10 major cases (mergers, antitrust, cartels and state aid), for example *HP/Compaq* and *Carnival/P&O*

Says Henry Huser of Skadden, Arps, Slate, Meagher & Flom: "Tom has played a key lead role coordinating the public affairs strategy in a number of matters. He has excellent ideas, outstanding access and, most important, an experienced understanding that the public affairs strategy must be closely coordinated with the antitrust legal strategy."



PETER GUILFORD
GPlus Europe (founding partner)
Age: 43

How long have you been in public affairs?

Four years.

Why are you qualified for this role?

I worked for four years as an EU affairs correspondent for *The Times* of London and other publications, then as a Commission official for 10 years, including as spokesman for competition policy and spokesman for President Prodi.

Briefly describe your role on a case

Writing and running a communications strategy to support the legal team handling a competition case. Advising the client on his arguments to DG Comp. Liaising with officials from other departments, and with commissioners' private staff, to bolster support for the client's case more broadly across the Commission. Feeding information to the client about how attitudes towards the case are evolving. Updating the client on the lobbying activities of his competitors and detractors. Briefing the Brussels-based media as required.

What is the most important quality in a public affairs consultant?

A mixture of political judgement, contacts, communication skills and an aptitude for policy detail. Where the client does not give a strong lead, good organisational skills are also required. Industry knowledge brings additional credibility with the client as well as with the Commission, but it is not enough on its own.

Who is the 'senior figure' in your business?

In EU competition circles such a figure does not yet exist—the terrain is too new and uncharted.

How many competition cases have you advised on?

Nine, including: For Alstom, in the EU inquiry into state aid. For Mars, in the acquisition of French pet-food firm Royal Canin. For PPF in the EU scrutiny of state aid to help the privatisation of major Czech banks.

Says *Catriona Hatton of Hogan & Hartson*: "Peter has a refined understanding of how political pressures both within the Commission and outside can impact on competition policy. He is also adept at preventing press coverage from disrupting a delicate antitrust negotiation. This combination of experience and skills makes him a highly valuable support to any legal team."



MATHEW HEIM

The Centre

Age: 36

How long have you been in public affairs?

My move from law to into public affairs was actually quite gradual. From the early 1990s, as a young lawyer, I was constantly involved in political cases and finding inventive ways to resolve them. By the late 1990s I took

the plunge and focused mainly on European public affairs.

Why are you qualified for this role?

Being a non-practising barrister tends to provide a level of comfort to clients on what are invariably sensitive matters. It also affords an appreciation of the legal context within which public affairs finds itself. I would also add the depth and breath of experience: not only has it taught me never to underestimate the seepage of politics and policy considerations into cases, but it has also helped me to understand what works and what doesn't.

Briefly describe your role on a case.

Advising the client on strategy in relation to the regulatory authorities and counsel on communications more generally. Providing an insight into the thinking of the enforcement agencies. Identifying political or policy opportunities or obstacles. Representing the client before the different groups involved in and around the regulatory process. Dealing with the effect of proceedings on groups relevant to the client's business; and managing the press and analysts.

What is the most important quality in a public affairs consultant?

Having sufficient knowledge of law, practice and process to ensure that the legal and public affairs strategy work seamlessly. And knowing when less is more.

Who is the 'senior figure' in your business?

Paul Adamson, with whom I work, who has been in the business for so long that he has been referred to in the press as 'the godfather of lobbying' and is someone whose insight I value greatly.

How many competition cases have you advised on?

In the five years that Commissioner Monti has been in office, I have provided public affairs counsel to the principal parties in well over 20 cases. Half of these are merger cases; the

majority of those were phase II cases, and the rest fairly evenly divided between Article 81 and 82 cases and antitrust litigation before the ECJ or the CFI.

Examples are:

Oracle/PeopleSoft
EMI/Time Warner,
Time Warner/AOL
Carnival/P&O

Says *Thomas Vinje of Clifford*

Chance: "As leader of the team representing Oracle on the challenging merger case involving PeopleSoft, I found Mathew's contribution to be extremely helpful. Mathew is an insightful strategist and has a deep knowledge of the people and procedures involved in EU merger matters."

Says *Janet McDavid of Hogan & Hartson in Washington, DC*:

"Mathew understands the processes and decision-makers in Brussels and provides useful insights for our strategies."



RICHARD JACQUES

Brunswick Group LLP

Age: 36

How long have you been in public affairs?

Four years at Brunswick Group LLP. Before this, 10 years in government, most recently as the UK's industry and competition attaché to the European Union.

Why are you qualified for this role?

Four years as the UK's industry and competition attaché in Brussels gave me an in-depth knowledge of the European Commission. Representing the interests of the British government on major competition cases, all UK state aid cases and the negotiation of new competition rules provided me with a particular insight into the working of DG Competition and the UK national competition authorities.

Briefly describe your role on a case:

No two cases require identical input. In many cases we are brought in at the planning stage of a transaction, when a client is trying to assess how the authorities might view the competition issues around a proposed merger. From then on in we work closely with a client's legal team on a range of tasks: helping shape the external communications; providing on-going strategic advice and intelligence on the thinking within the relevant authorities and third parties; providing support in the communications with the authorities, helping shape documentation and presentations, and putting senior executives through their paces in advance of significant meetings.

What is the most important quality in a public affairs consultant?

Judgement, backed up by genuine knowledge and experience of the issues under discussion. While contacts can be important, often a competition case will be handled by very few people within the authorities and the legal team will already have a strong and productive relationship. The most important role of the consultant is therefore to be a strategic adviser, and to bring his personal judgement and previous experience to the advisory table.

Who is the 'senior figure' in your business?

Genuine specialist knowledge in the competition area is a fairly recent development. In the more general field of public affairs many people would look at Paul Adamson as someone with many years' experience who is the consummate public affairs man.

How many competition cases have you advised on?

More than a dozen high-profile Brussels cases, including: for P&O Princess in the two investigations of its merger with Carnival; for Tetra Laval in its two investigations of its takeover

of Sidel and the subsequent cases before the CFI and ECJ; for Airtours (now MyTravel) and its successful appeal to the CFI.

Says Rachel Brandenburger of Freshfields Bruckhaus Deringer: "Richard is first rate. He has the rare ability of fully understanding not only the viewpoint of the government/antitrust authority but also the strategic needs of the client."

Says Malcolm Nicholson of Slaughter and May: "As a former civil servant, Richard has a good understanding of the political dimension, and how his contribution is to be best integrated with that of all those concerned with handling difficult issues in Brussels or indeed London."



JACQUES LAFITTE
JHL Conseil/AVISIA
Age 41

How long have you been in public affairs?
Five years.

Why are you qualified for this role?
I spent 12 years on the government side (German and French governments, European Commission), including five years as a member of cabinet between 1995 and 1999.

Briefly describe your role on a case.
It varies considerably. The most comprehensible mission I've had so far included the production of a complete lobbying plan for a large and difficult merger, including a preliminary assessment of the chances for a clearance by the regulatory authorities. This assessment took place very early on, even before the parties proposed the deal to their respective boards and spoke with their legal outside counsels.

What is the most important quality in a public affairs consultant?

Although there are very few competition specialists, there are a number of smart consultants out in Brussels, and it is possibly humility and discretion which make the biggest difference between them. You cannot serve your customers well if you keep using their names, compete with their outside counsels or aim to be a star.

Who is the 'senior figure' in your business?

In the PA world at large, I am personally impressed by the achievements of Paul Adamson.

How many competition cases have you advised on?

The total of competition missions may stand at around 30 now, from which around 20 qualify as cases. Here are three ones I think I can talk about: Microsoft (mainly in an in-house position of director of corporate affairs Europe from 2000 to 2002); *Lagardère/VUP Framatome/Siemens*.

Says Antoine Winckler of Cleary, Gottlieb, Steen & Hamilton: "Jacques Lafitte has the qualities you expect from a public affairs consultant: he has the right background, having worked both at the Commission and within a US multinational group; he is extremely reactive, creative and knows the right crowd in Brussels. He has been of great help both in highly contested phase II merger investigations as well as other politically complex state aid cases."



PETER-CARLO LEHRELL
FIPRA
Age: 41

How long have you been in public affairs?
More or less since I left

university. My first job was as a research Assistant to a Member of the second European Parliament. For the last eight years I have specialised in competition policy.

Why are you qualified for this role?

I stumbled into competition policy more or less by accident when, in the late 1980s, my employer asked me to look into getting an exemption from EU competition rules for a world-wide 'pricing discipline' that had been in place since 1899. It turned out to be an enormous but ultimately successful project. It made me realise that competition policy questions need to be handled utterly differently from any other type of public affairs. No one appeared to be offering the public affairs piece of the equation as a speciality. It set me on a long road that eventually led to the founding of FIPRA."

Briefly describe your role on a case.

"One of the enjoyable aspects of working in this field is that my personal role varies so much. Advising a government, for example, on a state aid matter, a complainant on cartel issues or a party in a merger are all very different and the role is tailored from case to case. One of the principal things I do is help people understand and ultimately act on the picture in the round."

What is the most important quality in a public affairs consultant?

"Practical experience and the resultant deep understanding of the relevant decision-making processes."

Who is the 'senior figure' in your business?

Doosie Foldal, a deeply European Norwegian, who set up and ran Foldal Public Affairs in Brussels in the early 1980s and sadly died a few years ago. Along with many others, I learned this trade from her and for me she is still the senior figure in our business.

How many competition cases have you advised on?

I confess to have lost count. In the last 12 months I have advised on about a dozen cases. Advising US companies such as General Electric or United Technologies Corporation on state aid matters quite recently would count among great successes, as various competitors were constrained from doing things that might ultimately have distorted competition in certain markets.

Says Chester Paul Beach Jr, associate general counsel of UTC United Technologies Corporation: "I have great respect for Peter-Carlo's strategic vision and ability to synthesise complex matters that involve both the European Commission and the member states."



JOANNA MCDWYER
FIPRA
Age: 36

How long have you been in public affairs?

Over 11 years; the last four specialising in competition policy matters.

Why are you qualified for this role?

Mostly through real life experience gained in the practice of public affairs over the years. I helped found FIPRA in 2000 and this provided me the opportunity to apply my European public affairs expertise to competition cases. Prior to this, I had spent over seven years working with a range of multinational companies on the management of European and international public affairs issues. On technical aspects of competition policy, my law degree has been helpful, but no substitute for professional experience.

Briefly describe your role on a case.

Our role varies depending on the type of case and the scope of the service a client is seeking. In a typical case, I would work closely with the legal team to advise on an integrated public affairs and regulatory PR communications strategy in Brussels and in the EU member states.

What is the most important quality in a public affairs consultant?

Public affairs consultants must be experts in decision making. Public affairs consultants must be experts in decision making. But trust is the most highly valued quality: a public affairs consultant must be a trusted adviser when sitting with clients, and a reliable and respected professional in his or her dealings with individuals in government, regulatory, media or industry positions.

Who is the 'senior figure' in your business?

Much of the work of Stanley Crossick, founder of the European Policy Centre, has informed and enhanced the practice of public affairs today in Brussels.

How many cases have you advised on (competition)?

The FIPRA team and I have experience of advising on over 80 competition-related matters. Two recent examples are for Bertelsmann AG on *Sony/BMG* and devising strategies for Chiron Corporation in two significant competition cases with very positive outcomes.

Says Ethan Knowlden, corporate counsel of Chiron corporation:

"Joanna has provided clear and concise advice, created opportunities for our messages to be communicated and helped craft those messages to ensure the proper reception on two critical projects for our company. We are much indebted to Joanna and the FIPRA team for our success to date in European public affairs."

Says Andrzej Kmiecik of Van Bael

& Bellis: "Joanna fits into a case team and inspires confidence by thoroughly mastering the intricacies of the case. She doesn't hesitate to engage the team on the substance. She combines this with a flair for effectively communicating the agreed message to the appropriate audience."



BRAD STAPLES
APCO Europe
Age: 38

How long have you been in public affairs?

Fourteen years.

Why are you qualified for this role?

I have a political science background and spent time working within the EU institutions before entering the world of political consultancy. I have built and led consultancy operations in Brussels and across Europe.

Briefly describe your role on a case.

To ensure that the client is forewarned and forearmed. To give a clear and complete understanding of the political, media and broader stakeholder perceptions, concerns and motivations at EU and member state levels.

To provide consistent and ongoing information and insights which will enable the client to make informed decisions in the legal and economic context, and to put forward the best business case. To set out and execute a strategy which will secure the best possible conditions in which a case may be heard and the desired outcome achieved—usually the completion of the deal or an acceptable conclusion to an antitrust investigation. To enable the client to communicate with all key opinion formers at the right

time, with the right message and with maximum impact.

To help to secure an early, as well as successful, outcome.

What is the most important quality in a public affairs consultant?

Insight, peripheral vision, integrity, consistency. The ability to listen and to offer sound advice with confidence. Depth of understanding of the complete public affairs environment.

Who is the 'senior figure' in your business?

Michael Burrell, Paul Adamson and Stanley Crossick have all helped to shape the profession in Brussels and Europe and have contributed both substance and integrity.

How many cases have you advised on (competition)?

More than 20. These include for Coca-Cola; on *Telia/Telenor* and on *EMI/Time Warner*.

Says Nicholas Levy of Cleary,

Gottlieb, Steen & Hamilton: "Brad is a class act: smart, well connected, practical, and a pleasure to work with."

Says Nick Bromfield of Lovells:

"Brad is blessed with a pleasant and down-to-earth, yet still authoritative, style which makes him an excellent professional colleague to work alongside—good teamwork being essential. Further, he has strong commercial awareness and his personal input adds value to the process."



MICHAEL TSCHERNY
GPlus Europe
Age: 44

How long have you been in public affairs?

Two years

Why are you qualified for this role?

Only those who truly understand the EU themselves can help client organisations

understand it. I have been involved in EU affairs for over 20 years, first as a journalist, and then as an official working in the Council of Ministers and the Commission, including three years as competition spokesman.

Briefly describe your role on a case.

Mergers, antitrust or state aid cases have ramifications beyond the walls of DG Competition. Investigations and negotiations are never conducted in a political vacuum. We see ourselves as adding value on fronts that traditionally have not been manned or where advice used to be provided by people alien to the Brussels cosmos.

What is the most important quality in a public affairs consultant?

Real knowledge of EU policy-making, strong networks, credibility with all stakeholders, enjoying their trust, honesty, creative and strategic intelligence.

Who is the 'senior figure' in your business?

In Brussels, it has to be Stanley Crossick.

How many competition cases have you advised on?

Ten cases: Alstom—state aid (client was subject to an investigation); Time Warner—merger (pre-merger advice in two major cases, although both projects were ultimately aborted); Tiscali—antitrust (complainant about abuse of dominance by competitors).

Says Innocenzo Genna, general

counsel of Tiscali: "I think that the know-how of Michael and the GPlus team were extremely useful when Tiscali was locked in a battle over competition in broadband internet. With their ideas and initiatives, including media briefings, Michael and his colleagues helped us to secure a favourable outcome."

Says Jacques Derenne of Lovells:

"Gplus's involvement in the Alstom case proved very helpful throughout the proceedings and ensured permanent contact between the Commission and the aid recipient. Michael and his team were very committed and extremely well-connected." ■