



Module Specification

Equity and Trusts

Version: 2024-25, v2.0, 22 Jul 2024

Contents

Module Specification	1
Part 1: Information	2
Part 2: Description	2
Part 3: Teaching and learning methods	4
Part 4: Assessment.....	6
Part 5: Contributes towards	7

Part 1: Information

Module title: Equity and Trusts

Module code: UJUULK-30-2

Level: Level 5

For implementation from: 2024-25

UWE credit rating: 30

ECTS credit rating: 15

College: College of Business and Law

School: CBL Bristol Law School

Partner institutions: None

Field: Law Undergraduate (Programmes)

Module type: Module

Pre-requisites: None

Excluded combinations: None

Co-requisites: None

Continuing professional development: No

Professional, statutory or regulatory body requirements: None

Part 2: Description

Overview:

This module examines Equity, the area of law which has developed to minimise the injustice caused by common law rules, and explores methods by which it does so.

The module will be delivered as a separate module, but presented programatically together with Land Law as Principles of Property Law.

It will be linked to the Student Lawyer project, where students will explore aspects of Private law through project work involving external engagement as well as personal and professional development activities.

Features: Not applicable

Educational aims: The aims of the subject are to enable the student to appreciate the relationship of equity to law; to understand the conceptual basis of the trust; to acquire knowledge of the main substantive areas of trust law; and to appreciate the nature and scope of equitable remedies. Students will be encouraged to evaluate the present-day relevance of established equitable doctrines, to appreciate the creativity of equity in developing basic equitable principles and extending their areas of application, and to gain an understanding of the principal uses of the trust in modern society. Students will be encouraged to make links with other areas of study where appropriate, particularly property law and contract. Evidential matters will also be considered where appropriate.

The module is connected to the Student Lawyer Project, which will be delivered programmatically across the year. Through the projects students will extend their academic studies into wider exploration of legal themes, external engagement, and ongoing reflection on their own personal and professional development with the aim of supporting their wider development across their individual student journey.

Outline syllabus:

The indicative syllabus for the module is:

History and principles of equity:

Considers the historical beginnings of equity and the key principles that it developed.

Formalities for the disposition of property:

Looks at the statutory formalities for disposing of property and the circumstances in which equity chooses to ignore these.

Constructive trusts of the family home:

Examines the development of constructive trusts in providing a remedy to

cohabitants.

Proprietary estoppel:

Provides a remedy to certain informal agreements in relation to property rights.

Three certainties:

Considers the requirements for the creation of a valid trust.

Disposition of property upon death:

A detailed look at the exceptions equity provides to the formal requirements of a will to leave property upon death.

Charities:

Examines the types of purposes that can be charitable and how charities are created and regulated.

Fiduciary duties and constructive trusts:

There are onerous duties placed upon fiduciaries that must be considered, along with the remedies that are available against third parties interfering with the trust.

Trustee investments:

Considers the statutory regulation of trustees and their duties in making investments.

Part 3: Teaching and learning methods

Teaching and learning methods: The study of the law of trusts provides a demanding opportunity to develop legal method skills and analytical ability through oral and written discussion. Students are introduced to each topic through the medium of a weekly lecture. Students are then required to prepare for the weekly interactive workshop through reading the materials provided and via the Reading List.

Independent work will encourage students to discuss the legal principles and details

of the law relevant to the topic area and to analyse the situations in the workshop problem scenarios and their legal implications and the rights and remedies of the parties involved. For the workshops, students are required to develop their knowledge of the legal topic further to think more deeply about the purpose of the law and its effectiveness. Students are expected to be able to present brief outlines of and/or commentary on the relevant law; their analysis of specific problems and their 'solutions' to specific case studies to the group.

Through the Student Lawyer Project students will engage in project work which will further support their development of independent learning skills; research; team work; time management; presentation skills and the capacity for effective reflection on their learning.

Module Learning outcomes: On successful completion of this module students will achieve the following learning outcomes.

MO1

Evidence current knowledge and some critical understanding of the key theories, concepts, and practices of law in a domestic and global context.

MO2 Evaluate and synthesise arguments on a range of legal issues, presenting a reasoned choice between alternative solutions and judgement of their merits.

MO3

Identify and solve problems presented within theoretical or real-world challenges in a systematic manner.

MO4 Communicate effectively with others, orally and in writing, in a variety of contexts.

Hours to be allocated: 300

Contact hours:

Independent study/self-guided study = 234 hours

Face-to-face learning = 66 hours

Total = 0

Reading list: The reading list for this module can be accessed at [readinglists.uwe.ac.uk](https://rl.talis.com/3/uwe/lists/E78D4D40-0B20-78AB-7B04-00E045F1A929.html?lang=en-GB&login=1) via the following link <https://rl.talis.com/3/uwe/lists/E78D4D40-0B20-78AB-7B04-00E045F1A929.html?lang=en-GB&login=1>

Part 4: Assessment

Assessment strategy: The assessments will provide students with an opportunity to demonstrate their knowledge of and analysis of problems within the law of equity and trusts through the examination, and to develop their research and academic writing skills through creation of a case note on a given case.

Examination (online , 24hrs open book)(65%)

Written assessment (35%, 1000 words) Case note requiring explanation and analysis of a given legal case.

The assessments have been designed to complement the assessments in the the Land Law module.

A proportion of this module's mark will come from the Student Lawyer Project.

Assessment tasks:

Examination (Online) (First Sit)

Description: Online Examination. One essay and one problem question to be answered from a selection based on the topics covered in the syllabus.

Word limit of 1250 per question, 2500 in total.

Weighting: 65 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO3, MO4

Written Assignment (First Sit)

Description: Case note requiring explanation and analysis of a given legal case.

Weighting: 35 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2

Examination (Online) (Resit)

Description: Examination . One essay and one problem question to be answered from a selection based on the topics covered in the syllabus.

Word limit of 1250 per question, 2500 in total.

Weighting: 65 %

Final assessment: Yes

Group work: No

Learning outcomes tested: MO1, MO3, MO4

Written Assignment (Resit)

Description: Case note requiring explanation and analysis of a given legal case.

Weighting: 35 %

Final assessment: No

Group work: No

Learning outcomes tested: MO1, MO2

Part 5: Contributes towards

This module contributes towards the following programmes of study:

Law [Frenchay] LLB (Hons) 2023-24

Law [Frenchay] LLB (Hons) 2023-24