ARTICLES

The Use of Artificial Intelligence in the Judiciary and Its Compliance with the Right to a Fair Trial – *Kalliopi Terzidou*

European courts are increasingly investing in Artificial Intelligence (AI) applications for the automation of the administration of justice, to improve the efficiency and quality of the judiciary. However, AI can display considerable issues, such as opaqueness and unfair bias, resulting from the defective designing of their algorithms. This article explores the opportunities and risks of AI technology for court users – including judicial staff, legal representatives and litigants – by investigating proposed and developed applications by European judiciaries under the right to a fair trial. AI is found to pose certain risks to the independence and impartiality of the judiciary, as well as to the adversarial and public

character of court proceedings, notwithstanding the opportunities for the improvement of access to courts. The regulatory solutions for the safe use of AI adopted by European judiciaries can encourage similar practices in other judiciaries, including Australia and the United States.

The Relational Dimensions of Procedural Fairness in a Tribunal Setting – *Therese MacDermott, Denise Meyerson, Catriona Mackenzie and Danielle Moon*

People's understanding of fair treatment in their interactions with legal and other authorities has been the subject of influential cross jurisdictional research in social psychology. This research has shown that people's procedural fairness judgements are influenced by the quality of their interactions with authorities. People feel fairly treated when authorities convey trustworthiness and neutrality, and listen to them and treat them with respect, because such treatment conveys a relational message about equal status in the community. This article discusses the findings of an empirical case study which involved interviews with a group of Tribunal Members. The aim was to investigate how they translate the legal rules of procedural fairness into practice. The findings show that the interviewed Members are attuned to both the relational concerns identified in the social psychology literature and the normative dimensions of procedural fairness when they implement the legal rules in their procedural practices.