

# SARAH CARTLEDGE

Year of call - 2011

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## AREAS OF PRACTICE

Work Health and Safety Law  
Regulatory Prosecutions  
Disciplinary Proceedings  
Criminal Law  
Appellate  
Commissions of Inquiry  
Inquests

## EDUCATION

Bachelor of Laws, Queensland University of Technology, 2006  
Graduate Diploma in Legal Practice, College of Law, 2007  
Admitted to the Supreme Court as a Legal Practitioner, 2007  
Bar Practice Course, Queensland Bar Association, 2011  
First called to the Bar, 2011  
Bachelor of Biomedical Science, Queensland University of Technology, 2017

## CAREER HISTORY

Sarah was first called to the Bar in 2011. She practices in criminal law at trial and appellate level and appears in regulatory matters, with a special interest in work, health and safety prosecutions.

Sarah's career commenced working for the State DPP as a Crown Prosecutor running trials since 2011 and complex legal arguments in matters ranging from property offences to serious violent offences. Having the unique perspective of conducting criminal trials as a Crown Prosecutor has assisted Sarah in approaching defence cases with a balanced view, able to pre-empt prosecution case theories and deficiencies. Since joining the private bar Sarah conducts trials for both the prosecution and defence, with experience in criminal jury trials spanning over 15 years.

Following work at the State DPP, Sarah worked in the Office of the Work, Health and Safety Prosecutor for five years, before joining the private bar. Sarah has extensive knowledge and experience in prosecuting and defending Work, Health and Safety matters (including mining and electrical safety) and is frequently engaged to advise and appear on behalf of companies and individuals who have been charged following a death or serious injury at a workplace. Sarah is also regularly briefed by the Work, Health and Safety Prosecutor to advise on workplace incidents and appear on legal arguments and trials on industrial manslaughter, breaches of duties with reckless conduct as well as breaches exposing individuals to the risk of death or serious injury.

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Additionally, Sarah also appears in relation to heavy vehicle matters, licensing and professional misconduct matters.

### Work Health and Safety Cases of note: -

- *R v Owen*, Gympie District Court, 2022
  - Appearing as junior counsel for the Office of the Work, Health and Safety Prosecutor securing the first conviction against an individual for Industrial Manslaughter.
- *Guilfoyle v W\**, Southport Magistrates Court, 2019
  - Appearing as Counsel for the defendant in the first trial conducted alleging a failure by a director to comply with their due diligence.
  - The prosecution alleged a failure of a construction director to comply with their due diligence duties exposing an individual to a risk of death or serious injury.
  - Successfully submitted that the prosecution had no case to answer due to deficiencies in the particulars of the complaint resulting in the charge being dismissed.
- *Guilfoyle v K\**, Southport Magistrates Court, 2021
  - Appearing as Counsel for the defendant in a Work, Health and Safety prosecution alleging a failure of a towing company to comply with their primary duties which exposed an individual to a risk of death or serious injury.
  - Defendant found not guilty following argument that the prosecution evidence did not support the particulars alleged.
- *Guilfoyle v PC\**, Ipswich Magistrates Court, 2022
  - Appearing as Counsel for the defendant in a Work, Health and Safety prosecution alleging a failure by a processing company to comply with their primary duties which exposed an individual to a risk of death or serious injury.
  - Defendant found not guilty following argument that the defendant had minimised risk so far as was reasonably practicable in the circumstances they were presented with.
- *Guilfoyle v Bluewater Engineering Pty Ltd [2020]* QMC at Southport
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure by a water cutting company to comply with their primary duties which exposed an individual to a risk of death or serious injury.
  - Defendant found guilty following three day trial, the focus on *reasonably practicable* requirements.
- *Guilfoyle v Jolly Jumps Pty Ltd*, QMC at Southport, 2021
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure by an amusement company to comply with their primary duties which exposed an individual to a risk of death or serious injury.
  - Defendant found guilty following a trial.
- *Guilfoyle v Delta Contractors Pty Ltd and Guilfoyle v Diakosgeorgiou*, QMC at Brisbane, 2023
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure by construction company to comply with their primary duties which exposed an individual to a risk of death or serious injury, the director was also charged for failing to comply with his duty as an officer.
  - Both defendants found guilty.
- *Delta Contractors (Aust) Pty Ltd & Anor v Guilfoyle [2026]* QDC 14
  - Appeared as respondent in District Court appeal. The appellant argued the decision of the trial Magistrate erred by failing to take into account the actions of the injured person, and the remoteness of the risk.
  - Successfully argued the Magistrates decision did not err. Appeal was dismissed.
- *Guilfoyle v Clayton's Towing Pty Ltd*, Maroochydore Magistrates Court, 2025
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure

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by a tow truck company to comply with their primary duties which exposed an individual to a risk of death or serious injury.

- The case focused on reasonably practicable requirements.
- The defendant was found guilty.
  
- *Guilfoyle v Leaf Resources*, Bundaberg Magistrates Court, 2025
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure by chemical company to comply with their primary duties which exposed an individual to a risk of death or serious injury following an explosion, the director was also charged for failing to comply with his duty as an officer.
  - Lengthy and technical trial involving multiple experts.
  - Both defendants found guilty.
  
- *Nicholson v MSF Sugar Pty Ltd* [2025] QDC 99
  - Appearing as the appellant in a Work, Health and Safety prosecution after a Magistrate determined no case to answer in a trial involving the death of a worker under the *Electrical Safety Act*.
  - Appeal allowed following a finding that the Magistrate erred.
  
- *Scocan Holdings Pty Ltd & Ors v Work Health and Safety Prosecutor* [2025] QDC 56
  - Appearing as the respondent in a District Court appeal alleging the Magistrates Court failed to recognize worker negligence in a trial alleging a breach of a primary duty resulting in exposure to death or serious injury.
  - Appeal dismissed.
  
- *Nicholson v Kat Concrete*, Toowoomba Magistrates Court, 2024
  - Appearing as Counsel for the complainant in a Work, Health and Safety prosecution alleging a failure by construction company to comply with their primary duties which exposed an individual to a risk of death or serious injury.
  - The defendant was found guilty.
  
- *Nicholson v GCMR Project Services Pty Ltd* [2025] QCA 242
  - Appearing as respondent in the first ever sentence appeal to the Court of Appeal regarding Work, Health and Safety prosecutions under s 32 of the Act.

\*Names de-identified.

#### OTHER proceedings of note

- *Director of Proceedings on behalf of the Health Ombudsman v XD* [2024] QCA 215
  - Appearing as applicant to have a stay application by tribunal set aside.
  - Appeal allowed.

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