

GEORGE WM NAPIER

Tenth Floor Chambers
Level 10, 180 Phillip Street, Sydney NSW 2000
+61 8915 2326 | napier@tenthfloor.org

Education

- 2023 – 2024 **Master of Laws – Columbia University**
- Highest Honours (top 2% of class)
 - First Place in Comparative Constitutional Law
 - Submissions Editor, *American Review of International Arbitration*
- 2021 – 2022 **Master of Laws – University of Sydney (Distinction)**
- Dean and Head of Law School Letter of Congratulations
 - Ross Waite Parsons Postgraduate Coursework Law Scholarship (2021, 2022), Walter Reid Memorial Prize I (2021) and Keith Steele Memorial Prize for First Place in International Commercial Arbitration (2022)
- 2016 – 2018 **Juris Doctor – University of Sydney (Distinction)**
- 2012 – 2015 **Bachelor of Commerce – University of New South Wales (Distinction)**

Admissions

- 2025 **Called to the New South Wales Bar**
- 2019 **Admitted to the Supreme Court of New South Wales and the High Court of Australia**

Professional Experience

- 2025 **Senior Associate – Herbert Smith Freehills Kramer**
- 2021 – 2025 **Solicitor – Herbert Smith Freehills Kramer**
- 2020 – 2021 **Associate to the Hon Justice Geoffrey A Flick – Federal Court of Australia**
- 2017 – 2019 **Summer Clerk, Paralegal, Lawyer – MinterEllison**

Selected Cases

Federal Court of Australia

Dann & Anor v Chief Executive Officer (Housing) (NTD24/2022) – class action in relation to remote housing in the Northern Territory (led by D McLure SC, T Moses, W Liu, instructed by Johnson Winter Slattery)

Raza v Minister for Immigration and Citizenship (NSD286/2025) – appeal from Federal Circuit Court (unled, instructed by Mills Oakley)

Supreme Court of New South Wales

FINAO Pty Ltd v Rosebery 2021 Pty Ltd and Cottrell (NSWSC, 2023/00115317) – breach of contract, home building act, constructive trust claims (led by R Scruby SC, instructed by neolaw)

In the matter of Built Industries Pty Ltd (NSWSC, 2025/00492093) – for first and second defendants in oppression claim under the *Corporations Act 2001* (Cth) (led by J Hynes, instructed by O’Loughlin Westhoff)

Commissioner of Police, NSW Police Force v EA [2026] NSWCA 131 (Kirk, Ball and Free JJA) (led by P Bodor KC and M Jaireth, instructed by Makinson d’Apice). Appeal from *Decision restricted* [2025] NSWSC 1387 – acting for Police Commissioner in responding to legal professional privilege application for material obtained under warrant (led by M Jaireth, instructed by Makinson d’Apice)

R v Liu [2026] NSWSC 706 – pre-trial application to quash count of indictment concerning question of statutory interpretation of “engages in conduct” in s 400.2B(6) of the *Criminal Code Act 1995* (Cth) (led by S Palaniappan, instructed by Du & Associates Lawyers)

Epsilon Healthcare v Cui and Watercrest (NSWSC, settled) – for individual director in directors’ duties claim (led by C Colquhoun SC and Z Graus, instructed by Colin Biggers & Paisley)

Federal Circuit Court of Australia

ABE20 v Minister for Immigration and Citizenship [2026] FedCFamC2G – judicial review application (led by P Knowles SC, instructed by Supreme Justice Lawyers)

CMK26 v Minister for Immigration and Citizenship (SYF2949/2026, ongoing) – judicial review application (unled, instructed by LegalAid NSW)

Refugee A v Talent Beyond Boundaries Ltd [2026] FedCFamC2G 872 (ongoing) – discrimination claim under the *Racial Discrimination Act 1975* (Cth) (led by S Palaniappan, instructed by Baker McKenzie)

The Owners of Strata Plan 87242 v White (SYG4559/2025) – creditor’s petition (unled, instructed by Somerville Laundry Lomax)

Other Courts, Tribunals or Bodies

Debrich Custom Joinery v Interior Marble (NSWLC, 2023/00445575 and 2024/00117200, unreported) – costs application (unled, instructed by Medcalf Grant)

Dagge v McEwan (NSWLC, settled) – for landlord in residential tenancy claim (unled, instructed by Somerville Laundry Lomax)

Rizzo & Rizzo v Hollingworth (NCAT, reserved) – for landlord in uncollected goods claim (unled, instructed by Somerville Laundry Lomax)

NDIS Internal review application for provider subject to exclusion decision (instructed by Everingham Solomons Solicitors)

ASIC and liquidator’s examinations (instructed by O’Loughlin Westhoff)

Selected Matters as a Solicitor

High Court of Australia

FEL17 v Minister for Immigration and Multicultural Affairs [2025] HCA 13; (2025) 99 ALJR 775 – for appellant challenging refusal of a protection visa application under s 48A of the *Migration Act 1958* (Cth)

Federal Court of Australia

Australasian Centre for Corporate Responsibility v Santos Limited [2026] FCA 96 – for respondent in proceeding challenging its net zero scope 1 and 2 climate target as misleading and deceptive under the Australian Consumer Law and *Corporations Act 2001* (Cth)

WIJOAV Services Pty Ltd v Goldstone Private Equity Pty Ltd [2025] FCA 622; (No 2) [2025] FCA 684; (No 3) [2025] FCA 771; *Angel Holdco Pty Ltd v WIJOAV Services Pty Ltd* [2025] FCA 872 – for plaintiffs in oppression claim under the *Corporations Act 2001* (Cth)

Energy Resources of Australia Ltd v Minister for Resources and Minister for Northern Australia (Cth) (NSD1056/2024) – for plaintiff in judicial review proceeding

Supreme Court of Victoria

Environment Victoria v AGL Loy Yang & Ors [2022] VSC 814 – for AGL in judicial review proceeding challenging its power station licence conditions on the basis of the *Climate Change Act 2017* (Vic)

Patrick Stevedores v Essential Services Commission [2022] VSC 175 – for the Port of Melbourne in judicial review proceeding defending the regulatory review by the Essential Services Commission of funding arrangements

Selected advices

Advising various clients on: contractual and commercial law issues; investment treaty arbitration; constitutional and administrative law issues, including acquisition on other than just terms, the implied freedom of political communication and judicial review; the application of the Australian Privacy Principles in the *Privacy Act 1988* (Cth); recent amendments to the *Online Safety Act 2021* (Cth)

Advising a Committee of a House of Parliament on powers of suspension of a Member under standing orders and the powers of other government bodies

Publications

‘Non-arbitrability, Meet Your Maker: Advocating for the Universal Application of ‘Creator Law’ to the Escape Mechanism of Non-arbitrability’ (2025) 36(1) *American Review of International Arbitration* 33

‘The “Non-Signatory” Dilemma in International Commercial Arbitration: An Inconsistent International Landscape’ (2023) 32(4) *Australasian Journal of Dispute Resolution* 232

Mary Crock et. al (including George Napier), ‘Cases before Australian Courts and Tribunals concerning Questions of Public International Law 2021’ (2022) 40 *The Australian Yearbook of International Law* 377