**New guidance on generative AI for the Bar**

The Bar Council has issued [new guidance for barristers](https://www.barcouncilethics.co.uk/documents/considerations-when-using-chatgpt-and-generative-ai-software-based-on-large-language-models/) navigating the growing use of ChatGPT, and other generative artificial intelligence (AI) large language model systems (LLMs).

It concludes that there is nothing inherently improper about using reliable AI tools for augmenting legal services, but they must be properly understood by the individual practitioner and used responsibly.

The guidance, available on the Bar Council ethics and practice hub, sets out the key risks with LLMs: anthropomorphism; hallucinations; information disorder; bias in data training; and mistakes and confidential data training.

It explores the considerations for practitioners when using LLM systems:

* Due to possible hallucinations and biases, it is important for barristers to verify the output of LLM software and maintain proper procedures for checking generative outputs.
* ‘Black box syndrome’ – LLMs should not be a substitute for the exercise of professional judgment, quality legal analysis and the expertise that clients, courts and society expect from barristers.
* Barristers should be extremely vigilant not to share with an LLM system any legally privileged or confidential information.
* Barristers should critically assess whether content generated by LLMs might violate intellectual property rights and be careful not to use words which may breach trademarks.
* It is important to keep abreast of relevant Civil Procedure Rules, which in the future may implement rules/practice directions on the use of LLMs, for example, requiring parties to disclose when they have used generative AI in the preparation of materials, as has been adopted by the Court of the King’s Bench in Manitoba.

**Launching the guidance, Sam Townend KC, Chair of the Bar Council, said:**

“The growth of AI tools in the legal sector is inevitable and, as the guidance explains, the best-placed barristers will be those who make the efforts to understand these systems so that they can be used with control and integrity. Any use of AI must be done carefully to safeguard client confidentiality and maintain trust and confidence, privacy, and compliance with applicable laws.

“This Bar Council guidance sets out the key risks and considerations and will support barristers using LLMs to adhere to legal and ethical standards. It will be kept under review and practitioners will need to be vigilant and adapt as the legal and regulatory landscape changes.”

The guidance has been developed by the Bar Council’s IT Panel in consultation with the Bar Council’s Regulatory Review Panel. It does not comprise legal advice and is not ‘guidance’ for the purposes of the BSB Handbook 16.4.