MAX PLANCK INSTITUTE
FOR THE STUDY OF CRIME, SECURITY AND LAW

UNC SCHOOL OF LAW · WARWICK LAW SCHOOL · ALMA MATER STUDIORUM UNIVERSITÀ DI BOLOGNA

14th Conference on the Future of Adversarial and Inquisitorial Systems, May 7th–9th, 2025

Profiling & Automated Decisions in Criminal Justice –
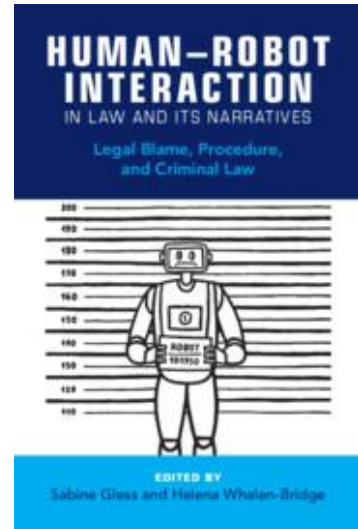# Early Career Scholars' Day

May 7th	
8.30 – 8.45	**Introduction Tatjana Hörnle**
8.45 – 10.15	**Panel I:** **Chair Jackie Hodgson**
8.45 – 9.15	**Aura Bamber** (University of Warwick), ***'Perfecting the Panopticon: The Power of Invisible Algorithms to Extinguish Protest'***
9.15 – 9.45	**Ernestina Sacchetto** (University of Turin), ***'Automated faced-based human recognition in criminal proceedings in the light of the AI Act'***
9.45 – 10.15	*Discussion*
10.15 – 10.45	*Coffee Break*

10.45 – 13.15	**Panel II:** **Chair Brandon Garrett**
10.45 – 11.15	**Lea Bachmann** (University of Basel), ***'Automated Money Laundering Alerts and Criminal Liability'***
11.15 – 11.45	**Chloé Zhu** (Duke University) ***'AI-based analysis of bail decisions (Harris County, Texas)'***
11.45 – 12.15	*Discussion*
12.15 – 13.15	*Lunch Break*

13.15 – 14.45	**Panel III:** **Chair Kamil Mamak**
13.15 – 13.45	**Colin Carter** (University of Basel), ***'Automation of Penal Orders'***
13.45 – 14.15	**NN**
14.15 – 14.45	*Discussion*
14.45 – 15.15	*Coffee Break*
15.15 – 15.45	**Linus Ensel** (MPI), ***'Computer-Aided Rationalization of Sentencing'***
15.45 – 16.15	**Elina Nerantzi** (EUI), ***'Punishing Robots'***
16.15 – 16.45	*Discussion*
17.00 – 18.00	*Book Launch:*

Helena Whalen-Bridge (National University of Singapore)
& Bartozs Mamak

'Explaining the Law of Human-Robot- Interaction to the Public: an Art on its own'

HUMAN—ROBOT INTERACTION
IN LAW AND ITS NARRATIVES

Legal Blame, Procedure, and Criminal Law

EDITED BY
Sabine Giess and Helena Whalen-Bridge

Profiling & Automated Decisions in Criminal Justice –
The impact of AI on fair trial rights

May 8th	
8.30 – 8.45	**Introduction Sabine Gless**
8.45 – 10.15	**Panel I: AI Systems – Players in Criminal Justice?** **Chair Michele Caianiello**
8.45 – 9.15	**Marco Billi** (University of Bologna) **& Galileo Sartor,** (University of Swansea), '*Criminal procedure meets AI: bridging the gap*'
9.15 – 9.45	**Gabriela Pergola** (University of Warwick)**,** *'Large Language Models in the fight against violence against women'*
9.45 – 10.15	*Discussion*
10.15 – 10.45	*Coffee Break*

10.45 – 13.00	**Panel II: Algorithmic Predictions & Profiling – Impact on Fair Trial Rights** **Chair Jackie Hodgson**
10.45 – 11.15	**Brandon Garrett** (Duke University)**,** *'AI and Due Process'*
11.15 – 11.45	**Katalin Ligeti** (University of Luxembourg) *'Algorithmic Profiling and its Impact on Fair Trial - a European Perspective'*
11.45 – 12.15	**Ben Chen** (University of Hong Kong), *'Algorithmic Predictions and Settlement Outcome – Novel Plea Deal tools?'*
12.15 – 13.00	*Discussion*
13.00 – 14.00	*Lunch Break*

14.00 – 16.45	**Panel III: AI – Impact on Fair Trial Rights: Evidence** **Chair Joe Kennedey**
14.00 – 14.30	**Andrea Roth** (University of California, Berkeley), *'What would a Meaningful Right to Confront Machine Evidence Mean in a Trial in the U.S.?'*
14.30 – 15.00	**Juliette Lelieur** (University of Strasbourg). *'What would a Meaningful Right to Confront Machine Evidence Mean in a Trial in France?'*
15.00 – 15.30	*Discussion*
15.30 – 16.00	*Coffee Break*

16.00 – 18.00	**Panel IV: AI – Impact on Fair Trial Rights: Criminal Defense** **Chair Emily Silverman**
16.00 – 16.30	**Serena Quattrocolo** (University of Turin), *'The EU AI Act and its impact on the use of AI in Criminal Proceedings?'*
16.30 – 17.00	**Erin Murphy** (NYU)**,** *'Defense Access to Algorithmic Tools'*

May 9th	
8.30 – 11.45	**Panel V: Automated Decision Making and Individual Rights** **Chair NN**
8.30 – 9.00	**Benedetta Galgani** (University of Pisa), '*Digitisation of criminal proceedings and the right of access to justice*'
9.00 – 9.30	**Adekemi Omotubura** (University of Lagos), '*AI impact on women's access to justice in criminal trials – the Nigerian Example*'
9.30 – 10.00	*Discussion*
10.00 – 10.30	*Coffee Break*

10.30 – 12.00	**Panel VI: Miscarriages of Justice – Predictable AI Traps?** **Chair NN**
10.30 – 11.00	**Giulia Lasagni** (University of Bologna), '*AI gave and AI has taken away: The Impact of Automated Technology on Miscarriages of Justice*'
11.00 – 11.30	**Karolina Kremens** (University of Wrocław)
11.30 – 12.00	*Discussion*
12.00 – 13.00	*Lunch Break*

13.00 – 14.00	**Summing-up & Looking ahead** **Sabine Gless, University of Basel**

Description

The use of AI in criminal proceedings raises concerns about the right to a fair trial as we know it today. In particular, automated decision-making and profiling based on expert systems, machine learning, natural language processing, and deep learning to assess evidence, monitor risks, predict recidivism, and even assist in judgments pose serious challenges to fundamental legal principles such as due process, the right to confront incriminating evidence, defense rights, transparency, and non-discrimination. The aim of this conference is to address these problems with panels dedicated to explaining the technology and its significance in the different stages of a criminal trial; this will be enhanced through the adoption of a comparative perspective, with a special emphasis on the traditions of inquisitorial and adversarial systems. The different presentations shall highlight EU initiatives as well as US approaches and particularities in criminal justice systems heavily influenced by plea bargaining solutions. This event will bring together leading scholars and early career researchers from Europe and the US to explore the evolving role of AI in criminal justice systems.

Early Career Scholars' Day | May 7th

Kicking off the conference, early career scholars will present their projects during the first day. Panels will address key topics such as algorithmic profiling, automated penal orders or money laundering alerts, and the rationalization of sentencing through AI.

Book Launch | May 7th

A book launch will highlight the importance of explaining the Law of Human-Robot Interaction and will pay tribute to the publication of *Human-Robot Interaction in Law and Its Narratives*, which explores the legal challenges posed by robots in society with an examination of substantive and procedural law, addressing issues like criminal liability and evidentiary reliability, and discussing at the same time how legal narratives shape our understanding of human-robot interactions.

Main Conference | May 8–9th

During the main conference, expert panels will analyze the possible AI impact on our current concept of a fair trial. The presentations will address, for instance, how automated decision-making could determine legal outcomes and why the lack of transparency could make it difficult to challenge decisions effectively, thereby limiting the right to appeal and due process. A special focus will be on AI-systems used to obtain or assess evidence in criminal trials and the expected ramifications on defense rights in inquisitorial and adversarial proceedings. Another topic will evaluate AI-based profiling and discriminatory risks resulting from the collection and analysis of vast amounts of data and the classification of individuals based on perceived risk levels. Notoriously, if AI models are trained on biased historical data, they risk perpetuating systemic discrimination. In the US, for instance, algorithms that assess recidivism rates have been criticized for disproportionately labeling defendants from minority backgrounds as high-risk, thereby affecting sentencing severity and parole decisions. This not only undermines the presumption of innocence but also erodes the principle of equality before the law. The overall aim is to identify novel ways to safeguard a fair trial in the digital era. What could be robust safeguards? The general demand for transparency (and AI decision-making processes to be explainable and open to scrutiny) or judicial authorities retaining meaningful human oversight to prevent overreliance on automated decisions might fall short when it comes to ensuring that parties to a criminal trial can contest algorithmic assessments effectively and the public can be sure that a fair trial is granted. Balancing innovation with fundamental rights is essential to guarantee that AI serves justice rather than undermining it.

Registration Now Open!