## **CONTENTS**

List of Contributors page x Foreword Acknowledgments xviii Table of Cases XXTable of Statutes XXV *Table of Council of Europe Instruments* xxxi Table of Other Council of Europe Materials xxxii Table of European Union Instruments xxxiii Table of Other European Union Materials XXXV Table of Other Materials xxxvi *List of Abbreviations* 

Introduction 1
SABINE GLESS AND HELENA WHALEN-BRIDGE

## PART I Human-Robot Interactions and Substantive Law

- 1 The Challenges of Human–Robot Interaction for Substantive Criminal Law: Mapping the Field 5 TATIANA HÖRNLE
- Are Programmers in or out of Control? The Individual Criminal Responsibility of Programmers of Autonomous Weapons and Self-Driving Cars
   MARTA BO
- Trusting Robots: Limiting Due Diligence Obligations in Robot-Assisted Surgery under Swiss Criminal Law
   JANNEKE DE SNAIJER

viii CONTENTS

 Forms of Robot Liability: Criminal Robots and Corporate Criminal Responsibility 73
 THOMAS WEIGEND

## PART II Human-Robot Interactions and Procedural Law

- 5 Introduction to Human–Robot Interaction and Procedural Issues in Criminal Justice 89 SABINE GLESS
- Human Psychology and Robot Evidence in the Courtroom,
   Alternative Dispute Resolution, and Agency Proceedings
   SARA SUN BEALE AND HAYLEY LAWRENCE
- 7 Principles to Govern Regulation of Digital and Machine Evidence 141
- 8 Robot Testimony? A Taxonomy and Standardized Approach to the Use of Evaluative Data in Criminal Proceedings 167
  EMILY SILVERMAN, JÖRG ARNOLD, AND SABINE GLESS
- Digital Evidence Generated by Consumer Products:
   The Defense Perspective 193
   ERIN E. MURPHY
- Data as Evidence in Criminal Courts: Comparing Legal
   Frameworks and Actual Practices 221
   BART CUSTERS AND LONNEKE STEVENS
- 11 Reconsidering Two US Constitutional Doctrines:
   Fourth Amendment Standing and the State Agency
   Requirement in a World of Robots 253
   DAVID GRAY

## PART III Human-Robot Interactions and Legal Narrative

12 Narrative Approaches to Human–Robot Interaction and the Law 281
HELENA WHALEN-BRIDGE

CONTENTS ix

13 The Case of the Stupid Robot 287

FRODE HELMICH PEDERSEN

- Inevitable or Not? Narrative Arguments Regarding Autonomous Vehicles in Singapore 311
   HELENA WHALEN-BRIDGE
- "The Knowledge of Causes and the Secret Motions of Things": The Interdisciplinary and Doctrinal Challenges of Automated Driving Systems and Criminal Law 335
   JEANNE GAAKEER

Index 359