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AI AND ACCESS TO JUSTICE IN INDIA: OPPORTUNITIES, CHALLENGES AND THE FUTURE OF LEGAL SERVICES

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ABSTRACT

India's justice delivery system faces a crisis of scale. With approximately 56 million cases pending before the Indian judicial system, persistent judicial vacancies, low judge-to-population ratio, infrastructural deficits, prohibitive litigation costs, inadequate rural accessibility, frequent adjournments, inordinate delays, and cumbersome appeals makes the constitutional promise of equal judicial access largely unfulfilled for a significant population in India. Against this background, Artificial Intelligence (AI) has tremendous potential to emerge as a transformative tool capable of strengthening judicial efficiency and bridging gaps in justice delivery system. This article adopts a socio-legal research methodology to critically examine whether AI can improve access to justice in India without compromising our constitutional values, procedural fairness, transparency, and accountability. Drawing upon constitutional provisions, judicial decisions, government initiatives such as the e-Courts Mission Mode Project, SUPACE, and SUVAS, along with comparative international frameworks, the article explores the opportunities and risks associated with AI all while assessing its legal, ethical, and socio-economic dimensions, algorithmic bias, problems associated with data privacy, and the risk of amplifying India's digital divide. The study explores the central question of whether AI can bridge India's justice gap without compromising constitutional mandates. It concludes that AI holds a remarkable potential to supplement judicial administration, but its usage must be governed by robust regulatory frameworks, independent oversight mechanisms, and strong commitment to human judicial reasoning as the ultimate arbiter of rights.

Keywords: Artificial Intelligence, Access to Justice, e-Courts, Judicial Delay, Digital Divide

1. INTRODUCTION

No freeman is to be taken or imprisoned or disseized of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go against such a man or send against him save by lawful judgment of his peers or by the law of the land. To no-one will we sell or deny of delay right or justice¹. Access to justice is not merely a procedural requirement but an indispensable constitutional requirement. It is grounded in Article 14 and 21 of the Constitution. This is further strengthened by the State's obligation that the operation of the legal system should promote justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities under Article 39A² of the Constitution. In *Anita Kushwaha v. Pushap Sudan*³, the Supreme Court recognized four basic facets which constitute the essence of access to justice, such as: (i) The State must provide an effective adjudicatory mechanism, (ii) The mechanism so provided must be reasonably accessible in terms of distance, (iii) The process of adjudication must be speedy, and (iv) The litigant's access to the adjudicatory process must be affordable.

Nevertheless, the empirical reality of India's justice system presents a deeply troubling picture. As of 2026, approximately 50 million cases remain pending across India's judicial system.⁴ At present, the judge - population ratio in the country works out to be approximately 21 Judges per million population⁵, against the Law Commission's recommendation of a ratio of 50 judges per million.⁶ The Supreme Court necessitated that apart from the steps which may be necessary for increasing the efficiency of the judicial officers, we are of the opinion that time has now come for protecting one of the pillars of the Constitution, namely, the judicial system, by directing increase, in the first instance, in the Judge strength from the existing ratio of 10.5 or 13 per 10 lakh people to 50 Judges per 10 lakh people⁷. High litigation costs further discourage population in the lower income strata from approaching courts, while legal illiteracy particularly in rural and semi-urban areas prevents millions from recognizing or asserting their

¹ Magna Carta, 1215, cl.29, <https://www.archives.gov/files/press/press-kits/magna-carta/magna-carta-translation.pdf>

² Constitution of India, 1950, [Article 39A](#)

³ Anita Kushwaha v. Pushap Sudan, (2016) 8 SCC 509 (India).

⁴ National Judicial Data Grid (2026), https://njdg.ecourts.gov.in/njdg_v3/

⁵ Ministry of Law & Justice, Department of Justice, Number of Judges Per Million Population, <https://sansad.in/getFile/loksabhaquestions/annex/1715/AU1335.pdf?source=pgals>

⁶ Law Commission of India, Report No. 245, Arrears and Backlog: Creating Additional Judicial (Wo)manpower (2014), <https://satyamevjayate.info/wp-content/uploads/2017/08/Law-Commission-report-245.pdf>

⁷ All India Judges' Association v. Union of India, (2002) 4 SCC 247

legitimate legal claims. Geographic isolation further hinders access to qualified legal counsel, despite the institutional framework of the National Legal Services Authority under the Legal Services Authorities Act, 1987.⁸ Under this climate, Artificial Intelligence has emerged as a significant help. AI is utilized across legal systems worldwide, enabling expeditious research, reduced procedural friction, democratized legal information, and enhanced judicial administration.

This article critically examines whether AI can meaningfully bridge India's justice gap without compromising our constitutional mandate and explores the opportunities and risks associated with AI. It proceeds through a doctrinal and socio-legal methodology, analyzing constitutional provisions, judicial precedent, government reports, and comparative international frameworks and finally proposes recommendations for a balanced regulatory framework.

2. UNDERSTANDING AI IN LEGAL SECTOR

Artificial intelligence refers to computer systems that can perform complex tasks normally done by human-reasoning, decision making, creating, etc.⁹. An AI system rests on three building blocks: data, model, and output. AI models are trained on large volumes of data, which they analyze to identify relationships or patterns. During model training and development, the system iteratively evaluates possible logical pathways and reinforces those that yield the most accurate results. In simpler systems, developers can set parameters and adjust the model when outputs require correction. To ensure robust outputs, models can be evaluated for factors such as accuracy, efficiency, and fairness¹⁰. In legal contexts, three categories of AI are particularly important. They are Machine Learning, Natural Language Processing, and Generative AI. Machine Learning, a term coined by Artur Samuel in 1959, meant “the ability to learn without being explicitly programmed.” Machine Learning involves the use of algorithms to parse data and learn from it, and making a determination or prediction as a result¹¹. ML Systems in Law can help in reviewing large volumes of legal documents, retrieving case precedents, assistance in contract drafting, flagging anomalous contract terms, analysis of historical case outcomes and predicting the chance of winning the case, and algorithms can help in reducing the court’s burden.

⁸Legal Services Authorities Act, No. 39 of 1987, § 12 (India).

⁹ NASA, What is Artificial Intelligence?, <https://www.nasa.gov/what-is-artificial-intelligence/>

¹⁰ AI for Justice: Ethical, Fair and Robust Adoption in India’s Courts, <https://www.undp.org/india/publications/ai-justice-ethical-fair-and-robust-adoption-indias-courts>

¹¹ NITI Aayog, National Strategy for Artificial Intelligence, <https://www.niti.gov.in/sites/default/files/2023-03/National-Strategy-for-Artificial-Intelligence.pdf>

Natural language processing (NLP) enables machines to understand, interpret, and generate human language. It helps the computer to understand and generate both written and spoken communication. NLP aids legal research platforms to analyze statutory provisions, summarise judicial decisions, and retrieve relevant precedents with greater speed compared to manual research.

Generative AI, is capable of generating original text, images, audio or video by learning from mass databases. In Law, it can help in drafting legal documents, answering legal queries, and translating legal materials across languages. But its usage carries its own advantages and risks with it.

These technologies are applied in innumerable ways in legal arena today. AI-powered research tools survey hundreds of judgments within seconds, identifying relevant *ratio decidendi*, precedents, and distinguishing factual patterns. Contract review platforms employ Machine Learning to flag risky provisions and compare contractual terms against market conditions. Legal chatbots operate on Natural Language Processing providing guidance to laymen and facilitating legal awareness. Predictive analysis tools help to predict litigation outcomes. Generative AI also helps in generating legal documents such as affidavits, demand notices, pleadings, etc., at reduced cost.

The deployment of AI in legal sector is driven by its growing potential to address the long-standing structural challenges, reducing the time and cost of litigation, enabling greater accessibility of legal aid, and making legal knowledge more accessible. However, the opportunities that AI presents are not devoid of associated risks that require careful consideration.

3. AI AND ACCESS TO JUSTICE IN INDIA

3.1 e-Courts Mission Mode Project

The eCourts Project was conceptualized on the basis of the “National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary – 2005” submitted by eCommittee, Supreme Court of India with a vision to transform the Indian Judiciary by ICT enablement of Courts¹². The project is implemented in three phases, each expanding the scope of digital transformation of Indian Judiciary. It aims at providing time bound citizen centric services, employment of decision support systems in courts, promote

¹² E-Courts Mission Mode Project, e-Committee, Supreme Court of India, <https://ecommitteesci.gov.in/project/brief-overview-of-e-courts-project/>

transparency in accessing information to stakeholders, improving judicial productivity and making access to justice more affordable, reliable, cost effective and predictable.

Phase I of this ambitious project, was dedicated to improve the technological infrastructure in district and subordinate courts. These lower courts were equipped with computer networks, Local Area Network (LAN), server rooms and the Case Information System (CIS). Many District Courts launched their own websites too. The Phase I happened between 2007 up to March 2015, thereby laying down the foundation for Phase II to begin from August 2015. Additional hardware and network facilities were installed, cloud-based architecture was adopted, CIS was standardized with customizable features for High Courts to suit local requirements. The phase introduced video conferencing facilities, online certified copies, electronic payment of court fees and fines, mobile applications, multilingual court websites, and information kiosks in court complexes. A significant milestone is the establishment of **e-Courts National Portal** and the **National Judicial Data Grid (NJDG)** which provides online access to case status, cause lists, court orders, and judgments from district and subordinate courts across India. The **Union Cabinet approved Phase III of the e-Courts Project in 2023** with an outlay of approximately **₹7,210 crores**.

The latest phase seeks to transform court administration through digital case filing, automated hearing scheduling, electronic record management, virtual court proceedings, and the integration of advanced technologies, including AI. AI-assisted scheduling can reduce delays by optimizing hearing calendars and identifying long-pending matters. Digital filing, electronic records, and online case tracking minimize procedural barriers, reduce dependence on physical infrastructure, and enhance transparency by providing litigants and lawyers with real-time access to case information. Virtual court proceedings further improve accessibility for individuals residing in remote and underserved regions, reducing the financial and logistical burden of accessing courts.

3.2 SUPACE and SUVAS

The Supreme Court of India has introduced two noteworthy AI tools, SUPACE (Supreme Court Portal for Assistance in Courts Efficiency) and SUVAS (Supreme Court Vidhik Anuvaad Software) to improve justice delivery. Launched in April 2021, SUPACE is aimed at developing a module to understand the factual matrix of cases with an intelligent search of the precedents apart from identifying the cases¹³. It serves as an assistive tool where it organises

¹³ Ministry of Law and Justice, Use of AI in Supreme Court Case Management

and surfaces information, leaving analysis and adjudication entirely to judicial officers. Article 348¹⁴ mandates that all the proceedings in Supreme Court and High Court shall be in English, and that the Governor of the respective state, may with the previous consent of the President, authorize usage of Hindi or other language for the proceedings. Further, in order to promote regional languages in judicial procedure, Supreme Court developed SUVAS which a machine assisted translation tool trained by Artificial Intelligence. SUVAS has been developed with technical support from Ministry of Electronics and Information Technology. This tool is specially designed for judicial domain and currently has the capacity of translating English Judicial Documents, orders or Judgments into ten vernacular languages which are: Hindi, Kannada, Tamil, Telugu, Punjabi, Marathi, Gujarati, Malayalam, Bengali, Urdu and vice-versa¹⁵. This initiative directly promotes legal awareness and inclusivity beyond linguistic barriers.

3.3 Legal Aid and AI

India's legal aid in India is administered through the National Legal Services Authority and State Legal Services Authorities under the Legal Services Authorities Act, 1987¹⁶. Legal Aid is a constitutional mandate under Article 39A¹⁷. AI-powered legal chatbots and virtual legal assistants can substantially augment legal aid delivery by providing preliminary legal information, assisting in form completion, and identifying appropriate forums for grievance-redressal without requiring a qualified advocate for every initial interaction. Chatbot tools capable of operating in multiple Indian languages, including regional dialects, have the potential to democratize basic legal knowledge in communities where legal literacy is minimal. An accessible AI interface can serve as a meaningful first point of contact with the legal system bringing justice system closer to those who remain excluded from it.

3.4 Rural Justice and Accessibility

The geographic concentration of qualified legal professionals in metropolitan and Tier-1 cities creates a structural deficit in terms of accessibility that AI can partly address. AI-assisted legal research platforms reduce the informational advantage that well-resourced urban litigants currently hold over rural parties whose counsel may lack access to comprehensive legal databases. Language translation tools of the kind exemplified by SUVAS can bring judicial

¹⁴ Constitution of India, 1950, [Article 348](#)

¹⁵ Ministry of Law and Justice, Action Plan for Simple, Accessible, Affordable and Speedy Justice.

¹⁶ Legal Services Authorities Act, No. 39 of 1987 (India).

¹⁷ Constitution of India, 1950, [Article 39A](#)

reasoning to communities that remain due to linguistic barriers. That said, any assessment of AI's potential in rural justice must remain attentive to infrastructural prerequisites such as reliable internet connectivity, digital literacy, and access to devices, which still remain highly inaccessible to rural areas.

4. REGULATIONS FOR USE OF ARTIFICIAL INTELLIGENCE IN COURTS, 2026

The Supreme Court of India, proposed Draft Regulations for Use of Artificial Intelligence in Courts, 2026¹⁸, hereinafter referred to as Draft Regulations, and invited suggestions with the aim of governing use of AI in Courts and promoting principles of human primacy, transparency, accountability, data privacy, and judicial independence. The draft comprises of ten chapters governing the deployment of AI Systems in Court, permissible and prohibited uses, institutional mechanisms, data protection and cyber security, training and best practices, and grievance redressal mechanisms. Section 2¹⁹ states that it shall apply to the use, deployment, or integration of Artificial Intelligence in judicial, adjudicatory or administrative function of the Supreme Court, High Courts, and all Courts including the Tribunals and statutory Commissions within the territory of India.

Chapter II of the Draft Regulations²⁰ provides the general principles to govern adoption, deployment and use of AI systems in Courts. Section 4²¹ specifically provides that AI shall be subservient to human judgment and have only assistive capacity while the ultimate adjudicative authority shall remain with judicial officers. AI should strictly be bound by Constitutional law, other laws in force and Principles of Natural Justice. AI systems should promote fairness, non-discrimination, transparency, accountability. Further the processing of personal data through AI shall be governed by Digital Personal Data Protection Act, 2023 and Right to Privacy shall be ensured at all times. Use of AI shall be proportionate to the nature and complexity of the work and use of AI shall not replace humans as far as decision making is concerned or for dispute-outcome prediction.²²

Chapter III governs the permissible and prohibited uses of AI. The permissible uses of AI include, but not limited to case management, filing, scheduling, automated transcription of court proceedings, translation of legal documents, legal research, precedent retrieval, defect

¹⁸ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft]

¹⁹ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft], [Section 2](#)

²⁰ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft]

²¹ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft], Section 4

²² Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft], Section 5, 6, 7, 8, 10, 12, 16

scrutiny, conversational AI assistants, text-to-speech, speech-t-text, Braille translation and visual assistance tools for disabled people, document verification, for monitoring backlogs, auto generated notice, summons, etc., with the approval of appropriate authority. The prohibited usage involves using personal data to train or test AI systems, judicial outcome reached through algorithmic decision-making alone, AI adjudication or sentencing without mandatory human-in-the-loop, using AI for risk scoring, prediction of recidivism, determining bail eligibility, credibility of parties or witnesses, any other usage affecting lawful rights or personal liberty of party, or to predict their future conduct, using AI for surveillance of judicial officers, advocates or litigants unless specifically authorized, submission of AI generated output to court without disclosure or any other usage which may compromise the confidentiality of the judicial processes. All these prohibitions are absolute and are subject to no compromise²³. Chapter VII regulates data protection and cyber security. AI systems in Indian Judiciary must comply with provisions of Digital Personal Data Protection Act, 2023, the Information Technology Act, 2000, and the relevant rules and regulations. Sensitive data shall not be transferred to external system save with express authority of appropriate authority and anonymity of personal data shall be ensured without compromise of its utility²⁴.

5. CHALLENGES AND RISKS

5.1 Algorithmic Bias and Discriminatory Outcomes

One of the significant problems in deployment of AI is algorithmic bias. AI being powered by Machine Learning, relies heavily on the historical data sets which often results in systematically unfair, biased and discriminatory outcomes including gender bias, racial bias, etc., This makes the reliability of AI assistance questionable. For instance, the COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) found that black defendants are more likely than white defendants to be incorrectly judged as having higher risk of recidivism, while the latter were flagged as low risk²⁵.

Algorithmic Bias can severely undermine the Constitutional guarantee under Article 14²⁶ which ensures equality before law and equal protection of laws. Any AI system that produces structurally discriminatory outcomes is arbitrary. Where an act is arbitrary it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore

²³ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft], Section 19, 20

²⁴ Regulations for Use of Artificial Intelligence in Courts, 2026 [Draft], Section 47, 48

²⁵ Pro Publica, How We Analyzed the COMPAS Recidivism Algorithm, <https://www.propublica.org/article/how-we-analyzed-the-compas-recidivism-algorithm>

²⁶ Constitution of India, 1950, [Article 14](#)

violative of Art. 14²⁷.

5.2 Transparency and the Black Box Problem

Black Box Problem in AI refers to the lack of transparency in AI systems. Basically, the users can only see the input and output, whereas, the internal reasoning remains hidden. Therefore, any recommendation, prediction, or assessment produced by such a system cannot be questioned in the manner that a judicial or an administrative decision ordinarily must be.

This lack of transparency is incompatible with Principles of Natural Justice such as *audi alteram partem* (the right to be heard) and *nemo judex in causa sua* (the rule against bias), which require that the bases of decisions affecting legal rights be transparent. If a litigant is adversely affected by an AI decision that cannot be explained, the right to a fair hearing is rendered illusory.

5.3 Accountability Gaps

Incorporation of AI into justice delivery system will create accountability problems. When an AI system produces erroneous legal information, an inaccurate risk assessment, or a biased analysis which influences a judicial outcome, the question of legal responsibility becomes challenging as the responsibility cannot be pinned on a single party such as the software developer, or the court or tribunal that relied on AI or the government or lawyer who deployed AI legal assistance.

The existing Indian laws such as Information Technology Act, 2000²⁸ or the Digital Personal Data Protection Act, 2023²⁹ do not provide a clear statutory framework specifically addressing the use of AI in legal systems. The absence of an express statute governing AI in India means that accountability for deployment of AI and the resultant errors in legal field must currently be resolved through general principles of tort and contracts, which is inadequate for the scale of risk involved. However, the Supreme Court of India has released Draft Regulations for Use of Artificial Intelligence in Courts on 3rd July 2026 which effectively aims to regulate the use of AI in legal systems while ensuring transparency, accountability, and data protection.

5.4 Data Privacy and Protection

Data Privacy and Protection is one the most pressing issues in any AI system. Specifically, AI

²⁷ *E. P. Royappa vs State Of Tamil Nadu & Anr, 1974 4 SCC 3*

²⁸ The Information Technology Act, No. 21 of 2000 (India)

²⁹ The Digital Personal Data Protection Act, No. 22 of 2023 (India)

in law utilizes sensitive personal data such as details of criminal proceedings, family disputes, financial information, medical records tendered in evidence, and other intimate information whose breach would cause severe damage to the individual concerned. Therefore, the AI systems that process this data requires the highest standards of data protection standards.

The DPDP Act, 2023³⁰ establishes a consent-based framework for data processing and creates obligations upon Data Fiduciaries, including requirements of purpose limitation and data minimization. However, the Act's adequacy for legal sector remains inadequate. Moreover, the confidentiality obligations that govern a counsel-client relationship under the Advocates Act, 1961³¹, may be imperiled by AI systems that process privileged communications without adequate safeguards.

5.5 Digital Divide

Perhaps the most systemic risk in incorporating AI in legal system is that, it may deepen the existing digital inequality. Approximately 50% of India's population lacks reliable internet connectivity. Digital illiteracy which is prevalent among older populations, marginalized communities, and those with limited formal education furthers this digital gap. Besides, a justice system that is progressively digitized leaves room for AI-mediated risks, making justice structurally inaccessible to those populations whose access is already precarious. Digitalization without adequate policies for ensuring access to justice would violate right to access to justice under Art. 21 of the Constitution.

The SC laid down the four facets of access to justice in *Anita Kushwaha case*³², i) The State must provide an effective adjudicatory mechanism; ii) The mechanism so provided must be reasonably accessible in terms of distance; iii) The process of adjudication must be speedy; and iv) The litigant's access to the adjudicatory process must be affordable.

5.6 Ethical Concerns and Judicial Independence

Adjudication is not just the mechanical application of to the facts. It is the exercise of moral reasoning, the balancing of competing values, the interpretation of ambiguous legal text, and calibration of justice to context. They are fundamentally human functions that require empathy, wisdom and a capacity for moral imagination that today's artificial intelligence systems simply cannot match.

³⁰Id.

³¹ The Advocates Act, No. 25 of 1961 (India)

³² Anita Kushwaha v. Pushap Sudan, (2016) 8 SCC 509

SC in *S.P. Gupta v. UOI*³³ affirmed independence of judiciary as a part of basic structure of the Constitution. A judge whose reasoning is substantially shaped by automated decision-making systems cannot meaningfully exercise independent judicial judgment. The ethical dimension of AI in law therefore requires the maintenance of human judicial reasoning as the sovereign irreplaceable element of adjudication.

6. COMPARATIVE ANALYSIS

6.1 European Union

The EU's AI Act³⁴ represents the world's first, comprehensive binding regulatory framework for AI globally. The Act adopts a risk-based approach, that identifies AI systems as unacceptable, high, limited or minimal/no risk with proportionate regulations ranging from total ban or no restriction.

The EU AI Act classifies judicial AI as high-risk, acknowledging the need for stricter regulation. It requires human oversight, where AI outputs are subject to review. The Act also calls for the establishment of an AI Office and national competent authorities, creating dedicated regulatory infrastructure that India currently does not have.

6.2 Singapore

Singapore relies on voluntary model and general laws. The PDPA Act, 2012³⁵, regulates use of personal data by organizations to train AI systems, automated decision making, etc., The Computer Misuse Act, 1993³⁶, addresses unauthorized access to computer systems, malicious use of credentials, scams and deepfake issues. Copyright Act, 2021³⁷, Road Traffic Act, 1961³⁸, Health Products Act, 2007³⁹, etc., addresses sector-specific utilization of AI. This emphasises human-centric design and explainability while ensuring human primacy in judicial decision making.

6.3 United Kingdom

UK has a principle-based framework regulating AI. The White Paper, 2023⁴⁰ established five

³³S.P. Gupta v. Union of India, (1981) Supp. SCC 87 (India)

³⁴Regulation 2024/1689 of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act), 2024 O.J. (L 1689) 1.

³⁵ Personal Data Protection Act 2012 (2020 Rev. Ed.) (Singapore).

³⁶ Computer Misuse Act 1993 (2020 Rev. Ed.) (Singapore).

³⁷ Copyright Act 2021 (2020 Rev. Ed.) (Singapore).

³⁸ Road Traffic Act 1961 (2020 Rev. Ed.) (Singapore).

³⁹ Health Products Act 2007 (2020 Rev. Ed.) (Singapore).

⁴⁰ Dep't for Sci., Innovation & Tech., *A Pro-Innovation Approach to AI Regulation*, CP 815 (2023) (UK).

core principles such as safety, security and robustness, transparency and explainability, fairness, accountability and governance, and contestability and redress, which regulated AI usage. UK further has the Digital Regulation Cooperation Forum for governance of AI integration. Digital privacy, systemic risks, deepfakes, etc., while there is no exhaustive statute governing the sector, multiple are-specific statutes have been passed by the UK Parliament such as Online Safety Act, 2023⁴¹, Data (Use and Access) Act, 2025⁴², and Crime and Policing Act, 2026⁴³. In the case of *R (Bridges) v. Chief Constable of South Wales Police*⁴⁴, it was held that the use of the live facial recognition technology by the police violated privacy by granting excessive discretion to police to add people to watchlist and where cameras should be deployed.

6.4 United States

US uses AI to support administration of justice rather than as a replacement for human decision making. Various states have adopted or proposed legislation governing AI in criminal justice, predictive risk assessment tools used in bail, sentencing, and parole decisions. COMPAS is a risk scoring algorithm used to evaluate defendant's risk of recidivism. AI is further used in facial recognition, predictive policing, ballistic analysis, and forensic DNA. The EO 14110⁴⁵ was an initiative designed to balance AI and civil rights. However, it was rescinded in 2025 to pave way for more development in AI.

7. THE FUTURE OF AI IN LEGAL SERVICES

The trajectory of AI development suggests that we are still in early phases. In the near future, AI driven legal research will become more complex and capable of contextual synthesis than mere retrieval. Smart courts with AI assistance in case management, evidence analysis and real-time translation and virtual hearings will alter the experience of litigation. The application of Online Dispute Resolution (ODR), is a crucial frontier in the quest for expanding access to justice. ODR can significantly cut down caseloads of traditional court systems.

Predictive analytics tools may assist legal aid organizations in classifying cases based on merit and providing prioritized assistance. AI-assisted legal education provides access to high-quality legal training, developing a larger corpus of legally informed citizens. However, realization of

⁴¹ Online Safety Act 2023, c. 50 (UK).

⁴² Data (Use and Access) Act 2025, c. 18 (UK).

⁴³ Data (Use and Access) Act 2025, c. 18 (UK).

⁴⁴ *R (on the application of Bridges) v. Chief Constable of South Wales Police*, [2020] EWCA (Civ) 1058 (Eng.).

⁴⁵ Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence, Exec. Order No. 14,110, 88 Fed. Reg. 75,191 (Oct. 30, 2023).

such possibilities is dependent upon a number of factors including the investment in digital infrastructure among others.

8. RECOMMENDATIONS

First, India should enact a comprehensive AI Policy governing the permissible scope of AI deployment in courts and classifying it as high-risk AI with strict regulations.

Second, the statutory should mandate human in the loop systems, especially in AI used for decision making purposes, thereby ensuring judicial integrity and independence. AI must be used solely to supplement and not supplant human reasoning.

Third, parties must be informed regarding usage of AI in their case and the outputs generated by judicial AI tools must be accompanied by intelligible explanations of the factors and logic underlying them.

Fourth, independent algorithmic audits should be required before the deployment of AI systems in courts and legal aid contexts, and periodically thereafter, to identify and remediate bias and accuracy deficiencies.

Fifth, induction and training programmes should be established to equip judges, magistrates, and legal aid providers with the knowledge necessary to critically evaluate AI-generated outputs and exercise informed oversight.

Sixth, the legal sector should be designated as sensitive data domain under DPDP Act, 2023, with sector-specific guidance issued by the Data Protection Board addressing the processing of legally privileged information, case records, and sensitive personal data in AI systems.

Seventh, AI deployment in courts must be accompanied by adequate offline alternatives, assisted digital access points, and accessibility accommodations for persons with disabilities and those with digital literacy constraints.

Eighth, an AI Ethics Council for the Judiciary should be constituted, comprising judicial officers, legal academics, civil society representatives, data scientists, and representatives of marginalized communities, to provide advisory oversight of AI adoption in the justice system.

9. CONCLUSION

The issue raised by this article about the ability of AI to close the gap in Indian judiciary, without undermining constitutional values is an issue that cannot be answered either positively or negatively. It is a conditional answer as AI can contribute meaningfully in improving access to justice only if its integration is governed by proper legal frameworks, human oversight, and

commitment to the constitutional values.

India's use of SUPACE, SUVAS, and the e-Courts Mission Mode Project is indicative of how AI can increase judicial efficiency without undermining judicial discretion. These programs deserve to be appreciated for being an example of constitutionally valid use of technology. On the other hand, the problems of bias, lack of transparency, accountability problems, invasions of privacy, and exclusion of people from the digital world cannot be overlooked.

The comparative experience of the European Union, Singapore, the United Kingdom, and the United States reveals a consistent international consensus that AI in justice-related contexts is high-risk, requires mandatory human oversight, and must be subject to proactive regulation rather than reactive correction. India's legislative and regulatory framework has not yet reached this level of specificity, and the gap must be urgently addressed.

