

LX2083 - Trusts

Dr Patricia Hobbs

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1.
Virgo G. The principles of equity & trusts. Second edition. Oxford, United Kingdom: Oxford University Press; 2016.

 2.
Watt G. Trusts & equity. Seventh edition. Oxford: Oxford University Press; 2016.

 3.
Davies PS, Virgo G. Equity & trusts: text, cases, and materials. Second edition. Burn EH, editor. Oxford, United Kingdom: Oxford University Press; 2016.

 4.
Pettit PH. Equity and the law of trusts [Internet]. 12th ed. Oxford: Oxford University Press; 2012. Available from:
<http://lib.mylibrary.com/browse/open.asp?id=557723&entityid=https://idp.brunel.ac.uk/entity>

 5.
Haley MA, McMurtry L. Equity and trusts. Fourth edition. London: Sweet & Maxwell; 2014.

 6.
Hudson A. Equity and trusts. 9th edition. New York: Routledge; 2017.

7.

Wilson S, Todd P, Wilson S. Todd & Wilson's textbook on trusts & equity. 12th edition. Oxford, United Kingdom: Oxford University Press; 2015.

8.

Pearce RA, Stevens J, Barr W. The law of trusts and equitable obligations: Robert Pearce, John Stevens, Warren Barr. 5th ed. Oxford: Oxford University Press; 2010.

9.

Swadling W. The Quistclose trust: critical essays [Internet]. Oxford: Hart; 2004. Available from:
<http://lib.myilibrary.com/browse/open.asp?id=80856&entityid=https://idp.brunel.ac.uk/entity>

10.

Scott-Hunt S, Lim H. Feminist perspectives on equity and trusts [Internet]. London: Cavendish; 2001. Available from:
<http://lib.myilibrary.com/browse/open.asp?id=16703&entityid=https://idp.brunel.ac.uk/entity>

11.

Jaffey P. Private law and property claims. Oxford: Hart Publishing; 2007.

12.

Gardner S. An introduction to the law of trusts. 3rd ed. New York, NY: Oxford University Press; 2011.

13.

Hayton DJ. The law of trusts. 4th ed. London: Sweet & Maxwell; 2003.

14.

Sharon K. Dobbins. Equity: The Court of Conscience or the King's Command, the Dialogues of St. German and Hobbes Compared. *Journal of Law and Religion* [Internet]. 1991;9(1):113-149. Available from: http://www.jstor.org.ezproxy.brunel.ac.uk/stable/1051110?pq-origsite=summon&seq=1#page_scan_tab_contents

15.

Mike Macnair. Equity and Conscience. *Oxford Journal of Legal Studies* [Internet]. 2007;27(4):659-681. Available from: <http://www.jstor.org.ezproxy.brunel.ac.uk/stable/20185349?pq-origsite=summon>

16.

Dunn A. Equity is dead. Long live equity! *The modern law review* [Internet]. Vol. 62(No. 1):140-150. Available from: <http://www.jstor.org/stable/1097080>

17.

Pawlowski M. Unconscionability as a unifying concept in equity. *Denning law journal* [Internet]. 2001;16(1):79-96. Available from: 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

18.

Burrows A. We do this at common law but that in equity. *Oxford journal of legal studies* [Internet]. Volume 22(Issue 1):1-16. Available from: <http://www.jstor.org/stable/3600632>

19.

Hayton DJ. Developing the obligation characteristic of the trust. *Law quarterly review* [Internet]. 2001;117(Jan):96-108. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docgui>

d=ICCAEDD80E72111DA9D198AF4F85CA028&crumb-action=append&context=104

20.

Oakley AJ, International Conference on Trust Law. Trends in contemporary trust law [Internet]. Oxford: Clarendon Press; 1996. Available from: <https://contentstore.cla.co.uk/secure/link?id=635df98c-a14a-e611-80bd-0cc47a6bddeb>

21.

Mason A. The place of equity and equitable remedies in the contemporary common law world. Law quarterly review [Internet]. 1994;110(Apr):238-259. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docuid=ICD027BC0E72111DA9D198AF4F85CA028&crumb-action=append&context=110>

22.

Gretton GL. Trusts without equity. International and comparative law quarterly [Internet]. 2000;Vol. 49(No. 3):599-620. Available from: <http://www.jstor.org/stable/761397>

23.

Thornton R. Ethical investments: a case of disjointed thinking. The Cambridge law journal [Internet]. Volume 67(Issue 02):396-422. Available from: <https://doi.org/10.1017/S000819730800038X>

24.

Langbein JH. The contractarian basis of the law of trusts. The Yale law journal [Internet]. Vol. 105(No. 3):625-675. Available from: <http://www.jstor.org/stable/797196>

25.

Otto, Dianne. A Barren Future? Equity's Conscience and Women's Inequality. Melbourne University Law Review [Internet]. University of Melbourne Law School; 1992 Dec 1;18(4). Available from: <http://heinonline.org/HOL/Page?handle=hein.journals/mulr18&size=2&collection=journals&id=836>

26.

Parkinson P. Reconceptualising the express trust. *The Cambridge Law Journal* [Internet]. 2002 Dec;61(03). Available from: <https://doi.org/10.1017/S0008197302001769>

27.

Emery C. Most hallowed principle - certainty of beneficiaries of trusts and powers of appointment, *The Law Quarterly Review* [Internet]. 1982;98. Available from: <https://contentstore.cla.co.uk/secure/link?id=9c60b223-a14a-e611-80bd-0cc47a6bddeb>

28.

Baughen S. 'Equality is equity'; or is it? *Conveyancer & property lawyer* [Internet]. 2000;(Jan/Feb):58-61. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7493220E72111DA9D198AF4F85CA028&crumb-action=append&context=33>

29.

Hayton DJ. Developing the obligation characteristic of the trust. *Law Quarterly Review* [Internet]. 2001;117(Jan):96-108. Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=ICCAEDD80E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

30.

Halliwell M. Perfecting imperfect gifts and trusts: have we reached the end of the Chancellor's foot? *Conveyancer & Property Lawyer* [Internet]. 2003;(May/Jun):192-202. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA73953A0E72111DA9D198AF4F85CA028&crumb-action=append&context=9>

31.

Hayton D. Uncertainty of subject-matter of trusts. *Law Quarterly Review* [Internet]. 1994;110(Jul):335-340. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICD03DB50E72111DA9D198AF4F85CA028&crumb-action=append&context=46>

32.

Klinck DR. McPhail v. Doulton and certainty of objects: a 'semantic' criticism. *Ottawa law review* [Internet]. 1988 Mar 22;20(2):377-402. Available from: 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

33.

McCormick W. How difficult is it to gift a share? *Shah v Shah* [2010] EWCA Civ 1408. *Trusts & Trustees* [Internet]. 2011 June 1;17(5):438-440. Available from: <https://doi.org/10.1093/tandt/ttr080>

34.

Gardner S. Fiduciary powers in toytown. *Law quarterly review* [Internet]. 1991;107(Apr):214-220. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=ICD1E8F40E72111DA9D198AF4F85CA028&crumb-action=append&context=22>

35.

Richardson G. Lehman brothers: traditional trusts principles and 21st century international bank failures. *Trusts & Trustees* [Internet]. 2011 Apr 1;17(3):226-232. Available from: <https://doi.org/10.1093/tandt/ttr020>

36.

Giacomet, Fausto. *Capital Markets Law Journal*. (2). Available from: <http://search.proquest.com.ezproxy.brunel.ac.uk/docview/1619565749?pq-origsite=summon>

37.

Administrative Unworkability - A Reassessment of an Abiding Problem. *Conveyancer &*

property lawyer [Internet]. 1 AD; Available from:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA7909B60E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

38.

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

39.

Dervan H. Trusts' law reform: do we need a statutory straitjacket? *Trusts & Trustees* [Internet]. 2014 Sept 1;20(7):673–691. Available from:
<http://tandt.oxfordjournals.org/content/20/7/673.full.pdf+html>

40.

Hopkins J. Continuing Uncertainty as to Certainty of Objects of Trust Powers. *The Cambridge Law Journal* [Internet]. 1973 Apr;32(01). Available from:
<https://doi.org/10.1017/S0008197300090164>

41.

Certainty of subject matter: a defence of *Hunter v. Moss*. *Conveyancer & property lawyer* [Internet]. 1 AD; Available from:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA764A961E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

42.

Austin, R. P. *Discretionary Trusts: Conceptual Uncertainty and Practical Sense*. 1980;9. Available from:
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.iss

ue=1&rft.spage=58&rft.externalDBID=BSHEE&rft.externalDocID=1472881¶mdict=en-UK

43.

F. Spearing. Discretionary Trusts & Power: Distinction without a difference. Trent Law Journal; 1983;7. Available from:
<https://heinonline.org/HOL/Page?handle=hein.journals/trntlj7&size=2&collection=journals&id=115>

44.

McKay L. Re Baden and the third class of uncertainty [Internet]. Available from:
<https://contentstore.cla.co.uk/secure/link?id=afd95904-e970-e611-80c6-005056af4099>

45.

Debunking the myth of secret trusts? Conveyancer & property lawyer [Internet]. 1 AD; Available from:
<http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I78ED3BD0E45411DA92358E85EE602D8A&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

46.

Oosterhoff, Albert H. Secret and Half-Secret Trusts. Law Journal Library [Internet]. 2006;26. Available from:
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

47.

Burgess, Robert. Juridical Nature of Secret Trusts, The. Law Journal Library [Internet]. 1972;23. Available from:
https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/nllq23&div=33&start_page=263&collection=journals&set_as_cursor=7&men_tab=srchresults

48.

J. Levine and R. Holton. Enforcement of Secret and Semi-Secret Trusts. Probate Law Journal; 1983;5. Available from:

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

49.

Siu, Ho. Keeping Secrets: A Critical Analysis of the Justifications for the Doctrine of Secret Trusts. Law Journal Library [Internet]. 2015;3. Available from: https://heinonline-org.ezproxy.brunel.ac.uk/HOL/Page?handle=hein.journals/nearestlr3&div=17&start_page=75&collection=journals&set_as_cursor=10&men_tab=srchresults

50.

Instruments of Fraud, Testamentary Dispositions, and the Doctrine of Secret Trusts. Law quarterly review [Internet]. 1999;115. Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I78ED62E0E45411DA92358E85EE602D8A&entityID=https://idp.brunel.ac.uk/entity>

51.

G. Allan. Secret is out there: searching for the legal justification for the doctrine of secret trusts through analysis of the case law. Common Law World Review; 2011;40. Available from: 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

52.

Private purpose trusts - a reform proposal. Conveyancer & property lawyer [Internet]. 1 AD; Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I04BE36F075FE11DCBE5DC90C8219B168&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

53.

Gardner S. New angles on unincorporated associations. Conveyancer & property lawyer [Internet]. 1992;(Jan/Feb):41-52. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7841840E72111DA9D198AF4F85CA028&crumb-action=append&context=69>

54.

Smart PStj. Holding property for non-charitable purposes: mandates, conditions and estoppels. *Conveyancer & property lawyer* [Internet]. 1987;(Nov-Dec):415-522. Available from:
<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7BF7390E72111DA9D198AF4F85CA028&crumb-action=append&context=63>

55.

Matthews P. A problem in the construction of gifts to unincorporated associations. *Conveyancer & property lawyer* [Internet]. 1995;(Jul/Aug):302-308. Available from:
<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA76AC3E0E72111DA9D198AF4F85CA028&crumb-action=append&context=79>

56.

Gardner S. A detail in the construction of gifts to unincorporated associations. *Conveyancer & property lawyer* [Internet]. 1998;(Jan/Feb):8-12. Available from:
<http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA7558E30E72111DA9D198AF4F85CA028&crumb-action=append&context=90>

57.

Panesar S. Surplus funds and unincorporated associations. *Trusts & Trustees* [Internet]. 2008;14(10):698-707. Available from: <https://doi.org/10.1093/tandt/ttn100>

58.

Stauch M, Watt G. Is there liability for imprudent trustee investment? *Conveyancer & property lawyer* [Internet]. 1998;(Sep/Oct):352-361. Available from:
http://brunel.summon.serialssolutions.com/#!/search?bookMark=ePnHCXMwNZ0xD8IgEIUZHNTGn9CEuDC5CxQ6ORiN7t2bo1xNFwft4r_3jtadMJHv3jvwV4dUGazX3POcKVNJqHEIQG2KyIZm6HZKfv4aFE5pNnR51HQr2alpie20_IdR51zB0R6ym9OSLvsXKjudu0u92r9K6B62raultaBJFWJwUD0mBy6EUeKgQtuw2VvYFlvXWLHwQbe100AQ2PERIOHU0JTqOOy7R_I_dqzZ23M7hFaudEsVLksEnj3cgLmNw490995D635AYVJSeQ

59.

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

property lawyer [Internet]. Conveyancer & Property Lawyer; 2015; Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I424A9C706E1611E5ADEBEC044153D0B4&entityID=https://idp.brunel.ac.uk/entity>

60.

Trustees' personal liability and the role of liability insurance. Conveyancer & property lawyer [Internet]. 1 AD; Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IA76A0090E72111DA9D198AF4F85CA028&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

61.

Nobles RL. Charities and ethical investment. Conveyancer & property lawyer [Internet]. 1992;(Mar/Apr):115-118. Available from: <http://login.westlaw.co.uk/maf/wluk/app/document?access-method=toc&src=toce&docguid=IA781CE50E72111DA9D198AF4F85CA028&crumb-action=append&context=51>

62.

Rahmatian, Andreas. The continued relevance of the 'poor relations' and the 'poor employees' cases under the Charities Act 2006. Conveyancer and Property Lawyer [Internet]. Sweet & Maxwell Ltd. (UK); 2009 Jan 1;(1). Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=IEABDDFB0FA5111DDAFC3E136547FBB8B&entityID=https%3A%2F%2Fidp.brunel.ac.uk%2Fentity>

63.

Synge M. The 'new' public benefit requirement: making sense of charity law? [Internet]. Oxford, OX: Hart Publishing; 2015. Available from: <http://lib.myilibrary.com/browse/open.asp?id=813499&entityid=https://idp.brunel.ac.uk/entity>

64.

Mart Synge. Charitable status: not a negligible matter. Law Quarterly Review; 2016;132. Available from: <http://login.westlaw.co.uk/maf/wluk/ext/app/document?crumb-action=reset&docguid=I4C93D8F0EB1011E5A168CCCE55E37A72&entityID=https://idp.brunel.ac.uk/entity>