

Date	25 September 2024
Item	09.00
Title	Artificial Intelligence - Update
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Purpose	To inform the Board on developments in this area.
Recommendation	To note the paper
Timing	N/A
Impact assessment	
Impact on Regulatory Objectives	N/A
Implications for resources	N/A
Impact on consumer empowerment	N/A
Impact on ongoing competence	N/A
Publication status	Publication
Appendices	None

AI Update

Background

1. The Board has taken a keen interest in the development of AI and its implications on the sector, particularly regulation of legal services. This short paper provides an update on the position and action being taken by CRL.
2. At May Strategy meeting the Board agreed three main actions:
 - (1) That the Director of Regulation should consider potential of AI in streamlining and improving CRL's internal processes;
 - (2) That we should consider its use (and potential abuse) with education providers for situation to be monitored and kept under review and asked for an update report to their meeting in September 2024; and
 - (3) That the executive should provide for a webinar with interested entities and individuals on the potential and implications of AI.

Update

3. Generally, there now seems to be a heightened awareness within the sector and providers of legal services around the existence and development of AI. The last six months has seen much greater publicity around the advent of new systems and indeed the associated concerns and opportunities. Most people using any form of technology are now aware of the part that AI already plays within their everyday lives whether this be predictive text or interactive chat bots.
4. A webinar was held on 15 July 2024 and attended by around 200 people from within the CILEX community. A recording of the webinar is available on-line. The content of this webinar addressed the general issues around AI and regulation but also provided a demonstration of the new proprietary system, LexisNexis AI+. The webinar was well received with good feedback.
5. CRL has continued to produce regular articles for the Journal and Newsletter. To illustrate a point, the article from the Journal in August was produced using edited AI content.
6. LexisNexis A1+ has now been launched and is being adopted by legal practices. This currently remains the only bespoke legal AI product available in the UK, although undoubtedly other providers will follow quickly. It will be interesting to hear from users about their experiences in the new system(s).
7. In terms of the impact of AI on Education, we have had helpful discussions with counterparts at the QAA about the use of AI by students within their course work. There is an acceptance that this will inevitably be happening, and measures are being considered within the education sector to monitor and control this. Self-validation by students about their upfront use of AI is considered the best way forward and course providers will need to determine whether to include training in the use of AI within their curriculum as students will undoubtedly be using it in part of the employment and/or practice.
8. There have been discussions with ULaw too around regulating the use of AI in legal education, which has provided helpful insights and a willingness to work with us, including an expected invitation to participate in a panel event that ULaw will be organising later in the Autumn.
9. In relation to using AI systems internally, unfortunately CRL has met an impasse. We had hoped to licence the full MS Co-Pilot product on a trial basis to roll-out to all staff later. The intention was to start using it, learn from hands-on experience, apply this to improved efficiencies and better processes and then share the knowledge and skills gained with the organisation and more

widely as appropriate. However, CILEX has told us that they will not host Co-Pilot on the shared IT infrastructure. This is something that we will wish to consider further and determine whether there is an alternative way forward. MS Co-Pilot is still available as an addition/ extension to the MS Edge browser but is relatively limited in that form and serves mainly to enhance the search function.

10. On a global perspective, the United Kingdom has joined a new European treaty intended “to ensure that activities within the lifecycle of artificial intelligence systems are fully consistent with human rights, democracy and the rule of law”. The treaty will commit states that have ratified it to ensure that
 - their AI systems are consistent with obligations to protect human rights;
 - their AI systems are not used to undermine the integrity, independence and effectiveness of democratic institutions and processes, including the principle of the separation of powers, respect for judicial independence and access to justice; and
 - they have measures that seek to protect its democratic processes in the context of activities within the lifecycle of artificial intelligence systems, including individuals’ fair access to and participation in public debate, as well as their ability to freely form opinions.

Future Activity

11. CRL will continue to remain vigilant and monitor the adoption and implications of AI within the sector.
12. Consideration will continue about how CRL can adopt and harness AI to aid its own work, driving efficiencies and greater effectiveness.
13. CRL will continue to raise awareness of AI within the regulated community.
14. CRL will work with and partner with others where possible to increase impact of our response and actions.

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