

# 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
	<ul style="list-style-type: none"><li>▪ L.L.B (Hons.)</li><li>▪ B.A majoring in English Literature</li></ul>	

## 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 appellate jurisdictions. Main practice areas criminal law and corporate crime.

2018 – Present <i>Lecturer</i>	University of Sydney	Sydney, NSW
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Lecturer in Evidence Law for penultimate year candidates undertaking the Bachelor of Laws and Juris Doctor.

2010 – 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;

2007 – 2010 <i>Paralegal, graduate lawyer and solicitor</i>	MinterEllison Lawyers	Sydney, NSW
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Solicitor in commercial and litigious practice groups, including Dispute Resolution and Corporate. Responsibilities included:

- advising public and private sector clients across a broad range of complex and high-profile commercial disputes covering fraud, contractual disputes, insolvency and reconstruction, anti-money laundering issues, and anti-corruption compliance and enforcement;
- assisting large scale enterprises with developing effective corporate governance frameworks to drive enhanced organisational performance and ensure compliance with statutory obligations under the *Corporations Act 2001* and the Australian Securities Exchange Rules.

## SELECT CASES

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### Recent examples of criminal trials

- *Commonwealth Director of Public Prosecutions (CDPP) v Deutsche Bank, Citigroup, J.P Morgan & Ors* – briefed for individual charged with being knowingly concerned in the contravention of a cartel offence provision, contrary to sections 79(1)(c) and 44ZZRF(1) *Competition and Consumer Act 2010* (Cth) (led by Peter Wood).
- *R v Hannah John Safi* – appeared on behalf of individual charged with offence of murder, contrary to section 18 *Crimes Act 1900* (NSW) (unled).
- *CDPP v Seyed Sajjadi & Ors* – briefed for individual in prosecution for a contravention of a UN sanction enforcement law, contrary to section 27(1) *Charter of United Nations Act 1945* (Cth) (unled).
- *R v Sidaros* – appeared on behalf of individual charged with attempt murder, contrary to section 44 *Criminal Code* (ACT) in pre-trial applications in ACTSC (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 three-month jury trial (unled).
- *R v Cornford* – appeared on behalf of individual charged with dangerous driving occasioning death (unled).
- *NSW Independent Commission Against Corruption (ICAC) public inquiry into allegations of corruption concerning Canterbury City Council* – briefed for director of city planning at public inquiry into allegations that government officials dishonestly and/or partially exercised their official functions in relation to planning proposals and/or applications under the *Environmental Planning and Assessment Act 1979* (NSW) concerning properties in the Canterbury City Council local area (unled).
- *Director of Public Prosecutions (DPP) v Ayoub* – briefed for individual charged with obtaining financial advantage by deception, contrary to section 192E *Crimes Act 1900* (NSW) (led by Murugan Thangaraj SC).
- *R v Michael De Guzman* – appeared on behalf of individual charged with series of offences including shoot with intent to murder police officer, contrary to section 29 *Crimes Act 1900* (NSW) (unled).
- *R v Jonathan Klein* – appeared on behalf of individual charged with money laundering offences (led by Phillip Boulten SC).

### Recent examples of appellate cases

- *Rainbow v R* [2018] NSWCCA 42 - appeal against sentence to Court of Criminal Appeal concerning manifest excess ground (unled)
- *Restricted judgment* [2018] NSWCCA 217 – appeal against conviction to Court of Criminal Appeal concerning the application of section 137 Evidence Act (led by Stephen Odgers SC)
- *Toman v R* [2018] NSWCCA 51 – appeal against sentence to Court of Criminal Appeal concerning sentencing judge’s approach to the admissibility of expert opinion tendered on behalf of the offender (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).
- *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).

- *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).
- *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).
- *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).
- *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).
- *Lee v R* [2013] NSWCCA 68 – appeal against conviction to Court of Criminal Appeal concerning unreasonable jury verdicts (unled).

## **PUBLICATIONS AND PRESENTATIONS**

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- “Criminal conduct and regulatory investigations” co-presentation with Ashurst Australia to Woolworths Group, May 2019
- “Re-examining and Leading Evidence in Reply” presentation to the NSW Bar Association May 2019.
- “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
- “The proposed amendment to the right to silence” in *Criminal CLE* publication, December 2012
- “The requisite fault element for social security offences - case note *Cth DPP v Poniatowska* (2011) 282 ALR 200” in *Journal of NSW Bar Association*, Autumn 2012.

## **INTERESTS**

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- Member of Diversity and Equality Committee, NSW Bar Association.
- Current member of Board of Directors for Western Suburbs District Cricket Club
- 2011-2017 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

## **REFEREES**

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Available on request.

**E:** [pararajasingham@forbeschambers.com.au](mailto:pararajasingham@forbeschambers.com.au)

**T:** +612 9390 7777

**M:** +61 466 514 155