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WILSON
CENTER FOR SCIENCE
AND JUSTICE
AT DUKE LAW

ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA

MAX PLANCK LAW

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

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

WEDNESDAY, MAY 7TH

8.30 – 8.45	**Introduction Tatjana Hörnle (MPI-CSL)**

Panel I

Chair Jackie Hodgson

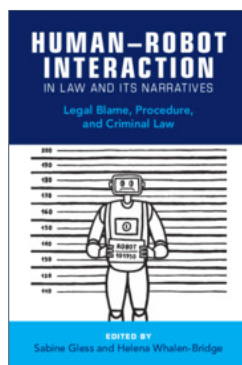|	
8.45 – 9.15	**Perfecting the Panopticon: the Power of Invisible Algorithms to Extinguish Protest** Aura Bamber (University of Warwick)
9.15 – 9.45	**Automated Faced-Based Human Recognition in Criminal Proceedings in the Light of the AI Act** Ernestina Sacchetto (University of Turin)
9.45 – 10.15	**Discussion**
10.15 – 10.45	*C o f f e e B r e a k*

Panel II

Chair Brandon Garrett

10.45 – 11.15	**AI in Anti-Money Laundering and Criminal Liability** Lea Bachmann (University of Basel)
11.15 – 11.45	**AI-Based Analysis of Bail Decisions (Harris County, Texas)** Chloé Zhu (Duke University)
11.45 – 12.15	**Discussion**
12.15 – 13.15	*L u n c h B r e a k*

Panel III

Chair Kamil Mamak

13.15 – 13.45	**Automation of Penal Orders** Colin Carter (University of Basel)
13.45 – 14.15	**Automated Decision-Making Based on Generative AI – Limits and Opportunities** Maria Filatova (Analytical Centre of Criminal Law and Criminology)
14.15 – 14.45	**Discussion**
14.45 – 15.15	*C o f f e e B r e a k*
15.15 – 15.45	**Rationalizing Sentencing: Converting Facts into Numbers** Linus Ensel (MPI-CSL)
15.45 – 16.15	**All AIs are Psychopaths? The Scope and Impact of a Popular Analogy** Elina Nerantzi (EUI/ MPI-CSL)
16.15 – 16.45	**Discussion**
17.00 – 18.00	**Book Launch:**

Sabine Gless & Helena Whalen-Bridge (National University of Singapore)
Human−Robot Interaction in Law and Its Narratives: Legal Blame, Procedure, and Criminal Law

Profiling & Automated Decisions in Criminal Justice
The Impact of AI on Fair Trial Rights

FRIDAY, MAY 8TH

8.30 – 8.45	**Introduction**
	Sabine Gless (University of Basel & MPI-CSL)

Panel I
AI Systems – Players in Criminal Justice?

Chair Michele Caianiello

8.45 – 9.15	**Criminal Procedure Meets AI: Bridging the Gap**
	Marco Billi (University of Bologna) &
	Galileo Sartor (University of Swansea)
9.15 – 9.45	**Large Language Models in the Fight Against Violence Against Women**
	Gabriela Pergola (University of Warwick)
9.45 – 10.15	**Discussion**
10.15 – 10.45	*C o f f e e B r e a k*

Panel II
Algorithmic Predictions & Profiling – Impact on Fair Trial Rights

Chair Jackie Hodgson

10.45 – 11.15	**AI and Due Process**
	Brandon Garrett (Duke University)
11.15 – 11.45	**Algorithmic Profiling and its Impact on Fair Trial: a European Perspective**
	Katalin Ligeti (University of Luxembourg)

11.45 – 12.15	**Algorithmic Predictions and Settlement Outcome:**
	Novel Plea Deal Tools?
	Ben Chen (University of Hong Kong)

12.15 – 13.00	**Discussion**

13.00 – 14.00	*L u n c h B r e a k*

Panel III
AI – Impact on Fair Trial Rights: Evidence

Chair Brandon Garett

14.00 – 14.30	**What Would a Meaningful Right to Confront Machine Evidence**
	Mean in a Trial in the U.S.?
	Andrea Roth (University of California, Berkeley),

14.30 – 15.00	**What Would a Meaningful Right to Confront Machine Evidence**
	Mean in a Trial in France?
	Juliette Lelieur (University of Strasbourg)

15.00 – 15.30	**Discussion**

15.30 – 16.00	*C o f f e e B r e a k*

Panel IV
AI – Impact on Fair Trial Rights: Criminal Defense

Chair Emily Silverman

16.00 – 16.30	**The EU AI Act and its Impact on the Use of AI**
	in Criminal Proceedings?
	Serena Quattrocolo (University of Turin)

16.30 – 17.00	**Defense Access to Algorithmic Tools**
	Erin Murphy (NYU)

17.00 – 18.00	**Summing up the Day**
	Sabine Gless (University of Basel & MPI-CSL)

SATURDAY, MAY 9TH

Panel V
Automated Decision-Making and Individual Rights

Chair Eric Hilgendorf

8.30 – 9.00	**Digitisation of Criminal Proceedings and the Right of Access to Justice** Benedetta Galgani (University of Pisa)
9.00 – 9.30	**AI Impact on Women's Access to Justice in Criminal Trials: the Nigerian Example** Adekemi Omotubura (University of Lagos)
9.30 – 10.00	**Discussion**
10.00 – 10.30	*C o f f e e B r e a k*

Panel VI
Miscarriages of Justice – Predictable AI Traps?

Chair Michalina Marcia

10.30 – 11.00	**AI Gave and AI Has Taken Away: The Impact of Automated Technology on Miscarriages of Justice** Giulia Lasagni (University of Bologna)
11.00 – 11.30	**Legal Safeguards Against AI-Induced Bias?** Karolina Kremens (University of Wrocław)
11.30 – 12.00	**Discussion**
12.00 – 13.00	*L u n c h B r e a k*
13.00 – 14.00	**Summing-up & Looking Ahead** Sabine Gless (University of Basel & MPI-CSL)

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!