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## **Trust Quarterly Review**

### **Book review: A Practitioner's Guide to Trusts, tenth edition**

A Practitioner's Guide to Trusts, tenth edition.

It is a truth universally acknowledged that any textbook that reaches a tenth edition must have proven its worth over the years. In the case of *A Practitioner's Guide to Trusts*, it is, therefore, no surprise to greet the tenth edition, as this particular textbook is well known among the English common-law cognoscente as being an extremely helpful addition to the trust professional's library.

There are, of course, many books concerning trusts and the law relating thereto, so what sets *A Practitioner's Guide to Trusts* apart?

For me, it is two factors.

To begin with, there is a very sure-footed and coherent approach to the subject. From the certainties through to breaches of trust, general trust principles are covered in a systematically helpful way.

Although this tome weighs in at over 580 pages, it clearly is not possible to deal with everything in the utmost detail. This is, however, not a book that simply skims the surface – for each particular element there is sufficient detail not just to superficially educate, but to truly enlighten.

In particular, the insertion of boxes in each section, providing the focus of the relevant part of the chapter, is to be applauded. It is never easy to distil pages of text into a few pithy words, but the author does this well.

Furthermore, at the start of each chapter, the signposts, which provide an excellent summary of what the chapter contains, ensure both that the reader is able to see in one place the topics that the chapter will cover (without having to return to the index) and that they can hone in on the section that they think will be most relevant.

In the section headed 'Matters common to all trusts', all of the important issues are addressed, ranging from the powers of the trustee and their duties to their appointment and retirement, through to breach of trusts and, indeed, their variation.

This alone would be enormously useful. However, the book then moves on to discuss particular trusts, and this is the second factor referred to above.

It is here, perhaps, that the book becomes even more useful, as it addresses the trusts that the practitioner will actually deal with in their day-to-day life, and not more theoretical aspects of trust law.

While it may be sexy for journalists to concentrate on trusts used by wealthy people apparently to hide assets offshore, the trust practitioner knows that, actually, trusts are used in order to transfer assets to children; to hold the main asset of the family, being their home; to ensure the tax-efficient passing of the proceeds of life insurance or pensions; and, for some people, to enable them to participate in the success of their business, through shared ownership.

These are the trusts that we have to deal with every day for our clients and it is therefore particularly helpful that each of those particular types has its own chapter. These chapters, while sometimes brief, always provide nuggets of gold to help the practitioner along the right path.

The fact that the author is also able to cover certain tax issues is to be applauded. Although, clearly, this is not a tax guide, it is useful that tax is addressed because it is, of course, an essential part of so much planning involving trusts. The fact that tax is addressed is, perhaps, a good example of the breadth of this work, which is one of the reasons it is so extraordinarily helpful.

The two topics of trusts and tax are so closely intertwined that they go together like a horse and carriage. As a result, a practical trust work such as this that did not address tax issues would be sadly deficient. Having these helpful pointers in this volume does mean that it has a comprehensive feel – again hugely helpful for the busy practitioner.

To round off the areas covered, the book also offers chapters on charities, trusts on divorce and the passing of property on death, to name but three. Again, these are all immensely practical areas that the practitioner has to deal with on a daily basis and, therefore, coverage of these areas is extraordinarily helpful.

If I were to sum up this book, I would have to say it is an enormously practical tome. This is not to damn with faint praise. Far from it. The author has managed to put himself firmly in the seat of the practitioner and has, therefore, produced a volume that is helpful, relevant and extremely easy to navigate, the signposts and focus areas being particularly good examples of this.

Throughout, it is clear that the author's aim is to make sure that information is imparted in the most efficient way possible. He clearly appreciates that the practitioner's life is busy and hectic, and has done all within his power to assist. For that he is to be truly applauded.

It is no accident that *A Practitioner's Guide to Trusts* has reached the tenth edition. It has done so because, throughout the years, it has proven itself an extremely relevant and helpful guide. This new tenth edition continues that tradition, and, for any trust professional engaged in advising clients, will prove an enormously useful resource.

*A Practitioner's Guide to Trusts*, tenth edition

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