LIST G
BARRISTERS

Fleur Shand



Fleur Shand is an experienced commercial and tax litigator.

QUALIFICATIONS

Master of Taxation (Melb)
Bachelor of Laws (Hons)(Syd)
Bachelor of Arts (Hons)(Otago)
Post Graduate Diploma (Bus Ad)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Class Actions | Commercial Arbitration | Consumer Credit | Consumer Law | Contractual Disputes | Corporations & Securities | Energy & Resources | Equity & Trusts | Taxation | Superannuation

INTELLECTUAL PROPERTY

Confidential Information

TORT LAW

Class Actions | Major Torts | Negligence | Professional Negligence

PUBLIC LAW

Administrative Law | Taxation

Fleur is an experienced commercial and tax litigator focusing on company and securities law, class actions, taxation disputes, contract disputes, regulatory and disciplinary action, commissions of inquiry, and professional negligence claims.

With over 19 years' litigation experience, Fleur has acted for both corporate clients and individuals in the financial services, oil and gas, mineral resources, property and construction, professional services, integrated resorts and automotive sectors. She has been involved in investigations and proceedings by the Australian Securities and Investments Commission, the Australian Taxation Office, the Tax Practitioners Board, the State Revenue Office, the Fair Work Commission and the Victorian Legal Services Board. She is a member of the Commercial Bar Association.

Fleur practises across all types of taxation law at the State and Federal level, including income tax, superannuation (including SMSF), capital gains, GST, stamp duty, payroll tax, land tax, disciplinary matters and tax prosecutions. She is a member of the Tax Bar Association and holds a Master of Taxation from Melbourne University.

Fleur is regularly briefed in the Federal Court of Australia, the Supreme Court, the Administrative Review Tribunal, and has appeared in the High Court of Australia. As well as practicing in Victoria, Fleur has acted in cases in New South Wales, Western Australia, and Tasmania.

Prior to joining the Bar in 2013, Fleur was a Senior Associate in the Dispute Resolution Group at King & Wood Mallesons.

Fleur holds a Bachelor of Laws with first class honours from the University of Sydney. She also holds a Post Graduate Diploma in Business Administration and a Bachelor of Arts with first class honours. While studying law at Sydney University, Fleur was a paralegal at the HIH Insurance Royal Commission.

Liability limited by a scheme approved under Professional Standards Legislation

Recent Cases

REGULATORY PROCEEDINGS

ASIC v HSBC Australia Limited (unauthorised payments)

Australian Securities and Investments Commission v HSBC Bank Australia Limited [2026] FCA 847

Federal Court orders $35 million penalty against HSBC for scam protection failures (ASIC media release 18 June 2026)

Acting for ASIC in Federal Court civil penalty proceedings alleging HSBC Australia had inadequate controls, systems and process for detecting, preventing, investigating and tracking unauthorised transactions. Briefed by Clayton Utz, led by P G Liondas KC, with P Annabell and L Hamzi.

ASIC v ANZ Banking Group Ltd (deceased estates)

Australian Securities and Investments Commission v Australia and New Zealand Banking Group Limited (Retail Cases Omnibus) [2025] FCA 1593

ASIC media release *Federal Court orders $250 million combined penalties against ANZ* (19 December 2025)

Acting for ASIC in civil penalty proceedings in the Federal Court against ANZ in relation to ANZ's deficient systems

and processes for responding to representatives of deceased estates in accordance with obligations under the Banking Code of Practice. Briefed by Maddocks, unled, with J Mathie.

ASIC v National Australia Bank (hardship notices)

Australian Securities and Investments Commission v National Australia Bank [2025] FCA 947

ASIC Media release: **NAB and AFSH penalised $15.5 million for failing customers facing financial hardship** (13 August 2025)

Acting for ASIC in civil penalty proceeding against NAB and its subsidiary AFSL, for contraventions of the National Credit Code for failing to respond within prescribed timeframes to customers facing hardship. Briefed by Maddocks, led by J S Graham KC.

ASIC v ANZ Banking Group Ltd (cash advance fees)

ASIC Media Release: **ASIC sues ANZ for overstating account balances and charging fees** (30 May 2022)

Acting for ASIC in civil penalty proceedings in the Federal Court against ANZ for allegedly misleading its customers as to the available funds and balances in their credit card accounts, in contravention of the *Australian Securities and Investments Commission Act 2001*, and the *National Consumer Credit Protection Act 2009*. Led by O Bigos QC, briefed by DLA Piper.

ASIC v RI Advice Group (cybersecurity)

Australian Securities and Investments Commission v RI Advice Group Pty Ltd [2022] FCA 496 (declaratory and other relief)

ASIC media release: **Court finds RI Advice failed to adequately manage cybersecurity risks** (5 May 2022)

Australian Securities and Investments Commission v RI Advice Group Pty Ltd [2021] FCA 1193 (application to strike out)

Acting for ASIC in Federal Court proceedings where RI Advice found to have breached its obligations under s 912A(1) of the *Corporations Act 2011* by failing to have adequate risk management systems to manage its cybersecurity risks. ASIC also successfully defended a strike out application brought by RI Advice. Led by P W Collinson QC and S H Parmenter QC with P G Liondas.

Crown Resorts – ILGA – Inquiry under the Casino Control Act 1992 (NSW)

Appearing for Crown Resorts Limited in the Independent Liquor & Gaming Authority (NSW) hearing before Commissioner Patricia Bergin SC in relation to the China arrests of Crown staff. Led by N J Young QC, N D Hopkins QC and R G Craig QC with H C Whitwell and briefed by Minter Ellison Lawyers.

CLASS ACTIONS

Bupa Aged Care Class Action

Bupa Aged Care Australia Pty Ltd v Cochrane as Executor of the Estate of Mudie [2026] FCA 181 (leave to appeal)

Cochrane v Bupa Aged Care Australia Pty Ltd [2025] FCA 1560 (summary dismissal application)

Acting for group member in ongoing representative proceedings in Federal Court alleging that understaffing of aged care homes was a breach of contracts between Bupa and residents of the aged care homes, as well as breach of

consumer guarantees under Australian Consumer Law. Briefed by Echo Law, led by W Edwards.

Star Group Shareholder Class Action

DA Lynch Pty Limited vs The Star Entertainment Group Ltd (S ECI 2022 01039)

Acting for group members who acquired shares in 'The Star Entertainment Group Ltd' (Star) in Supreme Court proceedings. The claim alleges that Star made misleading representations relating to its compliance with the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) and associated instruments (AML/CTF Laws). Led by K E Foley SC, briefed by Slater + Gordon.

Consumer credit insurance class actions against CBA, NAB and ANZ

Acting for group members in three separate Federal Court representative procedings against CBA, NAB and ANZ in relation to sale of credit card insurance products. Briefed by Slater + Gordon, led by O Bigos KC.

7-Eleven Franchisee class action

Davaria Pty Limited v 7-Eleven Stores Pty Ltd [2019] FCA 2214 (communications protocol)

Davaria Pty Limited v 7-Eleven Stores Pty Ltd [2020] FCA 398 (leave to appeal re communications protocol)

Davaria Pty Limited v 7-Eleven Stores Pty Ltd [2020] FCA 1234 (discontinuance of claims against one respondent)

Davaria Pty Limited v 7-Eleven Stores Pty Ltd (No 8) [2021] FCA 295 (application to amendment statement of claim)

Davaria Pty Limited v 7-Eleven Stores Pty Ltd (No 9) [2021] FCA 473 (evidentiary ruling)

Acting for 7-Eleven Stores Pty Ltd in franchisee class action in the Federal Court of Australia. Led by N J Young QC and R G Craig QC with K E Foley and A McRobert, and briefed by Norton Rose Fulbright.

Crown Resorts Limited securities class action (China arrests)

Crown Resorts Limited v Zantran Pty Limited [2020] FCAFC 1 (appeal re confidentiality obligations)

Zantran Pty Limited v Crown Resorts Limited [2019] FCA 641 (application for relief from confidentiality obligations)

Appearing for Crown Resorts Limited in securities class action in the Federal Court arising from detention of Crown staff in China. Led by N J Young QC, N D Hopkins QC and R G Craig QC with H C Whitwell and briefed by Minter Ellison Lawyers.

Banksia Securities Limited class action and related proceedings

Australian Funding Partners Ltd v Botsman & Ors [2019] HCATrans 102 (Special leave to appeal)

Botsman v Bolitho [2018] VSCA 278 (appeal against settlement approval)

Botsman v Bolitho (No 2) [2018] VSCA 348 (costs)

Banksia Securities Limited v the Trust Company [2017] VSC 583 (legal professional privilege)

Acting for Trust Company Nominees Limited (the trustee of Banksia Securities, a debenture-issuer regulated by a trust deed under Chapter 2L of the Corporations Act 2001) in class action and related proceedings in the Supreme Court of Victoria, Court of Appeal, and in the High Court. Led by I G Waller QC with P G Liondas, briefed by Clayton Utz.

Murray Goulburn class actions

Endeavour River Pty Ltd v MG Responsible Entity Limited [2019] FCA 1719 (settlement approval)

Acting for Murray Goulburn defendants in Webster v MG Co-operative Co Ltd & Ors and Endeavour River Pty Ltd v MG Responsible Entity Pty Ltd & Anor unit-holder class actions in the Federal Court. Led by W A Harris QC with J H Kirkwood, and instructed by Herbert Smith Freehills.

Mitic v OZ Minerals Limited securities class action and related proceedings

Mitic v Oz Minerals Ltd [2015] FCA 1152 (privilege dispute)

Mitic v OZ Minerals Limited (No 2) [2017] FCA 409 (settlement approval)

Acting for OZ Minerals Holdings in the securities class action and related proceedings in the Federal Court of Australia concerning the merger of Zinifex and Oxiana. With N P De Young, briefed by K+L Gates.

COMMERCIAL MATTERS

Directed v Isuzu Australia Limited (abuse of process)

Isuzu Australia Ltd v Directed Electronics OE Pty Ltd [2025] FCAFC 150 (on appeal)

Directed Electronics OE Pty Ltd v Isuzu Australia Limited (No 2) [2024] FCA 1198

Directed Electronics OE Pty Ltd v Isuzu Australia Limited [2022] FCA 254

Appearing for Isuzu Australia in ongoing proceedings in Federal Court involving allegations of copyright infringement, breach of contract, misuse of confidential information. Led by P W Collinson and L A Merrick KC, with J S Mereine, briefed by HSF Kramer.

Appearing for Isuzu Australia in application for dismissal or permanent stay of proceedings on grounds of abuse of process. Led by B Walker SC with M Hoyne in the 2022 hearing, and by B Walker SC and M Norton SC in the 2024 hearing and on appeal to the Full Court.

Kolesnikov v Pepperstone Group Limited (financial services)

Appearing (unled) for AFSL holder defendant in Supreme Court proceeding concerning alleged breach of contract and statutory claims under the ASIC Act and the Corporations Act, briefed by Clyde & Co. Proceedings were dismissed for plaintiff's failure to pay security for costs.

Modscape Holdings Pty Ltd v Cor Cordis Pty Ltd (professional negligence)

Acting (unled) for a chartered accountant and tax advisor defendant in Supreme Court professional negligence proceeding, briefed by Colin Biggers & Paisley.

Connective OSN Pty Ltd v Parker & Others (professional negligence)

Acting (unled) for registered tax agent and accountant defendant in Supreme Court professional negligence proceeding, briefed by Clyde & Co.

Asahi Holdings (Australia) Pty Ltd v Pacific Equity Partners Pty Ltd (misleading and deceptive conduct)

Acting for defendant executive in Federal Court proceedings involving claims of misleading and deceptive conduct in connection with the $NZ1.5 billion sale of an alcoholic beverage business to Asahi. With J P Slattery and briefed by K+L Gates.

TAXATION, SUPERANNUATION AND BANKRUPTCY

Default assessments

Buzadzic v Commissioner of Taxation [2024] HCASL 244

Buzadzic v Commissioner of Taxation [2024] FCAFC 50

Buzadzic v Commissioner of Taxation [2023] FCA 954

Buzadzic and Commissioner of Taxation (Taxation) [2021] AATA 4820

Appearing on behalf of Commissioner of Taxation before the Full Federal Court and before Moshinsky J (on appeal from AAT) in appeals of Part IVC proceedings arising from s167 default assessment concerning alleged fraud and evasion. Appeared unled at first instance in the Administrative Appeals Tribunal. On appeal, led by M Schilling, briefed by Australian Government Solicitor. Led by P J Hanks KC responding to special leave application in the High Court. Special leave was refused.

Trustee obligations under Superannuation Industry (Supervision) Act 1993

Goulopoulos and Commissioner of Taxation [2022] AATA 2540

Appearing (unled) for Commissioner of Taxation on review of decision disqualifying responsible officer of the corporate trustee of a self-managed superannuation fund under s 126A of the *Superannuation Industry (Supervision) Act 1993 (Cth) Act*.

Taxation - various Part IVC proceedings

Acting (unled) for Commissioner of Taxation and taxpayers in various proceedings brought under Part IVC of the *Taxation Administration Act 1953* and s344 of the *Superannuation Industry (Supervision) Act 1993* concerning income tax, capital gains tax, Div 7A loans, GST, PAYG, luxury car tax, SMSFs (including early access to superannuation benefits, disqualification of trustees under the Superannuation Industry (Supervision) Act 1993, excess non-concessional contributions), work-related expenses, fraud and evasion, and penalties, including *Hussain and Commissioner of Taxation (Taxation)* [2018] AATA 1111; *Diarra and Commissioner of Taxation (Taxation)* [2019] AATA 5545, and *CGWT and Commissioner of Taxation (Taxation)* [2020] AATA 6155.

Application to set aside judgment (Victorian Supreme Court)

Deputy Commissioner of Taxation v Zeqaj [2019] VSC 194

Appearing (unled) for Deputy Commissioner of Taxation in Supreme Court hearing of defendant's application to set aside a monetary judgment entered against him by the Deputy Commissioner of Taxation upon his default in filing a notice of appearance to the writ. Briefed by Australian Government Solicitor.

Bankruptcy - sequestration order

Deputy Commissioner of Taxation v Zeqaj [2019] FCCA 2740

Zeqaj v Deputy Commissioner of Taxation [2020] FCA 1270

Appearing (unled) for the Deputy Commissioner of Taxation and on appeal to the Federal Court seeking sequestration order where respondent filed notice of grounds of opposition to the sequestration petition.

Disciplinary (tax agent obligations under Tax Agents Services Act 2009)

Dadwal and Tax Practitioners Board [2018] AATA 2878

Acting (unled) for Tax Practitioners Board affirming decision to terminate registration of tax agent under the *Tax Agents Services Act 2009* following tax agent's conviction for criminal offences of indecent assault against a child.

Memberships

Victorian Bar - Commercial Bar Association

Victorian Bar - Tax Bar Association

Fellow of The Tax Institute

Member of the International Fiscal Association