

APPG on Access to Justice

Briefing for Parliamentary Meeting

Justice in the Digital Era

19 May 2025

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# Agenda

15.00	Welcome and Introductory remarks by Lord Bach – APPG Co-Chair
15.10	Peter Chamberlin, Public Digital
15:20	Ellen Lefley, JUSTICE
15:30	Jasleen Chagger, Big Brother Watch
15:40	Questions
15:50	Martha de la Roche, The Access to Justice Foundation
16:00	Mia Leslie, Institute for the Future of Work
16:10	Questions

## Note

This briefing paper has been prepared to provide parliamentarians and other attendees with a broad overview of some of the key issues to consider in relation to the theme of this meeting. This paper does not represent the views or opinions of any of the Members of the APPG on Access to Justice or of LAPG, which provides secretariat services to the APPG.

# **Speakers**

## Peter Chamberlin: Technology Director, Public Digital

Pete is a technology leader and digital specialist with a background in software engineering and architecture. He has extensive experience in the UK public sector, helping organisations make sense of their technology challenges, turn policy ideas into working systems and grow their people and capabilities to operate sustainably. He supports senior leaders and their teams to succeed with digital technology in their organisations.

His expertise includes sustainable high-performing software and platform engineering, technical architecture, technology strategy, transformation, governance and assurance. He specialises in digital identity, trust and secure data architecture and has contributed to the UK's digital identity and data infrastructure with his design for the UK's digital identity service, One Login.

Pete previously served as Strategic Technology Advisor at the Department for Education, supporting the merger of DfE's Digital and Technology directorates. This included working as Technical Architect on high-priority programmes such as Get Help With Technology, assessing the state of digital and technology in children's social care and supporting large-scale digital transformation work at the Student Loans Company.

As Lead Technical Architect at GDS, Pete was involved in a number of significant and impactful projects, including co-writing the API Technical and Data Standards and having responsibility for GOV.UK PaaS and the underlying infrastructure for GOV.UK, GOV.UK Verify and other GDS services.

Pete will touch on the following points:

- The transformative potential of LLMs, in particular how and why they affect the dynamics of information (radically improving access and reducing costs)
- What this means in practice, drawing on examples broadly in the justice space
- The double-edged nature of AI: while it solves some problems it creates others so there are threats as well as opportunities
- Ethics, transparency, trust and truth
- The way AI will raise expectations and the challenge of meeting them, especially for legacy institutions
- Organisational readiness and how institutions can act now
- The government's AI opportunities action plan and the role of strategic investment

# **Ellen Leffley: Senior Lawyer, JUSTICE**

JUSTICE is a human rights and law reform charity, which has been working to improve the UK justice system since 1957. It is the UK section of the International Commission of Jurists.

Ellen is JUSTICE's Senior Lawyer, before which she practised as a barrister. Ellen leads JUSTICE's current workstream on artificial intelligence, human rights and the law, which has recently published a rights and rule of law-based framework for AI in the justice system, co-authored with Sophia Adams Bhatti. Ellen sits on several advisory boards for external projects on behalf of JUSTICE, including the Home Office's public attitudes research into use of AI in policing, and *Probable Futures: probabilistic AI in policing and the wider criminal justice and law enforcement system* (lead by Professor Marion Oswald, funded by Responsible AI UK, 2024-onwards). She also has a has a forthcoming chapter on the right to a human judge, co-authored with Professor Mimi Zou, in Cambridge University Press's Handbook on *Generative AI and the Law*.

Ellen will touch on a rights and rule of law-based approach to AI in our justice system: While most other approaches to AI over the last decade have focused on ethics, JUSTICE suggests a rights-based and rule of law-based approach to AI in our justice system. Rights and the rule of law can help us identify our goals - what we should be aiming for - when using AI in the justice system, and what acting "responsibly" actually means to the actors involved in the design, development and deployment of AI in the justice system.

JUSTICE proposes a rights and rule of law-based framework will best position us to harness AI's potential across the justice sector whilst mitigating against the risks.

# Jasleen Chaggar: Legal and Policy Officer, Big Brother Watch

Jasleen is the Legal and Policy Officer for Big Brother Watch, focusing on data rights, financial privacy and surveillance tech. She has also worked across a range of their campaigns, including state and private use of facial recognition, free expression and online speech.

Prior to joining Big Brother Watch, Jasleen worked as a Litigation Paralegal, gaining expertise on human rights, privacy, data protection, defamation, sanctions, political asylum and judicial review matters. She continues to write a bi-weekly round-up of developments in media law and information law for the International Forum for Responsible Media (Inforrm) blog.

She holds a BA from Columbia University, where she specialised in European Intellectual History, and completed the Graduate Diploma in Law and Bar Course at the University of Law.

Jasleen will speak to:

Al and technology in the 'pre-crime' space

- Predictive policing and how changes to data protection framework will lead to the increased use of automated decision-making in law enforcement and criminal justice
- New government plans for mass 'bank spying' for the purpose of fraud (and error) detection Al-powered surveillance in policing
  - The increased use of live and retrospective facial recognition by the police
  - LFR is being used by retailers in the private sector to police what would ordinarily be criminal allegations with very little scrutiny and no judicial oversight
  - This is happening outside of a legal framework there is a need for primary legislation (AI Bill of Rights)

## Martha de la Roche: Insights and Engagement Director, The Access to Justice Foundation

Martha de la Roche is the Insights and Engagement Director at the Access to Justice Foundation. The Access to Justice Foundation is the only funder dedicated to increasing free legal support, advice, and representation across the UK.

Since 2019 Martha has led the Justice and Innovation Group, a cross sectoral network of over 570 members where learning around the use of justice focused technology is shared and partnerships have been created. The learning from this group is that the legal charity sector will be left behind without significant investment and hence Martha is currently working to develop a new JusticeTech fund which will help to leverage the benefits of AI and tech to get more legal help to the people who need it the most.

#### Martha will focus on:

- Learning from the Justice and Innovation Group
- Potential for JusticeTech to improve access to justice
- Challenges in implementing, sustaining, and scaling solutions
- Opportunities for cross sector collaboration
- Securing the resources we need to future proof free legal advice

## Mia Leslie: Researcher, Institute for the Future of Work

Mia Leslie is a Researcher, focussing on the workplace impacts of AI at the Institute for the Future of Work. She was previously a Research Fellow at Public Law Project where she led the Tracking Automated Government (TAG) project and conducted research on public sector use of new technologies. Her work takes a sociotechnical approach to the risks and opportunities posed by AI, AI governance, and the broader societal effects of emerging technologies.

Mia will focus on the impacts of AI adoption on access to justice from a workplace and broader society angle and discuss:

- The cumulative impacts on work and people such as the changes to the quality of work, employment relationships, organisation of work and society more broadly
- The challenges in discovering such impacts within the workplace and the implications for access to justice at the localised workplace level
- The need for ongoing monitoring systems to surface and share these impacts with the IFOW's Good Work Algorithmic Imapct Assessment as a framework approach for this.

# **Key Information for Attendees**

### Summary

- The SRA has authorised its first Al-only law firm, Garfield.law<sup>1</sup>.
- The Artificial Intelligence (Regulation) Bill is progressing through Parliament<sup>2</sup>.
- Al presents both opportunities and risks for access to justice.
- Strategic oversight, public trust, and inclusive design must guide adoption.

#### Introduction

The authorisation of **Garfield.law**, the UK's first Al-only law firm, marks a significant milestone in legal innovation. This coincides with the evolution of government strategy, including:

- The AI Opportunities Plan
- The Artificial Intelligence (Regulation) Bill (currently at Second Reading in the House of Lords)

These initiatives offer an opportunity to ensure that AI enhances, rather than undermines, access to justice. Over the coming months, there is a need to enable secure and ethical data-sharing, develop interoperable standards across the justice system, and to embed rights-based safeguards and robust oversight mechanisms.

Government will need to ensure that AI systems are trustworthy, that AI risks are mitigated, and that those developing, deploying and using AI technologies can be held accountable when things go wrong.

We include a brief summary of some of the issues and innovations in this area below to provide context for the panel discussion. A glossary of commonly used terms can be found in Appendix 1 to this briefing together with a more comprehensive list of technological innovations in the justice sector in Appendix 2.

# The AI Bill<sup>3</sup>

# 1. Establishment of an Al Authority

The Bill proposes the creation of a central AI Authority tasked with:

- Coordinating existing regulators to ensure a consistent approach to AI oversight across sectors, including justice.
- Reviewing current legislation, such as consumer protection laws, to assess their adequacy in addressing AI-related challenges.
- Conducting horizon scanning to anticipate and respond to emerging AI technologies.
- This centralised oversight aims to identify and address regulatory gaps, ensuring that AI
  applications within the justice system adhere to principles of fairness and accountability.

### 2. Designation of AI Responsible Officers

Organisations developing or deploying AI would be required to appoint an AI Responsible Officer responsible for:

- Ensuring the ethical, unbiased, and non-discriminatory use of Al.
- Verifying that data used in AI systems is as unbiased as reasonably practicable.

<sup>&</sup>lt;sup>1</sup> Solicitors Regulation Authority (2025). *Approval of Garfield.law*.

<sup>&</sup>lt;sup>2</sup> UK Parliament. Artificial Intelligence (Regulation) Bill – House of Lords, Second Reading.

<sup>&</sup>lt;sup>3</sup> Ibid.

• In the justice sector, this role is crucial to prevent algorithmic biases that could affect legal outcomes, thereby upholding the integrity of judicial processes.

### 3. Transparency and Accountability Measures

The Bill mandates that entities involved in AI training must:

- Provide records of all third-party data and intellectual property used.
- Ensure that such data is used with informed consent and complies with relevant IP laws.
- Additionally, AI-generated products or services must include clear labelling and health warnings, allowing users to make informed decisions.
- These measures are particularly relevant in legal contexts where transparency about AI's role in decision-making is essential for due process.

## 4. Implementation of Regulatory Sandboxes

The AI Authority is to collaborate with existing regulators to develop regulatory sandboxes—controlled environments where AI innovations can be tested with real consumers under regulatory supervision.

For the justice sector, such sandboxes could facilitate the safe trial of AI tools in areas like case management or evidence analysis, ensuring they meet ethical and legal standards before full deployment.

# 5. Public Engagement Initiatives

The Bill emphasises the importance of public engagement by requiring the AI Authority to:

- Implement programs for meaningful, long-term public consultation on Al's risks and opportunities.
- Consider international best practices in public engagement strategies.
- Engaging the public is vital in the justice sector to maintain trust in AI applications and ensure that technological advancements align with societal values.

### 6. Audit and Compliance Requirements

Businesses utilising AI must undergo independent audits by accredited third parties to assess compliance with ethical and legal standards.

In the context of justice, such audits can help ensure that AI tools used in legal proceedings are reliable and do not infringe on individuals' rights.

# 7. Addressing Criminal Liability and Misuse

The government acknowledges the potential for AI to be used in criminal activities and is exploring ways to allocate liability across the AI value chain.

This exploration is crucial for the justice system to effectively prosecute AI-related offenses and hold appropriate parties accountable.

# The AI Opportunities Plan

The AI Opportunities Plan, published in January 2025 by the Government, sets out a bold strategy for harnessing artificial intelligence to help meet the UK;s goals for sustained economic growth. The government has endorsed all 50 of its recommendations, with the majority of the immediate next steps scheduled for delivery within the next 12 months. The plan builds on commitments in the National AI Strategy and aligns with broader ambitions around economic growth, public sector innovation, and responsible AI deployment.<sup>4</sup>

The AI Opportunities Action Plan aims to ramp up AI adoption across the UK to boost economic growth, provide jobs for the future, and improve people's everyday lives. Britain is currently the third largest AI market globally, with strong talent and pioneering firms, but risks falling behind advancements in the USA and China. The plan is intended to help Britain step up and shape the AI revolution, providing global leadership in fairly and effectively seizing AI opportunities, building on the UK's work on AI safety. The goal is a thriving domestic AI ecosystem with widespread use across the economy.

All is presented as potentially the government's single biggest lever to deliver its five missions, particularly the goal of achieving the highest sustained growth in the G74.

The action plan's recommendations fall into three broad themes, each aimed at achieving its stated goals of leveraging AI to drive economic growth, benefit public services and increase personal opportunities.

- 1. Laying the foundations to enable AI Recommendations focus on investing in world-class computing and data infrastructure, ensuring access to talent, and "enabling safe and trusted AI development and adoption through regulation, safety and assurance".
- 2. Changing lives by embracing AI This outlines recommendations for leveraging AI to help achieve the missions set out in the government's plan for change, including proposals for developing the UK's AI ecosystem through a push for AI adoption in the public sector. The action plan envisages the public sector shaping the AI market in its role as a large customer, and also anticipates benefits to public services arising from the adoption of high-performing, trustworthy AI at scale.
- **3. Secure our future with homegrown AI** Here, recommendations build on the previous two sections of the action plan, with the aim of having national champions at the frontier of economically and strategically important AI capabilities by the end of the decade. The government has agreed to establish and empower a new unit to " partner with the private sector to deliver the clear mandate of maximising the UK's stake in frontier AI".

<sup>&</sup>lt;sup>4</sup> Al Opportunities Action Plan: terms of reference - GOV.UK

The following public services are held out by the AI Opportunities Plan as priority areas for AI use.

# 1. Health

Al is already in use across diagnostics and resource planning in the NHS. The Plan identifies opportunities to expand applications in imaging, waiting list optimisation, and personalised care pathways<sup>5</sup>.

#### 2. Education

Opportunities include personalised learning platforms, administrative automation, and early identification of learning difficulties. DSIT stresses the importance of evidence-based deployment<sup>6</sup>.

#### 3. Justice

Al is seen as a tool to improve case management, enhance access to justice, and support data-driven policy (see separate justice-specific briefing available)<sup>7</sup>.

## 4. Defence and Security

Al will support national security, including surveillance, cyber defence, and operational planning. Ethical assurance and international alignment remain priorities<sup>8</sup>.

#### Data and Infrastructure

The Plan acknowledges that effective AI adoption is dependent on high-quality, accessible and secure data. Priorities include:

- Investing in data infrastructure (e.g., trusted research environments, synthetic data).
- Creating sector-specific data access agreements to enable innovation while maintaining public confidence<sup>9</sup>.
- Embedding privacy-by-design principles and ensuring compliance with UK GDPR.

# The UK's approach to regulating AI<sup>9</sup>

### Current approach

A range of UK legislation and regulation applies to AI, including laws on data protection, cybersecurity, product safety, employment and equality, consumer protection, competition and online safety and sector-specific regulations for areas such as financial services and healthcare. Unlike the EU, which <u>published its AI Act last summer</u>, the UK does not currently have a single, overarching legal framework for AI.

<sup>&</sup>lt;sup>5</sup> NHS England, AI in Imaging Pathways Report, 2023.

<sup>&</sup>lt;sup>6</sup> Department for Education, AI in Education Review, 2023.

<sup>&</sup>lt;sup>7</sup> DSIT, AI Opportunities, p. 6.

<sup>&</sup>lt;sup>8</sup> Ministry of Defence, AI Strategy for Defence, 2022.

 $<sup>^{9}</sup>$  https://www.cliffordchance.com/insights/resources/blogs/talking-tech/en/articles/2025/01/unpacking-the-uk-ai-action-plan.html

The UK's approach to AI regulation has, to date, focused on context-specific, risk-based and proportionate regulation of AI through the application of existing legal frameworks by regulators. These regulators were tasked, under the UK's AI White Paper of 2022, with applying cross-sectoral principles such as safety, fairness and transparency. Asked to identify, assess, prioritise and contextualise the specific risks addressed by these principles, many UK regulators (including the FCA, PRA, ICO, CMA and Ofcom) published plans, statements, frameworks and guidance regarding their plans for overseeing AI activities falling within their respective remits.

# Al-specific legislation?<sup>10</sup>

The action plan recommends preserving the UK's current pro-innovation approach to AI regulation, considering this "proportionate, flexible regulatory approach" to be a source of strength relative to other, more regulated jurisdictions. Acknowledging that well designed and implemented regulation can fuel safe development and adoption of AI, and that clear rules can give businesses the confidence to innovate and invest, the action plan also cautions against ineffective regulation that could hold back adoption in crucial sectors such as the medical sector.

<sup>&</sup>lt;sup>10</sup> Ibid.

# Al and the Justice sector

# Background

In 1949, the post-war Labour government passed the Legal Aid and Advice Act<sup>11</sup>, legislating to "provide legal advice for those of slender means and resources, so that no one would be financially unable to prosecute a just and reasonable claim or defend a legal right". The scheme offered free legal assistance to those of small or moderate means, and support on a sliding scale for those slightly above the threshold. It became a critical part of the post-war welfare state, enabling ordinary people to access justice at moments of personal crisis.

Over the past two decades, however, the legal aid system has been dramatically scaled back. Successive governments across the political spectrum have sought to reduce its cost, leading to a decline in the number of legal aid practitioners and significant gaps in provision. As part of the 2023 Review of Civil Legal Aid (RoCLA), the Legal Aid Agency (LAA) provided PA Consulting with a list of all current, in-market civil legal aid providers. As of 24 September 2023, there were 1,246 active providers. This represents a stark decline from over 2,500 organisations delivering civil legal aid services in 2012—a reduction of approximately 50%.

The not-for-profit (NfP) sector has also been affected by this contraction. Funding pressures forced many Citizens Advice offices and Law Centres to scale back or shut down their legal aid services. In 2013/14<sup>13</sup>, 94 local areas had NfPs delivering civil legal aid. Today, that number has dropped to just 40.<sup>14</sup>

The reduction in providers has been acute across civil and family legal aid including education, welfare benefits, clinical negligence, family, immigration, housing<sup>15</sup> and community care,<sup>16</sup> and has disproportionately impacted rural areas.

As of February 2024, 44 per cent of the population of England and Wales do not have a housing legal aid provider in their local authority area, a figure that has grown by around 7 per cent since 2019 and only 33 per cent of the population have access to more than one provider in their local authority area. This means that many people across the country facing serious housing situations including eviction, will struggle to get the local face-to-face advice that they're legally entitled to. Refugee Action have warned that since 2005, 56 per cent of firms specialising in immigration and asylum law have left

<sup>&</sup>lt;sup>11</sup> https://researchbriefings.files.parliament.uk/documents/LLN-2019-0099/LLN-2019-0099.pdf

<sup>12 &#</sup>x27;Survey of civil legal aid providers: Informing the Review of Civil Legal Aid' by PA Consulting, January 2024

<sup>&</sup>lt;sup>13</sup> Maynard MP, P. (2019) *Written questions, answers, and statements* (UIN 273435). Available at: https://questions-statements.parliament.uk/written-questions/detail/2019-07-04/273435 (accessed 5 July 2021).

<sup>&</sup>lt;sup>14</sup> https://www.lawcentres.org.uk/list-of-law-centres

<sup>&</sup>lt;sup>15</sup> Ministry of Justice (2019), *Post-Implementation Review of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)* (CP 37), para 816, para 165, p35. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/777038/post-implementation-review-of-part-1-of-laspo.pdf (accessed 12 September 2021).

<sup>&</sup>lt;sup>16</sup> The Law Society (2021) *Legal aid deserts*. Available at: <a href="https://www.lawsociety.org.uk/en/campaigns/legal-aid-deserts">https://www.lawsociety.org.uk/en/campaigns/legal-aid-deserts</a> (accessed 5 October 2021).

<sup>&</sup>lt;sup>17</sup> https://www.lawsociety.org.uk/campaigns/civil-justice/legal-aid-deserts/housing

 $<sup>^{18}</sup>$   $\underline{\text{https://researchbriefings.files.parliament.uk/documents/CDP-2018-0120/CDP-2018-0120.pdf}} \ (accessed \ 12 \ September \ 2021).$ 

the market, creating geographical gaps in legal aid provision.<sup>19</sup> LAPG is seeing member firms forced to turn away hundreds of clients a week because of lack of capacity to take them on.

The consequence of these gaps, or 'advice deserts' is that many individuals in England and Wales are unable to find timely or affordable legal help—even when facing eviction, benefit appeals, or family breakdown.

The justice system is in urgent need of investment to respond to rising demand. However, as an "unprotected" department in the context of the government's spending review, the Ministry of Justice (MoJ) faces significant fiscal challenges in the months and years ahead. Unlike departments such as Health, Education, and Defence, which have ring-fenced budgets, the MoJ's unprotected status renders it vulnerable to cuts. So, while the MoJ's day-to-day budget has increased from £10.4 billion in 2023–24 to £11.8 billion in 2025–26,<sup>20</sup> the Institute for Fiscal Studies (IFS) has warned that unprotected departments like the MoJ could face real-terms cuts of up to 3.5% annually in the coming years<sup>21</sup>.

Addressing these challenges will require careful consideration, and a number of different solutions. One possible such solution is the adoption of AI and digital tools to improve access, streamline processes, and reduce pressure across the legal system.

# Development and adoption in the justice sector

A range of AI tools are currently being developed and trialled across the justice system, with applications spanning both operational efficiency and public-facing services. These include tools to assist with case management, document review, and legal triage, as well as early-stage applications in sentencing support and access to legal information.

We summarise a selection of these initiatives below by way of illustration and provide a more comprehensive list in Appendix 2 for reference.

#### **Justice Innovation**

#### 1. Citizens Advice

Citizens Advice has been piloting a generative AI tool called "Caddy"<sup>22</sup>, which aims to support advisers in drafting case responses. Designed to amplify the human element of the Citizens Advice service, the tool ensures that clients always speak with real advisers, and that all draft responses are reviewed before they reach advisers. In tests, around 80% of AI-generated outputs were approved by supervisors for use<sup>6</sup>. Since 2024, Citizens Advice and the I.AI team have been collaborating to develop a scalable version of Caddy for wider use by other advice providers, and the project is all open sourced.

<sup>&</sup>lt;sup>19</sup> Ministry of Justice (2019), *Post-Implementation Review of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO)* (CP 37), para 816, p196. Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/777038/post-implementation-review-of-part-1-of-laspo.pdf (accessed 12 September 2021).

 $<sup>^{20}\</sup> https://www.lawgazette.co.uk/news/budget-24-justice-spending-to-rise-by-100\% and the control of the co$ 

<sup>19</sup>bn/5121376.article?utm\_source=chatgpt.com

<sup>&</sup>lt;sup>21</sup> https://ifs.org.uk/news/despite-recent-increases-ministry-justice-budget-has-still-not-returned-pre-2010-levels?utm\_source=chatgpt.com

<sup>&</sup>lt;sup>22</sup> https://scvo.scot/p/97562/2025/03/10/building-caddy-an-ai-support-tool-for-advisor-teams

In parallel, Citizens Advice has launched a **People's Panel** to co-design its approach to AI governance, with the aim of building public trust in how these tools are used. The pilot reflects how AI might be used to extend legal capability without displacing human judgment.

#### 2. AdviceNow

Historically, the provision of legal advice has been reliant on lawyers or caseworkers to translate and explain the law. While digital guides have been in use for some time now in many different practice areas, AI can go one step further with legal chatbots. These provide assistance by tailoring information presented to questions on a variety of topics and completing forms or appeals.

Charity AdviceNow has led the field in this area with its tools around social welfare law. The website is full of digital guides, providing step by step guidance on dealing with common benefits problems, divorce and separation, employment rights and housing. These are all vastly complex areas of law but have either been removed from the scope of legal aid, or there remains a shortage of providers prepared to take on the work.

Generative AI has proven a game-changer by creating a self-help tool to challenge unfair benefits decisions. Using service design techniques that placed the user at the heart of the process, <u>AdviceNow created a generative AI tool</u> which provides:

- guidance on whether the user should challenge the decision based on their individual circumstances; and
- support to write a letter to challenge the decision. Their research states that using the tool more than doubles the chances of getting a decision changed at the mandatory reconsideration stage.

### 3. AutoSignpost

AutoSignPost is a proposed web-based application to capture user issues and direct them to appropriate legal support. The goal is to enable the user to resolve the matter themselves or through alternative dispute resolution, reducing pressure on the Courts. An effective implementation will:

- inform (and therefore support or deter) potential claimants, not least litigants in person;
- lower the costs of resolving civil claims; and
- **provide data** on the performance and effectiveness of the legal system for doing this.

The Advisers Toolbox Limited has built a proof-of-concept prototype that informs and captures statistical data, and we now want to develop the concept into a minimum viable product (MVP).

#### 4. LawFairy:

The LawFairy technology was originally developed for a commercial product, but the founder has applied the technology to several access to justice issues. The pro bono version of the platform uses questionnaires and user documents to populate and create complex housing and immigration application documents.

LawFairy has been a long-time member of the Justice and Innovation Group and have used the forum to identify and form new partnerships, particularly with the frontline. However, without dedicated resources at frontline organisation to implement this proven successful solution, it is still a struggle to deploy and engage users in the tool.

### 5. CourtNav, RCJ Advice:

CourtNav is an online tool designed to help users who are completing an application for a non-molestation and/or occupation orders (injunction) to get legal protection.

Delivering this service using technology has allowed RCJ Advice to reach new rural communities, increasing their capacity, and enabling them to help four times as many people. The technology also allows more capable users to self-serve preserving specialist in-person support for those with the greatest needs, ensuring that those excluded from digital solutions are still served.

#### 6. Wyser:

Wyser have produced several AI products specifically aimed at supporting access to justice and the delivery of advice services.

These products use NLPs to populate initial enquiry and triage information, transcribe and summarise voice, video, or text-based information and categorise user interactions, interacting directly with case management systems and suggesting potential next steps and courses of action.

Wyser estimates a 25% resource efficiency, while other tools have demonstrated 10-15% gains, all time that can be used to serve more people in need or invest in organisational management and leadership.

#### 7. Access Ava, Access Social Care

AccessAva is an award-winning online solution that is changing the landscape in accessing health and social care. The Al-driven service aims to provide legal support available 24/7, ensuring everyone can navigate the complexities of accessing health and social care with ease, speed and confidence.

# 8. Valla

Valla is a UK-based platform that helps individuals handle workplace issues like discrimination or unfair dismissal without expensive legal fees. It offers free tools to manage cases, organize evidence, and create legal documents. Users can also access affordable legal advice and educational resources to better understand their rights.

# Ministry of Justice and Justice Al Unit

In the wider context, the Ministry of Justice (MoJ) has established a dedicated **Justice AI Unit<sup>23</sup>**, led by its first Chief AI Officer. Tasked with coordinating AI strategy across courts, prisons, and legal aid systems, the unit has been set up to focus on three key outcomes:

- Improving access and resolution times
- Enhancing decision-making through better use of data
- Reducing burdens on court and prison infrastructure

<sup>&</sup>lt;sup>23</sup> https://questions-statements.parliament.uk/written-questions/detail/2025-01-15/HL4104/

With regards to the criminal courts, the Government is committed to bearing down on the outstanding caseload in the Crown Court and the Independent Review of the Criminal Courts led by Sir Brian Leveson will assess how the use of new technologies, including AI, could be used to improve efficiency across the criminal courts.<sup>24</sup>

In the Family Courts, the government is seeking to provide AI tools such as parent arrangement planners to help separating parents to resolve issues quickly and without the need to involve courts. It aims to blend both AI, other technologies and policy to form cohesive services that address both court backlogs and court demand.<sup>25</sup>

This includes partnerships with the Crown Prosecution Service (CPS), and digital infrastructure rollouts in collaboration with private sector partners such as Juniper Networks, which is delivering cloud-based connectivity across over 400 prison and probation sites.

The HMCTS Reform Programme continues to digitise court services, with mixed success. Online courts have reduced some backlogs but raised concerns over fairness and digital exclusion, especially for vulnerable groups.

### **Broader Government Pilots and Cross-Government Tools**

The Department for Science, Innovation and Technology (DSIT) is coordinating AI pilots across Whitehall via its **i.AI incubator**<sup>26</sup>, with implications for justice delivery:

- Caddy Al support for casework at Citizens Advice (as set out above)
- **Redbox** internal chatbot tool for civil servants<sup>27</sup>
- Consult Al tool that summarises consultation responses, projected to save £20m/year<sup>28</sup>
- Lex assisting government lawyers with legal drafting and legislation review

These tools aim to improve efficiency while maintaining transparency and human control. The **AI Safety Institute**<sup>29</sup>, launched by DSIT in 2023, is now tasked with evaluating the risks of foundation models used across sectors.

## Concerns around the use of technology in justice

# The Ayinde Case

The growing use of AI tools in legal practice is not without risk. This was highlighted in the 2024 case of **Ayinde v London Borough of Haringey**, where a solicitor submitted written submissions drafted by counsel citing **entirely fabricated case law**, generated using AI<sup>30</sup>.

The High Court judge described the conduct as "appalling" and referred the matter to both the Solicitors Regulation Authority and the Bar Standards Board. The incident raises urgent questions about:

• The accuracy and verifiability of Al-generated legal content

<sup>25</sup> Ibid

<sup>&</sup>lt;sup>24</sup> ibid

<sup>&</sup>lt;sup>26</sup> https://ai.gov.uk/

<sup>&</sup>lt;sup>27</sup> https://ai.gov.uk/projects/redbox/

<sup>&</sup>lt;sup>28</sup> https://ai.gov.uk/projects/consult/

<sup>&</sup>lt;sup>29</sup> https://www.aisi.gov.uk/

 $<sup>^{\</sup>rm 30}$  https://www.judiciary.uk/wp-content/uploads/2025/05/Ayinde-v-LB-Haringey-Judgment-Ritchie-J-03.04.25-HD-2.pdf

- The need for **clear professional standards** for AI use
- The importance of training and oversight for legal professionals using such tools

This is not an isolated concern. The **House of Lords Justice and Home Affairs Committee** has recommended the creation of a **mandatory public register of algorithms** used in public services, and the establishment of **local ethics committees** to oversee Al use in the justice system<sup>31</sup>.

# Risks affecting the user

### Digital exclusion

Users may be digitally excluded from a service through digital illiteracy, a lack of infrastructure or a lack of resources.

A significant proportion of clients assisted under the legal aid scheme are vulnerable as a consequence of issues such as physical and/or mental health issues. Such users may find it difficult to properly understand information and to engage with the system in the correct manner, but may remain unaware of the fact.

Many such clients are also digitally excluded from accessing online services due to a lack of financial means e.g. a lack of stable housing. In 2018, the Office for National Statistics estimated that in the UK, 11 million adults lack basic digital skills and 5.3 million adults are non-internet users<sup>32</sup>. These are groups that are likely to need access to free legal advice and it is crucial that governments include these more vulnerable groups in their systems of design.

### Over-confidence

Concerns persist regarding the over-confidence some users place in generative AI, which may be misguided given that the system still generates hallucinations and inaccurate findings. Taking action based on inaccurate or misleading legal information and guidance is likely to have serious consequences for anyone seeking to respond to or interact with a legal process.

### **Privacy**

If AI involves the collection and storage of personal information, as is necessary with tools of this nature, there remains a risk of breaching individual privacy rights.

## The service perspective

Concerns from a service perspective can be divided into structural and governance concerns.

#### Structural

GOV.UK Chat reported inaccuracies in the information provided and a few cases of hallucination. Findings report that results could be improved with clearer questions, but users engaging with the law

<sup>31</sup> https://lordslibrary.parliament.uk/ai-technology-and-the-justice-system-lords-committee-report/

https://www.ons.gov.uk/people population and community/household characteristics/home internet and social mediaus age/articles/exploring the uks digital divide/2019-03-

<sup>04#:~:</sup>text=It%20estimates%20that%20the%20number,the%20five%20basic%20digital%20skills).

in this way are often in moments of crisis, or vulnerable in other ways. Law is a complex area and requires sensitive interpretation in its understanding.

Any AI interpretation will only be as accurate as the underlying source or data and this may be problematic in more technical areas. Legal judgments, often nuanced, may not be effectively handled by AI, leading to risks of bias, discrimination, and misleading outputs. Additionally, commercial AI models often lack transparency making errors harder to detect.

#### Governance

Governance mechanisms for AI vary, including regulatory standards, ethical codes, and contracts. If AI is to be used to dispense legal advice, these will need to be thought through carefully and standardised so as to regulate the service effectively.

### Conclusion

These concerns don't diminish Al's potential usefulness in addressing justice issues but require careful thought. Al isn't a panacea for the issue of unmet legal need but should be part of a toolkit that we use to address it moving forward. For some users, it will make a huge difference in how they seek legal redress. For others, less so. For those users, government needs to adopt a policy of inclusiveness and design alternative approaches that reach those who are otherwise digitally excluded from accessing help.

Al and technology offer new tools to tackle the long-standing crisis in access to justice. But these tools must be deployed with care, transparency, and accountability. As the Ayinde case demonstrates, Al cannot be left unchecked—strong governance, professional regulation, and public trust will be essential.

With the Artificial Intelligence (Regulation) Bill progressing through Parliament, now is the moment to ensure that legal innovation is used to **restore**, **not replace**, the founding principles of legal aid: that justice should be available to all, regardless of means.

# Appendix 1 – Glossary of Terms

#### **Access to Justice**

The ability of individuals to obtain fair and effective legal resolution through legal representation, judicial processes, and legal support, regardless of socioeconomic status, location, or ability.

### **Algorithmic Bias**

Systematic and repeatable errors in a computer system that create unfair outcomes, often affecting marginalized or vulnerable groups.

### Artificial Intelligence (AI)

A branch of computer science focused on creating systems capable of performing tasks that typically require human intelligence, such as learning, problem-solving, and decision-making.

### **Automated Decision-Making (ADM)**

Processes where decisions are made by automated systems, including those driven by algorithms and machine learning, with limited or no human intervention.

### **Case Law Analytics**

Use of AI tools to analyse large datasets of legal judgments to identify patterns, precedents, and trends in judicial decision-making.

# **Digital Exclusion**

The inability of individuals to access or effectively use digital technologies due to factors such as lack of internet access, digital literacy, affordability, or disability.

## **Explainable AI (XAI)**

Al systems designed to provide transparent, understandable justifications for their decisions, often essential for ensuring fairness and accountability in legal contexts.

### Fairness in Al

A principle that AI systems should avoid discrimination and should produce equitable outcomes for all users, particularly in sensitive areas like the justice system.

# Human-in-the-Loop

A design approach where human judgment is retained in the decision-making process, especially important in high-stakes areas such as legal and judicial decisions.

## **Judicial Automation**

The use of AI or other technologies to assist or streamline judicial functions, including case management, legal research, or even sentencing recommendations.

### Large Language Models (LLMs)

A type of deep learning algorithm that can understand and generate human language.

### **Legal Tech**

Technologies designed to support the delivery of legal services, including online dispute resolution, automated document drafting, and virtual legal advice tools.

## Machine Learning (ML)

A subset of AI where computer algorithms improve their performance over time through exposure to data, without being explicitly programmed.

## **Natural Language Processing (NLP)**

A field of AI focused on enabling computers to understand, interpret, and respond to human language, crucial in applications like legal document analysis or chatbots for legal advice.

# **Online Dispute Resolution (ODR)**

A digital mechanism for resolving disputes between parties, often used in civil and small claims cases, and increasingly supported by AI systems.

## **Predictive Analytics**

The use of data, statistical algorithms, and ML techniques to identify the likelihood of future outcomes, such as court rulings or recidivism rates.

### **Responsible AI**

A framework for ensuring AI systems are developed and deployed ethically, with considerations for transparency, accountability, privacy, and human rights.

#### **Risk Assessment Tools**

Al-driven tools used to evaluate the likelihood of reoffending, flight risk, or other legal outcomes. These are controversial due to potential biases and impact on judicial fairness.

#### **Smart Contracts**

Self-executing contracts with the terms of the agreement directly written into code, often using blockchain technology. Their role in legal systems is evolving.

### **Socio-Legal Impact**

The broader effects of legal decisions or technologies on society, including access, equity, and trust in the justice system.

# **Tech-Enabled Justice**

Refers to the transformation or enhancement of legal processes through technology, aiming to improve efficiency, accessibility, and user experience.

## Transparency

In the context of AI and justice, it refers to the openness and explainability of AI systems, allowing users to understand how decisions are made.

# Appendix 2 – Al Tools list

# **Reduce Legal Need and Protect Rights**

- Affordable Advice Pathway
- Amica
- AskEllie
- CourtNav
- DLA Mandatory Reconsideration Letter Tool
- DREy Chatbot
- Find Others
- Genie Al
- Grapple
- LawFairy
- My Housing Gateway
- PIP Mandatory Reconsideration Request Letter Tool
- SeparateSpace

# **Resolve Legal Issues and Defend Rights**

- AccessAva
- Contend
- Crowdjustice
- Justice connect
- Pathfinder tool
- Transparently
- Valla
- Podus

# **Prevent Legal Need and Understand Rights**

- 10NC
- Advicelocal
- Better Off Calculator
- Digital Advice Tool
- Find Case Law
- JustFix
- Know Your Rights
- Lightening Reach
- SupportNav
- Virtual Reality Courtroom
- Yourcase
- CitAlzen
- Free Legal Answers

# **Drive Organisational Efficiencies**

- Advice Portal
- Advice Pro

- Caddy
- Compliance Champion
- Courtsight
- Digital PIP
- Enquiry Desk
- JUST:Access
- Legal Connection
- Pro Bono Portal UK
- Recite Me
- The Advisors Toolbox
- Wyser