

Workshop: Obstacles to Fairness in Criminal Proceedings

Thursday 4 September 2014

13:30 – 14:00 Arrival; Tea/ Coffee; Introduction:

14:00 – 16:00 Characterisations of Fairness I

Richard Lippke, ‘Waiving the right to trial in criminal cases’

Commentator: **Antony Duff**

Kelly Pitcher, ‘The relationship between the characterisation of fairness and the legitimacy of balancing in the context of the determination in criminal proceedings of the consequences to be attached to procedural violations’

Commentator: **Aline Schweiwiller**

16:00 Tea/ Coffee

16:15 – 18:15 Characterisations of Fairness II

Lindsay Farmer, ‘Securing Civil Order’

Commentator: **Martino Mona**

John Jackson, Sarah Summers, ‘Seeking Core Fair Trial Standards across National Boundaries: Judicial Impartiality and the Right to an Adversarial Trial’

Commentator: **Stefan Trechsel**

19:30 Dinner: Restaurant Neumarkt, Neumarkt 5, 8001 Zürich(
(<http://wirtschaft-neumarkt.ch/restaurant>)

Friday, 5 September 2014

9.00 – 11.00 Fairness and Procedural Difference

Paul Roberts, Confronting Strasbourg: Fair Trial Rights and Cosmopolitan Criminal Jurisprudence

Commentator: **Matthias Mahlmann**

Eric Miller, Convictions, Collars, and Control: The Problem of Policing Outside the Constitution

Commentator: **Omar Abo Youssef**

11.00 Tea / Coffee

11:15 – 13:15 Fairness and Procedural Difference II

Dimitrios Giannouloupolos, Strasbourg Jurisprudence, Law Reform and Comparative Law: A Tale of the Right to Custodial Legal Assistance in Five Countries

Commentator: **Lorenz Garland**

Wolfgang Wohlers, The right to be defended by a lawyer: Does it include the right to be replaced by a lawyer?

Commentator: **Hannah Quirk**

13:15 – 14:15 Lunch

14:15 – 16:15 Criminology and Criminal Procedure

Nadja Capus, ‘Written Records of Examination Hearings: Obstacles to Fairness in Criminal Proceedings?’

Commentator: **Marc Thommen**

Shiwei Xiao, ‘Governance via the media? The media, courts and the state governance system in China’

Commentator: **Christian Schwarzenegger**

Participants

Omar Abo Youssef (Zurich)
Delphine Brun (Zurich)
Nadja Capus (Basel)
Antony Duff (Edinburgh/ Minnesota)
Lindsay Farmer (Glasgow)
Lorenz Garland (Zurich)
Dimitrios Giannouloupoulos (Brunel, London)
John Jackson (Nottingham)
Simona Künzli (Zurich)
Rick Lippke (Indiana)
Matthias Mahlmann (Zurich)
Eric Miller (Loyola, LA)
Martino Mona (Bern)
Kelly Pitcher (Amsterdam)
Hannah Quirk (Manchester)
Paul Roberts (Nottingham)
Aline Scheiwiller (Zurich)
Christian Schwarzenegger (Zurich)
Sarah Summers (Zurich)
Marc Thommen (Zurich)
Stefan Trechsel (Bern)
Wolfgang Wohlers (Zurich)
Shiwei Xiao (Chengdu)