



## 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 (Defamation)

- ***Pace and Halkias***: - Full Court of the Family Court of Australia, [2021] FamCAFC 81 (Leading Lana Collaris of Counsel).

Practice and Procedure, Release from Harman obligation in respect of documents obtained on subpoena for use in defamation proceeding in the County Court of Victoria. Defamation, Plea of justification. Family Law Act 1975 (Cth), s 121.

- ***Khmer Buddhist temple Association Inc v Chhet (No 3)***: - Supreme Court of Victoria (Melbourne). [2021] VSC 560. (Leading John Sutton of Counsel).  
Suppression Order, Open Courts Act 2013 (Vic), ss. 4, 10, 17, 18.
- ***Tsamis v State of Victoria***: - Supreme Court of Victoria (Common Law Division - Defamation List).  
Coram: John Dixon J, Jury. Hearing: 5-9, 12-16, 19-23, 26-28 August, 16 September, 16 December 2019, 24 February 2020. [2020] VSC 67; [2019] VSC 826; [2019] VSC 591; [2019] VSC 590; [2019] VSC 507; [2019] VSC 506; [2018] VSC 209; [2017] VSC 496. (Leading Renee Sion and Justin Hooper of Counsel).  
Defamation, Imputations capable of being defamatory, Justification, Damages, Costs. Evidence, Hearsay exception. Practice and Procedure, Witness pseudonym orders.
- ***Teo v Pacific Media Group Pty Ltd***: - Supreme Court of Victoria (Common Law Division - Defamation List). [2016] VSC 626. (Leading Justin Hooper of Counsel).  
Practice and Procedure, Release from Harman obligation in respect of documents obtained on subpoena from VCAT. Defamation, Amendment of Defence, Plea of justification.
- ***Von Marburg v Aldred and Mourik***: - Supreme Court of Victoria (Common Law Division - Defamation List). [Dixon J, Unreported, 19 June 2015, No. S CI 2014 06065]. (Leading Justin Hooper of Counsel).  
Defamation, Internet publication (social media). Practice and procedure, Summary dismissal, Strike-out pleading, SCR rr. 13.02, 23.02.
- ***Stanton v Fell***: - Supreme Court of New South Wales (Court of Appeal). [2014] NSWCA 44.  
Supreme Court of New South Wales (Common Law Division – Defamation List). [2013] NSWSC 1001; [2014] NSWSC 1052.  
Defamation, Defamatory imputations and meanings, Justification, Qualified privilege, Malice, Triviality, Damages. Costs, Defamation Act 2005 (NSW), s. 40, Indemnity costs.
- ***Akras v Mora***: - County Court of Victoria (Melbourne). Coram: Judge Murphy, Jury. Hearing: 20, 23-27, 30, 31 July, 1, 2, 13 August 2012. [2012] VCC (23 August 2012).  
Defamation, Justification, Qualified Privilege, Malice, Damages.
- ***French v Herald and Weekly Times Ltd***: - Supreme Court of Victoria (Common Law Division – Defamation List). [2010] VSC 127, (2010) 27 VR 140; [2010] VSC 155, (2010) 27 VR 171. (Leading Renee Sion of Counsel).  
Practice and Procedure, Trial by Jury or Judge alone. Defamation, Defamatory imputations and meanings, 'Polypeck' Justification, Fair comment, Qualified privilege, Malice, Damages, Mitigation of damages.
- ***French v Triple M Melbourne Pty Ltd***: - Supreme Court of Victoria (Common Law Division - Defamation List). Coram: J Forrest J, Jury. Hearing: 10-14, 17-21, 24-28 November, 1 December, 2008. [2008] VSC 547; [2008] VSC 548; [2008] VSC 549; [2008] VSC 550; [2008] VSC 553. (Leading Jane Treleaven of Counsel).  
Defamation, Defamatory imputations and meanings, Justification, Fair Comment, Malice, Damages. (Plaintiff succeeded on claim. Defendants ordered to pay to the Plaintiff damages in the amount of \$350,000, plus interest and solicitor/client costs).
- ***French v John Fairfax Publications Pty Ltd***: - Supreme Court of Victoria (Common Law Division - Defamation List). [2007] VSC 105. (Leading Jane Treleaven of Counsel).  
Defamation, Interrogatories, Application of 'newspaper rule' where malice pleaded in answer to fair comment defence.
- ***French v Triple M Melbourne Pty Ltd & Others***: - Supreme Court of Victoria (Common Law Division - Defamation List). [2006] VSC 36. (Junior to Simon Wilson QC).  
Practice and procedure, Setting aside default judgment, Whether arguable defence, Defamation, SCR rr. 21.01, 21.07.

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