

Birmingham Law School
College of Arts and Law
Visiting Scholar Application Form

PLEASE EMAIL THIS FORM IN MICROSOFT WORD FORMAT PLUS A BRIEF CV IN ENGLISH WHICH SHOULD NOT EXCEED TWO PAGES TO ROB DOOLAN AT R.DOOLAN@BHAM.AC.UK

Name	<i>First name Surname</i>	
Address	<i>Full postal address, either institution or home</i>	
e-mail	<i>Email Address</i>	
Title and Position Held	<i>Mr/Mrs/Ms/Miss/Dr/Professor etc.</i>	
Current Institution	<i>Name of current institution</i>	
Qualifications	<i>Qualification titles, levels, institutions, years</i>	
Dates of Proposed Visit <i>(Please include both start and end dates for the visit)</i>	Start Date: <i>Full date</i>	End Date: <i>Full date</i>
Are you an EU Citizen? <i>(If not what is your country of residence)</i>	Yes / No <i>Indicate yes or no and in not give the name of the country of residence</i>	
Please state which member of staff at Birmingham Law School will be your academic host for your visit (you must have the agreement of a member of staff in advance of applying and s/he will be asked to complete a supporting statement prior to your application being considered by the school's research committee).		
<i>Name of a member of the department</i>		

Summary of Proposed Research Activities

(Please include brief details of purpose and methodology of research, facilities likely to be required and any likely publications)

Example answer:

During my visit, I propose to engage in two principal research projects. The first is a jointly-authored paper that forms part of a series which I am writing with Mr Brown. This article will be entitled "Questioning the Domestic and Commercial Context in the Law of Trusts", and in which we will develop our previous arguments first articulated in an extended case comment, "Less than straightforward' people and trusts: reflections on context" [2013] Conv 431. This proposed article argues that the domestic and commercial distinction that governs which trust is to apply to which situations, is too rigid to deal with the range of human relationships and dealings in the modern society. It examines the stream of cases decided after *Stack v Dowden* [2007] 2 AC 432 that have shown varied factual patterns, and which throw up difficult issues concerning the rationality and applicability of the distinction. The article also considers the residual role for the presumed resulting trust in the domestic context, as well as how proprietary estoppel is to fit into the legal analysis with the bifurcation of the resulting trust and constructive trust scenarios. Our work during my proposed visit should result in an output suitable for submission to a subject-specific journal, for example, the Conveyancer and Property Lawyer or Journal of Equity. This first article will lay the groundwork for a second joint piece exploring the other areas of uncertainty/difficulty regarding the new framework of analysis for the English common intention constructive trust. We hope to complete and submit the second article to a leading generalist journal in 2015.

The second project that I plan to work on during my visit is a sole-authored paper that I will be presenting at the 7th Biennial Conference on the Law of Obligations at the University of Hong Kong. The paper is entitled "Modern Law of Trusts in Singapore: Nationalism and Internationalism". This paper draws several lessons from an examination of the influence of foreign law on the Singapore law of equity and trusts. The Singapore experience shows that convergence at one area of the law of equity and trusts may affect other areas. Indeed, it is too simplistic to merely observe points of convergence and divergence in the common law world without assessing the underlying reasons for these developments. This paper shall examine the dynamism and sustainability of the "common law" both as a term and an enterprise and how they are closely tied in with the incremental developments within each jurisdiction and the resultant convergence and divergence across the jurisdictions. This paper is part of a series of sole-authored works addressing the same theme. I plan to submit this paper to an international journal such as the International Comparative Law Quarterly or Melbourne University Law Review.

Any publications resulting from my visit would fully and gratefully acknowledge my period as a Visiting Scholar at Birmingham Law School.

I would only require a workspace and library access for the duration of this visit.

Please provide a statement about how you intend to contribute to the life of the Law School and the wider College of Arts and Law during your visit (e.g. staff seminars/lectures/joint research projects/proposed outputs). This must not exceed 500 words

Example answer:

I intend to contribute to the life of the Law School in two main ways. First, I plan to work on my joint research project with Mr Brown (as detailed above), and we expect to complete it by the end of my visit and submit the same to a subjective specific journal.

Second, if circumstances allow, I would like to deliver a staff seminar on a topic that is of interest to the Birmingham law faculty, probably within the scope of my present research projects. My research works will certainly benefit from the feedback from members of your faculty.

Birmingham Law School Guidelines

Birmingham Law School invites applications to our Visiting Scholars scheme. The scheme is open to academics at other institutions wishing to undertake research within the School and take part in the academic life of the University of Birmingham.

- Individuals are considered for inclusion in the scheme on a case by case basis on their academic merits and on the basis of the contribution to our research community.
- There are three fixed application dates each year. Usually held in January, May and October.
- Applications are determined by the Law School Research Committee and the College Director of Research and Knowledge Transfer.
- Factors which will be considered in determining the application will include the reasons for the application and the strength of the applicant's academic profile.
- In addition to making a prima facie case, applicants must have secured the agreement of a member of the Law School staff to act as a sponsor for their visit
- The title of Visiting Scholar will apply for the fixed duration of their association with the Law School to be determined on a case by case basis in relation to each application.
- Visiting Scholars will be given Honorary status for the duration of their stay, enabling access to the Library and University facilities.
- Visiting Scholars will be given access to a "hot desk" in a shared facility, where this is possible. Where such access is provided, Visiting Scholars are only to use the Room for office and academic research purposes only during the usual opening hours of the building.
- Visiting Scholars will also be given reasonable access to the College's IT and photocopying facilities (at the absolute discretion of the College).
- Any applicants who are not citizens of the European Union must ensure that they satisfy any visa/immigration requirements. Successful applicants who are not EU citizens will be forwarded to the College Quality Manager, who will ensure compliance with the relevant UKBA requirements. A visa assessment check has to be done by the International Student Advisory Service, and no invitation letter can be sent directly by the School until the visa assessment has been completed. If the individual is an EEA National then once the College Quality Manager has confirmed this with the visitor, the School will issue an invitation letter. If the individual needs a visa, the College Quality Manager will produce a letter of invitation. The School will confirm any other details with the visitor once the visa letter is ready.