Artificial Intelligence: Legal Perspective in India

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Abstract

Because artificial intelligence can replicate human intelligence, it has revolutionised practically every field. This means that certain legal, ethical, and socioeconomic problems will inevitably arise. This study examines these problems against the backdrop of artificial intelligence's legal standing, makes recommendations for how to resolve the basic legal problem of accountability and compensation, and suggests legislation in this regard. These new technologies are advantageous to many different industries, but there is also concern that they could be abused or exploited in unexpected and potentially dangerous ways. In this case, it has become a basic concern that each necessary innovation is acceptable and socially preferable. The question of how the law should regulate AI systems is more important now. How the law will find it difficult to keep up with the ways that businesses, legislators, and judges are intervening to address the particular legal and policy issues raised by the growing use of artificial intelligence. The researcher attempts to provide in-depth analysis of the legal issues that AI systems face in this study.

Keywords: Artificial Intelligence, AI Systems, Legal challenge.

Introduction:

Artificial intelligence, or AI for short, is the term used to describe technology designed to perform activities that would typically need human intelligence. The main focus is on developing intelligent applications that can replicate cognitive processes including as perception, learning, reasoning, and problem-solving that are similar to those of humans. Algorithms and data are used by AI systems to process information and arrive at wise conclusions.[1] The increasing use of cutting-edge technology in today's start-ups, such as machine learning (ML) and artificial intelligence (AI), is having a number of legal ramifications. Technologies related to machine learning and artificial intelligence have the capacity to completely transform a variety of industries, including finance, healthcare, and transportation. AI law concerns itself with the intricate interactions that occur between established legal principles and cutting-edge technological advancements. The main cause of these problems is that AI systems, particularly those built on generative technology, are capable of doing jobs like editing, creating images, writing, and other things that were previously only done by humans. A vast array of legal areas, including contract law, tort law, intellectual property law, and privacy law, are included in AI law and are all changing in relation to AI[.2]

Ethics in AI and Law: A Concern

The legal profession has long placed a high priority on ethics. Lawyers are stewards of the law, and as such, they are essential to upholding justice and are required to conduct themselves with the utmost ethics. However, lawyers are also constrained by ethical standards pertaining to skill, diligence, supervision, and communication—many of these traits will influence the way in which they employ AI.[3] AI has the

potential to change the legal sector. It has the potential to liberate legal professionals from the most tedious chores, increase their productivity, and allow them to concentrate on important strategic projects. However, there are a lot of ethical issues with AI to be aware of such as bias and fairness, accuracy, privacy, responsibility and accountability.

Potential Lawyer Substitution

AI is unlikely to replace lawyers, even though it has the potential to change the legal industry.
This is due to the fact that AI is unable to carry out jobs that call for human judgement, such as presenting evidence to a jury, coming up with novel strategies, or creating enduring bonds with clients.[4] AI will not render lawyers obsolete; on the contrary, it will improve their work. When used properly, it can enable solicitors to operate more efficiently, create documents with higher accuracy, and concentrate on more important duties. To put it briefly, it can provide them a competitive advantage.[5]

Data security and privacy

When it comes to AI, worries about data security and privacy also overlap with criminal responsibility. Criminals can gather and misuse personal data by using AI algorithms, which can have serious repercussions for both persons and organisations. Ensuring strong cyber security measures and fortifying data protection regulations are crucial in protecting people's right to privacy and preventing AI from being used illegally for data manipulation and exploitation.[6] An integrated strategy is needed to tackle the difficulties in India related to criminal responsibility of AI. It entails thinking about AI's legal personhood, modernising the legal system to account for crimes involving AI, improving the explain ability and transparency of AI algorithms, and encouraging ethical AI development techniques.[7] Additionally, the legal system needs to take pre-emptive steps to handle possible AI-driven crimes in high-risk areas and discuss the societal and ethical ramifications of AI decision-making that is autonomous.

Sensible Self-Governing Law Decision-Making

Artificial intelligence (AI) improves the effectiveness, precision, and consistency of legal procedures, which is a major contribution to intelligent autonomous law decision-making. Artificial intelligence (AI) technologies, in particular machine learning and natural language processing, are capable of analysing large volumes of legal data in order to spot trends, forecast results, and support decision-making. Here are a few significant facets of AI's function in this area: Efficiency, Predictive Analysis, Consistency, Access to Justice, and Ethical and Legal Compliance. The incorporation of AI into the legal system, however, also brings up issues with accountability, transparency, and the possible loss of human judgement in moral and ethical decisions. It is mandatory to balance the benefit of AI in order to protect integrity of legal system and individual rights.

Law and Proficiency:

AI has the power to change how Indian lawyers practise law and how the public perceives it. This process is currently underway. Legal research is one of the areas in the legal industry where AI has the most potential to cause major disruptions. Artificial Intelligence can give lawyers instant access to a unique perspective of the legal domain, as the Indian legal system is always evolving. Artificial intelligence (AI) can balance the expenses of legal research while keeping a consistent level of quality. Whether a law company employs 400 lawyers or just one practicing lawyer, AI can conduct research in seconds. It can provide solicitors with effective tools to help them improve their client-advising abilities.[8]

Accessible Justice

Replacement technologies, which are radically changing the way conflicts are handled, have also been adopted by many courts. In many jurisdictions across the world, e-callovers, e-filing, video conferencing, and whole e-Courts are now widespread. All of these technologies have the effect of cutting down on the time needed to process cases; therefore, as their use grows, the unit cost of providing legal services ought to fall as well.[9] Innovations that primarily affect the general efficiency of the legal system do not deal with the fundamental complexity of the law. It is improbable that technology, even if it were to facilitate the more effective delivery of legal services, would alter the reality that the majority of legal interactions still necessitate the expensive involvement of a legal expert in order to achieve the best outcomes. This is where the most recent advances in AI can make a difference. The profession that has a financial stake in keeping a monopoly on legal services would no longer control access to justice if the legal reasoning process could be automated.[10]

Impact on the Legal Sector

Artificial intelligence (AI) has had a revolutionary impact on the legal industry and is still influencing how lawyers practise. Although AI technologies have the potential to improve legal services' accessibility, accuracy, and efficiency, they also present new obstacles and considering factors. One major impact of AI on the legal sector is the automation of repetitive and time-consuming tasks including document inspection, legal research, and contract analysis. Artificial intelligence (AI)-powered solutions can evaluate enormous volumes of data far more quickly than a human could, increasing productivity and lowering costs for legal departments and law firms. AI can also be used to find trends, forecast results, and offer insights that help attorneys make better judgements.

Impact on Legal Services Quality

Generative AI increases quality by 40% and speeds up certain processes, like idea generation, by 25%. Nevertheless, it does less well in more complex problem solving activities, with a 19% decrease in the probability of right answers. In the latter, human advisors far outscored AI.[11] AI systems are capable of accurately analysing and summarising legal papers, precedents, and case laws thanks to advances in machine learning and natural language processing. This raises the calibre of legal arguments in addition to increasing the effectiveness of legal research.[12]

Empathy & Human Touch

Artificial Intelligence (AI) is a useful tool in many areas, including healthcare, as it uses natural language processing, sentiment analysis, and algorithms to imitate empathy. It can be a useful supplement, providing distinct insights into patient interactions, even though it cannot completely replace the necessity for human engagement. AI that is focused on people is essential in the field of customer experience.[13]It involves striking a balance between the data analysis and automation powers of AI and the emotional intelligence and empathy of human contact. Establishing brand loyalty, comprehending individual requirements, and fostering trust all depend on this equilibrium. AI shouldn't be viewed as a substitute for human interaction, but rather as a tool to enhance human capabilities. Furthermore, new technologies like social robots and AI companions are meant to improve caregiving by offering companionship and emotional support. Using machine learning, facial recognition, and natural language processing, they converse, comprehend emotions, and adjust to personal preferences.[14]

How will artificial intelligence change the legal system globally?

Artificial intelligence may be the most practical answer to the enormous increase in caseloads and postponed justice. S.A. Bobde, Chief Justice of India, recently stated at the 19th annual state-level conference of judicial officials, "We have the possibility of developing Artificial Intelligence for the court system, only for the purpose of ensuring that undue delay in the delivery of justice is prevented." AI can assist in making the legal system more "cost-effective, transparent, litigant-centric, efficient, time-bound, and accountable." A judge must complete a lot of difficult, time-consuming, and boring procedures before rendering a final decision. Judges who are also solicitors can employ various AI-powered technologies to carry out these tedious duties in a way that Decision-making as a whole becomes more effective and swift.[15]

Conclusion:

Future developments in the legal sector are probably going to see an increase in the application of AI, which will further transform the practice of law. Artificial Intelligence has demonstrated significant potential to positively impact the legal field. One of these adjustments is to enable solicitors operate more precisely and effectively, which will raise the standard of legal services.

Additionally, AI has the capacity to Individual access to justice is improved by artificial intelligence in the legal field. AI has the ability to close this gap by making legal self-help tools more accessible to a wider audience and by enhancing the efficiency of lawyers' work, which will enable them to assist more clients. [16]AI can be a useful tool to raise the standard of legal services and expand individual access to justice within the bounds of legal ethics, provided that attorneys use it to supplement rather than to replace their work and AI programmes that do not involve a human attorney do not provide legal advice. AI programmes should not be used only by human solicitors to provide legal advice, and human solicitors must always be involved for AI programmes to provide legal advice. Legal ethics maintains a human aspect in the practice of law in the era of artificial intelligence.[17]

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