

Looking forward

Could technology provide legal empowerment as the government withdraws funding, asks Roger Smith



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Remember IBM? They used to make computers that no one got fired for choosing. Then they went quiet as the new boys on the block—Google, Facebook, Amazon—emerged. Well, IBM is back and hungry; looking for diversified markets; hunting lawyers and illustrating one of the themes of the month—the search to define the future.

IBM Watson

IBM is touting its Watson programme as the lawyers' killer app. Kyla Moran, a senior consultant, has been on the stump to spread the word and this brought her to the *Legal Futures* conference at the RBS building in the City.

Moran talks a good game. And IBM has developed a line for professionals which is repeated at its rolling promotions: "Artificial intelligence (AI) is no threat. Far from it. It is better defined as 'augmented' rather than artificial intelligence. All it promises is to take out the grunt work of processing information. But, humans still have the key roles of inputting the data and reviewing the answers." But, boy, does Watson crunch data. And this can be inputted in an increasing number of forms: verbal, visual or oral. You just give it the raw stuff and it produces statistical correlations with degrees of probability between what, for it, is simply computer code but for you has meaning. So, Watson does not reason as such but within five seconds it can produce guidance on an answer to whatever question you asked of it on any topic on which you have given it sufficient data. Medicine is already a big market. In law,

Moran suggested, it could revolutionise legal research, due diligence searches and, perhaps less predictably, negotiation and court strategies as it responds to data on the decision-making processes of parties and judges. Watson itself is not subject specific. One of its ancestors was Deep Blue which famously beat Gary Kasparov at chess in 1997. More recently, Watson won American general knowledge show *Jeopardy!* in 2011 against human champions.

For law, as Ms Moran it: "Watson needs to be trained". A bunch of Canadian developers now relocated to Silicon Valley are trying to do just that with their Ross programme (which, intriguingly, stands for nothing—they just thought the name sounded unthreatening) and have followed stuffing IBM Watson with Ontario employment by trying out US bankruptcy provisions. Both IBM and its younger sidekick are targeting the UK. So you will hear more of them. And, they may not threaten lawyers' functions but they will certainly reduce their numbers.

Scrums & charrettes

The future is identified not only by new products and processes but by new language. Lawyers may be particularly slow here given their innate verbal conservatism and desire to deal in words with previously defined meanings. But, here are two tests of what you might be missing. First, did you realise that a scrum, in addition to its rugby manifestation, is "a focused yet flexible project management strategy that empowers teams to work through an iterative software development process"? Rather similar is a

"charrette" (pronounced "sure-ette"). You might think that this was just a French cart or lorry. Well, get with the programme. In America, it is an interactive work-shopping experience through which ideas are intensively developed at concentrated speed.

Charrettes were developed in the planning and design field but have spread out. The highly impressive Open Society Foundation (OSF), George Soros' charitable arm, held one recently in Istanbul to brainstorm a possible major programme in multiple countries designed to prove the concept of "legal empowerment". The result was impressive. Around 50 people, a mix of subject and country experts, spent an engaged two days designing a nine country project with a common framework. If the result is approved by the OSF board (pretty much the big man himself) then there will be an important exploration of how to advance access to justice across countries as disparate as Nepal and the US. And the emphasis will be on the importance of basic legal services—advice, information, support—in giving power to people rather than to lawyers. So, watch this space. The OSF has the money and the expertise to deliver. It has already been instrumental in getting the UN to adopt access to justice as part of an international strategic development goal—the first time it has figured as such.

Law Centres

Back in the City (this time at DLA Piper), the Law Centres Network held an annual conference dominated by the future. An opening session brought together Robert Joyce from the Institute of Fiscal Studies, Hazel Thoms from the Scottish Legal Aid Board and Dan Paskins of the Big Lottery Fund (BLF).

Joyce set the scene by analysing how poverty was mutating in modern Britain so that it is increasing the working population rather than the old who are poor. Thoms reflected on the Scottish experience of working within a political framework where its government was pushing all agencies and departments to take a holistic approach in a drive towards greater equality. And this theme was taken up Paskins who set out how the BLF was changing in terms of greater cooperation with other charities; an increased concentration on what the OSF would call legal empowerment; and a recognition, with increasing five-year funding to grantees, that, as government withdraws, it needs to provide the stability that the not-for-profit sector will require. So, legal provision for the poor may be changing if not for some time through the purchase of AI, however defined. **NLJ**

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