

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.

PHONE: +61 3 9225 6074

EMAIL: jayr.teng@vicbar.com.au

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



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



Royal Commission into Victoria's Mental Health System - acting for the State of Victoria - led by Claire Harris KC (as Her

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

Honour then was) and with Morgan McLay



Reviews under the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 in the Supreme Court and County Court - including in 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)



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



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



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

of the Occupational Health and Safety Act
2004 (unled)

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:

+61 3 9225 6074

clerkb@greenslist.com.au

Liability limited by a scheme approved under Professional Standards legislation.

