Full Publication List

Monograph


The monograph has been reviewed by Professor Roberto Caranta, The University of Turin, European Public Law, 2008, 265: “Martina Künnecke avoids short cuts. The work goes down the long and winding road of accurate research into the case law and not just into the law books. [...] In this regard, works like Martina Künnecke’s are essential because they provide practitioners with intelligently digested and compared materials from different legal systems.”

Chapters in edited collections


Articles in refereed journals


**Chapters in edited collections**


in in *JD v East Berkshire Community Health Trust and others* [2005 UKHL 23] :

49. It would seem clear that the appellants’ claim would not be summarily dismissed in France, where recovery depends on showing gross fault: see Markesinis, Auby, Coester Waltjen and Deakin, Tortious Liability of Statutory Bodies(1999), pp 15 20; Fairgrieve, “Child Welfare and State Liability in France”, in Child Abuse Tort Claims against Public Bodies:A Comparative Law View, ed Fairgrieve and Green (2004), pp 179-197, Fairgrieve, “Beyond Illegality: Liability for Fault in English and French Law”, in State Liability in Tort (2003), chap 4. Nor would they be summarily dismissed in Germany where, it is said, some of the policy considerations which influenced the House in X v Bedfordshire were considered by those who framed §839 of theBGB and were rejected many years ago: see Markesinis et al.,op. cit.,5871; Martina Künnecke, “National Report on Germany”, in Fairgrieve and Green, op. cit.,pp 199-207. Yet in neither of those countries have the courts been flooded with claims. If, as some respected academic authorities suggested, Barrett v Enfield, above, shifted the emphasis of the English courts from consideration of duty to consideration of breach (see Craig and Fairgrieve,“Barrett, Negligence and DiscretionaryPowers” [1999] PL 626, Fairgrieve, State Liability in Tort(2003), p 84, para 2.1.2.7), I would for my part regard that shift as welcome, since the concept of duty has proved itself a somewhat blunt instrument for dividing claims which ought reasonably to lead to recovery from claims which ought not.
But I should make it plain that if breach rather than duty were to be the touchstone of recovery, no breach could be proved without showing a very clear departure from ordinary standards of skill and care. It should be no easier to succeed here than in France or Germany.

Conferences

• Invitation to to speak at the Book launch of Ernst-Wolfgang Böckenförde, Constitutional and Political Theory, 2017 at the London School of Economics, (February 2017).

• Invitation to speak at ‘The spread of legal English and the effects on the work of lawyers in the common law and civil law legal practice’, The Centre for Research in Language and Law—established by the English Language Chair within the Department of Law of the Seconda Università degli Studi di Napoli (University of Naples 2), Italy—presents ‘Law, Language and Communication: Negotiating Cultural Jurisdictional and Disciplinary Boundaries’ May 26-28, 2016. Caserta, Naples

• ‘English as legal lingua franca in academic and professional legal communication’ (Utrecht Network/University of Hull Professional English Summer School, Hull, UK, July 1 2015)

• ‘Comparative Law in the legal curriculum and the legal profession’ (European Law Students' Association (ELSA) Annual General Meeting, Hull, November 2014)

• ‘Constitutional Adjudication in Britain and Germany – from the Courtroom to the Classroom’ (Utrecht-University of Hull Network Professional English Summer School, Hull, July 2014)

• Invitation to attended the Qualetra (Quality in Legal Translation) Launch Conference in London on 4th April 2013. The conference was organised by EULITA (European Legal Interpreters and Translators Association) which is committed to promoting the quality of justice, ensuring access to to justice across languages and cultures.

• ‘Legal Translation in the Court of Justice of the EU- in search of a methodology’ (Law, Literature and Translation Conference, Dublin, June 2012).

• The Europeanisation of public authority liability in England and Germany, Europeanisation of Public Law Conference, The University of Utrecht, October 2007.


• Neuentwicklungen im englischen Verfassungsrecht unter besonderer Berücksichtigung des Human Rights Act 1998 Dr. Martina Künnecke (Partneruniversität Hull), University of Dusseldorf, Germany (December 2005).

• Conference paper delivered at a conference entitled Binding Unity and Diverging Concepts in European Union Law- 'Divergence and the Francovich remedy’ – Professor Sacha Prechal (Utrecht) and Bert van Roermund (Tilberg). This project forms part of the SaRo (Revitalisation of Legal Research) programme, funded by the Netherlands Organisation for
· Conference paper delivered at a conference entitled 'Die offene Staatlichkeit - Grossbritannien' – at the Max Planck Institute for Comparative Public law and International Law, 18 March 2005 to be published in Ius Publicum Europaeum with Professor Dr. Armin von Bogdandy, Professor Dr. Cruz Villalón and Professor Dr. Peter M. Huber of the Max Planck Institute for Comparative Public Law and International Law
