



## ARTIFICIAL INTELLIGENCE (AI) IN CRIMINAL JUSTICE

AUTOMATED DECISION-MAKING AND ITS  
APPLICATION IN CRIMINAL LAW

Barcelona & Online, 15-16 June 2023

EXCELLENCE IN  
EUROPEAN LAW<sup>1</sup>

### Speakers and Chairs

**Laviero Buono**, Head of Section, European Criminal Law, ERA, Trier  
**Simone Cuomo**, Secretary-General, Council of Bars and Law Societies of Europe (CCBE), Brussels

**Vanessa Franssen**, Professor, University of Liège; Affiliated Senior Researcher, Institute of Criminal Law, University of Leuven

**Pete Fussey**, Professor, Director of the Centre for Research into Information, Surveillance and Privacy (CRISP), University of Essex

**Maša Galič**, Assistant Professor, Privacy and Procedural Criminal Law, Criminal Law and Criminology Department, Vrije Universiteit (VU), Amsterdam

**Carsten Gußmann**, Project Leader, AI Projects, Central Cybercrime Department of North Rhine-Westphalia, Cologne

**Martyna Kusak**, Adjunct Professor, Criminal Procedure, Adam Mickiewicz University, Poznań; Post-Doc Researcher, Institute for International Research on Criminal Policy, Ghent University

**Emmanuelle Legrand**, Magistrate, AI Project Manager, Ministry of Economy, Finance, Industrial and Digital Sovereignty, Paris

**Serena Quattrocchio**, Professor, European Criminal Procedure, University of Piemonte Orientale, Turin

**Mireira Ramon**, Council Member, Governing Board, ICAB, Barcelona

**Jesper Ryberg**, Professor, Ethics and Philosophy of Law, Department of Philosophy and Science Studies, Roskilde University

**Gian Marco Solas**, Lawyer, EU law Supervisor, Amsterdam Law School; Expert, BRICS Competition Law Centre, Amsterdam

**Guillem Soler**, Judge, Court of First Instance 1, Barcelona

**Agnes Venema**, Deepfakes and Security Policy Expert, Researcher at the Romanian National Intelligence Academy and the University of Malta, Valletta

**George Zlati**, Attorney, Cluj Bar; PhD on Cybercrime, Babeş Bolyai University, Cluj-Napoca

### Key topics

- What AI is and what legal practitioners need to know
- Robots causing harm: practical issues for police investigations
- AI to predict crimes
- Facial recognition technology in policing
- AI and criminal justice cases
- Bias in machine-learning and AI systems
- Sentencing and AI
- AI and deepfakes

Language  
English

Event number  
323D59

### Organisers

ERA (Laviero Buono) in cooperation with the Barcelona Bar Association (ICAB)



# Artificial Intelligence (AI) in Criminal Justice

Thursday, 15 June 2023

09:30 **Welcome and introduction**  
*Mireira Ramon & Laviero Buono*

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## I. ARTIFICIAL INTELLIGENCE AND ITS IMPLICATIONS FOR THE CRIMINAL JUSTICE SYSTEM

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*Chair: Laviero Buono*

09:45 **Putting forward a European approach to artificial intelligence and robotics: work carried out by the European Commission**  
*Emmanuelle Legrand*

10:15 Discussion

10:30 **Challenges ahead in AI: advanced biometric surveillance and facial recognition technology**  
*Pete Fussey*

11:00 Discussion

11:15 Break

*Chair: Emmanuelle Legrand*

11:45 **Models from physics and AI in EU criminal law enforcement: due process and rights of defence under EU law**  
*Gian Marco Solas*

12:15 Discussion

12:30 **The impact of AI on procedural safeguards and legal practice**  
*Simone Cuomo*

13:00 Discussion

13:15 Lunch

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## II. ARTIFICIAL INTELLIGENCE IN THE COURTROOM

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*Chair: Maša Galič*

14:30 **Big Data and the quality of datasets used for the development of AI-based tools for law enforcement in criminal justice systems**  
*Martyna Kusak*

15:00 Discussion

15:15 **The use of AI tools in criminal courts: justice done and seen to be done?**  
*Vanessa Franssen*

15:45 Discussion

16:00 Break

*Chair: Agnes Venema*

16:30 **Procedural challenges posed by AI and machine evidence in criminal justice systems: a view from the defence**  
*George Zlati*

17:00 Discussion

17:15 **Should artificial intelligence systems be used in life-changing situations such as criminal sentencing?**  
*Guillem Soler*

## Objective

Artificial intelligence (AI) is a “game-changing” technology. Its rapid progress raises complex challenges regarding benefits and risks for the criminal justice system. Although it is still at the infancy stage of its development with expectations often set too high, AI could bring benefits if it is used to predict crime and as a criminal intelligence tool. However, software programmes can malfunction and cause serious harm without being considered – as things stand today – “entities” subject to criminal liability.

After explaining the technical aspects of AI and its implications for privacy-preserving big data technologies, this conference will focus on how AI could be used in criminal proceedings, enabling the shift from a traditionally reactive approach to crime-fighting to one that is more proactive and preventative in character. It will discuss possible solutions for remedying the risks posed by AI and robotics in the criminal justice domain.

This event is aimed at judges, lawyers, prosecutors and police investigators with a view to highlighting the aspects of AI already in use today as well as the changes and opportunities on the horizon.

## Who should attend?

Defence lawyers, in-house counsel, judges, prosecutors, law enforcement authorities, civil servants and policymakers active in the field of criminal law.

## Venue

ICAB Training Centre  
C/Mallorca 283  
08037 Barcelona  
Spain

## Online participation option

The event will be streamed live online. You have the option to follow the conference on Zoom, enabling you to ask questions and take part in the discussion with participants in Barcelona via live chat.



- 17:45 Discussion
- 18:00 End of first day
- 20:00 Dinner offered by the organisers

## Friday, 16 June 2023

### III. USE OF ARTIFICIAL INTELLIGENCE AND MACHINE-LEARNING IN CONCRETE CRIMINAL JUSTICE CASES

*Chair: Vanessa Franssen*

- 09:00 **Artificial intelligence in the courtroom: a comparative analysis of machine evidence in criminal trials**  
*Serena Quattrocolo*
- 09:30 Discussion
- 09:45 **Legal and practical challenges of implementing AI in law enforcement practice: the view of criminal justice practitioners**  
*Carsten Gußmann*
- 10:15 Discussion
- 10:30 **Equality of arms in the context of big data and AI-based search tools: the use of Hansken in the Dutch *Ennetcom* and *EncroChat* cases**  
*Maša Galič*
- 11:00 Discussion
- 11:15 Break

### IV. SENTENCING AND ARTIFICIAL INTELLIGENCE

*Chair: Laviero Buono*

- 11:45 **Pros and cons of sentencing and AI: the conflict between algorithmic accuracy and transparency**  
*Jesper Ryberg*
- 12:15 Discussion

### V. LOOKING AHEAD: DEEPFAKE IN CRIMINAL JUSTICE

- 12:30 **Old crimes, new ways: the effects of deepfakes on criminal justice**  
*Agnes Venema*
- 13:00 Discussion
- 13:15 End of seminar and light lunch

For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.

### Your contact persons



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### CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to **9 CPD hours**. A certificate of participation for CPD purposes with indication of the number of training hours completed will be issued on request. CPD certificates must be requested at the latest 14 days after the event.

### What participants liked in 2022

- "The high level of the lectures"
- "Excellent seminar on AI which put together research and practice"
- "I appreciated the variety of speakers and of topics"
- "It was a great seminar, full of interesting news on AI"
- "Good range of speakers with different perspectives on the topic"
- "The online platform used"
- "I think the online aspect worked really well"

### Upcoming Events

**Essentials of Cryptocurrency Technologies**  
**Hunting in the dark and investigative challenges**  
Trier, 19-20 October 2023

### Annual Conference on EU Criminal Justice 2023

- Current developments and future initiatives
  - European Public Prosecutor's Office (EPPO)
  - Evidence, cryptocurrencies and "e-crimes 2.0"
  - Artificial intelligence and the Metaverse
- Lisbon, 9-10 November 2023

# Registration

## Artificial Intelligence (AI) in Criminal Justice

15-16 June 2023 / 323D59/eg



### Registration

Fax: +49 (0) 651 93737-773

E-mail: [info@era.int](mailto:info@era.int)

Online registration:  
[www.era.int/?131850&en](http://www.era.int/?131850&en)

Postal address:

ERA  
Postfach 1640  
D-54206 Trier

### Venue

ICAB Training Centre  
C/Mallorca 283  
08037 Barcelona  
Spain

Language

English

Contact Person

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I would like to register for the ERA event mentioned above.

Please update my address (see below)  My address (above) is correct  Please delete my address

**PLEASE USE BLOCK CAPITALS:**

Title	<input type="checkbox"/> Ms	<input type="checkbox"/> Mr	Other	<input type="text"/>
First Name	<input type="text"/>			
Surname	<input type="text"/>			
Organisation	<input type="text"/>			
Position	<input type="text"/>	Tel.	<input type="text"/>	
Department	<input type="text"/>			
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

I will attend online

I will attend in person

I wish to receive a participation certificate for CPD purposes (with indication of the training hours completed) and agree for my participation to be tracked for this purpose.

### Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 19/05/2023	€ 558.00 <input type="checkbox"/>	€ 418.50 <input type="checkbox"/>	€ 418.50 <input type="checkbox"/>
Registration after 19/05/2023	€ 620.00 <input type="checkbox"/>	€ 465.00 <input type="checkbox"/>	€ 465.00 <input type="checkbox"/>

\* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden), United Kingdom, the German states, Scotland and the City of Trier
- Fellows of the European Law Institute

\*\* Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

### Method of payment

Credit card For registration with credit card payment please go to our website [www.era.int/?131850&en](http://www.era.int/?131850&en)

Bank transfer

I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:  
IBAN: DE145900 00 00 00 58501900 – BIC: MARKDEF1590

**Different billing address:**

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Place, Date

Signature