



## Paul Hayes KC

Year of call: 2005 | Silk: 2017

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*'an "extremely knowledgeable" practitioner'*

Who's Who Legal 2022

*'a very strong advocate who is thorough and well prepared'*

Who's Who Legal 2021

Advises and appears in cases at interlocutory, trial and appellate levels, (international law & arbitration, commercial & equity litigation, large scale litigation, common law litigation [defamation and negligence & insurance], sporting disputes and constitutional & administrative law), conducted in multiple jurisdictions, but primarily in Melbourne, Sydney, Perth, London, Singapore, Kuala Lumpur and Lausanne. Also appears in jury cases, particularly in civil matters and especially in the field of defamation.

Appointed a Teaching Fellow at Queen Mary University of London (School of Law), 2022. Previously a Senior Fellow at the University of Melbourne (Faculty of Law), 2010-2022. Recognised internationally in *Who's Who Legal* (2016-2023) as a leading lawyer in the specialty of sports law and in Australia in *Doyle's Guide* as a leading silk in arbitration and public and administrative law.

## Areas of expertise

International Law and Arbitration

Commercial and Equity Litigation

Common Law (Defamation)

Common Law (Negligence and Insurance)

Sports Law

Constitutional and Administrative Law

## Common Law (Negligence and Insurance)

- ***Titcher v Victorian WorkCover Authority***: - County Court of Victoria (Melbourne). [2022] VCC 42 (Leading Julia Frederico of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss), Causation.
- ***Victorian Workcover Authority v Rule***: County Court of Victoria (Melbourne). [2021] VCC 1591 (Leading Jack Batten of Counsel). Recovery, Workplace Injury and Compensation Act 2013 (VIC), s.

369, 435 (Indemnity), Wrongs Act 1958 (VIC), ss. 48-59.

- **Turner v Brett Conlon Racing Pty Limited**: - County Court of Victoria (Melbourne). [2021] VCC 1312. (Leading Megan Cameron of Counsel). Negligence, Personal injury, Liability, Quantum.
- **Jackson v Jones**: - County Court of Victoria (Melbourne). [2021] VCC 638. (Leading Stephanie Brenker of Counsel). Negligence, Personal injury, Liability, Quantum.
- **Victorian Workcover Authority v Strike CCW Pty Limited (In Liquidation)**: - County Court of Victoria (Melbourne). [2021] VCC 609 (Leading Carmelina Spitaleri of Counsel). Recovery, Workplace Injury and Compensation Act 2013 (VIC), s. 369, 491 (Indemnity).
- **Bersee v State of Victoria**: - County Court of Victoria (Melbourne). [2021] VCC 1940. (Leading Johannes Angenent of Counsel). Negligence, Personal injury (Psychological Injury), Liability, Quantum.
- **Walkley v Victorian WorkCover Authority**: - County Court of Victoria (Melbourne). [2020] VCC 2099 (Leading Paul Czarnota of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- **Edwards v Supreme Packaging PL**: - County Court of Victoria. [2020] VCC 1135 (Leading Ben House of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- **Djukic v Kokosi Constructions Pty Limited**: - County Court of Victoria (Melbourne). Coram: Judge Ginnane, Jury. Hearing: 9-11, 14-18, 21-25, 28 October 2019. (Leading Tom Storey of Counsel). Negligence, Personal Injury, Liability, Quantum.
- **Barnes v Forys**: - County Court of Victoria (Morwell). Coram: Judge Jordan, Jury. Hearing: 27-31 May, 1 June 2019. (Leading Paul Lamb of Counsel). Medical Negligence, Liability, Quantum.
- **Bamco Grove Pty Limited and Anor v Contek Constructions Pty Limited & Anor**: - County Court of Victoria, Commercial List (Melbourne). [2019] VCC 400; [2019] VCC 327. (Leading Dr Matt Barrett of Counsel). Negligence, Insurance, Property Damage, Liability, Quantum. Costs, Indemnity Costs.
- **Singh v Estia Investments Pty Limited**: - County Court of Victoria (Melbourne). [2019] VCC 356 (Leading Natasha Crowe of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- **Quilligan v Copyshift Group Pty Limited**: - Supreme Court of Victoria (Melbourne). [2018] VSC 784. (Leading Brooke Hutchins of Counsel). Negligence, Personal injury, Liability, Quantum.
- **Radosavljevic v Residential Commercial Industrial Roofing Pty Limited**: - County Court of Victoria (Melbourne). Coram: Judge Bourke, Jury. Hearing: 7 to 17 May 2018. (Leading Paul Lamb of Counsel). Negligence, Personal injury, Liability, Quantum.
- **King v Victorian Workcover Authority**: - County Court of Victoria (Melbourne). [2018] VCC 184. (Leading Carmelina Spitaleri of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- **Victorian Workcover Authority v Racing Victoria Limited**: - County Court of Victoria (Melbourne). [2018] VCC 124. Recovery, Accident Compensation Act 1986 (VIC), s. 138 (Indemnity).
- **Etan v Owners Corporation PS414356B**: - County Court of Victoria (Melbourne). Coram: Judge Parrish, Jury. Hearing: 12 to 24 August 2015. (Leading Daniel Briggs of Counsel). Negligence, Personal injury, Liability, Quantum.
- **Williamson v Kildair Hotels Pty Ltd and Princess Laundry Services Pty Ltd**: - County Court of Victoria (Melbourne). Coram: Judge Dyer, Jury. Hearing: 16 to 18 June 2015. [2015] VCC 1771. Negligence, Personal injury, Liability, Quantum. Contribution. Accident Compensation Act 1986 (VIC), s. 138.

- ***Cooper v Victorian Workcover Authority***: - County Court of Victoria (Melbourne). [2015] VCC 737.  
Tort. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering).
- ***Clare v Wesfarmers Ltd***: - County Court of Victoria (Melbourne). [2015] VCC 395. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- ***Pederson v ISS Facility Services Pty Ltd***: - County Court of Victoria (Melbourne). [2015] VCC 318. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Economic Loss).
- ***Brittain v Total Logistic Solutions (Aust) Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 1933.  
Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Economic Loss).
- ***Brisbane v Dandy Pre-Mix Concrete Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 1526. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering).
- ***Faria v Budget Rent-A-Car Pty Ltd and Others***: - County Court of Victoria (Melbourne). [2014] VCC 1158. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Psychological Injury, Economic loss).
- ***Tarrant v Premier Waste Management Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 463. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Economic loss).
- ***Hallam v Hastings RSL Sub-Branch Australia Inc***: - County Court of Victoria (Melbourne). [2014] VCC 915. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & Suffering, Psychological Injury, Economic loss).
- ***Toth v Southern Health and Secure Parking Pty Ltd***: - County Court of Victoria (Melbourne).  
Coram: Judge Cohen, Jury. Hearing: 29 May to 6 June 2014. (Proceedings settled mid-trial).  
Negligence, Personal injury, Liability, Quantum. Contract, Construction of agreement for indemnity.
- ***Telstra Corporation Ltd v Quinn Civil Pty Ltd & Ors***: - County Court of Victoria (Melbourne). [2014] VCC 465.  
Negligence, Property damage, Breach of duty of care. Proportionate Liability, Wrongs Act 1958 (VIC), Part IVAA.
- ***Rascovici v Steelfield Victoria Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 293. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & suffering and Economic loss).
- ***Drousiotis v Wingfoot Australia Partner Pty Ltd and Goodyear Tyres Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 221. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & suffering and Economic loss).
- ***Trajovska v Nuredinovski and Others***: - County Court of Victoria (Melbourne). [2014] VCC 174.  
Negligence, Existence of duty of care, Contributory negligence, Wrongs Act 1986 (VIC), ss. 14B, 26(1), 62, Quantum (prior injury).
- ***Skadric v Rentokil Initial Pty Ltd***: - County Court of Victoria (Melbourne). [2014] VCC 152.  
(Leading Deborah Foy of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(38) (Pain & suffering and Economic loss).
- ***Dislakis v Huhtamaki (CP) Pty Ltd and Another***: - County Court of Victoria (Melbourne). [2014] VCC 37. Negligence, Causation of injury, Foreseeability.

- ***Medjeri v Assay Abloy Australia Pty Ltd and Worksafe Australia*** : - County Court of Victoria (Melbourne). [2013] VCC 1830. Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(37)-(38) (Pain & suffering, Psychological Injury).
- ***Mentha v Naddvick Holdings Pty Ltd and Others*** : - Supreme Court of Victoria (Common Law Division). Coram: Cavanough J, Jury. Hearing: 7 to 17 October 2013 (Proceedings settled mid-trial). Negligence, Obvious risk, Personal injury, Damages.
- ***Delaney v Geelong Leather Pty Ltd*** : - County Court of Victoria (Melbourne). Coram: Judge Brookes, Jury. Hearing: 28 August to 3 September 2013. Negligence, Personal injury, Assessment of damages.
- ***Delovski v Fosters Australia Ltd and Victorian Workcover Authority*** : - County Court of Victoria (Melbourne). [2013] VCC 628. (Leading Simone Bailey of Counsel). Serious Injury, Accident Compensation Act 1986 (VIC), ss. 134AB(16)(b), 134AB(37) and 134AB(38) (Pain & suffering and Economic loss).
- ***Schmitz v Transport Accident Commission*** : - County Court of Victoria (Melbourne). [2013] VCC 325. (Leading Rebecca Boyce of Counsel). Serious Injury, Transport Accident Act 1986 (VIC), s. 93(17)(a) (Pain & suffering).
- ***Darley v Shale*** : - Supreme Court of New South Wales (Common Law Division). (1993) 4 Med LR 161. Negligence, Gynaecologist, Laparoscopy, Whether gynaecologist negligent in preferring laparoscopy to laparotomy.
- ***Dickson v The Nominal Defendant and Others*** : - Supreme Court of New South Wales (Common Law Division). [Gleeson CJ, Unreported, 1 June 1993, No. 1789/1991]. Negligence, Motor Vehicles (Third Party) Insurance Act 1942 (NSW), s. 16, Accident occurring on private not public road.

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