



## SOPHIE JELIBA

*Barrister*

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### PROFILE

Sophie Jeliba has broad experience practising in civil litigation, criminal law, regulatory matters and family law. Since commencing at the bar in September 2017, Sophie has appeared led and unled in the Supreme, District and Local Courts of New South Wales, including the NSW Court of Appeal, the Federal Court of Australia, the Family Court of Australia, the NSW Civil and Administrative Tribunal, the Administrative Appeals Tribunal (Taxation and Commercial Division), and the Racing Appeals Tribunal.

### AREAS OF PRACTICE

Commercial Law	Criminal Law
Corporations Law	Regulatory investigations and proceedings
Common Law	Professional Discipline
Defamation and Media Law	Commissions of inquiry
Equity	Inquests
Insurance	Family Law
Insolvency	

### EXPERIENCE AT THE BAR

#### ***Commercial and Common Law***

Advising and appearing for plaintiffs in Supreme Court of NSW proceedings involving claims for torts of conspiracy, deceit, misleading and deceptive conduct, breaches of trust and fiduciary duties, in relation to a property development joint venture.

Appearing for respondents before NSW Court of Appeal in relation to appeal arising from a contract dispute – appeal dismissed: *L.N.E Cunneen & Co Pty Limited v Blackburn* [2018] NSWCA 211.

Advising and appearing for former directors of a listed resources company in defence of two related proceedings brought by Deed administrator in the Supreme Court of NSW.

Advising and appearing for defendant directors in the Supreme Court of NSW in respect of an insolvent trading claim.

Advising and appearing for liquidators in public examinations in the Federal Court of Australia.

Advising liquidators in respect of an application for public examinations and orders for production.

Advising defendant/cross-claimant wife in the Supreme Court of NSW in respect of a claim for contribution under a bank guarantee executed by a husband and wife.

Advising and appearing unled for a plaintiff on an application for the approval of a settlement in the Supreme Court of NSW.

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Advising and appearing for plaintiff company in Supreme Court of NSW proceedings against former director/dental practitioner, claims of breach of contract and professional negligence.

Advising and appearing unled for plaintiffs and defendants in contract and guarantee disputes brought in the District and Local Courts of NSW, and appearing unled in appeal from a decision of Local Court of NSW to Supreme Court of NSW: see, *Sales Pond Pty Ltd v Telegate Pty Ltd* [2020] NSW 1579.

Advising and appearing for insurers, including in respect of claims against their insured, and subrogated proceedings.

Advising and appearing unled in negligence proceedings in the District Court of NSW.

Advising and appearing unled for clients in respect of applications brought under the *Access to Neighbouring Land Act*, including in respect of property developments.

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## **Defamation Law**

Advising and appearing for Fairfax and journalist on interlocutory application for separate determination or strike out of claim: *Triguboff v Fairfax Media Publications Pty Limited* [2018] FCA 845.

Advising and appearing for media organisations including the ABC and Nationwide News in respect of defamation proceedings, and application for review of non-publication and suppression orders.

Advising and appearing for parties in respect of defamation proceedings before the Supreme and District Courts, and the Federal Court of Australia.

Regularly advising clients in relation to defamation disputes, and claims in respect of injurious falsehood, before proceedings are commenced, including preparing concerns notices and negotiating settlements of those disputes.

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## **Criminal Law**

Appearing for the accused in a prosecution for 78 counts of fraud under s 192E of the *Crimes Act*. After 3 weeks of trial before a jury, accused was acquitted of all 78 counts after successful application for directed verdicts: *R v Fletcher* [2019] NSWDC 587.

Advising the accused in a prosecution for 49 counts of fraud under s 192E of the *Crimes Act*.

Advising affected person in respect of Crown application under s 108 of the *Crimes (Appeal and Review) Act*.

Appearing for the accused in respect of a number of counts of aggravated indecent assault/assault. Accused acquitted at end of prosecution case following successful application by the accused.

Advising and appearing for the accused in respect of more than 90 counts of graffiti-related offences including obstruct rolling stock. Matter negotiated and dealt with by Form 1. Client sentenced to intensive correction orders.

Advising accused in respect of numerous commercial supply and associated charges.

Advising and appearing for accused in respect of Commonwealth prosecution for fraud and money laundering charges.

Appearing on pleas before the Local Court of NSW.

Advising and appearing on bail applications.

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Preparing merits advices in respect of appeals to the NSW Court of Criminal Appeal.

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**Regulatory and Disciplinary matters**

Advising former president of RSL NSW in respect of Inquiry under the *Charitable Fundraising Act 1991* into RSL entities.

Appearing for the Council of the Law Society of New South Wales in disciplinary proceedings.

Advising and appearing for the ACCC in respect of misleading and deceptive conduct concerning hearing aids: *ACCC v Oticon Australia Pty Limited* [2018] FCA 1826.

Advising and appearing unled for client on successful application for review of decision to cancel working with children check clearance: *DHF v Children's Guardian* [2018] NSWCATAD 152.

Advising and appearing for clients in respect of applications for review of banning orders: see, e.g. *Wilkins v Australian Securities and Investments Commission* [2019] AATA 2946.

Advising and appearing for Harness Racing New South Wales in respect of appeals to the NSW Racing Appeals Tribunal in respect of both breach of the AHRR and penalty appeals.

Appearing unled for Harness Racing New South Wales in respect of an application for judicial review *Ross v Harness Racing NSW* [2020] NSWSC 1397.

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**Family Law**

Advising and appearing for applicants and respondents in respect of property and parenting proceedings.

Advising party to property proceedings involving alleged sham contracts, including drafting points of claim.

Advising subpoenaed parties in respect of objections to subpoenas issued by parties to property proceedings, including objections in respect of confidential and commercially sensitive material.

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**ADMISSIONS AND PROFESSIONAL BACKGROUND**

**2017**  
Barrister, New South Wales Bar

**2013**  
Solicitor, Supreme Court of New South Wales

**2016 – 2017**  
Solicitor, Mills Oakley – Commercial Disputes & Insolvency

**2013 – 2016**  
Solicitor, McLachlan Thorpe Partners – Commercial Litigation

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**EDUCATION**

University of Technology, Sydney (2012)

Bachelor of Arts in Communication (Journalism)/Bachelor of Laws Thomson Reuters Award for Media Law (First in Course), 2011