

# Review of: "AI in Court: Facing Today's Legal Challenges"

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**Potential competing interests:** No potential competing interests to declare.

This article should be described as divulgative. This is the essential element that the publication should take into account when considering publication. All sections should follow the same structure:

- Statement of legal issues
- General references to case law.
- Citation of authors who have studied the subject.
- Statement that this is an opportunity for legislation and for disciplining business activity and for business and economic growth.

In short, this is a good starting point for a more interesting article. However, if the aim of the journal is essentially scientific, the structure and content of the article are not appropriate. The legal issues raised by artificial intelligence are very diverse and need to be treated in a more in-depth manner. There are a number of issues that have been the subject of further debate in the doctrine:

- The exclusion of bias
- Risk analysis
- Privacy risks and data governance.

None of these issues is the subject of in-depth discussion. For example, there is no reference to a well-known Dutch case (see summary in <https://www.loc.gov/item/global-legal-monitor/2020-03-13/netherlands-court-prohibits-governments-use-of-ai-software-to-detect-welfare-fraud/>). Nor, even from a legislative point of view, is there any reference to the G7 position in Hiroshima, to President Biden's Executive Order, or to the various initiatives of the OECD, UNESCO, or the Council of Europe. The references to the object of study in the European IA draft law are not sufficient. In that respect, when it is stated how the regulation of IA would govern business activities, why is the double strategy of the IA ACT (guarantee of rights + product-oriented design validated with CE marking) not taken into account? There are other questions that are not answered, although, to be honest, each of them could be the subject of a paper: why not consider bias (taking into account the well-known work of Cathy O'Neal), why not examine the issue of risk analysis for fundamental rights (Alessandro Mantellero), and why not discuss the relationship with privacy (Solove) or group privacy (Floridi)?

In conclusion, the article provides the reader with an overview of common problems, but the analysis does not go into them in depth, only lists them.