

Special Session: Expertise in Context

This year's Special Session will focus on the implications of the judicial system for practical casework. It specifically addresses the role of the (voice) expert as a core element of many criminal trials and aims at putting it in context by addressing the interplay between experts, judges, and defense lawyers in different judicial systems. In the past, a good part of the discussions within IAFPA e.g. about the phrasing of conclusions or the role of formants in voice comparison has catered to the needs of working within the adversarial system. The ramifications of the inquisitorial system have not received as much attention, for instance in relation to methodology and the format of conclusions.

Since the majority of IAFPA members in general and conference participants in particular come from an adversarial background, they may not fully appreciate what it means to work within the inquisitorial system. The judicial framework, however, has consequences for the role of the expert and, to some extent, even for the manner in which the work is carried out.

Those members of IAFPA who have worked within both the adversarial and the inquisitorial systems of justice will have noted striking differences that will influence not only courtroom testimony but the handling of a case as such. Although there is considerable variation within the jurisdictions that come under the headings of "inquisitorial" and "adversarial", respectively, the session will focus on Germany and the United States as representing these two types of systems.

The session will start with four talks, followed by a panel discussion. The first two talks will outline some principles of the inquisitorial framework and then turn to the role of experts within it. The other two talks will represent the expert's perspective. We have acquired two speakers representing recipients of expert reports. One is Dr. Matthias Quarch, a presiding judge of a Trial Chamber (*Große Strafkammer*) at the Criminal Courts of Law in Aachen, the other is Prof. Jan Bockemühl, a renowned defense lawyer and Honorary Professor at the University of Regensburg. Dr. Quarch will briefly describe the inquisitorial system and then look at the role of expert reports from the court's perspective. What do judges expect of an expert? What makes a good expert and what are the criteria for a good report?

Prof. Bockemühl will bring in the defense point of view. He will cover some structural shortcomings in the present set-up from his perspective and talk about what he considers a good report or a good expert. Prof. Ruth Huntley Bahr (University of South Florida), who has many years of experience as an expert in the United States, will give an account of what it entails to work within the adversarial system. Prof. Angelika Braun (Trier University) will share her personal impressions of the differences between the two frameworks from an expert's perspective.

A panel discussion will then highlight the most salient characteristics of the jurisdictions with respect to expert reports as well as their implications for actual casework.