

WHEN SHOULD A PROCEDURAL ERROR JUSTIFY REOPENING A FINAL CRIMINAL CONVICTION?

11. Juli 2026 – hybrid: Humboldt University Berlin & online

Criminal justice systems balance two core principles: procedural fairness and the finality of judgments. Once a conviction is final, however, even serious procedural errors can remain unreviewed. This raises a key question: when should such errors justify reopening a case?

The conference examines this issue from comparative and institutional perspectives, contrasting more restrictive reopening regimes in continental systems like Germany with more flexible approaches in adversarial systems such as the United States. It explores whether finality should prevail or yield where procedural integrity is compromised.

What institutional structures are needed to make post-conviction review effective?

Which procedural errors justify reopening a case?

**Gemeinsam gegen
Fehlurteile**

CONFERENCE PROGRAMME

Block I:

Procedural Errors and the Principle of Finality

09:00 — 09:30 Arrival and registration

09:30 — 09:50 Welcome and introduction

Session 1: Closed Systems (09:50 — 11:30)

The Limits of Reopening

15 minutes per speaker

- Carolin Arnemann — Germany
- Guglielmo Palumbo — Switzerland
- Martina Cagossi — Italy
- Guadalupe Blanco Velasco — Spain
- Kana Sasakura — Japan
- Camila Calvo — Argentina

This session examines jurisdictions where reopening is limited to narrowly defined grounds. It explores how finality restricts the role of procedural error, while also considering the limited ways in which such errors may still become relevant — indirectly or in exceptional cases.

11:30 — 12:00 Coffee break

Session 2: Open Systems (12:00 — 13:40)

Procedural Error as a Ground for Reopening

20 minutes per speaker

- Justin Brooks — United States
- Noa Mishor — Israel
- Tamara Levy — Canada
- Claire McGourlay — UK
- Odin Tveiten — Denmark

This session examines more flexible post-conviction frameworks in which procedural error may — typically indirectly — justify reopening. Attention will be given to relevant procedural errors and the types of cases they capture, as well as to the underlying conception of finality and the extent to which broader doctrinal formulations genuinely expand the scope of review or merely reframe existing constraints.

13:40 — 15:00 Lunch break

Block II: **Error Culture and Corrective Practice**

Session 3: Institutionalised Error Correction

(15:00 — 16:00) — Practice and Reform
20 minutes per speaker

- Claire McGourlay — UK
- Celia Gordon — United States
- tbc — Australia

This session focuses on institutional mechanisms for identifying and addressing errors, including review commissions and conviction integrity units. It examines how such bodies shape a system's openness to error and the effectiveness of post-conviction review.

**Keynote by Dant'e Cottingham:
The Perspective of the Wrongful
Convicted
(16:30 — 17:00)**

A first-hand account of the consequences of procedural failures in the criminal justice system and the challenges of reentry after long-term incarceration, told through Dant'e Cottingham, who, while not himself wrongfully convicted, spent many years imprisoned and now works to support reentry efforts while sharing the stories of exonerees and others affected by miscarriages of justice.

16:00 — 16:30 Coffee break

Final Panel: Finality vs. Fairness — Germany and the United States in Dialogue (17:00 — 18:30)

- Christopher Lau — United States
- Gerson Trüg — Germany
- Walter Perron — Germany
- Regina Rick — Germany
- Moderation: Laura Farina Diederichs — Germany

The panel reflects on weather differences between German and U.S. approaches — particularly regarding which procedural errors can justify reopening — lead to genuinely divergent outcomes or merely to practical convergences, and whether these differences are justified by the structural features of the respective systems or reveal gaps in addressing serious procedural injustice.

From 18:45 Reception

Conference Participants

Carolin Arnemann
in person



Germany

Criminal Defence Attorney – Innocence Project Deutschland

Dr. Carolin Arnemann is a German criminal defence lawyer with a strong scholarly and practical focus on reopening criminal proceedings and wrongful convictions. Her dissertation, published as “Defizite der Wiederaufnahme in Strafsachen”, is one of the central German works on the deficits of criminal reopening law. It combines doctrinal analysis with empirical research and reform proposals. She is also listed as the third chair of Innocence Project Deutschland.

Guadalupe Blanco Velasco
joining online



Spain

Forensic psychologist and criminologist – Ontario Tech University

Guadalupe Blanco-Velasco is a forensic psychologist and criminologist specializing in criminal investigation. She cofounded the Barcelona Innocence Project and her areas of expertise include false confessions, wrongful convictions, and sex-crimes. She is also a co-author of empirical work on wrongful convictions in Spain, including studies analysing Spanish Supreme Court judgments and wrongful convictions with prison sentences. Her research background makes her especially relevant for discussions that connect legal review mechanisms with psychological and forensic sources of error.

Justin Brooks
joining online



United States

Professor of Practice, University of San Diego – California Innocence Project

Justin Brooks is a U.S. criminal defence lawyer, professor, and one of the best-known figures in the innocence movement. The University of San Diego describes him as a Professor of Practice and notes that he co-founded and directed the California Innocence Project from 1999 to 2023. Under his leadership, the project helped free dozens of innocent people, and his work has combined litigation, teaching, public education, and international innocence-building. He is also the author of “You Might Go to Prison, Even Though You’re Innocent”.

Martina Cagossi
in person



Italy

Criminal Defence Attorney – Italy Innocence Project

Martina Cagossi is a criminal lawyer based in Milan and the co-founder and Program Manager of the Italy Innocence Project. She is also actively involved in the European innocence movement. Her work brings together criminal defence practice, innocence advocacy, and academic engagement with criminal procedure. She has contributed to scholarship and public discussions on miscarriages of justice in Italy and has participated in international conferences on wrongful convictions.

Camila Calvo
in person



Argentina

Criminal Defence Attorney – Innocence Project Argentina

Camila Calvo is a Research Associate at the Wisconsin Innocence Project. She serves on the Innocence Network Executive Board and co-chairs the International Committee. Prior to joining WIP, she was the project coordinator at Innocence Project Argentina and a staff attorney since 2017, and she worked as a clinical professor at Universidad de San Andrés. She earned her Master's degree in international and comparative law from the University of Michigan Law School, where she later served as a visiting research scholar conducting a comparative study on rules of evidence to develop model rules of evidence for Argentina.

Conference Participants

Dant'e Cottingham
in person



United States

Reentry and Outreach Support Specialist – University of Wisconsin

Dant'e Cottingham is a U.S.-based reentry advocate with lived experience of long-term incarceration. After spending 27 years in prison, he was released in 2022 and has since dedicated his work to reentry support, criminal-justice reform, and prison reform.

At the Frank J. Remington Center at the University of Wisconsin Law School, he supports people transitioning from incarceration and contributes to prison-based clinical law programs.

**Laura Farina
Diederichs**
in person



Germany

Criminal Defence Attorney – Innocence Project Deutschland

Laura Farina Diederichs is a Berlin-based criminal defence lawyer, board member, and head of the office of Innocence Project Deutschland. She also gained comparative experience at the Brooklyn Conviction Review Unit in New York City, a prosecutorial unit dedicated to reviewing potential wrongful convictions. This background gives her a comparative perspective on German and U.S. approaches to post-conviction review and institutional error correction.

Celia Gordon
joining online



United States

Senior Assistant District Attorney – Conviction Review Unit Brooklyn

Celia Gordon is a Senior Assistant District Attorney in the Conviction Review Unit of the Brooklyn District Attorney's Office in New York City. Her work focuses on investigating potential wrongful convictions and reviewing claims of innocence from within a prosecutor's office. Before joining the Conviction Review Unit, she worked pro bono on the exoneration case of Jon-Adrian "JJ" Velazquez.

Christopher Lau
in person



United States

Associate Clinical Professor and Co-Director of the Wisconsin Innocence Project

Christopher Lau is an Associate Clinical Professor at the University of Wisconsin Law School and Co-Director of the Wisconsin Innocence Project Clinic. He has previously taught in the Criminal Defense Clinic at Cardozo School of Law and began his career as a public defender at the Bronx Defenders. His current work combines clinical teaching, post-conviction litigation, and representation of incarcerated clients in innocence-related claims.

Tamara Levy
joining online



Canada

Criminal Defence Attorney and Adjunct Professor – UBC Innocence Project

Tamara Levy is co-founder and Director of the UBC Innocence Project at the Allard School of Law, where she has taught since 2004. Called to the British Columbia bar in 1998, she worked as both defence and crown counsel before becoming Director of the project in 2007. Since then, she has focused on post-conviction review cases and has lectured widely on wrongful convictions and forensic science. She is also co-founder and Director of the Criminal Defence Advocacy Society of British Columbia and serves as an Alternate Chair with the BC Review Board.

Conference Participants

Claire McGourlay
joining online



United Kingdom

Professor of Legal Education – Manchester Innocence Project

Claire McGourlay is Professor of Legal Education at the University of Manchester and is known for her work in clinical legal education and pro bono initiatives. She founded the Justice Hub and helped integrate the Miscarriages of Justice team into the Innocence Network in 2020. Her work focuses on miscarriages of justice, criminal evidence, and wrongful convictions, combining academic research, legal education, and practical case review.

Noa Mishor
joining online



Israel

Head of Retrials – Israeli Public Defender’s Office

Noa Mishor heads the Department for Retrials at the Israeli Public Defender’s Office, a specialised unit dedicated to identifying and litigating wrongful-conviction claims in Israel. Her work focuses on post-conviction review and the institutional role of public defence in correcting miscarriages of justice. She brings valuable insight into the Israeli retrial framework and the practical challenges of reopening criminal cases.

Guglielmo Palumbo
joining online



Switzerland

Criminal Defence Lawyer – Projet Innocence Suisse

Guglielmo Palumbo is a Geneva-based criminal defence lawyer and President of Projet Innocence Suisse, an organisation that provides free assistance to individuals who may have been wrongfully convicted. His work combines criminal defence practice with innocence advocacy and revision proceedings in Switzerland. He brings the Swiss perspective on post-conviction review and the practical obstacles involved in reopening cases.

Walter Perron
in person



Germany

Of Counsel & Emeritus Professor of Criminal Law – Albert-Ludwigs-Universität Freiburg

Walter Perron is Emeritus Professor of Criminal Law, Criminal Procedure, and Comparative Criminal Law at the University of Freiburg. His work is shaped by a strong comparative perspective, including German, European, Spanish, and adversarial procedural models. He has written extensively on criminal procedure, evidentiary law, and defendants’ procedural rights, with particular attention to the structures that secure fairness in criminal proceedings.

Regina Rick
in person



Germany

Criminal Defence Lawyer – Innocence Project Deutschland

Regina Rick is a Munich-based criminal defence lawyer and specialist in criminal law who is widely known for her work in reopening proceedings and high-profile wrongful-conviction cases in Germany. She has been involved in major German retrial and exoneration cases, including the case of Manfred Genditzki. Her work provides practical insight into the procedural and evidentiary barriers faced in correcting miscarriages of justice.

Conference Participants

Kana Sasakura
joining online



Japan

Professor of Law at Konan University – Innocence Project Japan

Kana Sasakura is Professor of Law at Konan University and Executive Director of Innocence Project Japan. Her work focuses on criminal law, wrongful convictions, false confessions, and structural features of the Japanese criminal justice system, including coercive interrogation practices. She brings the Japanese perspective on innocence work and post-conviction review.

Gerson Trüg
in person



Germany

Criminal Defence Lawyer and Professor – Albert-Ludwigs-Universität Freiburg

Gerson Trüg is a German criminal defence lawyer and Honorary Professor of Criminal Law and Criminal Procedure. Alongside his practice, particularly in white-collar criminal law, he has published extensively on criminal procedure and comparative criminal justice. His work bridges academic and practitioner perspectives on German and U.S. procedural models and fair trial guarantees.

Odin Tveiten
in person



Norway

Jurist and Author on reopening cases

Odin Tveiten is a Norwegian jurist whose interest in wrongful convictions is rooted in his family history. His grandfather was wrongfully convicted and acquitted only after his death following years of attempts to reopen the case. This experience influenced Tveiten's decision to study law. Based on his master's thesis, he wrote an article examining when procedural errors may justify reopening criminal cases. Tveiten will bring a Norwegian perspective on reopening procedures and post-conviction review.