

Michal Hain

CALL: 2017

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Languages: German (native); Slovak (native); French (conversational)



Overview

Michal has a broad practice spanning both general commercial work and specialised areas, such as shipping, insolvency and investor-state arbitrations.

He acts in court proceedings, including in appeals where he draws on his experiences as a Judicial Assistant at the Supreme Court, as well as arbitral references held under various procedural rules, including LMAA, SCMA and UNCITRAL.

Recently, Michal acted as sole counsel in a three-day trial in the High Court, which involved him cross-examining five witnesses remotely by reason of the COVID-19 pandemic.

In 2018-19, he served as the Judicial Assistant assigned to Lord Reed (then Deputy President, now President of the Supreme Court). During this time, Michal worked on leading cases in a wide range of legal areas, including [Volcafe](#) [2018] UKSC 61 (interpretation of the Hague-Visby Rules), [Vedanta](#) [2019] UKSC 20 (jurisdiction in the context of a parent company's liability for a subsidiary's torts), [Poole BC v GN](#) [2019] UKSC 25 (assumption of responsibility in tort law), [Taylor](#) [2019] UKSC 51 (torture) and [Marex](#) [2020] UKSC 31 (reflective loss rule in company law).

From 2016 to 2020, Michal taught contract and tort law at a number of Oxford colleges, including as a Non-Stipendiary Lecturer at St Anne's and as a Retaining Fee Lecturer at Somerville.

Prior to joining Twenty Essex, he received the Peter Taylor Scholarship 2015 for the BPTC, which is the largest scholarship awarded by Inner Temple.

Publications

- 'Court considers conflicting dispute resolution clauses in parties' agreements (Albion Energy v Energy Investments Global)' *Lexis@PSL* (24 February 2020).
- 'Past is Prologue – The Role of History in the Law of Equality' *UK Constitutional Law Blog* (9 January 2018).
- 'Guardians of the Constitution – the Constitutional Implications of a Substantive Rule of Law' *UK Constitutional Law Blog* (12 September 2017).
- 'Making Law Far Away From Kitchen Tables: Imposing Trusts Regardless of Formalities' (2014) 3 *Oxford University Undergraduate Law Journal* 55.

Education

- City Law School, BPTC (2017)
- Harvard Law School, LLM (2016)
- University of Oxford, BA in Jurisprudence, First Class (2015)

When Michal was at Harvard Law School, he worked as a mediator in the Harvard Law School Mediation Programme, a Student Attorney in the Harvard Prison Legal Assistance Project, and a Judicial Intern in the Massachusetts Superior Court.

In 2015, Michal graduated from Oxford with, amongst others, the Gibbs Prize Proxime for the second highest performance in contract, tort, land and trusts and the Martin Wronker Prize for the best performance in tort.

Michal has experience dealing with untranslated documents in his cases, and he is able to advise clients if they are in German, Slovak or Czech.

Awards / prizes / scholarships

- First Prize in LCLCBA Jonathan Brock QC Memorial Essay Competition 2017
- First Prize in Property Bar Association Essay Competition 2016
- Peter Taylor Scholarship 2016 (Inner Temple) for the Bar Professional Training Course
- Highly Commended Prize in Law Reform Committee Essay Competition 2015
- Martin Wronker Prize 2015 (Oxford Law Faculty) for Best Performance in Tort
- Gibbs Prize Proxime 2015 (Oxford Law Faculty) for Second Best Performance in Contract, Tort, Land, Trusts
- Ruth Deech Prize 2015 (St Anne's College, Oxford) for Best Performance in Finals
- Ann Kennedy Scholarship (St Anne's College, Oxford) for Outstanding Academic Achievement
- Eli Carter Prizes 2013, 2014, 2015 (St Anne's College, Oxford) for Best Performance in First, Second, Third Year respectively

Example cases

- *UNCITRAL Arbitration* – Counsel for a European state in an investor-state dispute relating to the regulation of the energy sector.
- *Albion v EIGL* [2020] 1 Lloyd's Rep 501 – Counsel for the successful claimant in a case involving overlapping jurisdiction clauses and the defendant's attempt to use unfair prejudice as a set-off (led by Lord Grabiner QC and Julian Kenny QC).
- *LMAA Arbitration* – Counsel for claimants in an arbitration involving the construction of 11 bulk carriers (led by Duncan Matthews QC, Josephine Davies and Andrew Dinsmore).
- *SCMA Arbitration* – Counsel for the successful claimant in a claim for wrongful termination of a bareboat charter of a DP3 vessel (led by Timothy Hill QC and Tom Corby).
- *Various Cases* – Acted for a bank in defending claims brought by consumers for the alleged mis-selling of PPI policies.
- During pupillage, Michal assisted Paul Lowenstein QC and Josephine Davies in *SAS v World Programming* [2018] EWHC 3452 (Comm) (resisting the enforcement of a foreign judgment), Julian Kenny QC in *Transgrain Shipping v Yangtze Navigation* [2018] 1 Lloyd's Rep 330 (interpretation of the Inter-Club Agreement), and Duncan Matthews QC and Sudhanshu Swaroop QC on *Euro-Asian v Credit Suisse* [2019] 1 Lloyd's Rep 1720 (measure of loss in cases of sub-sale).

Recommendations

Superbly gifted and a pleasure to work with. [The Legal 500 UK Bar 2022](#)