

SAMUEL SUREN PARARAJASINGHAM

Barrister
Forbes Chambers
11/185 Elizabeth Street Sydney NSW 2000

EDUCATION

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| 2002 – 2007 | University of Sydney | Sydney, NSW |
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- L.L.B (Hons.)
 - B.A majoring in English Literature
 - 2007 Jurisprudence essay published in *Technology, Law & Culture* journal

PROFESSIONAL HISTORY

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| 2011 – Present
<i>Barrister</i> | Forbes Chambers | Sydney, NSW |
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Criminal defence barrister specialising in complex trials before juries and appeals against conviction and sentence in the appellate jurisdiction. Main practice areas include criminal law, corporate crime and appellate.

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| 2009 – 2011
<i>Solicitor</i> | Aboriginal Legal Service | Regional NSW |
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- Criminal defence lawyer representing Indigenous Australians in a variety of criminal matters across multi-jurisdictions. Responsibilities included:
- providing legal advice and representation to Indigenous adults and young persons on a range of criminal matters at various courts in regional NSW;
 - appearing in Local and District Courts conducting defended hearings, committal hearings, sentence proceedings, bail hearings and appeals;
 - community legal education in criminal law.

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| 2007 – 2009
<i>Summer clerk, graduate lawyer & solicitor</i> | Minter Ellison Lawyers | Sydney, NSW |
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- Employed in corporate and litigious practices at top tier corporate law firm. Responsibilities included:
- drafting pleadings, defences, various notices, subpoenas, submissions and affidavits on behalf of corporate and individual clients;
 - acting solicitor in Supreme Court matter and the day to day carriage of the discovery process in relation to Supreme Court and Federal Court litigation.

SELECT CASES

Recent examples of appellate cases

- *Chong v R* [2017] NSWCCA 185 – appeal against sentence to Court of Criminal Appeal concerning the denial of procedural fairness by the sentencing judge to the offender and the offender’s representative at sentence hearing (unled)
- *Taysavang v R; Lee v R* [2017] NSWCCA 146 – appeal against sentence to Court of Criminal Appeal concerning application of parity principles between co-offenders (unled)
- *Kelly v R* [2017] NSWCCA 256 – appeal against sentence to Court of Criminal Appeal concerning application of *Postiglione v R* (1997) 189 CLR 295 to analogous factual scenario (unled)
- *Wick v R* [2017] NSWCCA 244 – appeal against conviction to Court of Criminal Appeal concerning whether it was open to jury to be satisfied that injuries amounted to grievous bodily harm (unled)
- *Ahmu v R; DPP v Ahmu* (S21/2016) – special leave application to High Court concerning the incompetence of counsel at trial (led by Murugan Thangaraj SC)
- *Ronald Coles v R* [2016] NSWCCA 32 – appeal against sentence to Court of Criminal Appeal concerning the delay between the commission of offence and sentence as mitigating punishment (unled)
- *MJB v R* [2016] NSWCCA 210 – appeal against sentence to Court of Criminal Appeal concerning what constitutes “exceptional assistance to authorities”, warranting a combined discount on sentence in excess of 50% (unled)
- *Lee v R; Tang v R* [2015] NSWCCA 157 – appeal against conviction to Court of Criminal Appeal concerning an irregularity at trial due to the illiteracy of one juror (led by Murugan Thangaraj SC)
- *Saoud v R* (S51/2015) – special leave application to High Court of Australia concerning the admissibility of tendency and coincidence evidence adduced at trial (led by Murugan Thangaraj SC)
- *Youbert Youkhana v R* [2015] NSWCCA 41 – appeal against conviction to Court of Criminal Appeal concerning the limits of what constitutes a joint criminal enterprise (unled)
- *John Alan Wilde v New South Wales* (2015) 249 A Crim R 65 – appeal to Court of Appeal concerning the proper construction of section 11 of Crimes (High Risk Offenders) Act 2006 (unled)
- *Trevor Leonard Martin v R* [2015] NSWCCA 6 – appeal against sentence to Court of Criminal Appeal concerning the relevance of an offender’s mental health in the exercise of the sentencing discretion (led by Graham Turnbull SC)
- *Lee v R* (2014) 308 ALR 252 – appeal to High Court of Australia concerning the illegal possession at trial by the prosecution of the appellant’s compulsory interview before the NSW Crime Commission and the proper construction of the compulsory examination provisions in the NSW Crime Commission Act 1985 (led by Tim Game SC)
- *Saoud v R* (2014) 87 NSWLR 481 – appeal against conviction to Court of Criminal Appeal concerning the admissibility of tendency and coincidence evidence adduced at trial (led by Murugan Thangaraj SC)
- *Lee v R* [2013] NSWCCA 68 – appeal against conviction to Court of Criminal Appeal concerning unreasonable jury verdicts (unled)
- *Brown v R* (2013) 228 A Crim R 298 – appeal against sentence to Court of Criminal Appeal concerning discount on sentence for quasi-custodial bail conditions (unled)

Recent examples of criminal trials

- *CDPP v Sajjadi* - currently briefed for Defence in prosecution for a contravention of a UN sanction enforcement law, contrary to section 27(1) Charter of United Nations Act 1945 (unled)
- *R v Ignatov* – appeared on behalf of Accused charged with historic sexual assault offences in jury trial (led by Stephen Odgers SC)
- *R v ML* - appeared on behalf of Accused charged with Commonwealth offences of conspiracy to import a commercial quantity of border controlled drugs in 3-month trial (unled)
- *R v Piefke* – appeared on behalf of Accused charged with various offences of violence in jury trial (led by Carolyn Davenport SC)
- *DPP v Ayoub* – appeared on behalf of Accused charged with obtaining financial advantage by deception in judge alone trial (led by Murugan Thangaraj SC)
- *CDPP v Dimitriou* – appeared on behalf of Accused charged with fraud offences against ANZ Bank (unled)
- *R v Jonathan Klein* – appeared on behalf of Accused person charged with money laundering offences (led by Phillip Boulten SC)
- *R v Burke* – appeared on behalf of Accused charged with 23 counts of historic sexual assault in jury trial (unled)
- *R v Eldan* – appeared on behalf of Accused charged with a number of firearms and kidnap offences in jury trial (unled)
- *R v Phatke* – appeared on behalf of Accused charged with 19 counts of historic offences in jury trial (unled)
- *R v Sorensen* – appeared on behalf of Accused person charged with offences of violence and raised defence of mental illness in judge alone trial (unled)
- *R v Run Li* – appeared on behalf of Accused who was Chinese national charged with sexual intercourse without consent before jury (unled)
- *R v Pomare* – appeared on behalf of Accused person charged with offence of shoot with intent to murder (unled)

PUBLICATIONS AND PRESENTATIONS

- “What constitutes a miscarriage of justice under the Criminal Appeal Act 1912?” in *Criminal CLE* publication, March 2015
- “The significance of *Lee v R* (2014) 308 ALR 252 on an Accused person’s privilege against self-incrimination” – presentation to Toongabbie Legal Centre, February 2015
- “Bail Law in NSW” in *Criminal CLE* publication, August 2014
- “Key amendments to the Bail Act” – presentation to the NSW Labor Lawyers, July 2013
- “The proposed amendment to the right to silence” in *Criminal CLE* publication, December 2012
- “Case note: *Cth DPP v Poniatowska* (2011) 282 ALR 200” in *Journal of NSW Bar Association*, Autumn 2012
- Editor, “Sri Lanka: 60 years of Independence and Beyond”, *Centre for Just Peace and Democracy (CJPD)* 2009
- University of Sydney Jurisprudence essay examining the relationship between globalisation and international law published in *Technology, Law & Culture* journal, 2007

INTERESTS

- Current member of Board of Directors for Western Suburbs District Cricket Club
- Current member of 1st X1 side for Western Suburbs District Cricket Club in NSW Premier Cricket Competition
- Awarded contract in 2005 as Overseas Professional Player for Northwood Cricket Club in Saracens Hertfordshire Cricket League, England
- Mentor in the “Law Firms Encouraging and Assisting Promising Students” Program at James Meehan High, Macquarie Fields
- Volunteer with the Sudanese Australian Integrated Learning Program – a non-profit organisation that supports the refugee community of Western Sydney by providing free English lessons and academic support
- 2005 volunteer with Tamils Rehabilitation Organisation (TRO) in North-East Sri Lanka assisting with post Tsunami humanitarian aid program

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