

Caitlin Shand

COMMERCIAL MEDIATOR PROFILE

Principal & Mediator | Shand Mediation and Consulting

Brisbane, Queensland | www.shandmediation.com.au | Email caitlin@shandmediation.com.au| Phone 0483 750 565

Caitlin is an AMDRAS accredited mediator bringing 18 years of commercial litigation and dispute resolution experience to mediation. Her legal background and qualifications inform a practical approach to helping parties reach practical, sensible commercial resolutions.

COMMERCIAL DISPUTE FOCUS

- Contractual, corporate and commercial disputes
- Property, body corporate and leasing disputes
- Insolvency, debt recovery and enforcement
- Partnership, shareholder and directors' duties disputes
- Trade practices, consumer law and negligence claims
- Banking and financial services disputes involving security interests

APPROACH TO MEDIATION

Caitlin's approach to mediation is informed by deep legal and commercial experience, a commitment to impartiality, and a focus on rational, practical outcomes that provide certainty and allow parties to move forward.

Caitlin's approach recognises that settlement decisions involve more than legal positions. She brings to her role as mediator an established understanding of the environment in which commercial disputes exist - and the practical realities that influence decision-making. Litigation costs, business disruption, financial priorities and the effect of a dispute on ongoing relationships can all influence what parties need from a resolution.

Having seen the time, cost and uncertainty that is inherent in litigation, Caitlin understands the importance of creating opportunities for parties to explore practical, commercially sensible outcomes. She helps participants clarify the issues, identify their interests and explore mutually beneficial options for resolution.

Caitlin recognises that each dispute is different. She takes a practical and flexible approach to mediation, adapting the process to suit the issues, the parties and the commercial context, with a focus on creating the right conditions for constructive dialogue and a meaningful outcome.

PROFESSIONAL BACKGROUND

Caitlin brings 18 years of commercial litigation and dispute resolution experience to Shand Mediation and Consulting. She has represented large corporate enterprises, high net worth individuals, banks, insolvency practitioners, professional service providers and property developers in complex commercial disputes.

She has acted in trials ranging from one day to several weeks, various applications and interlocutory hearings, public examinations, reviews and other hearings across State and Federal jurisdictions. This experience informs her understanding of litigation risk, commercial pressures and the practical considerations that influence settlement decisions.

Over almost two decades, Caitlin has sat with many clients at the mediation table. She has seen first hand how valuable the process can be. Even if resolution is not achieved, mediation can help narrow the issues in dispute and therefore significantly reduce the time and cost associated with ongoing litigation. She also understands that the legal issues are not always the primary consideration, and that spending time exploring the commercial and relationship aspects of a dispute is often just as important in terms of the parties achieving an informed, rational and commercially sensible resolution.

RECENT LEGAL REPRESENTATION EXPERIENCE

Recent matters undertaken as a legal representative include:

• Banking litigation. Acted for a leading bank seeking possession of real property and defending claims brought in the Supreme Court of Queensland by a self-represented litigant.

• Shareholder and directors' disputes. Acting for directors and shareholders in defence of breach of directors' duties and shareholders' agreement claims in the Supreme Court of Queensland.

• Contract and consumer disputes. Acted for an imaging, printing and projection technology manufacturer and supplier in relation to contractual and consumer guarantee disputes.

• Insolvency investigations. Acted for liquidators in Federal Court public examinations and associated investigations into creditor-defeating dispositions, phoenix activity and PAYG avoidance schemes.

• Winding up proceedings. Acted for a company defending winding up proceedings in the Supreme Court of Queensland.

• Security and property interests. Acted for a lender protecting security interests in a management and letting rights dispute between the bank's customer and the body corporate.

• Settlement enforcement. Acted for liquidators seeking to enforce a deed of settlement, including issuing statutory demands for payment of debt.

• Pro bono. Commercial disputes work including defending individuals against civil claims in the Magistrates Court | LawRight referral.

Caitlin has also acted in:

- Federal and Full Court proceedings involving copyright infringement.
- Supreme Court and Court of Appeal proceedings involving breach of contract and specific performance.
- Federal and Full Court proceedings involving breach of liquidator's duties.
- Supreme Court negligence proceedings.
- Supreme Court proceedings incorporating allegations of undue influence, unconscionable conduct and misrepresentation.
- Voidable transaction proceedings and public examinations.
- Rectification proceedings.
- Misleading and deceptive conduct proceedings.
- Various other commercial disputes not involving litigation.

PROFESSIONAL BACKGROUND

Principal & Mediator | Shand Mediation and Consulting | September 2026 to present

Commercial mediation and litigation and dispute resolution consulting.

Special Counsel | Dentons Australia Limited | 2021-2026

Recovery and Restructuring team, focusing on commercial litigation, insolvency and dispute resolution.

Senior Associate, Mills Oakley | 2013-2021

Commercial Litigation, Insolvency and dispute resolution.

Associate, Carter Newell Lawyers | 2012-2013

Associate, ClarkeKann Lawyers | 2007-2012

MEMBERSHIPS

• Queensland Law Society

• Commercial Law Association of Australia

• Resolution Institute