

Brain implants could let lawyers scan years of material in a fraction of the time, report suggests

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Electronic brain implants could allow lawyers to quickly scan years of background material and cut costs in the future, a new report claims. The report from The Law Society sets out the way the profession could change for employees and clients as a result of advances in neurotechnology. It suggests that a lawyer with the chip implanted in his or her brain could potentially scan documentation in a fraction of the time, reducing the need for large teams of legal researchers. 'Some lawyers might try to gain an advantage over competitors and try to stay ahead of increasingly capable AI systems by using neurotechnology to improve their workplace performance,' wrote Dr Allan McCay, the author of the report.

Neurotechnology could also allow firms to charge clients for legal services based on 'billable units of attention' rather than billable hours, as they would be able to monitor their employees' concentration.

However, the report raises concerns that the data collected could put people at risk of surveillance or manipulation, and suggests that regulation of 'neurorights' should be considered. Dr McCay wrote: 'It is hard to know how widespread the uptake of neurotechnology might ultimately be but to neglect it might be regretted particularly if, as has been speculated, brain implants or wearable devices might become the iPhone of the future.'

Law Society of England and Wales president I. Stephanie Boyce, said: 'Neurotechnology could greatly improve the lives of many but also facilitate ethical failures and even human rights abuses.'

The Law Society Report outlines ethical issues legal professionals may soon encounter as brain implants are rolled out in society (mental privacy, power for manipulation, discrimination...)

Neurotechnologies are brain implants or pieces of wearable tech that interact directly with the brain by monitoring and/or influencing neural activity. They are already being used in medicine to treat Parkinson's disease and tested by military organisations looking into employing 'cyborg soldiers'. The chips could reduce the number of solicitors needed to work on complex cases, and thus reduce the bill for the client. Solicitors in London routinely charge over £1,000 an hour for their services, so corporate clients would probably welcome a technological way of lowering these costs. Artificial intelligence (AI) systems are already being utilised by some firms, and some have been proven to work faster than top human lawyers at spotting legal issues.

While the chips would provide a way for professionals to outperform their human and technological competitors, this could increase the pressure on lawyers to have one installed – or lead to discrimination of those who choose not to.

Dr McCay believes that the introduction of neurotechnology into society will also create new challenges within criminal law. For example, defendants could claim that their criminal behaviour was the result of their device being hacked. He said: 'One might ask which bit of conduct constitutes the *actus reus* (criminal act) where a person injures another by controlling a drone by thought alone. 'It seems easier to identify the relevant conduct where the defendant uses their system of musculature to control the drone by manually manipulating a controlling device such as a joystick.'

The 'Neurotechnology, Law and the Legal Profession' report also reviews whether it would be acceptable for criminal justice systems to monitor offenders' brains while they are serving their sentences in the community.

Due to the advances of Elon Musk's Neuralink and other manufacturers, it concludes that our neurorights should potentially be considered in the same way as human rights. Dr McCay said: 'We need law reform bodies, policy makers and academics to be scrutinising these technological advances rather than waiting for problems to emerge.' The report suggests that individual lawyers and firms may wish to specialise in the field of neurological rights, as well as its inclusion in university curriculums. [...]