

# GEORGE WM NAPIER

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Tenth Floor Chambers  
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## Education

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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

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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

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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

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### 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 Mills Oakley)

### Supreme Court of New South Wales

*Epsilon Healthcare v Cui and Watercrest* (NSWSC, 2025/00184412) – for individual director in directors’ duties claim (led by C Colquhoun SC and Z Graus, instructed by Colin Biggers & Paisley)

*Decision restricted* [2025] NSWSC 1387 – responding to legal professional privilege application (led by M Jaireth, instructed by Makinson d’Apice). Application for leave to appeal (led by P Bodor KC and M Jaireth, instructed by Makinson d’Apice)

*PRV Investments, GRPL and GPL v Lakhani & Patel* (NSWSC, 2025/00434253) – for first defendant responding to application for freezing orders (led by C Colquhoun SC and J Jaffray, instructed by Gadens Lawyers)

### **Federal Circuit Court of Australia**

*Refugee A v Talent Beyond Boundaries* (MLG3117/2025) – discrimination claim under the *Race 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, 2025/251108, settled) – for landlord in residential tenancy claim (unled, instructed by Somerville Laundry Lomax)

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

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

ASIC section 19 examination (instructed by O’Loughlin Westhoff)

## **Selected Matters as a Solicitor**

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### **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**

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‘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