

SURYA PALANIAPPAN

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Surya has a diverse practice in commercial, regulatory, criminal and public law.

She is regularly briefed in corporate crime and cartel prosecutions, in regulatory and civil penalty proceedings brought by ASIC, the ACCC and APRA, and in complex commercial disputes, as well as in commissions of inquiry and inquests. She was recently recognised as Preeminent in Doyle's Guide "Leading White Collar Criminal Law & Regulatory Investigations Junior Counsel – Australia, 2026".

Surya has appeared, led and unled, in the High Court of Australia, the Federal Court of Australia (including the Full Court), the Supreme Court of New South Wales (including the Court of Appeal and the Court of Criminal Appeal), and the District and Local Courts of NSW and interstate.

ADMISSIONS

2014	Barrister, New South Wales, Sixth Floor Selborne Wentworth Chambers
2009	Attorney and Counselor at Law, State of New York; admitted, US District Courts for the SDNY and EDNY
2006	Solicitor, Supreme Court of South Australia

PROFESSIONAL EXPERIENCE

2014–2015	Counsel Assisting the NSW Solicitor General (M Sexton SC SG) and Crown Advocate (N J Adams SC)
2013–2014	Associate to the Hon Justice Stephen Gageler AC, High Court of Australia
2012–2013	Senior Lawyer, Australian Competition and Consumer Commission
2008–2012	Associate, Securities and Antitrust, Kirby McInerney LLP, New York
2007–2008	Associate to the Hon Justice Bruce Lander, Federal Court of Australia
2007	Solicitor, Government Litigation Team, DLA Piper Australia

EDUCATION

2018	Master of Laws, University of Melbourne
2006	Bachelor of Laws (Honours), University of Adelaide Prizes for Administrative Law and Criminal Law
2003	Bachelor of Commerce (Accounting), University of Adelaide Prize for Commercial Law

SELECTED MATTERS

HIGH COURT OF AUSTRALIA

Criminal law – statutory construction – *Barber v The King* (ongoing) – led by S J Odgers SC for the appellant (instructed by Legal Aid NSW).

Criminal law – statutory construction – *WHS v The King* (2025) 100 ALJR 71 – led by H R Roberts SC, leading K Jeffreys, for the Crown (instructed by the Office of the Director of Public Prosecutions (NSW)).

Constitutional law – challenge to retrospective legislation – *CD & TB v The Commonwealth of Australia* (2025) 99 ALJR 1388 – led by B W Walker SC and D F O’Leary SC for the plaintiffs (instructed by Agresta Moran).

Constitutional law – implied freedom of political communication – *Babet & Palmer v Australian Electoral Commission* (2025) 99 ALJR 883 – led by D F Villa SC, leading P F Santucci, for the applicant (instructed by Alexander Law).

Criminal law – permanent stay – *Dawson v The Queen* [2022] HCATrans 54 – special leave application concerning refusal of a permanent stay – led by P Boulten SC for Mr Dawson (instructed by Greg Walsh).

Criminal law – statutory construction – *The Queen v Rolfe* (2021) 273 CLR 413; [2021] HCATrans 137 – stay, special leave and appeal on a question of law; appeal allowed – led by P M Strickland SC and S G Callan SC for the prosecution (instructed by the Director of Public Prosecutions (NT)).

Criminal law – conviction appeal – *Brown v The Queen* [2021] HCATrans 29 – special leave to appeal against conviction – led by T A Game SC for Mr Brown (instructed by the Law Practice).

Statutory construction – *SAS Trustee Corporation v Miles* (2018) 265 CLR 137 – led by N J Williams SC and T M Ower for the appellant (instructed by SAS Trustee Corporation).

Constitutional law – challenge to the marriage law postal survey – *Wilkie v Commonwealth* (2017) 263 CLR 487 – challenge to the appropriation funding for the Australian Marriage Law Postal Survey – led by K M Richardson SC, J S Emmett and G E S Ng for the plaintiffs (instructed by the Human Rights Law Centre).

REGULATORY AND COMMERCIAL

Consumer law – *ACCC v Meta Platforms, Inc* (ongoing) – led by F T Roughley SC, leading K Sharma, for Meta (instructed by Corrs Chambers Westgarth).

Regulatory investigation – *Australian Securities and Investments Commission v Australia and New Zealand Banking Group Limited (Treasury Bonds Case)* [2025] FCA 1592 – ASIC investigation into the AOFM issuance of treasury bonds – led by J Sheahan KC, T A Game SC and J Williams SC for ANZ (instructed by Herbert Smith Freehills Kramer and Allens).

Contracts – whistleblower provisions – *Farrell v Super Retail Group Limited* (settled) – specific performance claim ([2024] FCA 1515) and alleged breach of the whistleblower provisions of the *Corporations Act 2001* (Cth) – led by F T Roughley SC for Ms S Pitkin, an individual director (instructed by Arnold Bloch Leibler).

Civil penalty – *ASIC v Scholz* [2022] FCA 1542 (liability); [2023] FCA 337 (penalty) – alleged contraventions of s 911A of the *Corporations Act 2001* (Cth) – led by R A Dick SC for Mr Scholz (instructed by hortonrhodes).

Consumer protection – *ASIC v Allianz Australia Insurance Limited* [2021] FCA 1062 – liability and penalty – led by T Mehigan SC for Allianz (instructed by Allens).

Superannuation – disqualification – *APRA v Kelaber* [2019] FCA 1521 – application for the disqualification of directors – led by A J Bannon SC for Mr Vernardos (instructed by Jones Day).

Consumer law – *ACCC v viagogo AG* [2019] FCA 544 – led by K C Morgan SC for viagogo (instructed by MinterEllison).

CRIMINAL, INCLUDING CORPORATE CRIME

Criminal law – insider trading conviction appeal – *R v Waldron* (NSWCCA, ongoing) – led by T A Game SC for Mr Waldron (instructed by Nyman Gibson Miralis).

Criminal law – money laundering sentence – *R v Ilyas* (District Court, ongoing) – led by M Thangaraj SC for Mr Ilyas (instructed by KPT Legal).

Prosecution under the *Customs Act 1901* (Cth) – *Collector of Customs v Container Resources System* (ongoing) – unled in the NSWSC for CRS (instructed by Nyman Gibson Miralis).

Extradition – in the matter of a confidential extradition (ongoing) – led by T A Game SC for the defendant (instructed by Herbert Smith Freehills Kramer).

Criminal law – insider trading sentence appeal – *Forrest v CDPP* [2026] FCAFC 69 – led by T A Game SC, leading C McNair, for Mr Forrest (instructed by Mangioni Biggs & Co).

Criminal law – statutory construction – *R v Liu* [2026] NSWSC 706 – unled, leading G Napier, for Mr Liu (instructed by Du Chan Legal).

Criminal law – directors’ duties – *R v Dunlop* (discontinued, 2026) – criminal prosecution of alleged breaches of directors’ duties – led by M Thangaraj SC for Mr Dunlop (instructed by Johnson Winter Slattery).

Apprehended domestic violence order – dismissed in the Local Court (2026) – led by A Djemal SC for the defendant, Ms S Rayner (instructed by Gilshenan & Luton).

Criminal law – sentence appeal – *Wei v The King* [2025] NSWCCA 150 – led by S J Buchen SC for the prosecution (instructed by the CDPP).

Criminal law – sentence – *R v Allianz Australia Insurance Ltd* [2025] NSWSC 127 – sentence proceedings under the *Corporations Act 2001* (Cth) – led by T A Game SC and K J Edwards SC for Allianz (instructed by Allens).

Criminal cartel – sentence – *CDPP v Aussie Skips Bin Services Pty Ltd* [2024] FCA 122 – sentence proceedings for cartel conduct – led by M Thangaraj SC for the defendants (instructed by Macedone Legal).

Contempt – *Registrar of the Federal Court of Australia v Mensink* [2023] FCA 1581 – contempt proceedings; stay application – led by P Dunning KC for Mr Mensink (instructed by Alexander Law).

Criminal law – murder trial – *R v Officer A (No 2)* [2022] NSWSC 1381 – including statutory construction of an available defence – led by P M Strickland SC for Officer A (instructed by McNally Jones Staff).

Intervention – *CIMIC Group Limited v AIG Australia Limited* [2022] NSWSC 93 – intervention for Mr Savage; *Corporations Act 2001* (Cth) and self-incrimination – unled (instructed by Arnold Bloch Leibler).

Criminal cartel – *CDPP v Citigroup Global Markets Australia Pty Ltd* – prosecution of alleged cartel conduct, including claims of legal professional privilege ([2021] FCA 511) and rulings on the indictment ((No 5) [2021] FCA 1345; see also (No 1) [2021] FCA 757; (No 3) [2021] FCA 1208) – led by J Sheahan KC, T A Game SC and S J Buchen SC, leading K Lindemann, for ANZ (instructed by Allens).

PUBLIC AND ADMINISTRATIVE LAW

Appeal from a decision refusing a writ of habeas corpus – *Fantakis v Commissioner for Corrective Services (NSW)* (Court of Appeal, reserved) – unled for the respondent (instructed by the Crown Solicitor’s Office (NSW)).

Application for declaratory relief – *DPP (NSW) v Commissioner for Corrective Services (NSW)* (Court of Appeal, ongoing) – led by K Jeffreys for the Crown (instructed by the ODPP (NSW)).

Statutory appeal – Mental Health Act 2007 (NSW) – *KLH v Northern NSW Local Health District* [2026] NSWCA 136; *KLH v Northern NSW Local Health District (No 2)* [2026] NSWCA 143 – refusal of a temporary stay pending special leave – unled, leading K Renehan (instructed by the CSO).

Forensic patient order – application under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) for BP (ongoing) – unled in the NSWSC, leading E Kneebone (instructed by the CSO).

Application to set aside judgment of the Industrial Court – *Boland v SAS Trustee Corporation* (ongoing) – unled for SAS Trustee Corporation (instructed by SAS Trustee Corporation).

Discrimination – *Mr A v TBB* (ongoing) – alleged racial discrimination – unled, leading G Napier (instructed by Baker McKenzie).

Discrimination – *Gralton v SAS Trustee Corporation* (settled 2026) – alleged disability discrimination in NCAT – unled (instructed by SAS Trustee Corporation).

Discrimination – for a private school (2025) – alleged racial discrimination – unled – settled at mediation (instructed by YPOL).

Administrative law – *Palmer v ASIC* [2024] FCA 1167; on appeal [2025] FCAFC 151 – application for declaratory relief – led by P Dunning KC and M Karam, leading K Byrne, for Mr Palmer (instructed by Alexander Law).

Injunction pending judicial review – *In the matter of an Application* [2024] ACTSC 214 – unled for the applicant (instructed by Kamy Saeedi Law).

Statutory appeal – *SAS Trustee Corporation v Learmont* [2023] NSWCA 272 – appeal on a question of law – led by S G Callan SC for SAS Trustee Corporation (instructed by SAS Trustee Corporation).

Judicial review – *Green & Ors v Minister for Mining and Industry* [2023] NTSC 18 – judicial review of a decision made under the *Mining Management Act 2001* (NT) – led by S B Lloyd SC for the Minister (instructed by the Solicitor for the Northern Territory).

Statutory appeal – *Pascoe v SAS Trustee Corporation* [2022] NSWCA 244 – appeal on a question of law – led by G Watson SC for SAS Trustee Corporation (instructed by SAS Trustee Corporation).

Electoral law – *NSW Electoral Commission v Kempsey Shire Council* [2022] NSWSC 282 – administrative law; declaratory relief – unled for Shellharbour City Council (instructed by Ashurst).

Statutory appeal – *Day v SAS Trustee Corporation* [2021] NSWCA 71 – appeal on a question of law – led by G Watson SC for SAS Trustee Corporation (instructed by SAS Trustee Corporation).

INQUESTS AND INQUIRIES

ICAC – Operation Scandi inquiry into the University of Wollongong (2026) – unled for Ms A Bourke, Chief People and Culture Officer (instructed by hortonrhodes).

Inquest – *Inquest into the death of JR* (2026) – unled for a police officer (instructed by the Police Union).

Inquest – *Inquest into the death of JD and SM* (2026) – unled as counsel assisting (instructed by the CSO).

Casino review – Bell Review into The Star (2024) – review under the *Casino Control Act 1992* (NSW) – unled for Ms O’Neil, independent auditor at The Star (instructed by hortonrhodes).

Inquest – *Inquest into the death of JK* (2021) – led by K Stern SC, counsel assisting (instructed by the CSO).

Royal Commission – Aged Care Quality and Safety (2019) – led by M Henry SC for Opal Aged Care (instructed by Arnold Bloch Leibler).

PUBLICATIONS

“Proportionality by Another Name in the Imposition of Civil Penalties”, in *The Law of Civil Penalties* (D Kayis, E Gluer and S Walpole, eds) (Federation Press, 2023), T A Game SC and S Palaniappan.

“Statutory Construction: A Method”, in *Key Issues in Public Law* (N Williams SC, ed) (Federation Press, 2018), N Williams SC, C Burnett and S Palaniappan.

OTHER QUALIFICATIONS AND INTERESTS

WSET Level 4 Diploma in Wines

Co-owner of Vino Cammino

Intermediate Italian