

RS Legal announces strategic partnership

Clara Hudson, 17 April 2018



David Kirk

RS Legal, a white-collar crime firm, has officially launched a strategic partnership with US-based Affiliated Monitors and announced the hire of David Kirk from McGuireWoods.

RS Legal announced the news on 17 April. RS Legal counsel Jason Sugarman QC told GIR that the strategic partnership with Boston-based compliance monitoring firm Affiliated Monitors is an exclusive arrangement that will provide them both with expertise in the UK and US, to help represent clients on both sides of the Atlantic. Sugarman added that Affiliated Monitors will help RS Legal with monitorships in the UK, and RS Legal will in turn provide assistance in Europe.

RS Legal was established in 2016 by 33 Chancery Lane's Mark Rainsford QC and Foundry Chambers' Sugarman QC. The pair, who remain at their chambers, had worked together on a number of cases prior to establishing the firm, which is made

up of former barristers, solicitors, law enforcement officials and other professionals who advise clients on compliance and criminal defence strategies.

The firm will provide monitorships and advise companies on investigations related to matters such as bribery and corruption. Most recently, it brought on David Kirk, who joined as a consultant solicitor from McGuireWoods, where he had been a partner. In 2017, RS Legal had added Geoffrey Rivlin – a former judge and UK Serious Fraud Office (SFO) special advisor – as a consultant.

Affiliated Monitors' president Vincent DiCianni said that RS Legal's well-respected team, including Kirk and Rivlin, will help reassure government agencies when carrying out independent monitorships. While monitorships haven't been used as widely in the UK as they have been in the US, the firms are betting on that to change.

Sugarman said: "In the UK, monitoring is new and unknown. We believe that monitoring is going to come of age in this country and will be an important part of the government's interaction with business". RS Legal and Affiliated Monitors are already partnering on a monitorship for a US-based corporate, where Rivlin is assisting the team.

Kirk officially joined RS Legal as a consultant solicitor on 3 April after leaving McGuireWoods where he had been a partner since 2014. During his time at McGuireWoods, he chaired the UK Fraud Advisory Panel, an independent fraud watchdog. He spent five years at the Financial Conduct Authority, which was still known as the Financial Services Authority when Kirk first joined as chief criminal counsel to lead the criminal prosecu-

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tion team. Prior to working at the regulator, Kirk was the director of the fraud prosecution service at the Crown Prosecution Service (CPS) from 2006 to 2009.

Speaking of his experience at the CPS and FCA, Kirk said that it enables him to have a deep understanding of how these authorities think.

“You know how the authorities work; you know how the courts work,” he said. “It’s an advantage certainly when you’re approaching the SFO or CPS because you know the way they will be looking at your case or client.”

Kirk said he joined RS Legal because he liked the idea of having a consultancy role and “something more personal” after his years at large firms and authorities.

Kirk also spent decades at London firms Simons Moorhead & Burton and Stephenson Harwood between 1988 and 2006.

Meanwhile, Rivlin also has extensive experience with UK authorities. He was a resident judge at Southwark Crown Court until 2011, and joined the SFO as an advisor to director David Green in 2013. At the SFO, Rivlin assisted with the authorship of the code of practice for deferred prosecution agreements (DPAs).

In his role at RS Legal, Rivlin will advise corporations on strategies to secure plea agreements and deferred prosecution agreements.

As former judges are usually not allowed practise as private lawyers after they retire, Rivlin needed consent from the Lord Chief Justice of England and Wales, Sir Ian Burnett, before he could take up the position. He will not be involved in court advocacy and will not be in direct contact with prosecuting authorities like the SFO.

McGuireWoods declined to comment.