Experiment in The Netherlands

The LegitiMate

judging algorithms

How it started

Legal protection diminished by changed routines of public administration.

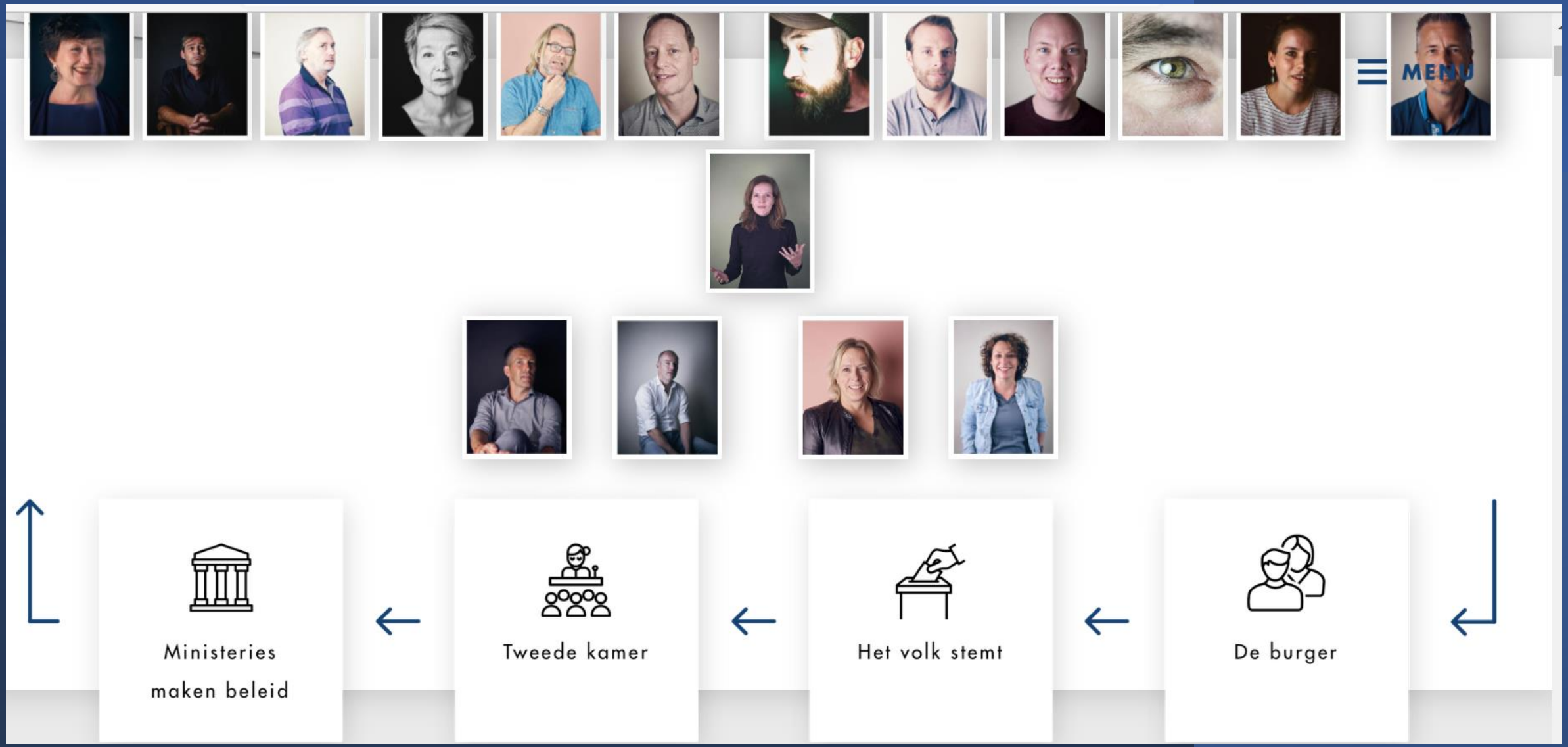
Two major issues:

It is impossible to study and judge the decision rules made by human servants.

In NL the sharing of information between agencies in chains makes it impossible to repair unlawful decisions.

DUO student finance:

We have all the decision rules available for research!


MENU
Ministeries maken beleid
Tweede kamer
Het volk stemt
De burger

4 yrs and 2 major scandals later….

Funded by the Ministry of Internal Affairs

I-Interim Rijk
een succes van en voor het Rijk

VU

nationale ombudsman

Radboud University

IN·DEI·NOMINE·FELICITER

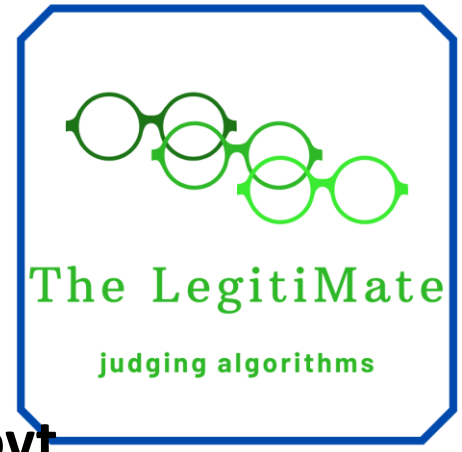
HOOGHIEMSTRA & PARTNERS
strategisch en juridisch advies

TNO innovation for life

ICTU

Ministerie van Financiën

Goal:



Interdisciplinary working method to examine /

judge algorithms used for automated execution of legislation by govt.

3 pair of glasses:

Quality of rules and design of the system seen from **peer** system level bureaucrats.

Lawful implementation and compliance with the administrative law principles / right to good administration observed by **legal experts**.

Risks on unlawful execution of legislation (and spending public funds) in relation to accountability obligations studied by (IT) **auditors**.

Goals:

Putting the spotlights on pre programmed algorithms instead of learning algorithms.

Approach

Bottom up (experts first, management later)

Short term (5 months) (Parkinsons’law)

All results are results

Approach

Research group

Foucs group

DPA, Audit Board, mr. Widlak, Dutch Radiocommunications Authority, Independant advisory Foundation Administrative Law

Scientific guidance committee

Professors Bovens, Zouridis & Sneller

Approach

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Approach

Radiocommunications Authority, Independant advisory Foundation Administrative Law

2 folded result

- Guidance for public adminstration on what is needed and expected re automated execution of legislation (ex ante requirements)
- Working method to audit the result (ex post requirements)

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Open and accessible for students:

- Leiden University
- Vu Amsterdam
- Radboud University

The LegitiMate

judging algorithms

4 Building days &

1 hour online meeting every 2 weeks
Vlog instead of reading material for committees
A lot of help from the public administration itself

Building day

Our design: three main perspectives

The algorithm itself: what are the decision rules, how are they made and with wich resources (data)? Main question: how are the automated decisions made?

The humans who make the algorithms: what routines do they follow, how do they cooperate? Main question: how is the algorithm made?

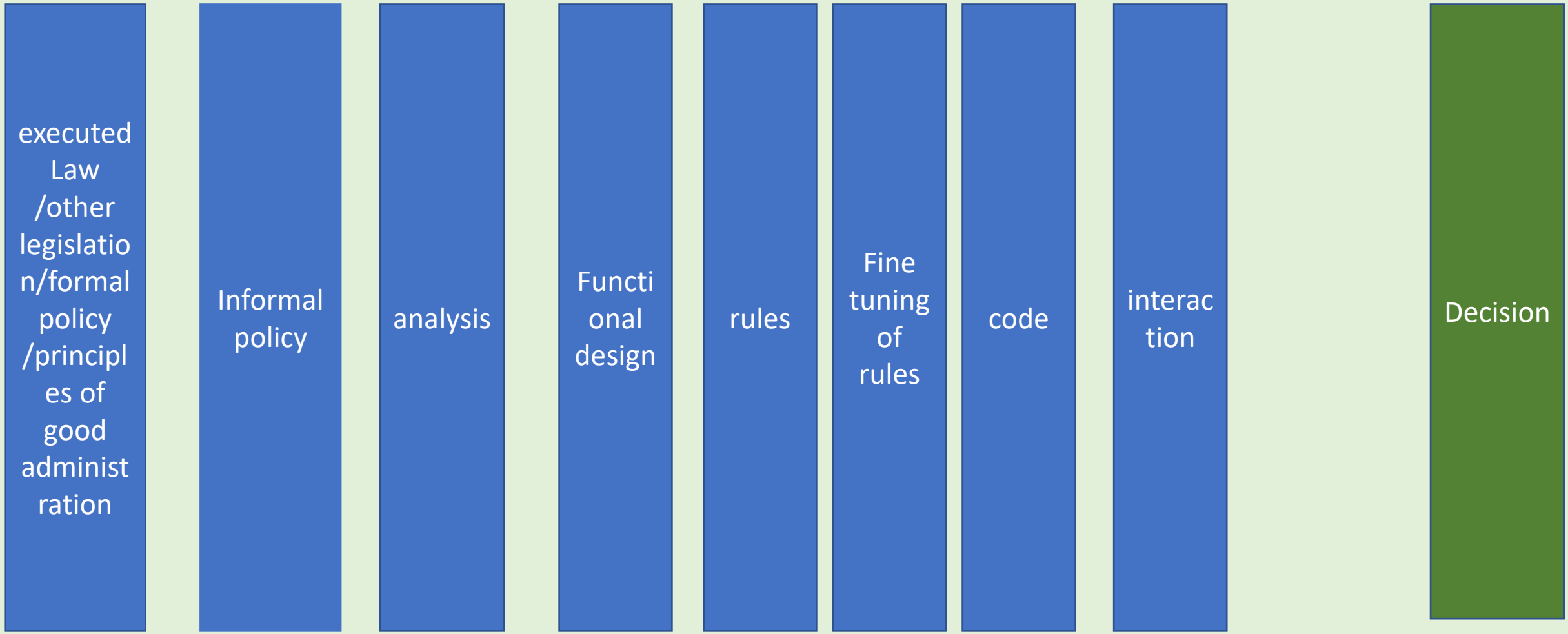
The **observers** (the research group): what do we want to know and why? Main question: how is the working method made?

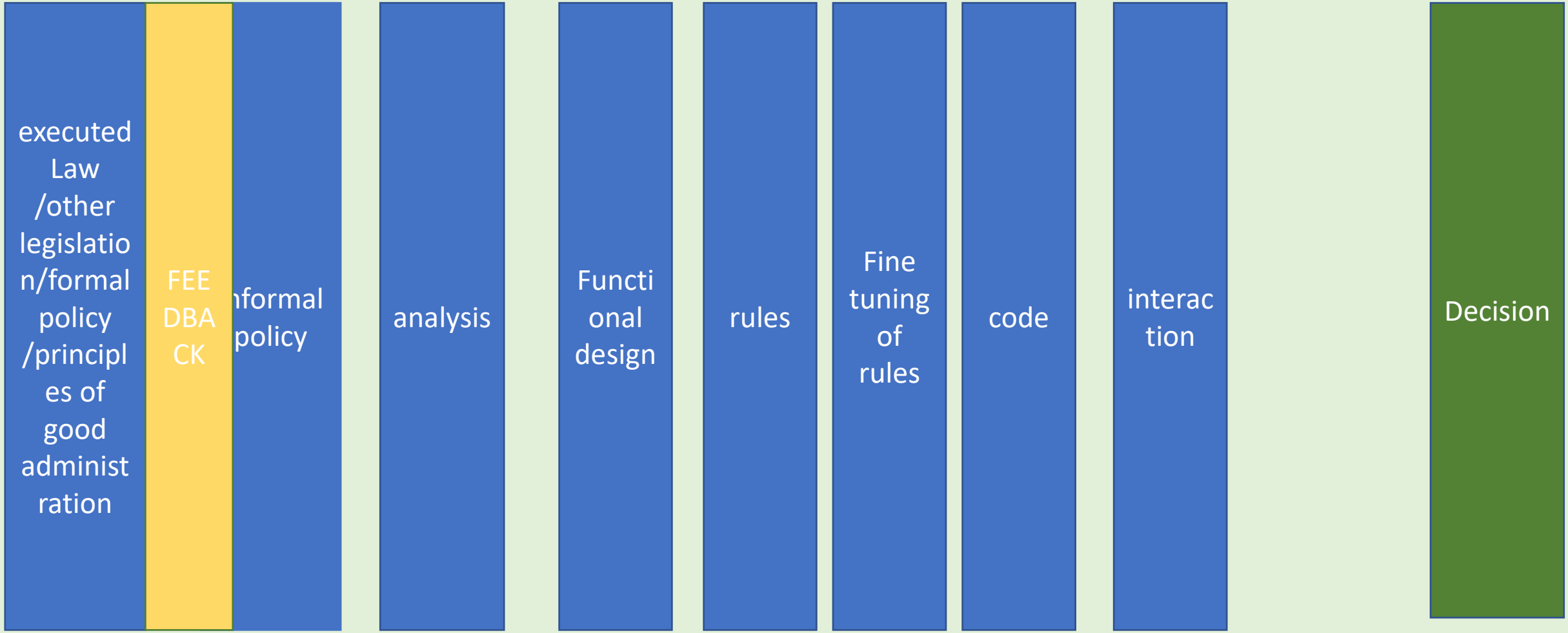
Our design: 3 X 3

Lesson:

- Too difficult to grasp the first perspective without knowledge of perspective 2.
- Auditors are too busy in first quarter of the year.
- Difficult to understand each other.
- Difficult to understand the organisation of the public administration.
- It’s impossible to actively study the automated decion making in limited time and resources, even for experts.
- It’s almost impossible for public administration to find necessary documents.
- We have to make a shift to show and tell

The good news: some understanding on the process and translation moments


executed Law /other legislation/formal policy /principles of good administration
Informal policy
analysis
Functional design
rules
Fine tuning of rules
code
interaction
Decision


executed Law /other legislation/formal policy /principles of good administration
FEEDBACK
nformal policy
analysis
Functional design
rules
Fine tuning of rules
code
interaction
Decision

Rules and data

Selection rules

Not easy

Easy cases: automated

Selection rules

Still not easy: humans +

Easy cases: automated

Decision + Execution

Where are we now?

Inspiration: visitation committees

Ready to use our method on another volunteer (Social insurance legislation)

Planning to adjust the method and observe other experts proof using it on another volunteer (4th Building Day)

Result: a method & a community & better understanding

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We keep you posted via:

https://automatedadministrativedecisionsandthelaw.wordpress.com/

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La c(AI)xa de musica infinita in Palau de la Musica Catalana by Monica Rikic