Jacobs’ Law of Trusts in Australia, 8th ed.
John Heydon & Mark Leeming
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Reviewed by Adrian Hutchinson

Jacobs’ Law of Trusts in Australia (8th edition) is the latest edition of the text on the law of trusts in Australia that has been updated to include the judicial and legislative activity in this area since the previous edition published in 2006. Within its 680 pages this edition includes revisions that focus particular attention on the topics of charitable trusts, resulting trusts and constructive trusts. There has also been some attention paid to updating the material about the duties and rights of trustees, and the rights of beneficiaries.

The text is divided into 29 chapters on a wide range of topics, from addressing the most basic questions of “what is a trust” and “what are the types of trust”, through to the more nuanced discussions concerning the remedial and constructive trusts. Each chapter provides an in-depth overview of the relevant topic at the time of publication and often includes a discussion of the direction the authors perceive the law to be developing. A useful aspect of these chapters is that they each contain extended contents page(s) for easy navigation and an ‘at a glance’ overview of the material covered.

In this edition the authors, Heydon and Leeming, have tightened up the entirety of the text. This can be seen in the reduction of 70 pages from the 2006 edition, whilst revising the content to include material like the Charities Act 2013 (Cth) and various High Court decisions concerning the law of trusts that have been delivered since the previous edition. The information covered is delivered in a concise and original form, rather than resorting to long extracts. Where extracts are used, they are limited to a quarter of a page and portray the essence of the cited case. These factors help make the text easily readable.

In summary, the text provides a concise and comprehensive view of law on trusts in Australia. The depth of the text would make it an attractive addition to the collection of any lawyer whose work involves trusts, particularly those engaged in trust disputes, estate planning, developing business structures and estate administration. Students of equity or trusts will also find it useful and instructive.