CILEx Regulation

Guidance on the Use of Artificial Intelligence

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Introduction

Purpose

1. CRL has a statutory objective to support innovation that benefits consumers and is in the public interest. We aim to achieve this through the safe, compliant and responsible use of AI by those we regulate. Artificial intelligence (AI) is increasingly being used in the delivery of legal services. AI tools may improve efficiency, accessibility and productivity, but they also present risks which need to be considered and managed appropriately.
2. The use of AI does not alter your professional responsibilities. You remain accountable for the work you undertake and the services you provide. This guidance explains how the existing requirements of the CILEx Code of Conduct apply when AI is used and highlights the key considerations when integrating AI into legal practice.
3. As AI technologies and their use in legal services continue to evolve, we will review this guidance periodically and update it where appropriate to reflect relevant technological, regulatory and legal developments.

Who this guidance is for

4. This guidance applies to all individuals and entities regulated by CILEx Regulation. Regulated individuals working within organisations regulated by the SRA or another regulator should also have regard to any relevant requirements and guidance that apply to them in that context.

Definition of AI

5. In this guidance, AI refers broadly to technologies that can perform tasks commonly associated with human intelligence, including analysing information, identifying patterns and generating content. This includes generative AI tools that can produce text, images or other content in response to user prompts.
6. In practice, AI may be used for lower-risk tasks such as administrative support, summarising documents, drafting first versions of routine communications, organising information and assisting research. Higher-risk uses may include generating substantive legal analysis, advice, pleadings, witness evidence or material intended for courts, tribunals or regulators, and these uses require closer scrutiny, verification and oversight.
7. Regulated individuals and entities must comply with their professional, ethical and regulatory obligations when using AI. They should adopt a proportionate, risk-based approach supported by appropriate policies, training and supervision.

Applying your professional obligations when using AI

Accountability – you remain responsible for your work and advice

8. The use of AI does not diminish your professional or regulatory responsibilities. Regulated individuals and entities remain accountable for the legal services they provide, regardless of whether AI has been used to assist in the delivery of those services.
9. You must ensure that any work produced with the assistance of AI is accurate, appropriate and compliant with your professional obligations. AI-generated content should be reviewed and verified before it is relied upon, shared with clients or third parties, or submitted to a court and/or tribunal.
10. You cannot delegate responsibility for your work to the AI tool or its provider. Regulated professionals should be able to explain the basis on which AI-assisted work has been reviewed, amended and approved before it is used.

> ***Learning from the courts -*** *R (Ayinde) v London Borough of Haringey [2025] EWHC 1383 (Admin)*
>
> The Divisional Court considered two matters involving the actual or suspected use of generative AI and the presentation of inaccurate or fabricated authorities to the court.
>
> *The judgment also highlighted the responsibilities of those in leadership and supervisory roles to ensure that individuals providing legal services understand and comply with their professional and ethical obligations when using AI.*

For applicants

When submitting applications to CRL for assessment and authorisation, the use of AI to support the completion of skills log sheets is permitted. However, applicants are expected to carefully proofread all content and remain responsible for ensuring that the evidence provided is accurate, reflects their own work, and fully demonstrates that each required outcome has been met.

Accuracy – independently verify the outputs of AI

11. AI can produce inaccurate, incomplete or fabricated information. You remain responsible for the accuracy of any work produced with the assistance of AI.
12. AI-generated outputs should be subject to an appropriate level of review and verification before they are relied upon. The level of review should be proportionate to the nature and purpose of the task, the reliability of the tool and the potential impact of an error. Particular care is required where AI-generated content forms part of legal advice or is provided to clients, courts, tribunals, regulators or other third parties. Where clients provide AI-generated information and/or questions, regulated professionals must apply the same professional judgement and verification that they would to information obtained from any other unverified source.

Learning from the courts - MS (Professional conduct; AI generated documents) Bangladesh [2025] UKUT 00305 (IAC)

The Upper Tribunal highlighted the risks of AI-generated legal research, including fabricated cases and citations. The Tribunal emphasised that legal professionals remain responsible for checking authorities and quotations against reliable legal sources before relying on them. The case reinforces that AI can support legal work, but it does not replace the need for appropriate verification and professional judgement.

Competence - understand the tools you use

13. To use AI effectively and responsibly, it is important to understand the capabilities, limitations and potential risks of the AI tools you use. When selecting an AI tool, consider whether it is appropriate for the intended purpose, including the reliability and traceability of its outputs and the safeguards it provides for confidential and personal information. The suitability of an AI tool will depend on how it is designed, configured and used.
14. We encourage regulated individuals and entities to ensure that those using AI have the appropriate knowledge and skills, and that AI-assisted work is supported by appropriate training, supervision and review.
15. Competence includes understanding the applicable terms of use, data-handling settings, any limitations on confidentiality, and whether the basis or sources for an AI-generated output can be identified and checked. Training should be refreshed periodically and when a tool changes materially. Before relying on AI-generated outputs, it is good practice to consider whether the tool is appropriate for the task and whether its outputs have been adequately reviewed and verified.

Confidentiality - confidentiality, privilege and data protection obligations

16. When using AI, it is important to consider your existing duties of confidentiality, legal professional privilege and data protection.
17. Before using AI in connection with client or other sensitive information, it is good practice to carry out a proportionate risk assessment. This should consider confidentiality, privilege, data protection compliance, cyber security, access controls, provider terms, retention and deletion, and whether anonymisation or redaction is appropriate before information is entered into a system.
18. Before entering client or other sensitive information into an AI system, take time to understand how that information will be processed, stored and used. This includes considering whether information may be retained by the provider, used to train AI models, or transferred outside the UK.

Learning from the courts - UK and R (Munir) v Secretary of State for the Home Department (AI hallucinations; supervision; Hamid) [2026] UKUT 81 (IAC)

The Upper Tribunal highlighted the risks to client confidentiality and legal professional privilege where confidential information is entered into open-source AI tools. The Tribunal emphasised that legal professionals must take care to understand how information entered into AI tools is handled and ensure that client information remains appropriately protected.

Client communication and transparency

19. Regulated individuals and entities should consider whether clients ought to be informed about the use of AI in the delivery of legal services. Disclosure is likely to be appropriate where AI is used in a way that materially contributes to the service provided, where confidential or personal information is input into an AI system, or where a client might otherwise be misled about the nature of the work undertaken or the extent of human involvement. Any explanation given to clients should be clear, accurate and not misleading.

Supervision – appropriate oversight should be applied

20. The use of AI should be subject to appropriate human oversight and supervision. The level of supervision should be proportionate to the nature of the task and the potential risks involved.
21. Regulated entities should ensure that individuals using AI are appropriately trained and supervised, and that AI-assisted work is reviewed where necessary before it is relied upon or shared with clients, courts or other third parties.

Fairness and bias

22. AI systems may produce outputs that reflect or reinforce bias, which could result in unfair or discriminatory outcomes. Regulated individuals and entities should consider these risks when using AI and ensure that AI-assisted decisions or advice are subject to appropriate human review. Professional judgement should always be applied to ensure clients are treated fairly and consistently with your legal and regulatory obligations.

23. Supervision arrangements should reflect the experience of the user, the nature of the tool, the purpose for which it is used and the potential impact of any error. Junior staff and those who are new to a tool may require closer oversight.

AI and CILEx Code of conduct

Key considerations	Relevant Code provisions
Accountability	**Outcome 4.2** – Take all practicable steps to demonstrate that you have adhered to the Core Principles and met the associated Outcomes.
Accuracy and verification	**Outcome 1.2** – Do not knowingly or recklessly allow the court to be misled.
	Outcome 3.2 – Do not intentionally mislead anyone you deal with.
	Outcome 5.8 – Provide prompt, clear and accurate information and advice to your clients.
Competence	**Outcomes 5.1–5.4** – Maintain competence, ensure your legal knowledge is current, identify and address training needs, and act only within your competence.
Confidentiality	**Outcome 5.12** – Maintain confidentiality in respect of your client's affairs, except where disclosure is required or permitted by law.
Independence and Professional judgement	**Principle 7** and **Outcomes 7.1–7.4** – Ensure your independence is not compromised and that your professional judgement remains independent.
Supervision	**Outcomes 8.2–8.6** – Properly supervise work undertaken on your behalf, ensure appropriate qualifications and supervision, maintain effective management and oversight arrangements, and comply with effective procedures to meet your legal and regulatory obligations.
Client communication and transparency	**Outcomes 3.2 and 5.8** – Provide clear and accurate information, and do not mislead clients or others about how legal services are delivered.

AI Governance and Transparency

24. Where AI is used in the delivery of legal services, regulated entities are encouraged to consider how AI is managed within their organisation. While there is **no** requirement to have a standalone AI policy or governance framework, documenting how AI is used, the safeguards in place and the arrangements for oversight can help organisations use AI responsibly and demonstrate how they are meeting their existing professional and regulatory obligations.

This may include:

- developing an AI policy or standard operating procedure that explains when AI may and may not be used;
- defining appropriate use cases and ensuring AI is subject to appropriate human oversight;
- ensuring staff receive appropriate training on the use of AI, including its capabilities, limitations and associated risks;
- implementing processes for reviewing AI-generated outputs before they are relied upon;
- protecting confidentiality, legal professional privilege and personal data;
- establishing procedures for reporting, investigating and addressing AI-related concerns or incidents; and
- regularly reviewing the organisation's use of AI and the effectiveness of its governance arrangements.

25. To promote transparency and consumer confidence, regulated entities may also wish to publish an AI Statement or Policy explaining how AI is used within the organisation.

An AI Statement may include:

- the types of AI tools used and the purposes for which they are used;
- the extent to which AI is used in the delivery of legal services;
- the safeguards in place to ensure appropriate human oversight;
- how confidential and personal information is protected; and
- how clients can raise concerns or complaints relating to the use of AI.

26. Regulated entities should consider whether their privacy policy or privacy notice requires updating to reflect any use of AI involving personal data. Where AI forms a material part of the processing of personal data, entities should ensure that their privacy information clearly explains that use and its implications for data subjects.

Additional information

CILEx Code of Conduct

Information Commissioner’s Office – Guidance on AI and data protection

National Cyber Security Centre – Guidance on cyber security toolkit