

Law Society Education Podcast

April 2021 - Transcript

00:04 Eman Hassan

Hello listeners and welcome to our April edition of the Law Society Education podcast. My name is Eman Hassan and I am a solicitor at Field Fisher.

In our first chapter, we will be chatting with Mark Briegal, who is a partner at Bennett Briegal LLP. Coming from a consultancy background, Mark will be discussing the range of competences that solicitors need as they seek to grow to partnership level or to set up their own firm.

And in our second chapter, Tracey Alexander, the Learning and Career Development Coordinator at the Law Society, will be speaking to another Social Mobility Ambassador, Shaheen Mamum about his journey into law.

00:43 Eman Hassan

Today we are honoured to have with us. Mark Briegal. Mark specialises in advising professionals on the corporate aspects of their partnerships and LLPs. Hi Mark. How are you?

00:54 Mark Briegal

I'm very good this morning, Eman. How are you?

00:57 Eman Hassan

I'm very well. Thank you so much for joining us today; we are really pleased to have you here, as I'm sure our listeners are as well. Mark, can you kick us off by telling our listeners a little bit about your career path?

01:11 Mark Briegal

Ah yes, that's quite interesting. It's fairly untraditional. I suppose I should start off by saying that going back into the Dark Ages, I did look at studying law as an undergraduate degree, decided it was all a bit dusty and didn't appeal to me. But then went in into industry banking, spent some time doing management consulting and, after 20 years of that, (I) had what I might describe as the world's worst mid-life crisis, and then decided to retrain as a lawyer, 'cause I've been dealing with lawyers a lot, and I like the legal aspects of what I was doing,

but I also thought coming to law with 20 years of real-world experience would be useful. So, I took myself off to the College of Law, and found myself a training contract and... here I am now having been qualified for coming up for 20 years.

I trained very much as a corporate lawyer because I had come out of that sort of background and then, with some understanding of marketing, I was sat there in 2008 in the crash, and realised we've been advising a lot of professional practices on their own affairs and a lot of law firms, and thought that this was an area that I could develop and that there weren't many people owning. So, (I) started that and grew that. Paul Bennett and I had been working together for a long period of time; we were both partners at the same firm and we decided, about three or four years ago, that it was time to go out on our own, just because we could do our own thing. Interestingly, it's easier when you're not part of a bigger full-service firm, because law firms don't always want to instruct somebody who they think might be wanting to nick their corporate work or their property work. Because we only advise professional practices, and we don't do the day-to-day stuff, people are much happier to instruct us because we just do our own specialist work.

03:10 Eman Hassan

Wow, sounds brilliant. Well done! So, can you give our listeners then an overview as to what your firm does on a daily basis?

03:17 Mark Briegal

Woo! Paul Bennett and I very much complement each other. So, I do the more corporate aspects. So, I spend a lot of my time doing M&A in (...), lot of legal, I do a few accountants and IFAs and so a lot of M&A in that sector. And as your listeners will be aware, there's a lot of that activity in the legal sector at the moment. I draft a lot of LLP agreements, partners in, partners out, always say willingly or otherwise for the partners out. So, we do quite a few partnership disputes when firms fall over and I think this is where my wider business experience and consultancy experience comes in, because it's not just the straight "this is the law" around, it's about business here and what do you do with that. So, I do the M&A, the agreements, the sort of the dispute side of things. Paul does some of that, but he is much more into regulation and compliance. So, he deals with that and advises on regulatory and compliance matters, and also deals with professionals who find themselves at the wrong end of their regulator. There are solicitors that accidentally confuse office account and client account.

04:36 Eman Hassan

Oh yeah! It is a common theme sometimes.

04:39 Mark Briegal

Well, I don't think it should be! But yeah.

04:41 Eman Hassan

No, I agree.

04:42 Mark Briegal

But 70% of our work is probably other law firms, so we provide the services that law firms need in terms of running themselves.

04:51 Eman Hassan

Great, thank you. Could you tell our listeners then what your key learnings have been from working with clients who are also practising lawyers?

05:04 Mark Briegal

Woo. The problem with lawyers - after 20 years, I'm saying "us" now rather than "them" - lawyers are very clever people for the most part, you know, so your listeners can feel pleased that they're very clever; but that sometimes comes with, dare I say it, a little bit of arrogance. It goes "I can do anything that isn't law", yeah, "I can get my head round so I can do marketing, I can do HR, I can do management, I'll read a book about it without thinking that". Actually, those are a set of skills that, like law, take a lot of learning and practice to get good at so there needs to be some respect for those other skill sets and a willingness to ask for help to get it right. What I see - the successful firms that we deal with and I'm pleased to say a lot of our plans are very successful - are those that understand their running a business.

The other thing is law is just a service. Lawyers... We like law because we probably wouldn't have become lawyers if we didn't. We therefore think that everybody else does. Actually, as far as the client is concerned, law is just a tool. I'll go in very simple terms. I think clients only come to us with two scenarios: scenario #1 is "I want to do something, make it happen"; and scenario #2 is "I've got a problem, make it go away". And you've got to stay focused in what it is your client is trying to achieve and what you're trying to do to help them, you know, and we get very involved in the law. I think, yeah, the clients aren't that interested. You know, I once was doing some training for some lawyers and came up with this wonderful analogy: if you had a leak in your house and you found a plumber, and the plumber arrived and he or she opened their toolbox and showed you all their tools and explain to you how each of their tools worked, you would give them a slightly bizarre look and go: "I don't really care, have just stop it leaking!".

07:06 Eman Hassan

Absolutely.

07:08 Mark Briegal

And I think, as lawyers we have this tendency to explain our legal toolbox to everybody and the client is just going "look, I've got this annoying individual, get rid of them" or "I want to purchase a property, where do I sign?"

07:26 Eman Hassan

Absolutely.

07:29 Mark Briegal

So, I think (...), that that's part of it. So, those firms that realise that yet they are just providing a service, that clients aren't that interested in the law, are they easier to deal with. That's what drives good firms, in my opinion.

07:43 Eman Hassan

Absolutely, no thank you for that. And you know, obviously we you know we had a challenging year with the pandemic... how's the landscape changed in your opinion for freelance lawyers during this time?

07:56 Mark Briegal

Well, I mean, that's interesting. We've said it's been challenging. Interestingly, we talk to a lot of law firms on a regular basis, and any form of recession or whatever picks off the weak ones first. Do you think? You know, the last recession took out Woollies that was a business that had been viable for years. But a lot of the businesses we work with actually are in quite a good position. They're well managed, they're refocused, so they're continuing well. The firms that were struggling are probably struggling a bit more.

08:29 Mark Briegal

Freelance solicitors... Yes, more and more I think this will appeal to people. As the traditional climate changes, and that thing of "I start off as a trainee, I work my way up, I become a partner, I stick in equity" ... Yeah, that may not appeal to younger people now. The opportunity for people to set themselves up and take their client base.... either to set themselves up as freelance solicitors, although we're not seeing a lot of that or... what we are seeing more and more of is going into the virtual firms... where you just pay over 30% of your fees for somebody who provides you with a client account and compliance, and you effectively do your own thing. That I think is appealing more and more to people and what we've learnt over the last year is actually you can work from home remarkably well with the laptop and Zoom. You don't need the big flash offices necessarily, so I think we might see more and more people going "yeah, I like this. I've got a bit of a following, I've got a niche, I'm just going to do my own thing. And if you can generate fees and keep 70% of them, yippee!

09:39 Eman Hassan

Yeah, absolutely, it is quite interesting, isn't it? Is going to be interesting moving forwards. And I do agree. I think a lot of people seeing productivity levels increase during their time

working from home because it cuts out the commute, etcetera. So, it so it has been quite interesting, so it will be good to see where the industry goes.

10:01 Mark Briegal

Well, thank you. I think if there's really a lot of futurologist looking at where the legal industry will go. We haven't seen any major disruptors yet, but I'm sure there will be some as it comes in. I think anything that can be commoditised will eventually be commoditised. Yeah, a lot of what we do as lawyers is around the hand holding, not just the drafting of the documents as it were. It's helping people through difficult scenarios. You know, most people don't use lawyers on a day-to-day basis, and when they do, it's normally something sort of tricky and emotionally involving. Therefore, they want the support, not just an email document. So, we need to understand what it is our clients want and then look at the best way of providing that to them.

10:54 Eman Hassan

Great, thank you. So, it would be quite interesting to understand from you then... you know, from your experience, what are the most common reasons and challenges that you found the partners have seeking to leave a partnership?

11:07 Mark Briegal

Well, I think my starting point is a wonderful phrase from Peter Drucker, who's a management consultant, who coined the phrase that "culture eats strategy for breakfast." You know, it's culture, culture, culture. Where issues arise are around culture and I think around management. Some of the bigger firms now are picking this up and some of the *better* firms are doing it. But historically, one of my gripes within law has been that people get made partners in law firms because they're good lawyers. Suddenly, they're having to do a completely different range of things involving managing people, winning business, running a firm. And they won't always be things that are taught at law schools. And just because someone is a good lawyer and bills a lot - if I were to be frank, that's often what most firms are interested in - doesn't mean that they're going to be able to run a firm well, motivate a team and do all those other things, and that's when often the problems arise.

12:10 Eman Hassan

Absolutely. I completely agree with that. I mean, just in terms of your own experience, how do people overcome that?

12:17 Mark Briegal

Well, I think the first thing is around actually the process of appointing people to partners or to any position, really, in a firm, that needs to be competency-based, not just skill-based. When we're looking at appointing someone as a partner, the fact that they are good lawyers is a given, (...) what you got to look around – people sometimes call them the "softer skills", but actually they are the harder skills. So, if you come across the concept of competences,

which is not what you do, but it's how you go about it. It's looking at your ability to work as a team, your ability to see the bigger picture, you will communicate effectively, all of those things. So, you have to make sure that you're putting people into those positions that have that set of competences.

13:05 Mark Briegal

And the other issue that comes out a lot is around the reward structures, because people tend to focus in on what they're rewarded on. So, if your entire reward structure is around billing, then people will bill. If it's around team building.... and I have another... well, my you probably gathered that I've got a little soap boxes I climb on from time to time, but if the team leader - the partner in charge - is the biggest biller in that team, I query what they're doing, 'cause their role is to make sure that the team itself performs. They can be there as the wise head who people go to with queries, but they shouldn't be sat there billing a lot. They should be focused in on making sure that the whole team is billing affectively.

13:52 Eman Hassan

Absolutely. I think that there is really refreshing to hear that from you, actually. And can I ask you, from your experience, - I think this will be quite interesting for our listeners -what do you think that the main knowledge gaps are for solicitors that are seeking to grow to partnership level or even to set up their own practice?

14:13 Mark Briegal

For solicitors looking to set up their own practise, it's the compliance and regulation side: if they've not had to deal with that. If you've got an Accounts department to do the accounts and a compliance team who do all the file opening, all the dull stuff, as it were. You go "oh, here's a new client, someone takes care of everything" and you can just get on and do the work. I think if you're setting up your own firm, you might underestimate the amount of compliance and regulation that is involved in running your own firm. So yeah, and that's why of course the virtual firms appeal to people because somebody takes that away from them. Yeah, the other side of it for anybody, it's just you're running a business. And if you're sat in a firm and effectively work has appeared on your desk and you've done it, you need to understand the whole aspects of running a business. Yeah, I think I often have a view that everybody should be forced to be genuinely self-employed for a couple of years before they get to a senior position in any organisation, because until you've sold the job, delivered it, build it, collected the money, put aside some of it for that, put aside some of it for future tax, at that point you can go out and spend it. I think people, especially junior positions in larger organisations, don't always understand that point. That cash flow is key... You've got all the aspects of the business to worry about.

15:52 Eman Hassan

Yeah, absolutely. It is very interesting you say that, and I think it is something that's probably one of the biggest gaps to people that are seeking to get to partnership level, because it's not just doing the law anymore, is it? It's running a business and so you do need to know the ins and outs...

16:10 Mark Briegal

Yeah, and of course the bit... It's a great truism that the biggest asset that a law firm has is its people. Actually, the ability to manage people and to manage people well is, dare I say it, often quite lacking in people who get to that position.

16:26 Eman Hassan

Yeah, I mean it's interesting coz you know, I've heard this a lot throughout some of the podcasts that we've done. And do you think it'd be worth when someone is applying for these more senior roles to undergo some training before they have? Do you think that's something that would be beneficial to people?

16:50 Mark Briegal

Ohh, absolutely. I think some of the bigger firms and certainly some of the *better* firms do this. You know, where actually it is a competency-based approach and they make sure that, whilst people are progressing through the system on a career path, that at various points they get training. Yeah, the Law Society insists that you do one day of management skills within two years of qualifying. I think it was ruled. You know, what can you learn in a day? It's got to be a lot.... It's not just at that point that people may be applying for partnership. It should be part of a structured development plan that aims to get people through the system.

17:32 Eman Hassan

Yeah, absolutely, I know my firm are doing a lot of work on that as well. You know, they are very keen to start building those skills at a very junior level, which I think is so important. Being a junior lawyer, if you're learning those skills at the outset, you can only build on them further. And, actually, really do bring something to the table when you get to that level, so I think the work that my firm are doing with it is really incredible actually.

18:02 Mark Briegal

Oh, that's great to hear. I know your firm and others are doing this and I think it's just part of a cultural change. Historically, if people sat as junior trainees - or whatever junior solicitors - in with partners who screamed or shouted who were rewarded and did well, they then perceived that is the way to behave well. Of course, you know it takes time to realise that that isn't the way to behave and there's much better ways to motivate a team and get performance out of them rather than just shouting.

Well, I just think it's about broadening the skill base and remembering that it's not just about being a good lawyer, that there's much more to life than that. Life is more fun actually as well, I think, if you take a broader perspective on it.

18:46 Eman Hassan

No, absolutely it's been so lovely to hear from you and it's really refreshing as well. So, thank you so much for joining us. I'm sure our listeners will see your experience has just been invaluable. So, thank you so much Mark for joining us. We will hopefully have you on here again.

19:05 Mark Briegal

Well, thank you for having me. It's been fun talking to you and yes, I'd be delighted to join you again. So, thank you very much.

19:14 Eman Hassan

It's now time to introduce our next chapter, which will be facilitated by Tracey Alexander from the Law Society.

19:25 Tracey Alexander

Hello. I'm Tracey Alexander and I'm a Learning and Career Development Coordinator at the Law Society. Today I'll be speaking to one of our social mobility ambassadors, Shaheen Mamun, about his journey into law. Hi Shaheen, can you tell us a bit about yourself, where you work and how long you've been working there for?

19:41 Shaheen Mamun

Hi, my name is Shaheen Mamun and I'm a solicitor who co-founded Black Antelope Law in 2018, when I was 26 years old. Our firm has a particular focus on advocating for mental health, wellbeing and social mobility in the legal profession.

19:55 Tracey Alexander

Fantastic, brilliant. Thank you so much, Shaheen. And what do you do in your role? Can you tell us a bit more about what typical day is like for you?

20:03 Shaheen Mamun

As a director and solicitor at Black Antelope Law, I had the day-to-day running of the organisations, financial Administration and I have a primary focus on maintaining quality mark standards: legal and data protection compliance, risk management, performance marketing, and brand management. I also lead the Public Law Department at our firm. I provide training, development and support to ensure that the organisations strategic objectives are met, and that the quality of services being offered is second to none.

20:32 Shaheen Mamun

My experiences as a director and as a young solicitor leading the law firm have been shared in the management chair by the Law Society Management section, and my legal life in the Law Gazette. No single day is the same as it could vary from the hearings, the casework to practise management; but each day requires me to demonstrate empathetic leadership and maintain client relations, which is demanding but rewarding from a personal perspective.

20:58 Tracey Alexander

That's brilliant, thank you so much. And what did you choose a career in law?

21:03 Shaheen Mamun

Coming from a BME background, working class predominantly with my parents, my passion has always been to fight for justice and becoming a lawyer was the most effective way of achieving this, in my opinion. I've always had the curiosity to challenge unjust decisions, no matter how small, my desire to make the world a better place has always been at the forefront of my aspirations. I see myself being a lawyer as a social instrument to society. As demonstrated on the news, the impact we can have, and therefore is a reason why I chose a career in law.

21:34 Tracey Alexander

That's brilliant, highly commendable. And what was your route to qualifying as a solicitor? How long did it take you to qualify?

21:41 Shaheen Mamun

So, I attended the University of Westminster to undertake the LLB solicitors exempting honest degree, which combined the LLB degree and the LPC. So, it took me 4 years collectively from 2010 to 2014. I was paired with a solicitor from a Legal-500-recognised firm through a mentoring scheme. One mentor helped me to succeed by enhancing my legal employability through confidence-building, networking and developing key employability skills. It's important to help those who are facing similar difficulties in entering the legal profession. As a result, I was able to join as a paralegal at niche law firm in Fleet Street, which would offer me a training contract a year after I qualified for my studies. I owe a substantial amount of gratitude to the University of Westminster, where they not only challenged my academic ability, but they also assisted in my professional development.

22:34 Tracey Alexander

Brilliant. And what was your experience of getting experience in your chosen field? So, lots of students struggle with this. Can you show any tips at all for getting experience in law?

22:44 Shaheen Mamun

My route to a legal career was by no means an easy one. I've encountered and overcome several hurdles and obstacles along the way. I mean, being a first-generation lawyer of ethnic background and also the first individual in my family to complete university, I stepped into a career that from the outset seemed daunting and challenging. I didn't have the benefits of previous connections in the legal field. I had to forge my own path through hard work and persistence. Through my journey, I've made life-changing friendships that have enabled me to further my passion in law and fulfil my dreams.

My advice would be no matter how many obstacles are put in front of you, never lose sight of the final goal. Life is all about overcoming obstacles and, the more problems you can overcome, the richer your experience will be. Through patience and persistence, there are no limits to what you can achieve. So, you shouldn't be afraid of hard work. Don't be afraid of starting from the bottom, because hard work never goes unrewarded. Chasing your passion in life is worth all the hard work, because once you taste the fruits of your endeavours, it all becomes worth it.

Personally, for any aspiring solicitors, I would highly recommend that you undertake as much pro bono and legal voluntary work as you can, in order to achieve the desired training contract. Professional networking through events and email, and even through platforms such as LinkedIn, is also not a bad idea as it helps to broaden your contacts' list and raise awareness of any potential opportunities. And it's always always very important to stay on top of exams, especially with the amount of competition out there.

24:14 Tracey Alexander

Excellent. Thank you for sharing those tips, Shaheen. Really useful. What inspired you to become a social mobility ambassador? I think you've already touched on this, but I don't know if there's anything else you want to add in relation to this.

24:25 Shaheen Mamun

Absolutely. Following on from what I've said, my business partner and I, at Black Antelope Law, we both attended the same secondary school in Inner City London, which was on the borders of Islington and Hackney. We both come from a working-class background and our passion was always to challenge the stereotypes that people of our background can't do well or lead in professions such as law. My personal belief that BME people can do well in positions of leadership and offer different way of leading, based on cultural factors and our backgrounds. That something that we can relate to and demonstrate experience.

24:58 Shaheen Mamun

In my opinion, that's an aspect of the legal profession that has been relatively slow to address. Only now, with initiatives such as Social Mobility Ambassador initiatives, and more focus on diversity being available to firms and the legal profession itself, has it now been a priority to address. I want to essentially share my journey and hopefully inspire other similar aspiring lawyers from similar backgrounds into entering the profession itself, in a more unconventional route, as I have done. Especially co-founding a firm at young and early stage of my career. This is one of the reasons why I became a Social Mobility Ambassador. It was tough at first, and I did experience some anxiety as I co-founded my own firm, as I explored

into the unknown. But the best lesson I learned is that, once you become comfortable being uncomfortable, then you can achieve and develop both personally and professionally. So, I hope to use my time as a social mobility ambassador to make positive change in that regard.

26:00 Tracey Alexander

Excellent. What do you love the most about your job?

26:03 Shaheen Mamun

What I love most about my job is the transferable skills that we learn as solicitors, and as directors. As once you receive your legal qualifications, you always have that knowledge and ability. From what you've learned during your time in the profession itself. Unlike money or power, education can never be lost, it will continue to stand you; it will continue to ensure that you stand in a good position throughout your career. Having a law degree and legal experience can open up a lot of doors to new opportunities in many different career areas: from education to politics, and often serves us a sort of steppingstone for people during their lives.

26:41 Shaheen Mamun

It is no surprise. You look at inspirational BME figures, such as Sadiq Khan for example, the Mayor of London, who had a legal background and was a solicitor, and he used the ability that he had developed as a lawyer to transfer that onto a bigger stage. This is one of the biggest aspects I love about our job; it is so versatile, something that we can use not only to improve ourselves for more professional standpoint, but from a personal standpoint as well.

27:05 Tracey Alexander

Absolutely. And finally, what do you wish that you knew when you were a student that you know now?

27:11 Shaheen Mamun

The two elements that I wish I'd knew are in relation to mental health and university societies. So, in relation to mental health, I would have appreciated that it's more okay to feel overwhelmed and scared sometimes, especially in your first month in the legal profession itself. So, I would have ensured that I was able to take it one step at a time and allow myself to adjust slowly thinking what is best for myself. It might seem like a good idea to just throw yourself into work and go up the ladder, but something that works for one person may not work for you. So, you shouldn't feel afraid to seek help from the development individuals or organisations such as Uni, as it's clearly daunting at first, but everyone's around you to support each other. Had known quite early when I was a student, is something that I would have been able to deal with much better with the mental health aspect, as that can have an impact whilst you progress in the legal profession after your time as a student. So, something that you should always keep tabs on and investing wisely is your mental health.

28:08 Shaheen Mamun

Second aspect I wish I knew that was a student, would be in relation to societies - societies at University. I wish I had joined more if not joined all of them essentially at University as I sort of underestimated the amazing impact of being a member of the society will have on my time at uni, especially on my CV as well. Not only do you get to meet a lot of people that you otherwise wouldn't, you also get to do something you enjoy in your free time. And it's also rewarding to you from a professional standpoint. that something that you can elaborate on your CV if, for example, you're lacking an experience. Plus, societies also do offer plenty of social, so if you're afraid of not being able to make friends or if you don't particularly get on with anyone from your course, this is a great way to meet some awesome new people.

28:57 Tracey Alexander

Fantastic. Thank you so much, Shaheen, for sharing those really interesting insights with us.

29:03 Eman Hassan

Thank you for listening to this episode of the Law Society Education podcast. We will be back next month with other experts from the legal practice.