SEMINARS ON LAW AND TECHNOLOGY (SLATE)

TRAIL is proud to present a series of Seminars on Law and Technology (SLATE). Each SLATE session explores a theme in the current debates surrounding the interactions between law and technology, by way of presented papers and discussions. SLATE will be of interest to academics, practitioners, and entrepreneurs who desire a more nuanced exploration of the legal issues involved in the creation and adoption of new technologies.

SLATE VII: PROBLEMS WITH PROBABILITY

FRIDAY, 17 JANUARY 2025 ‖ 12:00PM TO 1:15PM ‖ SR 5-5, NUS LAW

PROFESSOR ANTHONY NIBLETT
PROFESSOR AND CANADA RESEARCH CHAIR IN LAW, ECONOMICS, & INNOVATION
FACULTY OF LAW, UNIVERSITY OF TORONTO

ASSOCIATE PROFESSOR DANIEL SENG
CO-DIRECTOR, TRAIL
NUS LAW

Some countries have explored the idea of using artificial intelligence (AI) systems to help triage the backlog of cases and facilitate the resolution of civil disputes. In theory, AI can accomplish this by establishing the facts of cases and predicting the outcomes of disputes. But the use of AI in the courtroom gives rise to new problems. AI technologies help solve prediction problems. These solutions are typically expressed as probabilities. How should judges incorporate these predictions in their decision making? There is no obviously correct approach for converting probabilistic predictions of legal outcomes into binary legal decisions. Any approach that does so has benefits and drawbacks. Importantly, a balance of probabilities approach – where liability is established if the AI predicts a likelihood of liability greater than 50 per cent and not otherwise – is not suitable when converting a predicted outcome into an actual outcome. This paper argues that adopting this approach would significantly alter the outcomes of legal cases and have a dramatic and disruptive effect upon the law. It opines that the most notable disruption would be observed in settlement behaviour and outcomes.

Anthony Niblett researches artificial intelligence, innovation, contract law, competition policy, and judicial behaviour. Professor Niblett joined the Faculty of Law in 2011. He teaches Contract Law, Torts, Competition Policy, Economic Analysis of Law, and Legal Methods.

Professor Niblett is the Academic Advisor at the Future of Law Lab at the Faculty and an Affiliate Researcher with the Vector Institute for AI. In 2019, Professor Niblett gave a TEDx talk on machine learning and law. Professor Niblett holds a Ph.D. in economics from Harvard as well as degrees in law and commerce from the University of Melbourne. He was a Bigelow Fellow at the University of Chicago before moving to Canada. In addition to his academic career, Professor Niblett is a co-founder of Blue J, a start-up using AI to help tax and legal professionals.

Daniel Seng teaches and researches on information technology law and infocommunications law. He is Co-Director, Centre for Technology, Robotics, Artificial Intelligence and the Law (TRAIL) at NUS Law where he is also the Director of LLM (Intellectual Property & Technology Law).

Between 2001 and 2003, he was concurrently the Director of Research, Technology Law Development Group at the Singapore Academy of Law. He graduated with firsts from NUS and Oxford, where he received the Rupert Cross Prize in 1994. He received his doctoral degree from Stanford Law School, where he used machine learning, natural language processing and big data techniques to conduct research on copyright takedown notices. While he was at Stanford, he was a non-residential fellow with the Center for Legal Infomatics (CodeX).

Programme

11:30AM Registration
12:00PM Presentation by Prof. Anthony Niblett
1:00PM Q&A session moderated by Assoc. Prof. Daniel Seng
1:15PM Lunch Reception

Anthony J Casey and Anthony Niblett, Problems with Probability (2023) 73 (1), University of Toronto Law Journal
Available at SSRN: https://ssrn.com/abstract=4489864

Registration Fee: S$98.10 (inclusive of GST)
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or scan the QR Code

Closing Date: 14 January 2025
Contact: trail@nus.edu.sg