

AI in the family justice system

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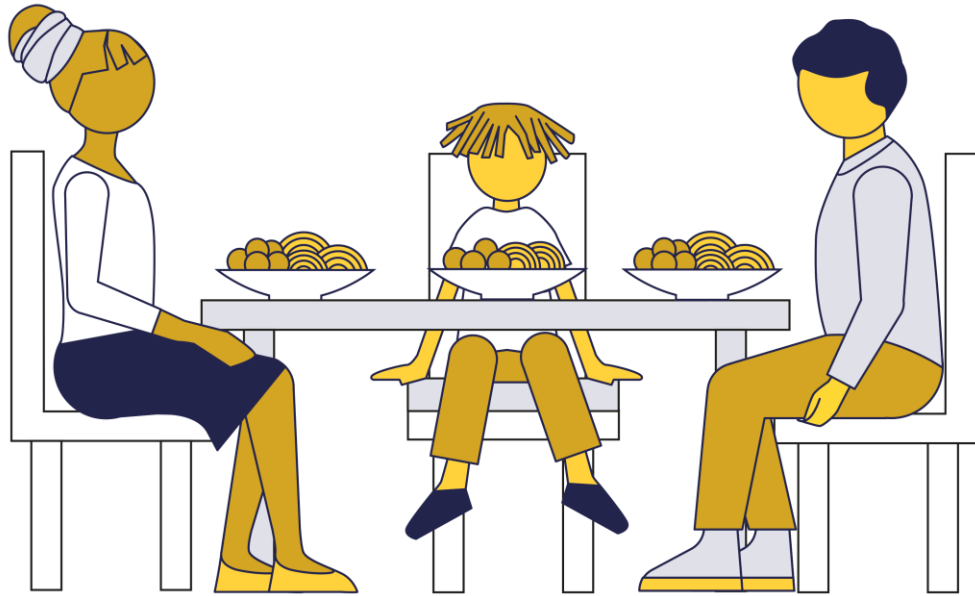
CELCIS Emerging Insights Series: AI and Children's Social Care - 24 August 2026

Based on a briefing by Renate Samson and Aliya Saied-Tessier

Briefing: www.nuffieldfjo.org.uk/resource/ai-in-the-family-justice-system-2026



Why this matters now

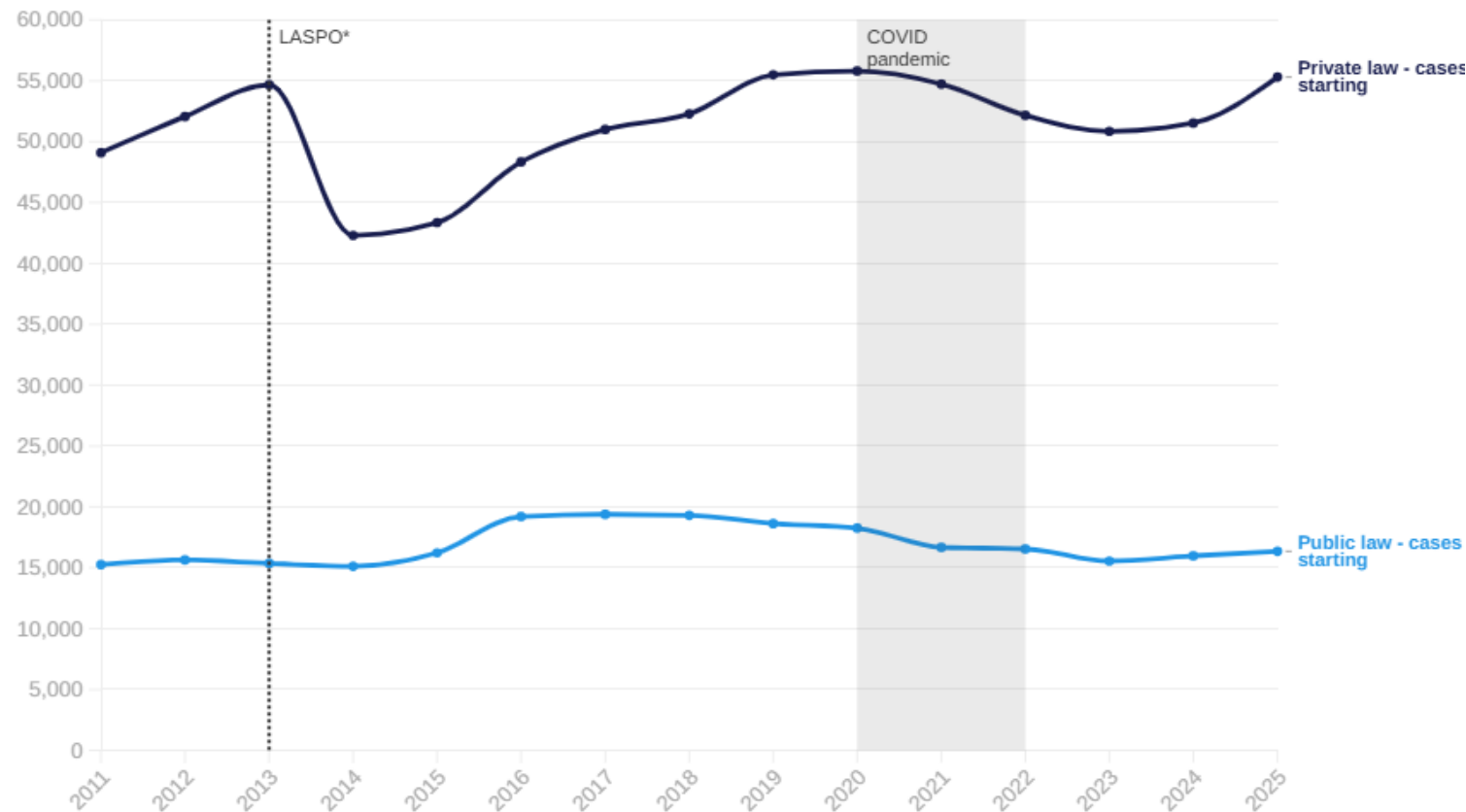


- AI is being used by the judiciary and by family justice actors (e.g., social workers)
- AI is being used by families
- Potential to improve access, efficiency and decision-making
- But risks are high in family justice due to vulnerable groups and high-stakes decisions
- Children are at the centre of decisions

Is AI driving new trends?

Last year saw the steepest rise in private law applications in the last 10 years

Cases starting in public and private law in England and Wales, 2011–2025



Source: [Ministry of Justice. Family Court Statistics Quarterly. 2026](#) • *Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012

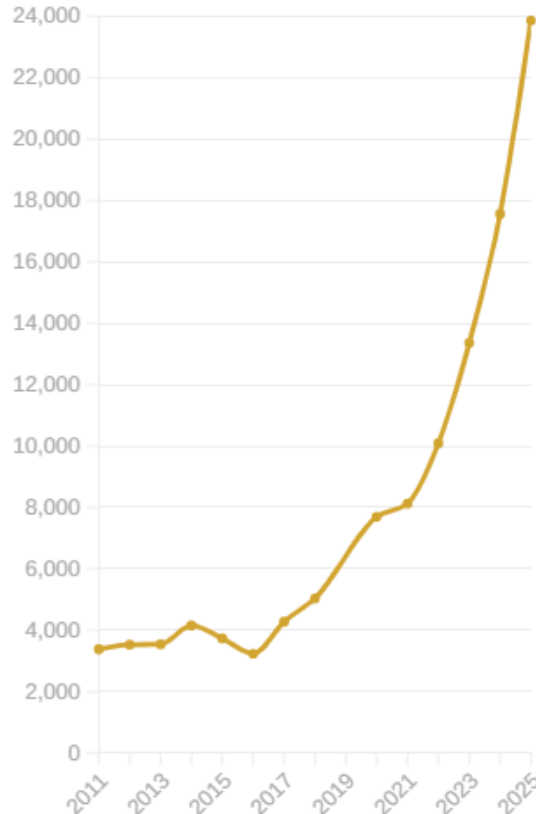
There has been an increase in demand across family courts and tribunals

Cases starting in private law and selected tribunals, 2011-2025

Private law - cases starting



SEND tribunals



Child support tribunals



Source: [Ministry of Justice. Family Court Statistics Quarterly](#), [Tribunal Statistics Quarterly](#). 2026

What do we mean by AI?

Artificial intelligence (AI) – broad term for tools that perform tasks usually requiring human intelligence

General-purpose AI - AI trained on vast quantities of data

Generative AI - AI that is used to create new text, video, audio or code

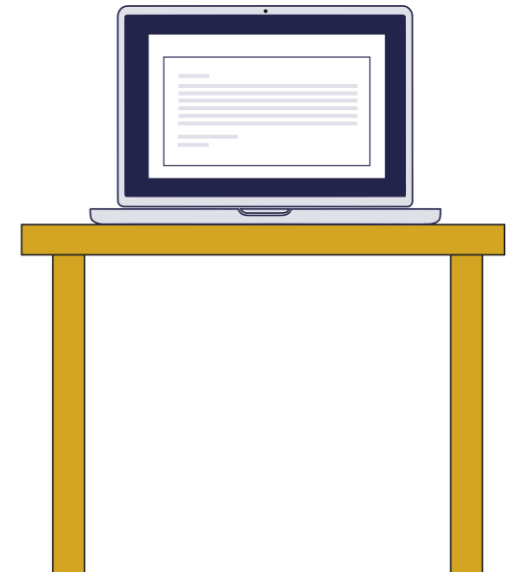
Large language models - a type of generative AI that produce text output e.g. ChatGPT, Co-pilot and other AI chatbots

Hallucination– ‘feature’ of general-purpose AI; false or misleading responses presented as fact

Machine learning - building models to identify patterns and/or predict events without being programmed by a human (Maini 2017).

Narrow AI – AI trained on specific data to complete specific tasks

**No single consensus
around a definition of
artificial intelligence.**



Solvable problems?

Improving families' experiences: Research consistently shows people in family court often have negative experiences and do not understand language

Gaining efficiencies from processing/administrative tasks (e.g., document review, transcription, case management and drafting)

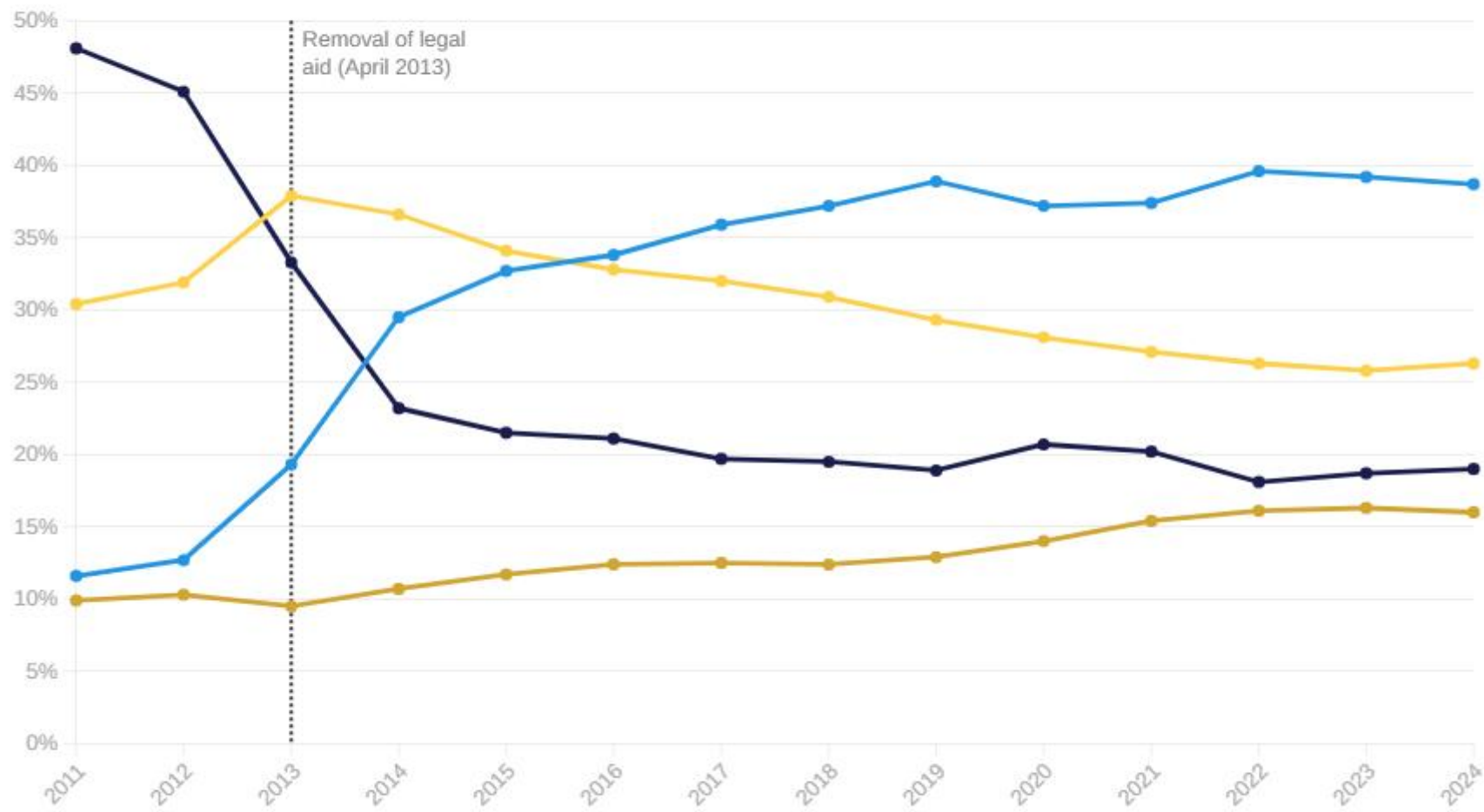
Supporting decision making (e.g., predictive analysis and risk assessment)

Could AI be used to help busy professionals better support families in public and private law proceedings?

80% of cases in private family law proceedings involve at least one unrepresented party

Legal representation of parties in private law proceedings, 2011-2024

■ Both Applicant and Respondent ■ Applicant only ■ Respondent only ■ Neither Applicant nor Respondent



Source: [Family Court Statistics Quarterly](#)

Potential uses of AI in the FJS

Improving experiences for families	Efficiencies from processing/administrative tasks	Decision-making support
Virtual agents	Document review	Online dispute resolution
Legal advice	Case management	Predictive analysis
Language 'translation'	Drafting – e.g. letters to children, summaries	Risk assessment models
	Transcription, notes, and meeting summaries	

Challenges and risks

Bias and discrimination (data and design)

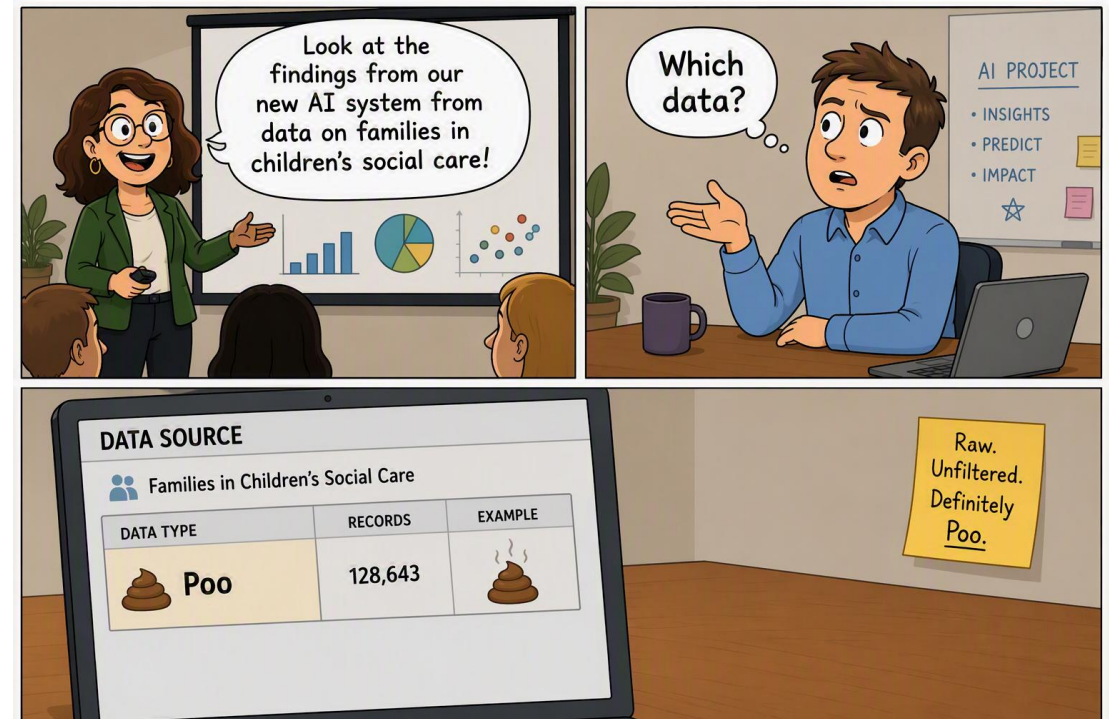
Accuracy issues (including hallucinations)

Inequality of access (digital exclusion)

Data privacy risks with sensitive data

Accountability, transparency and trust

Whose responsibility is mitigating the challenges and risks?



Human involvement

Who is responsible for AI-assisted decisions or statutory records?

‘Black box’ systems reduce explanatory power

Need to:

- Record when AI is used
- Ensure human oversight and analytical skills
- Maintain professional accountability

→ Trust is critical in family justice contexts

Human in the loop: People directly involved in the decision-making processes (e.g., tool to assist decision-making)

Humans on/over the loop: AI systems operate autonomously but human oversight function

Governance

No single UK AI law

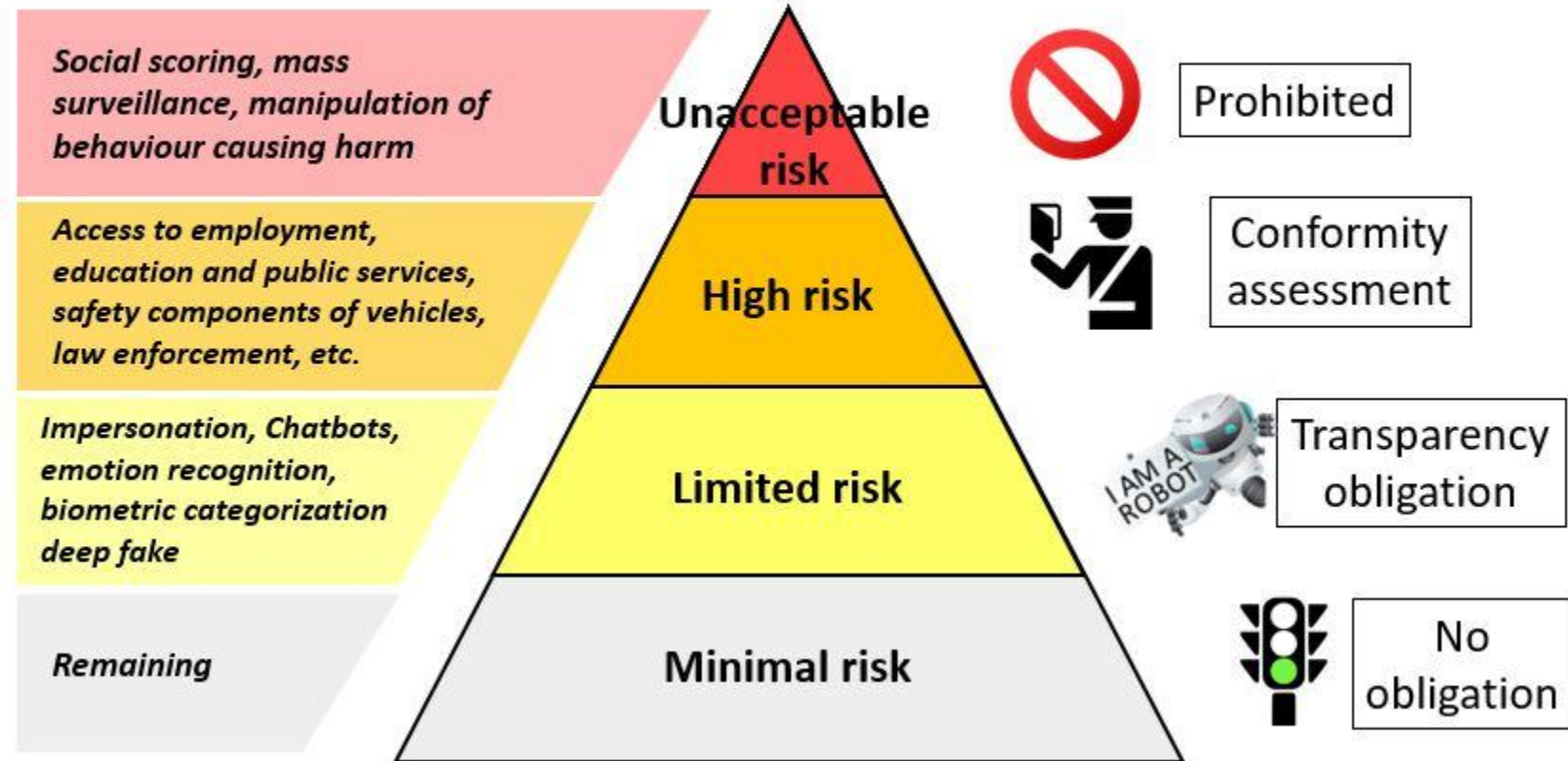
UK frameworks

- Data protection (GDPR, DPA 2018)
- Data Act 2025
- Equality Act 2010
- Human Rights Act 1998

EU AI Act 2024 provides an emerging benchmark

Growing guidance (MoJ, judiciary, Bar Council)

EU Artificial Intelligence Act: Risk levels



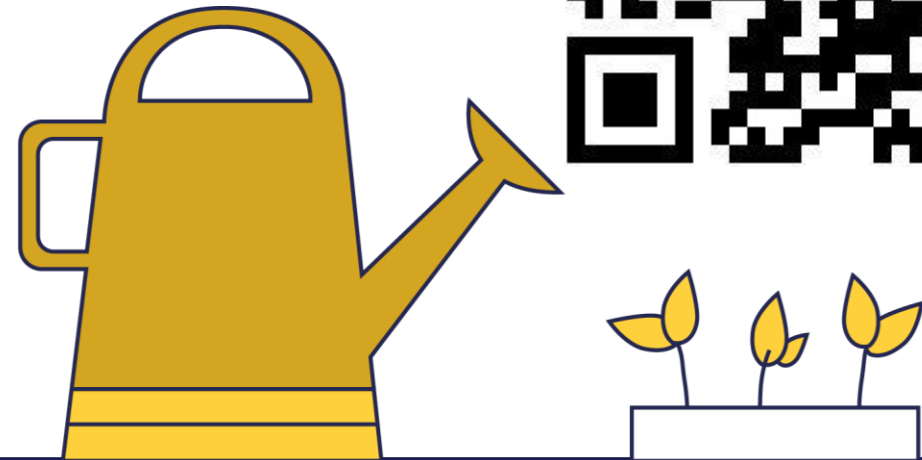
What does this mean for family justice?

- Do you know where AI is already being used locally? How should we monitor and record the use of AI?
- *Issue raised throughout this series:* How can we ensure AI use is driven by the problems to be solved to improve the experiences and outcomes for children and families, rather than by the tools available?
- How can you work with other actors to ensure guidance and governance for responsible, legal, ethical AI use?
- How do we ensure equity and inclusion?
- Given the importance of public trust in the family justice system, how and when should the public be engaged in discussions around its use?

Thank you

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Nuffield Family Justice Observatory

Nuffield Family Justice Observatory (Nuffield FJO) aims to support the best possible decisions for children by improving the use of data and research evidence in the family justice system in England and Wales. Covering both public and private law, Nuffield FJO provides accessible analysis and research for professionals working in the family courts.

Nuffield FJO was established by the Nuffield Foundation, an independent charitable trust with a mission to advance social well-being. The Foundation funds research that informs social policy, primarily in education, welfare and justice. It also funds student programmes for young people to develop skills and confidence in quantitative and scientific methods. The Nuffield Foundation is the founder and co-funder of the Ada Lovelace Institute and the Nuffield Council on Bioethics.

For further information or to get involved:

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