After I graduated from law school, I was offered a short internship to work for a charity called Bail for Immigration Detainees in Oxford. This incredible charity challenges immigration detention in the UK through the provision of pro bono legal advice and representation for asylum seekers. It was supposed to be a two-month internship, but after I saw firsthand the shocking conditions inside immigration detention centers, I stayed for over six months.

My role was to take statements from clients and prepare bail applications to secure their release from detention centers. I also prepared judicial reviews and temporary admission applications. As the only lawyer in the office who could speak French, I was allocated clients from the Democratic Republic of Congo and other French-speaking countries in central Africa. Initially most of this work was conducted over the telephone with people held in immigration centers around the country. However, occasionally I would visit them at immigration removal centers.

Meeting and talking to vulnerable people, including mothers with young children, held in what are essentially prisons, made a lasting impression on me. The mothers were desperate to speak to someone in their own language who was there to help them. Many of them had paid fraudulent legal advisors who preyed on vulnerable asylum seekers by handing out leaflets outside churches in large immigrant communities. They were told to make all sorts of statements to authorities that ultimately worked against them in their asylum application. Often the first time they had told anyone the true horrifying facts of their journey was when I was sat opposite them in a detention center, but by that stage it was too late.

When I started my internship, there was a huge backlog of cases of people looking for help. With only a handful of volunteers, there was no way anyone could make a dent in the backlog, and I was acutely aware that every day a file sat in a filing cabinet was another day a person sat in a detention center. However, I soon realized that the bail application process was highly repetitive. While each applicant had his or her own story to tell, I still found myself reusing text in applications to describe the conditions in various countries, to
describe the likelihood of the applicant absconding, the good standing of their sureties, the unlawfulness of continued detention, and so on.

I realized that if the drafting of bail applications, judicial reviews, and so on could be partly automated, then I would be able to clear the backlog quicker and secure the release of more people who could then get the help they desperately needed. The applications were completed using a very inefficient process, and usually required spending time reading through files to find cases with similar facts, and copying some of the arguments made in previous successful cases.

While all good secretaries will know their way around Microsoft Word like the back of their hand, none of the volunteers in this charity’s office knew how to create and run a Microsoft Word macro. Macro-enabled documents allow users to automate frequently used tasks by creating and running a series of commands and instructions that you group together as a single command to accomplish a task automatically. I set up new macro-enabled templates, forms, and spreadsheets that enabled me to simply click on answers to automate the drafting of various applications.

With this basic setup, I was able to increase the number of applications and made a big dent in the case backlog. I was then able to help with more complicated cases; in particular, it allowed me to spend time on an immigration detainee who had been held for over four years in immigration detention due to administrative failures. His file was the fattest one in the filing cabinet, and some volunteers had tried to work on his case and got nowhere, but I was now able to dedicate a few days to review his file in detail. I was delighted to hear of his release in a news report shortly after I had left the charity, with the government coming under fire for its failures in the case.

Although it wasn’t cutting-edge technology, even by standards then, the experience made me see the potential powerful role that technology could play in opening up access to justice, and is the original inspiration for the ideas that form the basis of this book. There is so much potential to improve society at the intersection where content, technology, and law meet.

I have spoken to many lawyers who are vehemently against the automation of legal services, and I agree with many of their arguments. Technology must not replace the right to a fair trial with in-person legal representation when the fate of their lives is at stake. A concern I had as I wrote this book was the prospect that it would be used to support arguments justifying further cuts to legal aid and court support services, and replace these with automated
technology. As you will read in the chapters that follow, this is not what the
automation of legal services is about, and I strongly support increasing public
legal aid funding.

However, I am also acutely aware of the justice gap, and the reality is that
there will never be enough lawyers or sufficiently funded government services
to come anywhere near to closing this gap. There is a latent demand for legal
services that the current structural model of law firms will simply never be
able to address. The fate of people who were wrongly held in immigration
detention centers, and deported back to misery, might have been different if
they had a low-cost app on their smartphone that gave them the right guid-
ance, instead of falling victim to fraudsters.

We are also in a digital age, and businesses and people generally now
expect to do simple legal tasks themselves given the right online tools. There
is also the issue of quality and scale. In a growing number of instances the
standard, speed, and quantity of legal work is better when delivered using data
analytics, artificial intelligence, smart contracts, and other such technologies.

While we must not become blind cheerleaders for the automation of legal
services, nor must we dismiss it out of hand through fear of the unknown. I
hope this book will help you to figure out why and where you can increase
automation in your legal practice, for the good of your firm and of society.

Hugh Logue