

Martin Kenney



Martin Kenney & Co. Solicitors

Road Town, Tortola

www.martinkenney.com

mkenney@mksolicitors.com

Tel: +1 284 494 2444

Biography

Martin is an international fraud and asset recovery lawyer. His firm has been described by *Wired* Magazine as being among the “sharpest fraud-busters in the world”. Martin is a founding member of ICC FraudNet, and winner of the 2014 ACFE Cressey Award in recognition of lifetime achievement in combating fraud; furthermore, *Offshore Alert* says he is one of the best-known lawyers of his type in the world.

What inspired you to pursue a legal career?

My late uncle Jack Kenney was a Bay Street lawyer in Toronto. He went on to become the general counsel and president of the Ontario Jockey Club – the epicentre of thoroughbred and standard bred horse racing in Canada. He was a bon vivant, raconteur and master teller of tales who inspired me to “do law”.

What qualities make for a successful asset recovery lawyer?

Tenacity. Persistence. Intelligence. An acute memory. Hard work. Courage while under fire. Lateral thinking. Psychological awareness of yourself and others. In particular, awareness of the foibles and expectations of judges, witnesses, opposing counsel and clients alike.

What are your priorities for the development of Martin Kenney & Co Solicitors in the next few years?

We are a small team of 16 people. I hope to grow the practice to 25. We have a surge capacity through our membership in ICC FraudNet. Investing in the continuing growth of FraudNet (now with 81 members in 67 countries) is of moment. We aspire to get stuck in on a major cross-border public corruption job. We also intend to branch out further in our work in Latin America, India, China and Africa.

What advice would you give to someone looking to start their own firm?

Concentrate on articulating and implementing a strategic path towards growth. The most crucially important element of this is attracting and retaining people of good character and high intelligence, and who possess an abiding

interest in asset recovery. Thought leadership through writing, speaking, mentoring and risk-taking is of equal importance in developing a positive brand. For example, I now publish regular blogs, op-eds and other articles that appear to be well received by the readership. These articles are being picked up by students who are citing them as part of their academic writing; in turn, this increases your internet footprint. If a potential client conducts a basic Google search on me as their potential lawyer, they are met with numerous links taking them to these articles; it is likely these references can only have a positive impact. Finally, set aside some spare time for pro bono work for the community.

How is the use of big data affecting the practice area of asset recovery?

E-discovery platforms are now de rigeur. They are an essential tool for organising dense material into a chronologically and e-searchable format at the blink of an eye. In asset recovery, a revolution is taking place. In the instance of one NGO in Washington DC, that my firm has a strategic partnership with, copies of the digitised public asset ownership records (eg, in respect of the ownership or control of companies, land titles, automobiles, planes and motor vessels) from over 100 countries are being placed into a single database to identify links between targets and assets.

What, in your opinion, can be done to improve diversity in the field?

Leaders in asset recovery must encourage young people from diverse backgrounds to join their teams. Summer internship programmes need to be open to women and minorities in particular. Mentorship and teaching a diverse crew is imperative.

We need more diversity in asset recovery. Leaders in the field need to accept responsibility for making this happen.

How do you see your practice developing over the next five years?

More work will come from improving our risk management tools in asset recovery. Assembling portfolios of claims; bundling success fee contracts which shift the risk of loss in our work to professionals and securitising them with third party funds on a risk-shared basis; budgeting costs; and detailed task-by-task planning will all become essential tools to grow practices.

You have enjoyed a distinguished career so far. What would you like to achieve that you have not yet accomplished?

There are a number of lawyers out there in the field today – especially my 80 colleagues in ICC FraudNet. I feel it is incumbent on all of us to impart our knowledge and experience on those who may have the qualities to follow in our footsteps, especially the younger lawyers who may be unsure where to focus their long-term efforts. We need to win these individuals over for a career in asset recovery. In addition, the dynamic world that is asset recovery has seen many innovations over the years, but one that is sometimes overlooked is the availability of third-party funding that enables us to go after the assets lost to individuals who can no longer fund the litigation required to repatriate themselves with their assets. We recently ran a masterclass in third-party funding at a FraudNet conference which was very well received. Finally, I'd like to conduct more pro bono work where appropriate, especially for matters affecting the local community.

WWL says: Martin Kenney is “a great strategy man” according to peers who praise his work dealing with cross-border asset tracing, freezing and insolvency matters.