PREDICTIVE JUSTICE: AN INTERDISCIPLINARY APPROACH BETWEEN PHILOSOPHY OF LAW, LEGAL COMPARISON AND INFORMATICS – SPECIAL WORKSHOP AT THE IVR WORLD CONGRESS 2022

Submission deadline: March 13, 2022

Conference date(s): July 3, 2022 – July 8, 2022

Conference Venue: Dimitrie Cantemir Christian University of Bucharest (DCCU), 176 Splaiul Unirii, District 4, Bucharest, Romania

CONVENORS

Stefano Guerra – *Ph.D.* in Philosophy of Law (SIFD – Italian Section of IVR; University of Macerata)

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CALL FOR PAPERS

Law, calculability and predictability are closely related concepts, as already foreseen by the works of Leibniz and Weber. The ability to predict judicial decisions becomes crucial to the evolution of judicial orders and of the concept of law itself. In fact, predictive analytics both affects philosophical thought and legal cultures, ending up by the launch of specific disciplines (cybernetics and jurimetrics), which have been finally condensed into Legal Informatics.

Currently, the ability to forecast the outcome of a judgment relating to a specific case through algorithms based on jurisprudential, normative and factual data is called predictive justice (part of the digital justice – AI applied to justice – which includes in its "hard" meaning the automation of algorithmic decisions in a judgment). Over the last few years, with the advent of Big data and the development of machine learning systems, predictive justice has returned to the center of

a multilevel worldwide debate involving scholars of various disciplines (philosophy, law, informatics) and practitioners of various sectors (enterprises, judges and public administration). Therefore, in-depth studies are needed about the impact that computational heuristics can have on the complexity of law. The concrete application of predictive justice implies both epistemic issues and potential dangers for fundamental rights.

In this regard, the contribution of legal comparison is paramount to understand and critically assess the experiences of various national systems that already adopt or are trying out different models of predictive justice. Several examples can be found on a global scale: China (several online databases of judicial information established by the Supreme People's Court), some States of the USA (Correctional Offender Management Profiling for Alternative Sanctions – COMPAS), Estonia (e-Estonia), Netherlands (*Rechtwijzer* System), UK (Harm Assessment Risk Tool – HART), France (*Predictice* and other LegalTech companies), Italy (experimental collaborations between some jurisdictions and universities), which have been severely criticized by scholars, who emphasize the critical points and the weaknesses of algorithm fairness. Also, the national legislators are starting to become aware of the issues of predictive justice, such as in France, from the one side engaging public institutions to grant everyone interested online open access to all judgments, from the other side forbidding and sanctioning the more hazardous employments of algorithms, for example those aiming at individually profiling judges. In the EU debate, the Proposal for a Regulation laying down harmonized rules on AI (AI Act), establishing legal and ethical limits, could be very relevant in the next future, while the General Data Protection Regulation (GDPR) is already interacting with the European predictive justice experiences.

In short, predictive justice can produce benefits, potentialities and risks, raising serious legal, ethical and informatic concerns. Hence, this workshop aims at an in-depth multi-, inter- and trans-disciplinary analysis on predictive justice, providing a platform to discuss on the evolution of its technical applications and experiments, on its theoretical interpretations and implications in philosophy, law and informatics, and on the opportunity of integration between predictive justice and human (interpretative) justice.

This special workshop is addressed to scholars of various disciplines and practitioners working at the crossroads of artificial intelligence, law and justice. Participants will have the opportunity to present recent developments in these fields and to discuss the main challenges lying ahead, theoretically and practically, promoting a cross-cutting dialogue open to both Senior and Young (*Ph.D.* candidates and scholars who have completed their *Ph.D.* from no more than 4 years) scholars.

HOW TO SUBMIT?

Abstracts (about 500 words) and **authors' CVs** should be sent to stefano.guerra@unimc.it by **March 13, 2022**. Please, specify in the object of the e-mail if young scholar.

Note that **all accepted presenters must register as Congress participants**.

The selected presenters will be informed by **March 21, 2022**, in order to provide them with an opportunity to register under the 'regular booking' conditions (**before March 31, 2022**, see https://www.ivr2022.org/fees/).

Please forward this to any appropriate person that might be interested.

Best regards,

Stefano Guerra and Sirio Zolea

https://www.ivr2022.org/

https://philevents.org/event/show/96137