

Justice in the machine age: what the Master of the Rolls' AI vision could mean for UK courts – and for business

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In a wide-ranging speech on 4 February 2026, the Master of the Rolls argued that modern justice cannot keep pace with today's data-heavy disputes without greater use of technology and AI. He points to faster online resolution and new approaches to evidence, but flags difficult questions around legitimacy, human oversight, and the European regulatory direction of travel.

The central proposition is that the justice system is being squeezed from both sides: on the one hand, higher expectations of equal access and timely outcomes; on the other, rapidly growing volumes of digital material and procedural complexity that slow cases down and drive cost.

The speech is optimistic about the trajectory of AI capability and clear that the status quo is unlikely to be sustainable. It also recognises that the most sensitive question is not whether AI can help, but where it can legitimately sit within decision-making that affects rights, liabilities and liberty.

Background

The Master of the Rolls frames modern justice as a productivity issue as much as a constitutional one. Delay and inefficiency, he suggests, impose real economic and psychological costs on individuals and organisations. He links today's strain to the "massive quantities of data and documents" now typical in disputes, and to evidence rules and practices that have become cumbersome when applied to modern digital records.

He also advances a broader social claim: that the "sophistication" of modern life creates more criminality and disputes, particularly in areas such as online scams and cyber-enabled misconduct. An alternative take on this rise in disputes is that the legal framework has expanded routes to redress and increased reporting. Either way, the practical issue is the same: courts and tribunals face more demand, more material, while at the same time facing higher expectations of speed and accessibility.

Analysis

1. AI as the new "front door" to claims and complaints

One of the speech's most consequential predictions for business is that generative AI will lower the barrier to entry for pursuing disputes. The Master of the Rolls suggests that where the first port of call used to be a lawyer (if available and affordable), it is increasingly a general-purpose AI tool. That shift matters because it allows a would-be litigant to convert a mass of documents and personal information into something that resembles a legal claim – quickly and at minimal marginal cost.

If that prediction holds, organisations should plan for an increase in the volume of legally-styled correspondence and threats of proceedings from self-represented parties. The likely impact is not limited to increases in issued claims. It will be felt earlier in the lifecycle: complaint escalation, pre-action letters, consumer and employee disputes, and complaints to the regulator. In these pre-action scenarios, there is little (in terms of the usual adverse costs risks) to dissuade potential claims from converting a grievance into an AI-powered legal threat, such that the quality of the AI tools' output matters less. Moving into the stage of formal proceedings, the prospect of claimant-focused law firms and claims management companies using AI to further commoditise their own offerings is likely to drive volumes up further still.

There are still constraints on how far this will go. Issue fees and adverse costs risks (where they apply) deter some low-value litigation, and low-quality AI outputs can create their own friction. But even imperfect automation will still increase the volume of claims, with more of them arriving in a polished, claim-ready format. That will make early triage more demanding for organisations.

2. Resources should be allocated proportionately – widely accepted in principle, but difficult to execute

The Master of the Rolls argues for a pragmatic reallocation of resources: minor disputes should not absorb the same judicial time and procedural machinery as major ones. That logic of proportionality makes sense - but the practical question is how the system draws lines in a way that remains fair. A dispute that looks modest on paper can be significant in real terms for a vulnerable party or a small business, as can one that could have precedent effect for other similarly situated parties.

This tension becomes more acute as technology enters the picture. If streamlined processes are powered by AI, the risk is that speed and consistency become proxies for justice in contexts where nuance matters. The speech therefore points towards a model in which the system becomes more “tiered”: rapid, technology-enabled pathways for certain categories of dispute, with safeguards and escalation routes where outcomes materially affect rights or welfare.

3. Evidence, authenticity and the deepfake challenge

A major theme is that modern justice is being slowed by the way evidence is processed, authenticated and proved. The Master of the Rolls questions whether it remains realistic to require every fact to be proved through traditional human witness evidence in an era of advanced computing and verification tools, and envisages technology playing a larger role in validating evidence.

For corporates, this could potentially be significant: evidence will increasingly be judged not just on content, but on the provenance and integrity of data. At the same time, the speech’s optimism about verification may look ambitious in the face of a growing reality for investigations and disputes: synthetic content and fabricated digital records are becoming easier to generate and harder to

detect. Any push towards technology-driven authentication is therefore likely to increase – not reduce – the importance of robust data governance, chain-of-custody discipline, and defensible collection and preservation practices.

4. Machine-made decisions and the legitimacy problem

The speech contemplates whether parties might, in some contexts, agree to outright machine-made judicial decision-making. The attraction is obvious: faster and cheaper outcomes, particularly where AI capability improves and current hallucination concerns diminish over time.

The legal constraint is equally obvious. The speech raises whether a machine can satisfy the requirement for an “independent and impartial tribunal” under Article 6 of the European Convention on Human Rights, and suggests that the right to a human decision-maker may become entrenched.

In the near future the biggest development in AI enabled justice may occur outside the courts first, through an increase in AI-enabled alternative dispute resolution (ADR): businesses embedding streamlined (and increasingly automated) resolution pathways into customer and supplier terms (to the extent permitted by regulatory constraints, noting that UK regulators may take a cautious approach to these mechanisms), and a growing market of private providers offering rapid, lower-cost resolutions for routine disputes.

5. Regulatory gravity – the EU AI Act and “human oversight”

The speech also places AI-enabled justice in its European regulatory setting. It highlights the EU AI Act’s approach to high-risk systems (including those connected with the administration of justice), which emphasises effective oversight by natural persons. That matters for two reasons. First, it signals the regulatory preference for human accountability even where AI is used at scale. Second, it creates cross-border compliance considerations for any system used in disputes involving EU-connected persons, operations or investment – even where the forum is the UK.

Practical takeaways

- **Prepare for higher-volume dispute intake** – invest in early triage capability across legal, customer, HR and compliance functions to deal with complaints or claims quickly and consistently.
- **Reassess ADR and complaints design** – consider whether lower-value disputes should be routed into streamlined ADR pathways (including AI-assisted steps), with clear escalation routes and documented safeguards.
- **Upgrade evidence readiness now** – strengthen retention, provenance, audit trails, and defensible collection processes. Treat authenticity and chain of custody as board-level risk issues in sensitive disputes.
- **Set internal rules for AI use in disputes and investigations** – covering confidentiality, privilege risk, sign-off expectations, and record-keeping around prompts and outputs used in decision-making.
- **Track reform and engage early** – where consultations emerge on evidence, online resolution, or automation in decision-making, corporates should contribute practical input, especially on fraud risk, deepfakes, fairness and operational feasibility.

Conclusion

The direction of travel is clear: as disputes become more data-heavy, litigants and the courts will rely more heavily on technology and AI to resolve them. For businesses, the most immediate impact is likely to sit outside the courtroom: more complaints, with greater pressure to resolve quickly, and issues of evidence integrity and provenance (to counter deepfake capabilities). Organisations that invest early in complaint handling, ADR strategy, and evidence governance will be better placed to manage both the shift in the behaviour of litigants and the longer-term direction of court reform.

Part II of the Independent Review of the Criminal Courts, published on the same day as the Master of the Rolls' speech, pushes a similar agenda from a criminal courts perspective. It argues that without technology-enabled processes, better early-stage decision-making and more disciplined case management, the system cannot regain momentum. Together, the two interventions sketch a justice landscape that is moving towards higher throughput, more automation at the margins, and stronger expectations on parties to manage digital material defensibly.

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