

GREENS LIST

BARRISTERS



JAYR TENG

BAR ROLL: 2020 | ADMITTED: 2010

Jayr practices in public and administrative law, commercial law and common law. He has specific expertise in all aspects of health law including in the context of class actions, royal commissions, medical negligence claims, disciplinary proceedings, coronial inquests, and occupational health and safety matters.

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CHAMBERS: Aickin Chambers

EXPERTISE

Commercial Law | Common Law | Criminal Law | Government Law | Inquests, Inquiries, Tribunals & Commissions | Medical Negligence | Public Law & Administrative Law | Tax Law & Revenue Law

PROFILE

Jayr practices in public and administrative law, commercial law and common law. He has specific expertise in all aspects of health law, mental health law and medical law including in the context of class actions, royal commissions, medical negligence claims, disciplinary proceedings, coronial inquests, regulatory proceedings and occupational health and safety matters.

Since coming to the Bar Jayr has appeared, both led and unled, in the Federal Court, Supreme Court, County Court, Magistrates Court, Coroners Court and VCAT. He has been briefed by Government, regulators and private clients in a broad range of complex and sensitive litigated matters.

Jayr is a legal member of the Mental Health Tribunal and in that role, as presiding member of the relevant tribunal division, determines whether compulsory treatment under the *Mental Health and Wellbeing Act 2022* is appropriate. He also teaches health law at Monash University and was a senior registered nurse having practiced at both Alfred Health and TLC Aged Care.

Jayr is regularly briefed to advise and assist with general commercial disputes, including those which relate to contract disputes, disputes relating to loans, disputes arising from the sale of businesses, lease disputes, Australian Consumer Law matters and related civil claims.

Before coming to the Bar, Jayr had 10 years of broad legal and commercial experience having worked as a Principal Solicitor at the Department of Health and Human Services (DHHS), as Legal Counsel at Western Health and as a lawyer at Meridian Lawyers and Ashurst Australia.

Whilst a Principal Solicitor at DHHS he was the lead in-house solicitor responsible for the Victorian State response to the Royal Commission into Aged Care Quality and Safety, Royal Commission into Victoria's Mental Health System and Royal Commission into Violence, Abuse, Neglect and Exploitation of Persons with a Disability. He also appeared regularly as a solicitor advocate on behalf of the Secretary to the DHHS and in that role had conduct of litigated matters in the Supreme Court, County Court, Magistrates Court, Coroners Court and VCAT.

Jayr holds a Master of Laws (specialising in taxation) from the University of Melbourne and a Bachelor of Laws from Monash University. He was awarded an academic prize for the law subject Legal Issues in Medicine and is published in a number of legal, academic and health industry journals.

He also holds degrees in nursing and applied science (health promotion). Jayr's clinical experience and related qualifications enables him to bring a genuine understanding of the practical issues of health and medical law into his practice and ensures that he has a thorough understanding of anatomical and pharmacological issues that arise in cases.

Jayr read with Morgan McLay. His senior mentor was the Honourable Justice Claire Harris SC.

Further detailed information about Jayr's practice, including further recent cases, is [available here](#).

RECENT CASES



Turner v Bayer Australia Ltd (ACN 000 138 714) and Ors S ECI 2019 02916 (Essure group proceeding (class action)) - acting for Bayer Australia & Ors led by David Collins KC and with Katherine Brazenor and Derek Wong (ongoing) including in Turner v Bayer Australia Ltd and Ors (privilege ruling) [2023] VSC 104 and Turner v Bayer Australia Ltd (No 6) [2023] VSC 244



Hassan v State of Victoria (S ECI 2021 00826) (COVID-19 Flemington Towers Group Proceeding) as an independent reviewer in relation to the review of the eligibility of Group Members to participate in the settlement of Hassan & Anor v State of Victoria [2023] VSC 478



Yoorrook Justice Commission - acting for the State of Victoria - led by Richard Knowles KC and Renee Enbom KC



Royal Commission into Violence Abuse Neglect and Exploitation of People with Disability - acting for the Victorian Public

Sector Commission and the Department of Families - Fairness and Housing - led by Chris Young KC



Royal Commission into Victoria's Mental Health System - acting for the State of Victoria - led by Claire Harris KC (as Her Honour then was) and with Morgan McLay



Inquest into the death of LI acting for the Department of Health in relation to a death of a young person where broader systemic issues that may have enabled LI to obtain medications were examined (unled)



Reviews under the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 in the Supreme Court and County Court - including in in Re TK [2024] VSC 53 - Re CJC (No 4) [2022] VSC 412 Re AB [2022] VSC 235 and DPP v Shoebridge (Ruling No. 2)



Director of Housing v William Currie - acting for the Director of Housing - jurisdiction of VCAT and Burns v Corbett (unled)



Muhammad Sayed v Salvation Army & Ors and Sayed v Salvation Army Housing (No 2) - Federal Court of Australia - acting for Homes Victoria and Minister for Housing (ongoing) - summary judgement and related application for leave to appeal relating to a dispute regarding jurisdiction (unled)



Stewart v Good Shepherd and Homes Victoria - Supreme Court of Victoria for Homes Victoria - including in Stewart v Good Shepherd and Homes Victoria [2023] VSC 351 suppression order hearing (unled) (ongoing)



CPO v St John of God – Ballarat Hospital (Human Rights) [2024] VCAT 422 - VCAT - for St John of God dispute about health records and whether accurate records had been kept (unled)



YXO v Dr Mai VCAT -for Dr Mai dispute under the Health Records Act 2001



Medical Board of Australia v Datta VCAT Z831/2018 - acting for Dr Datta (unled)



FNJ (Guardianship) [2022] VCAT 269 - guardianship application in the context of consideration of withdrawal of active life support - for FNJ (unled)



Director of Public Prosecutions v Best Benchtop and Stone Pty Ltd - CR-22-01141 - acting for Best Benchtop and Stone Pty Ltd



Victorian Workcover Authority v Alpha Air Pty Ltd - P10515652 - acting for the Victorian Workcover Authority in the

in relation to a prosecution by Worksafe after a worker was crushed and killed by stone slabs (unled)

prosecution of offences under section 21(1) and section 21(2)(a) of the Occupational Health and Safety Act 2004 (unled)



Victorian Workcover Authority v Blint Builders Pty Ltd - P10347743 - acting for the Victorian Workcover Authority in the prosecution of offences under section 26 and section 100 of the Occupational Health and Safety Act 2004 (unled)



Victorian Workcover Authority v Michael James - P10464162 - acting for the Victorian Workcover Authority in the prosecution of offences under section 100 and section 144 of the Occupational Health and Safety Act 2004 (unled)



Environment Protection Authority (EPA) v Renex Op Co Pty Ltd N10199329 - acting for EPA in it's prosecution of offences under section 19A(8) and section 19A(1)(a) of the Environment Protection Act 1970



Inquest into the death of Antoinette O'Brien COR 2017 004055 - for Safer Care Victoria (unled)



Appearing on behalf of health services in relation to objection proceedings pursuant to section 32C of the Evidence (Miscellaneous Provisions) Act 1958



Department of Health - advised on legal issues and human rights issues in relation to the Drugs Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2023



Department of Health - advised in relation to the Investigation into the detention and treatment of public housing residents arising from a COVID-19 hard lockdown in July 2020 led by Peter Hanks KC and with Sarala Fitzgerald



Department of Families - Fairness and Housing - advised on human rights and on other legal issues arising from the Children Youth and Families Amendment (Child Protection) Bill 2021



Department of Health - advised on human rights issues including in relation to mandatory vaccinations arising from the full suite of the Chief Health Officer Directions and Pandemic Orders made under the Public Health and Wellbeing Act 2008



WorkSafe Victoria - advised on legal issues arising from the Proposed OHS Amendment (Psychological Health) Regulations

Memberships & Committees

[Victorian Bar](#)

To get in touch with Jayr Teng | or for more information please contact the Clerk on:

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Liability limited by a scheme approved under Professional Standards legislation.