

The Honourable Peter Garling RFD SC

Overview

An independent mediator, arbitrator and referee with over four decades' experience as a barrister, as a Senior Counsel and as a judge of the Supreme Court of New South Wales.

Expertise in complex commercial, class action and mass tort disputes, professional negligence and product liability, public authority and administrative law.

Considerable expertise in public inquiries including having conducted the *NSW Special Commission of Inquiry into Acute Care Services in Public Hospitals* (2008).

Judicial Career

Judge of the Supreme Court of New South Wales (Common Law Division) from 7 June 2010 until retirement as the senior puisne judge of the Common Law Division on 15 March 2026. As a judge sat at first instance and on appeal; delivered, or joined in, over 1,200 judgments.

Civil judgments involved questions of law and determinations of fact in areas including negligence and intentional torts, contract, professional negligence, medical hospital negligence, unconscionable conduct, insurance and breaches of the Australian Consumer Law.

Responsible for judicial case management of all Representative (class) actions commenced in the Common Law Division, including hearing interlocutory and final disputes, and granting approval to proposed settlements.

Also responsible from 2016 to mid-2025 for the judicial case management of over 3,500 historical sexual assault claims against institutions.

Criminal judgments involved presiding over jury trials, and hearing trials as a judge sitting alone, and on appeal to the Court of Criminal Appeal.

Member of the Class Action Users Group, Chair of the Court's Information Technology Committee; member of an international judicial IT working group; Chair of the Editorial Committee of the Judicial Commission's Civil Trial Bench Book.

Regular presenter to legal and medical audiences on civil liability, civil procedure, expert evidence, advocacy and health system reform including at Oxford University, the NSW Bar Association and the NSW Bureau of Health Information.

Legal Professional Career

Commenced as a graduate articled clerk in February 1976; admitted as a solicitor in 1977.

Admitted as a barrister in New South Wales on 9 February 1979 and subsequently in all Australian jurisdictions and New Zealand. Appointed Senior Counsel in 1994.

Practised nationally, including appearances in the High Court of Australia, across common law, criminal and commercial litigation, specialising in professional negligence, product liability, public authority liability, insurance and administrative law.

Substantial experience as a practitioner in class actions and mass tort litigation, professional discipline, and appearances in Royal Commissions and Public Inquiries.

Special Commission of Inquiry

Appointed by the NSW Government in February 2008 to conduct the *Special Commission of Inquiry into Acute Care Services in NSW Public Hospitals*. Delivered a 1,200-page Report on 28 November 2008 with 139 recommendations, 134 of which were accepted, including creation or enhancement of four health system 'pillars'—the Bureau of Health Information, the Agency for Clinical Innovation, the Clinical Excellence Commission, and the Institute for Health Education and Training—and reforms to emergency care, ward configuration and patient safety.

Contact Details

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