

LX2083 - Trusts

Dr Patricia Hobbs

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- 'Administrative Unworkability - A Reassessment of an Abiding Problem'. 1 AD. Conveyancer & Property Lawyer.
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA7909B60E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.
- Austin, R. P. 1980. Discretionary Trusts: Conceptual Uncertainty and Practical Sense. 9. http://cm7ly9cu9w.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=Discretionary+trusts%3A+conceptual+uncertainty+and+practical+sense&rft.jtitle=Sydney+Law+Review&rft.au=Austin%2C+R.P&rft.date=1980-01-01&rft.pub=Sydney+Law+School&rft.issn=0082-0512&rft.volume=9&rft.issue=1&rft.spage=58&rft.externalDBID=BSHEE&rft.externalDocID=1472881¶mdict=en-UK.
- Baughen, Simon. 2000. "'Equality Is Equity"; or Is It?' Conveyancer & Property Lawyer, no. Jan/Feb: 58-61.
<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7493220E72111DA9D198AF4F85CA028&crumb-action=append&context=33>.
- Burgess, Robert. 1972. 'Juridical Nature of Secret Trusts, The'. Law Journal Library 23. https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/nlq23&div=33&start_page=263&collection=journals&set_as_cursor=7&men_tab=srchresults.
- Burrows, Andrew. n.d. 'We Do This at Common Law but That in Equity'. Oxford Journal of Legal Studies Volume 22 (Issue 1): 1-16. <https://doi.org/10.1093/ojls/22.1.1>.
- 'Certainty of Subject Matter: A Defence of Hunter v. Moss'. 1 AD. Conveyancer & Property Lawyer.
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA764A961E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.
- Davies, Paul S., and Graham Virgo. 2016. Equity & Trusts: Text, Cases, and Materials. Second edition. Edited by E. H. Burn. Oxford University Press.
- 'Debunking the Myth of Secret Trusts?' 1 AD. Conveyancer & Property Lawyer.
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I78ED3BD0E45411DA92358E85EE602D8A&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

- Dervan, H. 2014. 'Trusts' Law Reform: Do We Need a Statutory Straitjacket?' *Trusts & Trustees* 20 (7): 673–91. <https://doi.org/10.1093/tandt/ttu099>.
- Dunn, Alison. n.d. 'Equity Is Dead. Long Live Equity!' *The Modern Law Review* Vol. 62 (No. 1): 140–50. <http://www.jstor.org/stable/1097080>.
- Emery, CT. 1982. 'Most Hallowed Principle - Certainty of Beneficiaries of Trusts and Powers of Appointment, The'. *Law Quarterly Review* 98. <https://contentstore.cla.co.uk/secure/link?id=9c60b223-a14a-e611-80bd-0cc47a6bddeb>.
- F. Spearing. 1983. *Discretionary Trusts & Power: Distinction without a Difference*. 7. <https://heinonline.org/HOL/Page?handle=hein.journals/trntlj7&size=2&collection=journals&id=115>.
- G. Allan. 2011. *Secret Is out There: Searching for the Legal Justification for the Doctrine of Secret Trusts through Analysis of the Case Law*. 40. https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/comllwr40&div=22&start_page=311&collection=journals&set_as_cursor=13&men_tab=srchresults.
- Gardner, Simon. 1991. 'Fiduciary Powers in Toytown'. *Law Quarterly Review* 107 (Apr): 214–20. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICD1E8F40E72111DA9D198AF4F85CA028&crumb-action=append&context=22>.
- Gardner, Simon. 1992. 'New Angles on Unincorporated Associations'. *Conveyancer & Property Lawyer*, no. Jan/Feb: 41–52. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7841840E72111DA9D198AF4F85CA028&crumb-action=append&context=69>.
- Gardner, Simon. 1998. 'A Detail in the Construction of Gifts to Unincorporated Associations'. *Conveyancer & Property Lawyer*, no. Jan/Feb: 8–12. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7558E30E72111DA9D198AF4F85CA028&crumb-action=append&context=90>.
- Gardner, Simon. 2011. *An Introduction to the Law of Trusts*. 3rd ed. Clarendon law series. Oxford University Press.
- Giacomet, Fausto. n.d. *Capital Markets Law Journal*. no. 2. <http://search.proquest.com.ezproxy.brunel.ac.uk/docview/1619565749?pq-origsite=summon>.
- Gretton, George L. 2000. 'Trusts without Equity'. *International and Comparative Law Quarterly* Vol. 49 (No. 3): 599–620. <http://www.jstor.org/stable/761397>.
- Haley, Michael A., and Lara McMurtry. 2014. *Equity and Trusts*. Fourth edition. Sweet&Maxwell's textbook series. Sweet & Maxwell.
- Halliwell, Margaret. 2003. 'Perfecting Imperfect Gifts and Trusts: Have We Reached the End of the Chancellor's Foot?' *Conveyancer & Property Lawyer*, no. May/Jun: 192–202. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA73953A0E72111DA9D198AF4F85CA028&crumb-action=append&context=9>.

Hayton, David. 1994. 'Uncertainty of Subject-Matter of Trusts'. *Law Quarterly Review* 110 (Jul): 335-40.

<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICD03DB50E72111DA9D198AF4F85CA028&crumb-action=append&context=46>.

Hayton, David J. 2001a. 'Developing the Obligation Characteristic of the Trust'. *Law Quarterly Review* 117 (Jan): 96-108.

<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICCAEDD80E72111DA9D198AF4F85CA028&crumb-action=append&context=104>.

Hayton, David J. 2001b. 'Developing the Obligation Characteristic of the Trust'. *Law Quarterly Review* 117 (Jan): 96-108.

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICCAEDD80E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

Hayton, David J. 2003. *The Law of Trusts*. 4th ed. Fundamental principles of law. Sweet & Maxwell.

Hopkins, John. 1973. 'Continuing Uncertainty as to Certainty of Objects of Trust Powers'. *The Cambridge Law Journal* 32 (01). <https://doi.org/10.1017/S0008197300090164>.

Hudson, Alastair. 2017. *Equity and Trusts*. 9th edition. Routledge.

Hughes-Davies. 2015. 'Redefining the Quistclose Trust'. *Conveyancer & Property Lawyer*. <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA25B8AC0B5D411E4AC54BF9A229C706A&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

'Instruments of Fraud, Testamentary Dispositions, and the Doctrine of Secret Trusts'. 1999. *Law Quarterly Review* 115.

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I78ED62E0E45411DA92358E85EE602D8A&entityID=https://idp.brunel.ac.uk/entity>.

J. Levine and R. Holton. 1983. *Enforcement of Secret and Semi-Secret Trusts*. 5.

https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/problj5&div=5&start_page=7&collection=journals&set_as_cursor=9&men_tab=srchresults.

Jaffey, Peter. 2007. *Private Law and Property Claims*. Hart Publishing.

Klinck, Dennis R. 1988. 'McPhail v. Doulton and Certainty of Objects: A "Semantic" Criticism'. *Ottawa Law Review* 20 (2): 377-402.

http://cm7ly9cu9w.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=McPhail+v.+Doulton+and+certainty+of+objects%3A+a+%22semantic%22+criticism&rft.jtitle=Ottawa+Law+Review&rft.au=Klinck%2C+Dennis+R&rft.date=1988-03-22&rft.pub=Faculty+of+the+Common+Law+Section%2C+University+of+Ottawa&rft.issn=0048-2331&rft.volume=20&rft.issue=2&rft.spage=377&rft.externalDBID=BSHEE&rft.externalDocID=7289712¶mdict=en-US.

Langbein, John H. n.d. 'The Contractarian Basis of the Law of Trusts'. *The Yale Law Journal* Vol. 105 (No. 3): 625–75. <https://doi.org/10.2307/797196>.

Mart Synge. 2016. *Charitable Status: Not a Negligible Matter*. 132. <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I4C93D8F0EB1011E5A168CCCE55E37A72&entityID=https://idp.brunel.ac.uk/entity>.

Mason, Anthony. 1994. 'The Place of Equity and Equitable Remedies in the Contemporary Common Law World'. *Law Quarterly Review* 110 (Apr): 238–59. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICD027BC0E72111DA9D198AF4F85CA028&crumb-action=append&context=110>.

Matthews, Paul. 1995. 'A Problem in the Construction of Gifts to Unincorporated Associations'. *Conveyancer & Property Lawyer*, no. Jul/Aug: 302–8. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA76AC3E0E72111DA9D198AF4F85CA028&crumb-action=append&context=79>.

McCormick, W. 2011. 'How Difficult Is It to Gift a Share? *Shah v Shah* [2010] EWCA Civ 1408'. *Trusts & Trustees* 17 (5): 438–40. <https://doi.org/10.1093/tandt/ttr080>.

McKay, L. n.d. *Re Baden and the Third Class of Uncertainty*. <https://contentstore.cla.co.uk/secure/link?id=afd95904-e970-e611-80c6-005056af4099>.

Mike Macnair. 2007. 'Equity and Conscience'. *Oxford Journal of Legal Studies* 27 (4): 659–81. <http://www.jstor.org.ezproxy.brunel.ac.uk/stable/20185349?pq-origsite=summon>.

Nobles, Richard L. 1992. 'Charities and Ethical Investment'. *Conveyancer & Property Lawyer*, no. Mar/Apr: 115–18. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA781CE50E72111DA9D198AF4F85CA028&crumb-action=append&context=51>.

Oakley, A.J. and International Conference on Trust Law. 1996. *Trends in Contemporary Trust Law*. Clarendon Press. <https://contentstore.cla.co.uk/secure/link?id=635df98c-a14a-e611-80bd-0cc47a6bddeb>.

Oosterhoff, Albert H. 2006. 'Secret and Half-Secret Trusts'. *Law Journal Library* 26. https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/espjrl26&div=18&start_page=173&collection=journals&set_as_cursor=6&men_tab=srchresults.

Otto, Dianne. 1992. 'A Barren Future? Equity's Conscience and Women's Inequality'. *Melbourne University Law Review* 18 (4). <http://heinonline.org/HOL/Page?handle=hein.journals/mulr18&size=2&collection=journals&id=836>.

Panesar, Sukhninder. 2008. 'Surplus Funds and Unincorporated Associations'. *Trusts & Trustees* 14 (10): 698–707. <https://doi.org/10.1093/tandt/ttn100>.

Parkinson, Patrick. 2002. 'Reconceptualising the Express Trust'. *The Cambridge Law Journal* 61 (03). <https://doi.org/10.1017/S0008197302001769>.

Paul S. Davies. 2015. 'Section 61 of the Trustee Act 1925: Deus Ex Machina?' *Conveyancer*

& Property Lawyer.

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I424A9C706E1611E5ADEBEC044153D0B4&entityID=https://idp.brunel.ac.uk/entity>.

Pawlowski, Mark. 2001. 'Unconscionability as a Unifying Concept in Equity'. *Denning Law Journal* 16 (1): 79–96.

http://cm7ly9cu9w.search.serialssolutions.com/?ctx_ver=Z39.88-2004&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft_id=info:sid/summon.serialssolutions.com&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&rft.genre=article&rft.atitle=Unconscionability+as+a+Unifying+Concept+in+Equity&rft.jtitle=Denning+Law+Journal&rft.au=Pawlowski%2C+Mark&rft.date=2001&rft.pub=University+of+Buckingham+Press&rft.issn=0269-1922&rft.volume=16&rft.issue=1&rft.spage=79&rft.epage=96&rft.externalDBID=n%2Fa&rft.externalDocID=n%2Fa¶mdict=en-US.

Pearce, Robert A., John Stevens, and Warren Barr. 2010. *The Law of Trusts and Equitable Obligations*: Robert Pearce, John Stevens, Warren Barr. 5th ed. Oxford University Press.

Pettit, Philip Henry. 2012. *Equity and the Law of Trusts*. 12th ed. Oxford University Press. <http://lib.myilibrary.com/browse/open.asp?id=557723&entityid=https://idp.brunel.ac.uk/entity>.

'Private Purpose Trusts - a Reform Proposal'. 1 AD. *Conveyancer & Property Lawyer*.

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I04BE36F075FE11DCBE5DC90C8219B168&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

Rahmatian, Andreas. 2009. 'The Continued Relevance of the "Poor Relations" and the "Poor Employees" Cases under the Charities Act 2006'. *Conveyancer and Property Lawyer*, no. 1 (January).

<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IEABDDFB0FA5111DDAFC3E136547FBB8B&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

Richardson, G. 2011. 'Lehman Brothers: Traditional Trusts Principles and 21st Century International Bank Failures'. *Trusts & Trustees* 17 (3): 226–32. <https://doi.org/10.1093/tandt/ttr020>.

Scott-Hunt, Susan, and Hilary Lim. 2001. *Feminist Perspectives on Equity and Trusts*. Cavendish. Electronic resource.

<http://lib.myilibrary.com/browse/open.asp?id=16703&entityid=https://idp.brunel.ac.uk/entity>.

Sharon K. Dobbins. 1991. 'Equity: The Court of Conscience or the King's Command, the Dialogues of St. German and Hobbes Compared'. *Journal of Law and Religion* 9 (1): 113–49.

http://www.jstor.org.ezproxy.brunel.ac.uk/stable/1051110?pq-origsite=summon&seq=1#page_scan_tab_contents.

Siu, Ho. 2015. 'Keeping Secrets: A Critical Analysis of the Justifications for the Doctrine of Secret Trusts'. *Law Journal Library* 3.

<https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/neastlr3&div=>

17&start_page=75&collection=journals&set_as_cursor=10&men_tab=srchresults.

Smart, Philip St. J. 1987. 'Holding Property for Non-Charitable Purposes: Mandates, Conditions and Estoppels'. *Conveyancer & Property Lawyer*, no. Nov-Dec: 415-522. <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7BF7390E72111DA9D198AF4F85CA028&crumb-action=append&context=63>.

Stauch, Marc, and Gary Watt. 1998. 'Is There Liability for Imprudent Trustee Investment?' *Conveyancer & Property Lawyer*, no. Sep/Oct: 352-61. http://brunel.summon.serialssolutions.com/#!/search?bookMark=ePnHCXMwNZ0xD8lgEIUZHNTGn9CEuDc5CxQ6ORiN7t2bo1xNFwft4r_3jtadMJHv3jvuwV4dUGazX3POcKVNJqHEIQG2KylZm6HZKfv4aFE5pNnR51HQR2alpie20_IdR51zB0R6ym9OSLvsXKJudu0u92r9K6B62raultaBJFWJwUD0mBy6EUeKgQtuw2VvYFlvXWLHwQbe100AQ2PERIOHU0JTqOOy7R_I_dqzZ23M7hFaudEsVLksEnj3cgLmNw490995D635AYVJSeQ.

Swadling, William. 2004. *The Quistclose Trust: Critical Essays*. Hart. <http://lib.myilibrary.com/browse/open.asp?id=80856&entityid=https://idp.brunel.ac.uk/entity>.

Synge, Mary. 2015. *The 'new' Public Benefit Requirement: Making Sense of Charity Law?* Hart Publishing. Electronic resource. <http://lib.myilibrary.com/browse/open.asp?id=813499&entityid=https://idp.brunel.ac.uk/entity>.

Thornton, Rosy. n.d. 'Ethical Investments: A Case of Disjointed Thinking'. *The Cambridge Law Journal* Volume 67 (Issue 02): 396-422. <https://doi.org/10.1017/S000819730800038X>.

'Trustees' Personal Liability and the Role of Liability Insurance'. 1 AD. *Conveyancer & Property Lawyer*. <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA76A0090E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>.

Virgo, Graham. 2016. *The Principles of Equity & Trusts*. Second edition. Oxford University Press.

Watt, Gary. 2016. *Trusts & Equity*. Seventh edition. Oxford University Press.

Wilson, Sarah, Paul Todd, and Sarah Wilson. 2015. *Todd & Wilson's Textbook on Trusts & Equity*. 12th edition. Concentrate. Oxford University Press.