

CALL FOR PAPERS

TILBURG LAW REVIEW

SPECIAL ISSUE ON REMOTE CRIMINAL JUSTICE

Can remote trials be fair trials?

The COVID-19 pandemic has led to a mass roll-out of the use of video links in criminal court rooms around the world. These criminal justice systems are now facing a fundamental question: how to properly integrate technological advances as a permanent feature of post pandemic criminal justice? While the potential advantages of remote justice seem to be clear (such as saving costs and maximizing efficiency), the rapid developments raise all kinds of theoretical and practical questions. New technological possibilities and their embedding in the legal system are not always straightforward. The impact of remote justice on procedural fairness is an ambiguous matter. Traditionally, fair trial concepts such as presence, effective participation and assistance of a lawyer are without a doubt affected by remote participation but how and to what extent is not (yet) clear. Also, we still know very little about whether and how the use of technology indeed affects effective communication in the courtroom. Does it – for example – affect the possibility to empathize with a defendant and to read nonverbal cues? And what does this mean for the procedural fairness as experienced by the defendant and the victim? In the post pandemic era, there is an urgent need for more understanding in these matters which – without a doubt – will require taking a multidisciplinary approach.

As for definitions: the term remote justice is used here to cover all situations where one or more participants attend(s) a hearing from a remote location via video link or using other means of communication technology. Contributions may also deal with virtual justice (proceedings where all participants attend online).

In this special issue we welcome papers dealing with the issues mentioned above from a philosophical, legal and/or a social science perspective (interdisciplinary approaches are encouraged).

MAXIMUM LENGTH OF PAPERS: 10.000 WORDS, INCLUDING FOOTNOTES

CLOSING DATE FOR MANUSCRIPT SUBMISSION: DECEMBER 31, 2023

For questions do not hesitate to get in touch with the guest editors of this special issue, dr. P. (Pauline) Jacobs (p.jacobs@tilburguniversity.edu) and dr. D. (Dorris) de Vocht (d.l.f.devocht@tilburguniversity.edu)

Tilburg Law Review is a double-blind peer reviewed and open access law journal embedded in the Tilburg Law School, the Netherlands, consistently ranked as a top law school in the Netherlands and internationally.