

Thomas Horton

Call Date: 2015



Thomas Horton is a commercial and sports barrister who acts in contractual disputes, insolvency matters, property claims, and regulatory issues.

As fully set out in his areas of expertise below, Thomas has extensive experience in each of these practice areas.

Thomas has a growing practice in contentious and regulatory sports matters, and regularly represents and advises clubs, athletes, intermediaries, and other participants. Thomas has been ranked as a 'Rising Star' (Legal 500, 2022 – London Bar) and a 'Leading Junior' (Legal 500, 2024 – London Bar) for sport, demonstrating his expertise and growing reputation in this area of law. Thomas regularly appears before sports' governing bodies' disciplinary commissions, and also has experience of FA Rule K arbitrations. Thomas spent 12 months as an Associate Barrister in Squire Patton Boggs' sports litigation team from 2021 to 2022. Thomas is an appointed member of UEFA's Pro Bono Counsel List and Sport Resolutions' Pro Bono Legal Advice Panel.

Thomas has undertaken a substantial amount of oral and written advocacy in each of his practice areas and has experience before a range of courts and tribunals, including appearing as sole counsel in the High Court. Thomas is regularly praised by clients for his clear advice and advocacy skills.

Thomas is Direct Access qualified and is therefore able to accept instructions directly from members of the public, companies, and other entities.

Legal Services

Sports Law

Football

- Representing an EFL Championship player charged by the FA with a breach of FA Rules, rule E8.1 for placing 484 bets on football matches, including matches which the player and/or the player's club were involved in, and obtaining a four-month suspension. The Regulatory Commission's written reasons are available [here](#).
- Representing a football agent in a Rule K arbitration claim against a former player client for non-payment of commission totalling over £200,000.

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- Representing a Premier League club in a Rule K arbitration concerning non-payment of an agent's commission payments.
- Representing a football agent charged by the FA with a breach of the FA's Working with Intermediaries Regulations for failing to declare he acted for a Premier League football club *and* a football player in a player transfer. Included a [successful appeal to an FA Appeal Board](#) against [sanction originally imposed by an FA Regulatory Commission](#).*
- Advising an agent in respect of non-payment of commission payments due in respect of the transfer of a Premier League player.
- Representing a Premier League player in a dispute with his club in respect of non-payment of bonuses contained in the player contract with a total value of £3.5m.*
- Representing an EFL Championship club in reaching an Agreed Decision with the EFL in respect of the club's breach of the EFL Regulations for failing to pay players' wages.*
- Representing an EFL Championship club facing inquiries from the EFL and the Premier League concerning the club's corporate structure and compliance with the EFL's and the Premier League's respective Owners' and Directors' Tests.*
- Representing a former manager of a Premier League club in a claim for unpaid bonus payments with a total value of £500,000.*
- Representing an EFL League Two football player charged with an aggravated breach of the FA Rules, rule. E3.1 and, following the football player's admission of the charge, [obtaining the 'Standard Minimum' punishment for the same](#).
- Representing a National League football player faced with an aggravated breach of the FA Rules, rule. E3.1 and successfully having the charge dismissed.
- Representing a National League football player and successfully opposing an appeal made by a National League club against a decision of the National League Board concerning the football player's valid termination of employment.
- Advising an EFL League One football club in respect of refunds due to season ticket holders following COVID-19 causing the cancellation of football matches.

Anti-Doping

- Representing a Rugby Football Union Championship player facing a charge for a breach of the RFU's Anti-Doping Regulations in respect of a contaminated supplement, raising issues of intent and 'No Significant Fault or Negligence'.
- Successfully representing a Team GB boxer alleged to have committed a Domestic Testing Pool Filing Failure in respect of Whereabouts information provided.
- Representing a disabled international tennis player charged with a breach of the International Tennis Federation's Tennis Anti-Doping Programme for medication taken routinely and as a consequence of the player's disabilities, and obtaining a one-year sanction on the basis that the breach was committed with '*No Significant Fault or Negligence*'. A copy of the decision is available [here](#).
- Representing a Rugby Football League Championship player charged by the RFL for a breach of the RFL's Anti-Doping Regulations, raising issues of jurisdiction, intention and no significant fault or negligence. The National Anti-Doping Panel's decision is available [here](#).
- Representing a EFL Championship player charged by the FA for a breach of the FA's Social Drugs Regulations for an offence committed while still registered with his former club.
- Representing an EFL League Two football player in an appeal against a decision of an FA Regulatory Commission concerning an FA Anti-Doping Regulation violation and, in particular, [obtaining a reduced sanction](#) due to the incoming World Anti-Doping Agency's 2021 Code.
- Representing an EFL Championship football player charged with a violation of the FA Anti-Doping Regulations and [successfully applying the *lex mitior* principle](#) to obtain a suspension of three months

rather than between one to two years.

Other Sports

- Representing Essex County Cricket Club following a charge of breaching the England and Wales Cricket Board's Directives concerning allegations of racism and a lack of investigation into the same. The Disciplinary Panel's decision can be found [here](#).*
- Representing professional snooker players charged with involvement in match fixing and placing bets on snooker matches. A copy of the Independent Disciplinary Commission's decision is available [here](#).

* Work completed while employed by Squire Patton Boggs.

Commercial

- Representing a property developer in a claim against a contractor for failing to complete contracted works.
- Advising and representing a company seeking to enforce a judgment debt of over £400,000 by obtaining a charging order over the debtor's personal pension scheme.
- Representing a company that provides education, training, and consultancy services to the international sporting community in a claim for breach of a joint venture agreement brought against the International Paralympic Committee.
- Advising and representing, including at a mediation, a door manufacturing company in a claim against a property developer for non-payment of delivered goods.
- Representing a marketing agency faced with claims for repayment of money in respect of sponsorship rights relating to international and domestic football teams.
- Appearing in the High Court and successfully obtaining an adjournment of an interim injunction application made by Ofgem against an energy supplier.
- Advising a global engineering company facing a claim for a placement fee from a recruitment agency.
- Advising a holiday home company facing a claim by a consumer in respect of the quality of a holiday home.
- Regularly advising, drafting, and appearing on behalf of a trade company concerning the enforcement of personal guarantees provided by company clients' directors.

Insolvency

- Representing a trustee in bankruptcy in successfully obtaining a suspension to a bankrupt's automatic discharge from bankruptcy.
- Advising and representing a trustee in bankruptcy in obtaining an order for private examination of a bankrupt and an income payment order.
- Advising and representing a former director of an insolvent company facing a claim for misfeasance in respect of an overdrawn director's loan account and sums withdrawn from the company.
- Appearing as junior counsel in a claim brought by administrators against directors of an insurance company based in Gibraltar concerning breaches of directors' duties, transactions at undervalue and unlawful distributions.
- Representing and advising a company director in an application made by joint liquidators alleging misfeasance in respect of dividends paid by the company to the director before the company was placed into CVL.
- Successfully representing petitioning creditors faced with an application to annul or rescind a bankruptcy order, including addressing issues relating to a Mental Health Crisis Moratorium and a

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Breathing Space Moratorium.

- Successfully representing creditors faced with applications made by debtors to set aside statutory demands on the basis that the debts concerned were allegedly disputed on substantial grounds.
- Advising joint liquidators on claims against a director for fraudulent trading and misfeasance relating to a company's VAT and Corporation Tax liabilities and cash withdrawals.
- Successfully representing a trustee in bankruptcy opposing an application made by a bankrupt to remove the trustee in bankruptcy from office.
- Advising a shareholder on the prospects of establishing a claim for relief for unfair prejudicial conduct.
- Appearing in the High Court either representing creditors that have presented winding-up petitions or companies opposing a winding-up order being made.
- Advising and representing administrators in making an application to extend the administration of a company by two years.
- Representing trustees in bankruptcy in an application for orders for possession and sale of properties owned by a bankrupt.
- Appearing as junior counsel for a respondent facing an application to revoke approval provided at a creditors' meeting for an IVA. The application was successfully dismissed, and costs were awarded on the indemnity basis.

Property Litigation

- Advising and representing the owner of a commercial premises in a boundary and adverse possession dispute affecting access to the commercial premises.
- Advising an individual and their representatives on a claim alleging undue influence and duress in respect of the sale of a property.
- Advising the owner of a long-leasehold interest in a property in defending a claim alleging breach of a restrictive covenant in the lease following renovation works completed at the demised premises.
- Representing landlords at possession hearings.
- Representing a landlord of a commercial premises in an application made by a tenant for determination of disputed terms of a lease pursuant to ss. 33-35 of the Landlord and Tenant Act 1954.
- Advising and assisting a public company who was the landlord of a business premises. The tenant of the business premises had fallen into administration and the administrators had subsequently granted a licence to occupy the business premises to a third party in breach of the terms of the lease. The landlord sought to recover possession of the business premises. A settlement was ultimately reached with the administrators of the tenant and with the third party, avoiding the need of the landlord to apply to the High Court to lift the moratorium that otherwise prevented the landlord from starting legal proceedings to recover possession of the business premises.
- Representing the owner of a long-leasehold interest in a property in a claim against the freehold owner of the property for breaches of repair covenants.
- Advising and representing a charity that owns the freehold interest in a plot of land in a claim seeking possession of the same from trespassers, which included an application for an Interim Possession Order and making an application for an interim injunction.
- Advising and assisting a landlord in responding to a tenant's notice served pursuant to s. 42 of the LRA 1954 and exercising their right to acquire a new lease.
- Advising and assisting a tenant in respect of the formalities to effectively serve a notice pursuant to s. 42 of the LRA 1954 in circumstances where the tenant occupied a property under a sublease.
- Appearing on behalf of a leaseholder in the First Tier Tribunal (Property Chamber) opposing a landlord's application for alleged breaches of covenant, and for the determination of liability and reasonableness of service charge payments.

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- Advising and assisting a limited company who was the landlord of a business premises that had been destroyed in an arson attack. The landlord sought to bring a claim against the tenant who was in occupation of the business premises at the time of the arson attack or alternatively to make a claim pursuant to an insurance policy taken out by the landlord.

Direct Access

Thomas is able to accept instructions directly from members of the public, companies and other entities through the public access scheme (also known as direct access). He is happy to accept instructions on a direct basis in appropriate cases. If you wish to instruct Thomas on a direct basis, please speak to the practice managers.

For more information on public access, please see the Bar Council [website](#).

Accreditations



Publications

Thomas is the founder of [Football Law](#) and regularly writes articles on the latest football law news and decisions.

LawInSport:

- '[Could The FA Do More To Discourage Racism? A Review Of The Bernardo Silva Decision](#)', 20 December 2019

- 'No Significant Fault: Andre Onana Returns After Falling Foul Of UEFA's Anti-Doping Regulations', 2 December 2021
- 'The FA v Marc Bola – Dealing With Historical Aggravated Breaches', 25 March 2022

Memberships

- The Commercial Bar Association (COMBAR)
- R3

Education

- LLB (Hons) (University of Birmingham)
- BPTC (City Law School)

Appointments

- UEFA Pro Bono List of Counsel
- Sport Resolutions Pro Bono Legal Advice Panel

Awards

- Inner Temple: Major Scholarship
- Inner Temple: Duke of Edinburgh Award
- University of Birmingham: Birmingham Scholarship