

AI in South African Legal Practice: Promise and Peril

Artificial Intelligence (AI) is rapidly transforming the legal profession worldwide, and South Africa is no exception. AI technologies, particularly large language models (LLMs) and machine learning tools, are changing traditional legal workflows, including research, document drafting, predictive analytics, and litigation strategy (Banks, 2025; SD Law, 2025). While these innovations promise increased efficiency, cost savings, and improved access to justice, they also introduce unique ethical, professional, and regulatory challenges. South African courts have already highlighted the risks associated with AI-generated errors, emphasising that legal practitioners remain ultimately responsible for verifying all information derived from AI (Mahomed & Siddiqi, 2025).

This article explores the impact of AI on South African lawyers, examining its practical benefits, associated risks, regulatory developments, and the future of collaborative intelligence in legal practice.

Legal research, traditionally a time-consuming and labour-intensive task, is increasingly being enhanced by AI tools. Platforms that use natural language processing (NLP), such as ROSS Intelligence and Case text, can quickly sift through statutes, case law, and legal journals to provide summaries and relevant citations (SD Law, 2025). This reduces the hours spent on manual research, allowing lawyers to focus more on strategy and client advice.

AI can automate routine tasks such as proofreading, document review, and the drafting of basic contracts or wills. According to Thomson Reuters' 2024 Future of Professionals report, AI has the potential to automate up to 23% of a lawyer's working hours, leading to significant savings in billable hours and enhanced profitability for law firms (Banks, 2025). Automation also enables law firms to offer more affordable services, improving access to justice, particularly for small and medium-sized enterprises (SMEs) and individuals in rural areas (Banks, 2025).

AI-driven predictive tools analyse historical litigation data to forecast outcomes, likely settlements, and case duration, helping lawyers assess case strengths and

advise clients on early settlement or litigation strategies (SD Law, 2025). However, a key risk is AI-generated “hallucinations,” or fictitious citations. In *Mavundla v MEC [2025] ZAKZPHC 2* and *Northbound Processing (Pty) Ltd v The South African Diamond and Precious Metals Regulator (2025072038)*, such errors led to mandatory referrals to the Legal Practice Council, with courts stressing that AI use does not excuse professional negligence (Mahomed & Siddiqi, 2025).

AI tools do not lessen a lawyer’s ethical obligations. South African legal practitioners remain accountable for verifying all AI-generated outputs before submitting them to courts or clients (Mahomed & Siddiqi, 2025). It is also essential to be transparent with clients regarding the use of AI, ensuring that legal advice is accurate, dependable, and ethically sound (Banks, 2025).

Using cloud-based AI platforms raises concerns under the Protection of Personal Information Act (POPIA). Uploading client data to unsecured systems can compromise confidentiality and violate statutory obligations. Firms are advised to conduct thorough vendor vetting and, where possible, utilise on-premises or secure AI solutions (Banks, 2025; SD Law, 2025).

Moreover, AI models trained on historical legal data may perpetuate biases present in past decisions. Lawyers must critically evaluate AI outputs to avoid discriminatory outcomes that could violate South Africa’s constitutional commitment to equality (Banks, 2025). Implementing bias-assessment protocols and selecting AI tools that incorporate transparency and accountability measures are crucial safeguards (Banks, 2025).

Additionally, automating routine tasks risks eroding the traditional learning pathway for junior lawyers, who acquire essential skills through document drafting and research. Law firms should establish deliberate mentoring programs to ensure that new talent develops necessary analytical and drafting skills alongside AI-assisted workflows (Banks, 2025).

Although South Africa lacks a comprehensive legal framework specifically for AI, regulatory bodies are acting.

The Department of Communications and Digital Technologies has proposed a risk-tiered approach to AI oversight, while the Legal Practice Council plans to integrate AI competence into continuing professional development.

(CPD) requirements by 2026 (Banks, 2025). Furthermore, South African courts have adopted international principles from *Ayinde v The London Borough of Haringey*; *Al-Haroun v Qatar National Bank* QPSC[2025] EWHC 1383, affirming that AI-generated research must be verified before it can be relied upon professionally (Mahomed & Siddiqi, 2025).

To ensure the responsible integration of artificial intelligence (AI) in South African legal practice, several essential best practice safeguards must be implemented. First, all AI outputs should undergo a human-in-the-loop review, where qualified lawyers verify their accuracy and reliability before they are relied upon in professional work (Banks, 2025).

Equally important are robust data security measures, which include encrypting client information, using secure servers, and thoroughly vetting AI vendors to ensure compliance with privacy obligations (Banks, 2025; SD Law, 2025). Lawyers must also assess potential bias by conducting differential impact assessments on AI models to prevent discriminatory outcomes (Banks, 2025).

Transparency is a key ethical obligation; practitioners must disclose to clients when AI is being used and explain how review processes are managed (Banks, 2025). Additionally, ongoing professional development is crucial: firms should invest in continuous training that equips legal staff with the necessary skills in AI ethics, prompt engineering, and error identification (Banks, 2025; SD Law, 2025).

AI is not intended to replace lawyers but to enhance human capabilities. While mundane tasks will diminish, high-value skills—such as judgment, negotiation, courtroom advocacy, and empathy—will become more prominent (Banks, 2025). Solo practitioners and small firms can take advantage of affordable AI solutions to compete with larger firms, while larger practices may use specialised AI for complex, large-scale litigation (Banks, 2025). Ultimately, the success of AI integration lies in treating it as a powerful assistant that still requires supervision and ethical oversight.

AI is no longer a speculative technology in South African legal practice; it is a present reality reshaping workflow, access to justice, and firm competitiveness. Lawyers who responsibly harness AI can improve efficiency, reduce costs, and achieve better outcomes for their clients. However, the core principles of professional ethics, human oversight, and thorough verification must always be

upheld. South African courts have made it clear that AI cannot excuse negligence, and ultimately, practitioners must adapt responsibly, as they remain fully accountable for their professional conduct.