

Equity and Trusts Course Descriptor

Course code	LLAW5223	Discipline	Law
UK Credit	15	US Credit	4
FHEQ level	5	Date approved	November 2022
Core attributes			
Pre-requisites			
Co-requisites			

Course Overview

A classic legal topic, Equity and Trusts engages with a wide range of equitable doctrines as they relate to the holding of property and of these and other qualifications and nuances to legal procedures and rules. The subject encompasses many areas of law and in practice can provide solutions to otherwise insuperable problems. This course will cover the ethical values, philosophical principles, historical development, contemporary significance and practical implications relating to this relationship in addition to the practical application of equitable doctrines, without which no legal education would be complete.

Learning Outcomes

On successful completion of the course, students will be able to:

Knowledge and Understanding

- K1b Apply the doctrines concepts and rules which underpin equity and the law of trusts in England and Wales.
- K2b Critically assess theories relating to equity.
- K3b Critically evaluate the development of the equitable jurisdiction in English law and the influences on it.

Subject Specific Skills

- S1b Apply knowledge and critical understanding to determine solutions to problems of equity and the law of trusts including the analysis of factual information.
- S2b Contrast different methodological approaches to defining and addressing legal problems.
- S3b Critically assess the limits to which legal advice relating to equity can be definitively stated.

Transferable and Employability Skills

- T1b Communicate information, arguments and analysis effectively to different audiences, using a variety of sources
- T2b Ability to apply knowledge and skills in unfamiliar and contextualised settings.
- T3b Demonstrate a sound technical proficiency in written English and skill in selecting vocabulary so as to communicate effectively to specialist and non-specialist audiences.

Teaching and Learning

This course has a dedicated Virtual Learning Environment (VLE) page with a syllabus and range of additional resources (e.g. readings, question prompts, tasks, assignment briefs, discussion boards) to orientate and engage you in your studies.

The scheduled teaching and learning activities for this course are:

Interactive lectures/seminars

40 scheduled hours - typically including induction, consolidation or revision, and assessment activity hours.

- Version 1: all sessions in the same sized group

OR

- Version 2: most of the sessions in larger groups; some of the sessions in smaller groups

Faculty hold regular 'office hours', which are opportunities for students to drop in or sign up to explore ideas, raise questions, or seek targeted guidance or feedback, individually or in small groups.

Students are to attend and participate in all the scheduled teaching and learning activities for this course and to manage their directed learning and independent study.

Indicative total learning hours for this course: 150

Assessment

Both formative and summative assessment are used as part of this course, with purely formative opportunities typically embedded within interactive teaching sessions, office hours, and/or the VLE.

Summative Assessments

AE :	Assessment Activity	Weighting (%)	Duration	Length
1	Written assignment	20%	N/A	1000 words
2	Exam	80%	75 minutes	

Further information about the assessments can be found in the Course Syllabus.

Feedback

Students will receive formative and summative feedback in a variety of ways, written (e.g. marked up on assignments, through email or the VLE) or oral (e.g. as part of interactive teaching sessions or in office hours).

Indicative Reading

Note: Comprehensive and current reading lists are produced annually in the Course Syllabus or other documentation provided to students; the indicative reading list provided below is for a general guide and part of the approval/modification process only.

- P. Davies, G. Virgo, *Equity and Trusts (Text, Cases and Materials)* (Oxford University Press, 2nd ed, 2019)
- J. Glister & J. Lee, *Hanbury & Martin's Modern Equity* (Sweet & Maxwell, 21st ed. 2018)
- R. Pearce, W. Barr, Pearce & Stevens' *The Law of Trusts and Equitable Obligations*, (Oxford University Press, 7th ed, 2018)

- C. Mitchell & B McFarlane, Hayton and Mitchell on the Law of Trusts and Equitable Remedies, (Sweet & Maxwell, 14th ed. 2015)
- Journals: Modern Law Review, Law Quarterly Review, Trusts and Trustees, Conveyancer and Property Lawyer
- Electronic Resources: Westlaw, Practical Law, Lexis Nexis, SSRN

Indicative Topics

Note: Comprehensive and current topics for courses are produced annually in the Course Syllabus or other documentation provided to students; the indicative topics provided below are used as a general guide and part of the approval/modification process only.

Introduction to Equity

- The Trust: creation, constitution, formalities.
- Species of trusts: Constructive, secret, resulting
- Private and Public Purpose Trusts; Charitable Trusts
- Trustees Powers, Trustees Duties, The Trustee Act 2000
- Breach of Trust and Third-Party Liability; Following & Tracing; Restitution, Unjust Enrichment and Equitable Remedies

Version History

Title: LLAW5223 Equity and Trusts Course Descriptor					
Approved by: Academic Board					
Location: Academic Handbook/Programme Specifications and Handbooks/					
Version number	Date approved	Date published	Owner	Proposed next review date	Modification (As per AQF4) & category number
1.1	February 2023	February 2023	Stephen Dnes	November 2027	Category 1: Corrections/clarifications to documents which do not change approved content or learning outcomes.
1.0	November 2022	January 2023	Stephen Dnes	November 2027	