

Peter McGrath

Partner

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OVERVIEW

Peter McGrath is a litigation lawyer. His particular focus is medical defence, professional indemnity, general liability and insurance coverage.

Peter has almost 30 years' experience acting for state public hospitals, government departments, community health organisations, individual professionals, and their insurers. He leads a team that defends a large portfolio of claims.

As well as defending civil claims in all state jurisdictions in Australia and instituting recovery claims, he has extensive experience representing his clients at coronial inquests and disciplinary proceedings, acting in reinsurance and indemnity disputes, and providing advice on policy wordings and coverage issues.

ACHIEVEMENTS

- Listed in *The Best Lawyers in Australia*™
  - Lawyer of the Year for Medical Negligence, 2021, 2026
  - Insurance Law, 2016-2024, 2026-2027
  - Litigation, 2027
  - Medical Negligence, 2019-2024, 2026-2027
  - Personal Injury Litigation, 2020-2024, 2026-2027
- Recommended by *Doyle's Guide* as a Leading Medical Negligence & Malpractice (Defendant) Lawyer in Victoria, 2017 – 2018, 2020

PROFESSIONAL / CIVIC ACTIVITIES

- The Law Institute of Victoria member
- The Medico Legal Society of Victoria member

- Australian Insurance Law Association member
- Regular provider of pro bono advice and litigation services to community service organisations, including through Public Interest Law Clearing House

EDUCATION

- LL.B., University of Melbourne, 1987

ADMISSIONS

- High Court of Australia
- Supreme Court of Victoria

NEWS & EVENTS

- 16 April 2026, More Than 80 K&L Gates Lawyers Across Asia-Pacific Recognised in 2027 Best Lawyers, Ones to Watch Editions

AREAS OF FOCUS

- Commercial Disputes
- Insurance Recovery and Counseling

REPRESENTATIVE EXPERIENCE

- Acting for medical, community, government, corporate, and individual clients in coronial inquests.
- Defending breaches of privacy claims at Victorian Civil and Administrative Tribunal (VCAT) and elsewhere.
- Advising and acting at VCAT on matters such as Freedom of Information Act applications, privacy legislation issues and access to material.
- Defending health professionals in disciplinary charges at the relevant AHPRA Registrations Boards.
- Acting to recover insured and uninsured losses from third parties.
- Acting for government departments and agencies in defence of claims for alleged abuse in care.
- Acting as, and experience with, model litigant guidelines and arrangements between interested co-defendants, defence arrangements generally between co-defendants and co-insured and working generally to minimise litigation.
- Defending claims against the non for profit sector including community organisations, kindergartens, and cemetery trusts.

- Providing risk management advice to agencies following claims and inquests.
- Defending claims against all state funded health organisations and individuals within those organisations at all levels.
- Acting for insurers in disputes with their reinsurers on coverage issues and recovery issues.
- Defending litigated claims in all court jurisdictions including appellant courts and alternative dispute forums such as the Health Services Commissioner of Australia.
- Advising organisations on insurance coverage and liability issues.
- Defending large value claims arising from catastrophic injuries, including birth injuries.