

REALaw Forum 2024

Call for Papers Digitalisation of Public Administration in Europe

5-6 September 2024, Budapest



PÁZMÁNY

Pázmány Péter Katolikus Egyetem
Jog- és Államtudományi Kar

Digitalisation of public administration has been on the agenda of the European Member States for over a decade now, with the aim of rendering public administration services more efficient and interoperable. Digitalisation may yield numerous benefits in the realm of administration: it can speed up administrative procedures while cutting personnel and storage costs at a time where governments are scrambling to spare public resources. It also lays the context for the interoperability of administrative registers holding personal and other data, which is of utmost importance for one-stop-shop administration. The ensuing e-administration provides accessibility for residents living in remote areas, while providing the necessary context for remote working for administrative staff, ensuring the sound functioning of the public administration also in times of crisis or emergency, such as war or a pandemic.[1]

However, digitalisation of public administration also carries serious challenges: data-driven algorithmic decision-making may raise issues of legitimacy or bias.[2] An example would be the A-level algorithm scandal of the UK in 2020, where the grades of pupils of the most disadvantaged backgrounds were excessively downgraded.[3] Depending on its scope, automated decision-making carries the risk of unfair decisions, for example by eliminating discretion in decision-making on eligibility for certain healthcare services.[4] Unchecked, algorithms may even turn out to deliver discriminatory decisions: the child care benefit fraud scandal in the Netherlands is a case in point. Authorities penalised, and often ruined families – typically belonging to ethnic minorities – suspected of fraud on the sole basis of a self-learning algorithm's 'risk profiles', which in turn, were

[1] Renata Gabryelczyk, 'Has COVID-19 Accelerated Digital Transformation? Initial Lessons Learned for Public Administrations', *Information Systems Management*, Volume 37, Issue 4 (2020), pp. 303-309.

[2] Madalina Busuioc, 'AI algorithmic oversight: new frontiers in regulation. In M. Maggetti, F. Di Mascio, & A. Natalini (Eds.), *Handbook of Regulatory Authorities* (pp. 470-486). Edward Elgar Publishers. Advance online publication (2022), <https://doi.org/10.4337/9781839108990.00043>.

[3] Colclough, Christina J., 'Reshaping the Digitization of Public Services', *New England Journal of Public Policy*: Volume 34, Issue 1, (2022), p. 3.

[4] Stephan Grimmelikhuijsen, Albert Meijer, 'Legitimacy of Algorithmic Decision-Making: Six Threats and the Need for a Calibrated Institutional Response', *Perspectives on Public Management and Governance*, Volume 5, Issue 3 (2022) pp. 232-242.