

Mark Rainsford Q.C.
Curriculum Vitae

Current position Head of Fraud Litigation
Bivonas
24 Cornhill, London EC3V 3ND

Former chambers Head of Fraud and Financial Crime
Chambers of Christopher Kinch QC
23 Essex Street
London WC2R 3AA

Professional Details

Date called to the Bar 1985
Queen's Counsel 2006
Inn of Court Lincoln's Inn
Also called to the Bar in Grand Cayman.

Education Law LLB (Hons)
London School of Economics & Political Science

Summary of Practice

Advising and defending corporate clients and individual directors regarding suspected bribery and corruption, facilitation payments to overseas government officials, issuer book keeping infringements under the Foreign Corrupt Practices Act 1977 and the Anti-Terrorism, Crime and Security Act 2001.

Instructed by City solicitors, US Law firms, HM Revenue and Customs ('HMRC'), the Fraud Prosecution Service and Crown Prosecution Service HQ.

Advising in relation to insider trading, market abuse and major business crime.

Heading internal corporate investigations concerning suspected fraud or regulatory breaches, advising on strategy, assisting clients to avoid prosecution or to mitigate penalties that may be imposed by regulators in competing

jurisdictions. Undertaking a number of large internal investigations on behalf of HMRC, including one lasting nearly five years and another for one year.

Prosecuting and defending serious and complex fraud trials, including conspiracies to cheat the revenue, carousel fraud, diversion fraud and VAT frauds.

Has reviewed the safety of convictions on behalf of the Attorney-General in many major fraud trials and was also instructed in some of the major appeals following the reviews.

Expert in complex confiscation proceedings, money laundering, the recovery of assets and in extraterritorial jurisdictions regarding these issues.

Providing emergency advice to City professional service firms when their offices are being searched by the overseas corruption unit of the City of London Police and/or the Serious Fraud Office or other law enforcement agencies. Recent cases include the London office of an international law firm and the London office of an accounting firm.

Has prosecuted and defended cases concerning organised crime, money laundering, public nuisance, the illegal importation of military weapons, gross negligence manslaughter, murder, riot, medical malpractice, specialised drug trafficking cases (airdrops and cartels) and other large and highly complex and multi-jurisdictional criminal cases. Defended the captain of a ship responsible for importing four tonnes of cocaine in a trial lasting for 15 months.

Ten years experience sitting on professional disciplinary tribunals and three years experience of chairing professional disciplinary tribunals.

Notes on cases

2008/9

Conducting an internal investigation for one of the world's largest multi-national companies regarding suspected bribery and corruption issues, spanning many jurisdictions.

Leading counsel advising a City based international law firm suspected of complicity in the bribery of overseas officials.

R v Rastogi Leading counsel for the defence in confiscation proceedings. Representing the former CEO of RBG Resources plc, a metal trading company, prosecuted by the Serious Fraud Office for a multi-billion "Ponzi scheme". This case concerns parallel civil and criminal proceedings in both the UK and the USA. Leading Professor Rudi Fortson.

R v S Leading counsel for the defence in confiscation proceedings following the conviction of the defendant in two missing trader VAT frauds with a combined revenue loss of £50 million. The prosecution alleges that there are hidden assets. Leading Kennedy Talbot (Author Mitchell & Talbot on Confiscation).

R v Akram & Ors. Confiscation proceedings aimed at recovering £5 million of assets from the head of a serious and acquisitive criminal gang. The trial followed a four year investigation by the Specialist Intelligence Directorate at New Scotland Yard. Their offences included kidnapping, extortion, torture, blackmail, drugs trafficking, carousel fraud, money laundering and many other crimes.

2007

Led two junior counsel in the prosecution of a £55.5 million missing trader intra-community ('MTIC') carousel fraud. Brief contained about 60,000 pages of evidence. Retained for more than a year to prepare this trial. Instructed by HMRC.

Successfully defended the principal defendants in two high profile trials in Grand Cayman.

2006

Leading counsel for the appellant in a case concerning a £15.9 million carousel fraud. After a trial lasting six months, a successful appeal having established that the judge had drawn unjustifiable adverse inferences from the evidence. This was the first HMRC prosecution of MTIC fraud.

Instructed for the Respondents in R v Hare & Ors, an appeal following conviction for a £20 million diversion fraud case. Alleged revenue loss in region £200 million. The case papers filled a large lorry container. Retained by the Attorney-

General for about one year to write a report on the disclosure material for the benefit of the Court and all of the parties. The appellants withdrew their appeals.

Prosecuted the first agricultural flat rate addition fraud: R v Coates.

Instructed for the respondents in the House of Lords appeal of R v Rimmington and Goldstein, concerning the scope of the common law offence of public nuisance.

Between 2002 and 2006, retained by Attorney General in an overview role concerning all 44 London City Bond fraud cases. This followed the discovery of serious disclosure failures by HMRC. Then retained to reviewing the safety of convictions in all 44 major fraud cases. Then to conduct the main appeal.

During the same period, retained by a major law enforcement organisation for about 12 months, to advise on strategy relating to an internal investigation and to review all of the material gathered during that investigation. More than a million documents had to be considered.

Previous trials include defending the chairman of a marketing and advertising agency in the 9 month Abbey National Bank corruption trial at the Central Criminal Court. Issues included commercial public interest immunity and breach of fiduciary relationship by a director.

Practised as a common lawyer at trials and appeals for both claimants and defendants in all manner of cases in the County Court, the High Court on both interlocutory applications and trials, in claims on the Masters' Corridor and at arbitrations.

Other information

Member of the Anti-corruption Committee, IBA
Member of the '51' Committee- UK lawyers based at
US law firms in London
Proceeds of Crime Lawyers Association
Commercial Lawyers Association
Criminal Bar Association
Member of South Eastern Circuit and most London
and South Eastern bar messes

Prior to being appointed Queen's Counsel, Mark was
on the Attorney-General's A List of Counsel for all
Government Departments.

Tutor at Lincoln's Inn advocacy and ethics training
courses for practising barristers- over ten years
experience, since the inception of the schemes.

Member of the Bishop's Council – an advisory
committee to the Lord Bishop of St. Albans.
Member of the House of Laity, St. Alban's Diocesan
Synod
Member of the Wheathamstead Deanery Synod
Lay Vice-Chairman Harpenden P.C.C.

Relaxation

Family, skiing, tennis and golf.