

Sally Robb

Barrister

Carbolic Chambers

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CURRICULUM VITAE

Practice areas

- Administrative and public law
- Appellate
- Coronial inquests and commissions of inquiry
- Disciplinary proceedings
- Human rights and discrimination
- Native title
- Regulatory proceedings

Professional history

Barrister, Queensland Bar	2010 to date
Solicitor, Queensland South Native Titles Services	2010
Solicitor, Mallesons Stephen Jaques (now King & Wood Mallesons)	2009
Associate to the Hon Justice Philippides, Supreme Court of Queensland	2008

Positions and memberships

Director, Screen Queensland Pty Ltd	2018 to date
Member, Medico-Legal Society of Queensland Inc	2016 to date
Member, Administrative Law Committee, Bar Association of Queensland	2014 to date

Admissions

Admitted as a Barrister, Supreme Court of Queensland	2010
Admitted as a Solicitor, Supreme Court of Queensland	2008

Education

Bachelor of Laws (Hons), Griffith University	2007
Bachelor of Arts (Hons), University of Queensland	1998

RECENT CASES

APPELLATE

State of Queensland v Tafao & Ors; Serco Australia Pty Ltd & Anor v Tafao & Anor [2021] QCA 74 – successfully obtained an indemnity certificate pursuant to the *Appeal Costs Fund Act 1973*

State of Queensland v Tafao & Ors; Serco Australia Pty Ltd & Anor v Tafao & Anor [2021] QCA 56 – discrimination; acting for the respondent to appeals by the State and Serco against a woman who had been misgendered when detained as a prisoner – unsuccessfully defended the appeals

Cassimatis v Australian Securities and Investments Commission (2020) 275 FCR 533; [2020] FCAFC 52 – acting for ASIC; successfully defended an appeal against findings that the appellants breached ss 180 and 945A of the *Corporations Act 2000*; led by Tom Sullivan QC and Sean Cooper QC (special leave refused)

R v WBK [2020] QCA 60 – application for leave to appeal against sentence; successful on grounds that result was inconsistent with the totality principle and s 160F of the *Penalties and Sentences Act 1992*

R v CCJ [2019] QCA 236 – acting for the appellant in a successful appeal against conviction on the basis that he may not have been fit for trial at the time of entering pleas, relying on new evidence

R v O'Malley [2019] QCA 130 – application for leave to appeal against the sentence imposed for manslaughter; demonstrated error in the exercise of the sentencing discretion; sentence not disturbed

R v Collard [2019] QCA 105 – application for leave to appeal against sentence; argued sentencing judge failed to apply settled principles about the relevance of an offender's mental illness in sentencing

ADMINISTRATIVE AND PUBLIC LAW

Judicial Review Act 1991

Rielly v Parole Board Queensland [2021] QSC 100 – acting for the Board in an application to review a decision not to grant a parole order; application was dismissed

Professional disciplinary proceedings

Health Ombudsman v DKM [2021] QCAT 50 – acting for the Health Ombudsman in a disciplinary proceeding against a medical practitioner who had been convicted of a serious sexual offence unrelated to his profession; respondent was disqualified from applying for registration indefinitely

Health Ombudsman v Fletcher [2021] QCAT 4 – acting for the respondent nurse in a professional disciplinary proceeding at a contested hearing

Health Ombudsman v Fletcher [2020] QCAT 478 – acting for the Health Ombudsman in a professional disciplinary proceeding

Health Ombudsman v Wooderson [2019] QCAT 327 – acting for the Health Ombudsman in a professional disciplinary proceeding

Health Ombudsman v Brown [2019] QCAT 218 – acting for the respondent nurse in a professional disciplinary proceeding following the respondent's conviction for various offences

Health Ombudsman v Kimpton [2018] QCAT 405 – acting for the respondent nurse in a professional disciplinary proceeding; issues included when boundary was violated; whether costs should be ordered

Nursing and Midwifery Board of Australia v Jacobsen [2018] QCAT 93 – acting for the respondent; matter concerned the construction of the *Health Practitioner Regulation National Law (Queensland)*

Native title

Queensland Rifle Association Inc v State of Queensland [2021] FCA 110 – acting for the applicant in a successful non-claimant application for determination of native title

Human rights

Frost v Office of the Ombudsman & Anor [2021] QCAT 155 – discrimination; acting for the respondents who successfully sought to have the proceeding under the *Anti-Discrimination Act 1991* dismissed

State of Queensland v Tafao & Ors; Serco Australia Pty Ltd & Anor v Tafao & Anor [2021] QCA 56 – see annotation under ‘appellate’; acted in matter at first instance, on appeal to QCATA, and in the QCA

Preventative detention

Attorney-General for the State of Queensland v SLS [2021] QSC 111 – acting as amicus curiae in circumstances where respondent has impaired capacity

Attorney-General for the State of Queensland v Watt [2021] QSC 102 – acting for the respondent; respondent released from custody subject to a supervision order under the DPSOA

Attorney-General for the State of Queensland v Perkins (2020) 4 QR 279; [2020] QSC 100 – acting for the respondent; successfully argued that a sentence to the rising of the court is not a sentence to a term of imprisonment for the purposes of div 6, part 2 of the DPSOA

Attorney-General for the State of Queensland v CCJ (2019) 2 QR 543; [2019] QSC 267 – acting for the respondent; convictions for serious sexual offences had been set aside by the QCA, Supreme Court no longer had jurisdiction to make orders under the DPSOA

Attorney-General v Newman (2019) 2 Qd R 1; [2018] QSC 156 – acting for the respondent; issue regarding parole eligibility when a person is the subject of a DPSOA application

Right to information

Ramsay Health Care Ltd v Information Commissioner & Anor [2019] QCATA 66 – acting for the second respondent in an appeal against a decision of the Information Commissioner to grant access to information under the RTI Act

Employment

State of Queensland (Gold Coast Hospital and Health Service) v Christina Thomas [2019] ICQ 6 – acting for the respondent in an appeal concerned with employment conditions and maternity leave

INQUESTS, ROYAL COMMISSIONS, COMMISSIONS OF INQUIRY AND INDEPENDENT REVIEWS

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, November 2020 – acting for a witness at public hearing 8: The experiences of First Nations people with disability and their families in contact with child protection systems

Inquest into the death of Taare Tamakehu Rangī, 29 June 2020 – acting for six nurses at an inquest into the death of a man who was restrained while an involuntary patient at an acute mental health unit

Inquest into the deaths of Nicole Sonia Nyholt and Margaret Louisa Clark, 26 June 2020 – acting for Queensland Health and a nurse at an inquest into the deaths of two women following an accident and explosion at the Ravenshoe Café

Inquest into the death of Maria Aurelia Willersdorf, 24 January 2020 – acting for a radiographer at an inquest into the death of a woman following a CT scan at an imaging clinic

Inquest into the death of Colin Wayne Blair, 6 September 2019 – acting for a nurse at an inquest into the death of a man in custody

Inquest into the deaths of Talieha Nebaue, William Fowell and Caitlin Whiticker, 30 August 2019 – acting for nurses at an inquest into the deaths of three young people

Inquest into the death of Holly Winta Brown, 12 June 2019 – acting for nurses at an inquest into the death of a young woman at a campsite at a rodeo

Inquest into the death of Shaun Coolwell, 10 June 2019 – acting for a critical care paramedic at an inquest into the death of a man who had been restrained and had a sedative administered

Inquest into the death of Lucas Tran, 17 April 2019 – acting for the family day care educator and assistant who had the care of Master Tran, a baby, at the time of his death

Inquest into the death of Joshua Ryan Statis, 24 October 2018 – acting for two nurses at an inquest into the death of a 12 year old boy following open heart surgery

Inquest into the death of Renae Jean Mann, 26 September 2018 – acting for a nurse at an inquest into the death of a woman who was awaiting a mental health assessment

Inquest into the death of Baby M, 21 September 2018 – acting for several nurses at an inquest into the death of a newborn baby

Inquest into the death of David John Cooper, 11 September 2018 – acting for two nurses at an inquest into the death of a prisoner at Lotus Glen Correctional Centre who contracted pneumonia

Inquest into the death of Kenneth Douglas Wright, 3 August 2018 – acting for two nurses at an inquest into the death of a prisoner at Southern Queensland Correctional Centre

Inquest into the deaths of House, White, Smith, Milne, 21 May 2018 – acting for two doctors at a joint inquest into four deaths associated with prescription opioid medication

Inquest into the deaths of Steven John Hitchens and Shawn Bradley Joseph Gudge, 5 February 2018 – acting for nurses at an inquest into two deaths in mental health units at Townsville Hospital

Independent Review of Youth Detention – acting for witnesses at the independent review into Queensland's youth detention centres

Barrett Adolescent Centre Commission of Inquiry – acting for witnesses at the inquiry into the closure of the Barrett Adolescent Centre

REGULATORY PROCEEDINGS

Cassimatis v Australian Securities and Investments Commission [2020] FCAFC 52 – acting for ASIC; successfully defended an appeal against findings that the appellants breached ss 180 and 945A of the *Corporations Act 2000*; led by Tom Sullivan QC and Sean Cooper QC (special leave refused)

Henry v Western Downs Group Limited [2018] FCA 1168 – acting for the intervener the Queensland Attorney-General in support of an application for derivative action per s 237 of the *Corporations Act*

MENTAL HEALTH ACT 2016

Re Ayad [2018] QMHC 5 – acting for the defendant in a reference of offences including two counts of murder to the Mental Health Court; led by Gabrielle Bashir SC