

# Supreme Court of Queensland decision

12 June 2019

## **Key issue: Breach of Trust - the meaning of ‘breach of the trust placed in the person’**

The Supreme Court of Queensland recently considered the meaning of the phrase ‘breach of the trust placed in the person’ in a police disciplinary context.

The decision also considered the meaning of ‘trust’ in the context of a ‘breach of trust’ and found the following definition to be appropriate:

‘the obligation or responsibility imposed on someone in whom confidence is placed or authority is vested, or who has undertaken to carry out a particular duty or role’.

A breach of that trust is breaking that obligation or failing in that responsibility.

When the Office of the Independent Assessor alleges a breach of trust it will always be linked back to a breach of one of the [local government principles](#) in Section 4 or the [responsibilities of councillors](#) in Section 12 of the Local Government Act 2009.

The Supreme Court of Queensland decision (*Flori v Winter & Ors*) delivered on 3 May 2019 can be found [here](#).

