

Thomas Keane

Year of Call: 2017

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Practice Summary

Thomas is a commercial chancery barrister and practises across commercial litigation, company, insolvency, property, trusts and charities. He is regularly instructed on urgent applications, civil procedural hearings and trials across all tracks.

An effective court advocate, Thomas is known for his straightforward, clear, advocacy style and meticulous preparation. He has a busy paperwork and court practice, and acts for companies, financial institutions, local authorities, charities and individuals. He appears in the County Court and the High Court including in the Companies Court, the Insolvency and Companies List, the Chancery Division and the Commercial Court, both in London and on circuit.

He is called to the Bar of the British Virgin Islands and from 2024 to 2025 practised in the BVI at Maples and Mourant, representing clients in the BVI Commercial Court on a range of company, insolvency and trusts matters.

Prior to the Bar, Thomas gained substantial in-house experience with leading international companies including Warner Bros. Entertainment UK, Formula 1, Time Inc. UK, and Convex Insurance, and worked as a research assistant at the Bingham Centre for the Rule of Law. His extensive experience underpins his client-focussed, commercial approach to his practice.

Charities

Having worked for national charities and served as a director, trustee, and member of charity boards for over 15 years, Thomas has extensive knowledge of charity governance and procedure.

He has negotiated and drafted numerous charity partnership agreements between corporate entities and registered charities, including a charity partnership agreement for Water Aid.

He advises charities and unincorporated societies on:

- *regulatory and disciplinary matters*
- *the conduct of trustees and members*
- *the interpretation of trust deeds and other governing documents*
- *civil and property matters*
- *charity legislation, including the changes introduced by the Charities Act 2022*

Recent work includes advising a national charity on pledge payments and the tort of inducing breach of contract, and defending a without notice injunction brought by a charity against its commercial leaseholder.

Commercial Litigation

Thomas specialises in commercial law and has extensive experience in both contentious and transactional matters. Prior to joining the Bar, he worked in the legal teams of Warner Bros. Entertainment UK, Time Inc. UK, Formula 1, and Convex Insurance.

His knowledge of commercial contracts across various sectors and the disputes arising from them is considerable. He has reviewed, negotiated, drafted, and advised on a broad range of commercial agreements, including sponsorship, distribution, consultancy, procurement, framework, goods and services, IT and data contracts, as well as a range of terms and conditions.

He regularly represents banks and financial institutions at trial and interim hearings and has significant experience in consumer credit matters, mis-selling claims (in particular, under s.75 and s.140 CCA 1974 relating to insurance and solar panels), return of goods hearings, and undisclosed commission paid to brokers of finance agreements, including secret and half secret commission claims. He is well-versed in consumer legislation, including the CRA 2015, CCA 1974 and associated Regulations.

His practice covers a wide range of commercial issues, including arbitration, assignment, bailment, civil fraud, confidentiality, conflict of laws, contract formation and interpretation, conversion, data protection and GDPR, debt recovery, frustration, guarantees, indemnities, injunctions, misrepresentation, novation, provision of services, restitution and unjust enrichment, sale of goods, warranties, and undue influence.

Recent paperwork includes:

- *drafting particulars of claim for payments due under a multi-million pound loan agreement*
- *advising on the merits of defending a without-notice injunction application*
- *drafting particulars of claim for the recovery of two sports cars*
- *drafting a defence to a claim for breach of a marketing and web services contract*
- *drafting a defence to a claim for breach of a security services contract*

Company

Thomas specialises in company law. Having focused on company law throughout his legal studies, he graduated first in his year.

Prior to joining the Bar, Thomas spent six years working in the legal teams of several blue-chip companies, including Formula 1 and Convex Insurance. He has extensive experience in corporate governance, group structures, inter-company agreements, and the conduct of board meetings. During his time at Time Inc. UK, he was a member of the deal team responsible for managing the sale of the company to private equity firm Epiris.

Thomas was called to the Bar of the British Virgin Islands in 2024 and is well-versed in the provisions of the BVI Business Companies Act (Revised 2020), directors' duties, shareholder disputes and unfair prejudice petitions within this jurisdiction.

His practice encompasses all aspects of company law, including articles of association and company constitutions, board meetings, company charges, company names and trading disclosures, corporate governance, derivative claims, director disqualification and removal, directors' duties and remuneration, dissolution and restoration, fraudulent trading, share capital and allotments, shareholder consents and voting rights, shareholder disputes, takeovers, transfers of shares, and unfair prejudice.

Thomas has a particular interest in the law and guidance relating to directors' remuneration, business and human rights, and corporate social responsibility.

Recent paperwork includes:

- *advising on the provisions of The Company, Limited Liability Partnership Business (Names and Trading Disclosures) Regulations 2015*
- *registration of company charges*
- *actual and ostensible authority of directors*
- *drafting pleadings and witness statements in response to an unfair prejudice petition*

Insolvency

Thomas specialises in insolvency law and is regularly instructed on matters in the Insolvency and Companies List, the Winding-Up List, and the Bankruptcies List.

His practice encompasses both personal and corporate insolvency including administrations, bankruptcies, company voluntary arrangements (CVAs), creditors' voluntary liquidations (CVLs), director disqualification proceedings, insolvent trusts, liquidations, statutory demands (including applications to set aside statutory demands), and winding-up petitions.

He is regularly instructed on Insolvency Act applications including under section 130(2) (leave to commence proceedings against an insolvent company), section 135 (appointment of a provisional liquidator), section 212 (misfeasance), section 213 (fraudulent trading), section 214 (wrongful trading), section 238 (transactions at an undervalue), and section 239 (preference).

Thomas was called to the Bar of the British Virgin Islands in 2024 and is well-versed in provisions under the BVI Insolvency Act (Revised 2020).

Recent work includes:

- *advising on an insolvent company holding assigned claims on trust for a litigation investment company*

- *setting aside a statutory demand arising from a breach of payment obligations under a share purchase agreement*

- *opposing a strike-out application brought against a claim arising out of a bankrupt estate*

- *advising on the disclaimer of onerous property, including leasehold interests*

Offshore – British Virgin Islands

Thomas was called to the Bar of the British Virgin Islands in 2024 and practised at Maples and Mourant from 2024 to 2025.

He worked on a range of company, insolvency and trusts cases, the majority of which concerned assets and commercial dealings across multiple jurisdictions. Thomas represented clients in the BVI Commercial Court on a range of interlocutory hearings including assessment of damages; approval of liquidator fees; and at costs and consequentials hearings.

Advisory work included:

- the validity of a revocation of a BVI trust

- disclaiming and vesting a BVI partnership asset that had passed to the Crown bona vacantia

- disposition of assets from a BVI company to a Guernsey company to be held on trust

- assignment of BVI court orders and arbitral awards

- reviewing potential claims and draft pleadings for a multijurisdictional crypto fraud claim

Property

Thomas practises across the full spectrum of property and land matters, including both commercial and residential landlord and tenant, and maintains a busy court and paperwork practice. He appears regularly in the possession list, acting for both claimants and defendants across all statutory grounds.

He specialises in commercial landlord and tenant matters, having achieved an Outstanding in his Bar elective. He also regularly advises on property torts, particularly private nuisance, trespass to land, and property damage.

His practice covers adverse possession, commercial landlord and tenant matters (including Landlord and Tenant Act 1954 renewals, rent review, forfeiture, and break clauses), contracts of sale, dilapidation and disrepair, easements, land covenants and boundary disputes, land registration, licences, mortgages, nuisance, overage, possession claims, property damage (including fire and flooding), property insolvency, proprietary estoppel, relief from forfeiture, residential landlord and tenant matters (including possession, disrepair, and unlawful eviction),

restrictive covenants, trespass to land, and trusts of land.

Recent advisory work includes:

- *disclaimer of leasehold interests*
- *disclaiming and vesting of assets passed to the Crown bona vacantia*
- *a proprietary estoppel claim relating to warehouse units*
- *claims against development companies for damage caused by (i) water ingress; and (ii) badgers*
- the provisions of the Latent Damage Act 1986 in relation to damage caused to residential property by subsidence

Recent paperwork includes:

- *drafting particulars of claim for payment of letting agency fees*
- *drafting a defence to a claim for unlawful eviction*
- *preparing possession proceedings under grounds 8, 10, and 11 for rent arrears*

Sport, Media, Arts and Entertainment

Thomas has extensive experience across the sports, media, arts and entertainment sectors. Prior to practising at the Bar, he worked in the legal teams of Warner Bros. Entertainment UK, Time Inc UK and Formula 1.

He has detailed knowledge of the commercialisation of sporting events including advertising, sponsorship, media rights, hospitality, promotion and events management. Thomas has a particular interest and experience in branding, licensing and merchandise agreements, and issues arising out of brand licensing.

Thomas has advised on contractual, branding and IP issues for titles including Wallpaper magazine, Horse & Hound and Country Life, together with drafting and advising on AdTech, e-commerce, advertising, marketing, distribution and broadcast agreements, and the provisions of the ASA BCAP and CAP codes.

A former professional classical musician and arts producer, Thomas worked in the creative industries for 15 years before transferring to the Bar. He has extensive knowledge of performing rights, commissioning, fundraising, development and policy within the arts. He has worked with over seventy organisations across arts, science, media and research including the BBC Proms, BBC Radio 3, Classic FM, the British Film Institute, Edinburgh Festival, Faber Press, the London Symphony Orchestra, the New York Philharmonic, Richard Alston Dance Company and the UCL Ear Institute.

Trusts

Thomas advises on commercial and private trust matters including:

- *breach of trust*

- *charitable trusts*
- *construction of trust deeds*
- *deeds of appointment*
- insolvent trusts
- *powers and duties of trustees*
- *proprietary estoppel*
- *tracing claims*
- *variation of trust applications*
- *vesting orders*

Thomas has recently advised, drafted pleadings and successfully applied for summary judgment in the High Court on a longstanding breach of trust claim, acting for the beneficiary of a property held on trust by the beneficiary's mother.

He was called to the Bar of the British Virgin Islands in 2024 and worked on various trusts matters including advising on the validity of a revocation of a BVI trust; disposition of assets from a BVI company to be held on trust by a Guernsey company; and provisions relating to VISTA trusts.

Education

- Bar Professional Training Course (The City Law School)
- Graduate Diploma of Law (The College of Law)
- BMus (hons), Guildhall School of Music & Drama, London

Awards

- Major Scholarship (Inner Temple)
- Duke of Edinburgh Entrance Award (Inner Temple)
- Company Law Prize (Open University)
- Postgraduate Scholarship (The Wolfson Foundation)
- Postgraduate Scholarship (Musicians Benevolent Fund)
- Sir John Barbirolli Memorial Scholarship (The Royal Philharmonic Society)

Memberships

- BACFI
- Chancery Bar Association
- The Honorable Society of Inner Temple

Areas of Expertise

- Commercial
- Chancery
- Property
- Professional Discipline And Regulatory
- Sport Media And Entertainment