



Mark Hovell

Personal details

Position: Partner
Qualifications: Mark qualified as a solicitor in 1993 and as an insolvency practitioner in 1999

Expertise

Mark is a leading sports lawyer, practicing in that niche area since 1993. He is the Head of Sports at leading national law firm, Mills & Reeve, practicing out of its Manchester and London offices, in the main.

While still representing athletes and clubs at regulatory, disciplinary and commercial appeals and tribunals, since

2002 Mark has spent more time presiding over disputes at such appeals and tribunals, mainly at the [Court of Arbitration for Sport](#) (CAS), in Switzerland. Mark is on the General List of Arbitrators at the CAS as well as the specific Football List and has presided over 200+ matters to date, many as President of the Panel or as a Sole Arbitrator.

Mark was appointed to the CAS's Ad Hoc Panels for the FIFA 2010 World Cup and the Commonwealth Games in both Glasgow and Delhi, and more recently to the Ad Hoc for the Rio Olympic Games in 2016.

Mark is also on [Sport Resolutions'](#) Panel of Arbitrators – Chairpersons List - in the UK and has been on panels for a number of Rule K Arbitrations for the Football Association. He also taken part in a number of commercial mediations in the sporting sector. He is also a member of the National Anti-Doping Panel.

In 2017, Mark was appointed to the Saudi Sports Arbitration Centre and heard its first English language case.

He is a Member of the Chartered Institute of Arbitrators; an Insolvency Practitioner, a Fellow of R3 and on the board of the Manchester FA. Mark is a regular lecturer on sports law matters (in particular on finance topics such as restructuring and Financial Fair Play (FFP)) both in the UK and around the world.

Arbitration/tribunal experience

Football cases

o Club v Club

Mark has dealt with dozens of financial disputes between clubs, ranging from unpaid transfer fees, disputes on the quantum of training compensation (including the leading case of *Parma v Manchester United* CAS 2009/A/1908) and solidarity monies, through to one of the three leading Article 17 cases (*Udinese v De Sanctis and Sevilla* – CAS 2010/A/2145,6&7). More recently, he dealt with a case with alleged hidden transfer fees (*Utrecht and Swansea* – CAS 2015/A/4197); another considering the Spanish right for a player to buy his way out of his contract (*Monaco vs Sevilla* – CAS 2015/A/4188); and one concerning “bridge transfers” (CAS 2015/A/4248).

o Club v Associations

Of late, Mark has dealt with some of the leading appeals against FIFA and UEFA on such areas as corruption (*Metalist v UEFA* – CAS 2013/A/3297), racism (*HFF v FIFA* - CAS 2013/A/3094) and FFP (*Besiktas v UEFA* – CAS 2012/A/2824) often on an expedited basis. Many cases in this area often involve complex jurisdictional

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arguments, such as the multi-party dispute Mark heard in Johannesburg involving the majority of the Second Division clubs (CAS 2013/A/3076).

○ **Player/Managers v Club**

The vast majority of the cases in this area relate to non-payment of players, but some have thrown up some interesting issues, such as a player's right to play (*Strelkov v FC Krylia Sovetov* – CAS 2011/A/2428 and *Plaku vs Wroclaw* – CAS 2015/A/4286), players assaulting their colleagues, through to using the specificity of sport to award damages to a player (*Rasiak v Limassol* - CAS 2012/A/2792).

Domestically, Mark acted for five players at Notts County in their challenge to the club's stance on severance pay before the Football League Appeals Committee (FLAC) and for manager, Martin Allen in his dispute for wrongful dismissal by Bournemouth AFC, again before the FLAC.

○ **Association v Player/Managers**

Domestically, Mark represented two Accrington Stanley players charged with a breach of betting regulations before the FA Regulatory Commission and FA Appeals Board Hearing. He also defended the entire Chesterfield Town playing squad in a three day FA Commission alleging the payment of non-contractual benefits, as advocate.

Additionally, He has heard appeals against misconduct charges against a manager during a match (*Mazzarri v UEFA* - CAS 2012/A/2729), the geographic extension of a player's ban in football to worldwide (*Vukovic v FIFA* - CAS 2009/A/1945) and the transfer of minors (*Hilton vs FIFA* – CAS 2015/A/4312).

○ **Doping**

In addition to representing a number of footballers before the FA's Doping Commission, Mark has dealt with a number of doping matters as an Arbitrator, including a leading case on the issue of admissibility (*FIFA v FVF & Villafraz* – CAS 2011/A/2562).

Mark has also represented two players suffering from depression and turning to drugs (*Livermore* and *Lacey*) before The FA.

Non-football cases

○ **Doping and other misconduct**

Mark dealt with the first **rugby** doping case at the CAS (*Worgan* - CAS 2005/A/963 and more recently *Willmott* – CAS 2016/A/4475 & 4503) and with a number of **athletics** doping cases arising out of India, including a case involving six athletes the week before the London Olympics (CAS 2012/A/2732 & 2763 and CAS 2013/A/2979), along with 4 doping cases at the Rio Games.

Mark was on the panel at a hearing to challenge a misconduct ban resulting from interference with another competitor in a **Triathlon** (*Wiltshire* - CAS 2011/A/2525); the panel that dealt with a **Skiing** qualifying fixing case (*Vanakorn* – CAS 2014/A/3832); the panel that dealt with one of the first re-testing cases in **Athletic's** (*Chicherova* – CAS 2016/A/4839); and on the panel for the recent **Sailing** disciplinary case (*Coady* – CAS 2017/A/4959).

○ **Athlete selection cases**

Mark joined with colleagues from the CAS ad hoc Committee at the London Olympic Games to hear the SA **Equestrian** selection case of *Peternell* (CAS 2012/A/2845), having dealt with similar matters in **pentathlon** before the Beijing Olympics (CAS 2007/A/1590 and CAS 2008/A/1525) and the only eligibility case at the Delhi Commonwealth Games for **lawn bowling** from the Norfolk Islands (N° CG2010/01). At Rio 2016, Mark was also involved with 2 further selection cases (CAS OG Rio 16/022 and 014).

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o Financial cases

Mark has heard numerous non-payment/breach of duties cases between athletes and clubs or agents, in sports such as **Basketball** (CAS 2010/A/2035, CAS 2009/A/1921 and CAS 2011/A/2350)

o Wider disputes

Some cases have involved an understanding of EU law, such as a **Basketball** case which involved a challenge to FIBA's European Championship Regulations (CAS 2009/A/1788); and a case involving threatened government interference to a Shooting NGB (CAS 2016/A/4727).

Others have been crossovers between mediation and arbitration, such as the dispute between the British **Bobsleigh** and the British **Bob Skeleton** Associations (CAS 2006/A/1187).

Publications

Mark is on the editorial boards for Law in Sport and for Football Legal and has provided many articles for both publications.

Additionally, Mark has contributed chapters on the CAS to these sports law books:

- o "Arbitrating Disputes in the Modern Sports World" (edit. Michele Bernasconi, Colloquium 2016)
- o "Football and the Law" (edit. Nick de Marco, Bloomsbury 2017)

What others say

Mark received an special recognition award at the 2013 North West Football Awards for his services to football in the area.

He is highly rated in the leading legal directories *Legal 500* and *Chambers UK*. They comment:

Chambers UK: "Mark Hovell heads the department. He is a licensed insolvency practitioner and is "the go-to person in Manchester for sports insolvency."

Legal 500: "...Mark Hovell, who is 'diligent and calm under pressure'...his role as an arbitrator for the Court of Arbitration for Sport has seen him involved in various high-profile cases."