1. Begin your case study with an engaging introduction. The introduction can be a couple sentences or up to a full paragraph, and should draw the reader in and make them want to read more about the case.Although it would be interesting to imagine possible ethics issues, in this assignment I want you to draw on what you have experienced or heard about, not what you could imagine happening.

In 2014, a new chapter was added to the already existing Dutch law 'SUWI'. In short, the SUWI-law comes from the Ministry of Social Affairs and regulates the performance of employee and national insurances and in what way relevant institutions are allowed to share and exchange data. The new chapter was called ***SyRI*** (**System Risk Indication)**, and allowed municipalities and some other authoritative bodies to detect fraud with social services by linking data from citizens from various government databases. They determined a 'risk profile' and an algorithm was doing the work, bringing out people with an increased risk of fraud.
Led by the Dutch Lawyers Committee for Human Rights, 8 parties initiate a lawsuit against the Dutch State to get SyRI banned.

2. In this next section, provide details about the case study that provide the reader with the context for the event and a timeline of what happened. You should make connections in your description of the events to the course topics: for example, explaining if this case study involved a data validity issue, or was a privacy violation, etc.

<u>Timeline</u>:
2013 law 'SUWI' is introduced

2014 SyRI is added to law SUWI, which provides municipalities with the opportunity to aggregate data from citizens in order to detect fraud with social services. This includes data on:
jobs, fines, finances, property, name/address/d.o.b., education, debts, taxes, old age pension, etc.
The algorithms used to determine the 'suspects' is kept secret.

Procedure:

- 2 bodies (municipality and/or other authoritative bodies) start a 'joint venture' and ask the State for permission to perform a risk assessment.
- An intelligence bureau collects and processes the data.
  They use a 'blackbox' method:
  - de-identification of data
  - aggregation and analysis of data (remember, the algorithm they use is unknown and secret)
  - re-identification of persons who pose a risk
- The Ministry of Social Affairs analyses the potential fraudsters and provide this risk report back to the 2 requesting authorities

- The 2 requesting authorities are obligated to further investigate the outcome before they take any action (sanctions, fines, etc)
- Citizens are NOT automatically being informed about the investigations and will not know that they are, and why they are, indicated as 'increased risk'
  The risk reports are kept in a special register. These reports can be viewed by citizens after a special request is submitted.
- The intelligence bureau destroys all data on citizens who are not indicated as 'increased risk'. Data on citizens who are indicated as 'increased risk' will be kept for a maximum of 2 years

2015 SyRI projects take off

2015-2017
SyRI is used in a relatively poor neighborhood in Eindhoven. Due to technical problems the project was delayed, whereupon the data was outdated and not suitable for use.

2016-2017
A SyRI project in Capelle aan de IJssel actually took place in a couple of neighborhoods known as 'problematic'. This project ran simultaniously with the project in Eindhoven, and the intelligence bureau responsible for collecting and processing the data experienced capacity problems. In addition, lots of datafields weren't filled out correctly in the databases supplied by the governmental organizations leading to faults in aggregation. Nevertheless, 41 addresses are indicated as 'higher risk' of fraude. This does not lead to further investigation, it turns out the information is already known or outdated.

2018
The municipality of Haarlem wants to use SyRI in one of their less well-off neighborhoods and got permission from the government to do so in March 2018. However, due to a long preparation period the municipality decides that the time left to realise the project is too short, and the project is cancelled.

Exact year(s) not known
The city of Rotterdam ends a SyRI project in one of its poorer neighborhoods due to insufficient capacity within the Ministry of Social Affairs and Employment even before the data is aggregated. In 2019 there are still 2 projects ongoing, the data is aggregated but so far it is not known what the results are.

2018 Eight parties (including Privacy First, Platform Protection of Civil Rights, trade union FNV) go to court, led by the Dutch Lawyers Committee for Human Rights. They claim that use of SyRI is an unacceptable violation of human rights.

2020 The court orders the immediate halt to SyRI because it violates human rights norms.

– – – – -

In my opinion this case deals with lots of privacy and ethics problems:

1. Privacy violation → whole neighborhoods are deemed suspect, looking at everybody's data in an attempt to identify cases of fraud
2. Anonimity problem → due to de- and re-identification
3. Discriminatory intent and distributional unfairness → although maybe the initial purpose was not discriminatory, looking at the projects that ran, they were all conducted in an area with low-income and/or minority residents
4. Data validity problems:
   - the way SyRI is used (low-income and minority neighborhoods) is a typical example of a drunk looking for keys under the lamppost
   - not clear what training data is used, it might be biased, it might not be representative of the current and future population
   - model design → because the algorithm is kept secret there's no clear view on used features, is the model used appropriate? Is the algorithm fair? Is there a risk of an 'algorithmic vicious circle' ?
   - model design → ecological fallacy, they infer that citizens with low income and/or belonging to a minority group are more likely to swindle
5. self-fulfilling prediction with a societal cost → prediction leads to investigation which leads to finding faults
6. ossification → there is a possibility of making it harder for people to break out of stereotypes because the preconceived notions can get 'baked' into the algorithm. And, by using SyRI only in these specific neighborhoods it can reaffirm existing prejudices in society
7. unfairness to individuals/typecasting → individuals are classified based on their ZIP code
8. consent issues → citizens gave their consent to the different seperate authorities, but they did not give their consent to use their aggregated data for fraud detection

3. Finally, provide a few references to validate that this was a real event. If this was an event that was in a newspaper, provide a link; if you heard about this on the radio, try to provide a date; if there is no documentation of the event because it was something that happened to you personally, copy in an email from a family member or coworker who was also aware of the event and can vouch for it having actually happened.

https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25522&LangID=E
https://www.tellerreport.com/tech/2020-02-05---court--syri-fraud-detection-system-in-violation-of-human-rights-.SJxuTdz_zI.html