

LAW 400 Research Team: Artificial Intelligence, Big Data and Algorithmic Decision-Making in Public Administration: Legal Challenges

Supervisor: Assoc. Prof. (IUB) Dr. Alara Efsun Yazıcıoğlu

Semester: Fall Semester of the 2026-2027 Academic Year

This research group will examine the growing use of artificial intelligence, big data analytics and algorithmic decision-making systems by public authorities. It will focus on how these systems classify, rank, flag, investigate and communicate with individuals, and on how they redistribute discretion and responsibility within public administration.

Drawing on comparative examples, particular attention will be given to tax administration and fraud detection, automated welfare enforcement, national-security watchlisting, social-media surveillance, law enforcement and criminal justice. A central theme will be "big data blacklisting": the use of data-driven systems to identify individuals as suspicious or high-risk on the basis of correlations, inferences or opaque criteria, potentially placing them in a position resembling "guilty until proven innocent".

The group will also examine the use of conversational agents and chatbots in the provision of public services. It will ask whether existing law adequately addresses inaccurate or misleading information, unclear attribution of responsibility, insufficient transparency and the absence of meaningful human oversight. Across all meetings, the practices studied will be assessed in light of legality, equality and non-discrimination, the presumption of innocence and related procedural protections, privacy and data protection, reason-giving, access to human assistance or review, and effective administrative and judicial remedies.

Provisional Syllabus (Subject to further changes before the start of the term)

Meeting 1 From Digital Administration to Algorithmic Public Power

Readings: Cary Coglianese and David Lehr, *"Regulating by Robot: Administrative Decision Making in the Machine-Learning Era,"* Georgetown Law Journal 105 (2017), pp. 1147-1176; Council of Europe, *Artificial Intelligence and Administrative Law* (2022), pp. 7-16.

Discussion Focus: Supportive and determinative systems; machine-learning opacity; administrative discretion, delegation and reason-giving.

Meeting 2 Tax Administration, Welfare Enforcement and Fraud Detection

Readings: OECD, *"AI in Tax Administration,"* in Governing with Artificial Intelligence (2025); District Court of The Hague, *SyRI judgment, ECLI:NL:RBDHA:2020:1878* (5 February 2020); Amnesty International, *Xenophobic Machines* (2021); David Hadwick and Shimeng Lan, *"Lessons to Be Learned from the Dutch Childcare Allowance Scandal: A Comparative Review of Algorithmic Governance by Tax Administrations in the Netherlands, France and Germany,"* World Tax Journal 13(4) (2021), pp. 609-645.

Case Studies: The Dutch SyRI system and the childcare-benefits scandal ("Toeslagenaffaire").

- Meeting 3 Big Data Blacklisting: Watchlists and Social-Media Surveillance**
- Readings: Margaret Hu, ["Big Data Blacklisting,"](#) Florida Law Review 67 (2015), pp. 1735-1810; Rachel Levinson-Waldman, Harsha Panduranga and Faiza Patel, ["Social Media Surveillance by the U.S. Government"](#) (Brennan Center for Justice, 2022); ECtHR, [Glukhin v. Russia](#) App. No. 11519/20 (4 July 2023).
- Discussion Focus: Watchlists, risk flags and monitoring of online activity; notice, secrecy, erroneous inclusion and access to redress.
- Meeting 4 Algorithmic Policing and Criminal Justice**
- Readings: Wisconsin Supreme Court, [State v. Loomis, 2016 WI 68, 881 N.W.2d 749](#) (2016); Court of Appeal of England and Wales, [R \(Bridges\) v. Chief Constable of South Wales Police \[2020\] EWCA Civ 1058](#).
- Case Studies: COMPAS risk assessment in sentencing and live facial recognition in public spaces.
- Meeting 5 AI in Public Services: Chatbots and Automated Legal Guidance**
- Readings: Joshua D. Blank and Leigh Osofsky, ["Automated Agencies,"](#) Minnesota Law Review 107 (2023), pp. 2115-2220; Administrative Conference of the United States, [Recommendation 2022-3, Automated Legal Guidance at Federal Agencies](#) (adopted 16 June 2022); Alara Efsun Yazıcıoğlu and Dilara İnal, ["Legal Implications of Responses Generated by Tax Administrations' Virtual Assistants"](#) (forthcoming Springer book chapter); Civil Resolution Tribunal of British Columbia, [Moffatt v Air Canada, 2024 BCCRT 149](#); Colin Lecher, Katie Honan and Maria Puertas, ["Malfunctioning NYC AI Chatbot Still Active Despite Widespread Evidence It's Encouraging Illegal Behavior,"](#) The Markup (2 April 2024).
- Comparative Examples: Tax-administration virtual assistants in Türkiye, Spain and Singapore; the New York City MyCity chatbot; and Moffatt v Air Canada.
- Discussion Focus: Accuracy, disclaimers and reliance; attribution of responsibility; access to authoritative sources and human assistance; remedies for harmful guidance.
- Meeting 6 Designing Legal Safeguards: Transparency, Human Oversight and Remedies**
- Readings: Regulation (EU) 2016/679 (GDPR), [Arts. 5, 13-15, 22 and 35](#); Regulation (EU) 2024/1689 (AI Act), [Arts. 4, 13-14, 26-27, 49-50 and Annex III](#); Council of Europe, [Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law](#), Arts. 4-16.
- Workshop: Designing a legality, equality, transparency, human-oversight and remedies checklist for one of the systems studied in Meetings 2-5.
- Meeting 7 Research Workshop and Mini-Defences**
- Research Session: Each student will circulate a one-page research summary at least 48 hours before the meeting and present an eight-minute mini-defence, followed by questions and feedback.

Completion Requirements

- Students must read each meeting's material before the meeting and participate actively in the discussion.
- Individual research project: a 2,000-2,500 word academic paper on a topic approved by the supervisor and an eight-minute mini-defence. The final project requirements and deadline will be notified at least one month before submission.
- Students must attend at least six of the seven meetings. Failure to satisfy the attendance requirement results in an FX grade, subject to the Faculty's generally applicable rules on excused absences.
- Meetings will normally be held in person; a meeting may be held online at the supervisor's discretion.
- The LAW 400 grade consists of 80% individual research project and 20% participation. Participation includes preparation, discussion, and the research presentation.
- All work must comply with the rules of academic integrity.

Conditions for Applying

- There is no CGPA requirement for applying to this group.
- Applicants must have successfully completed the following courses:
 - Constitutional Law I and II
 - Administrative Law
- Applicants must submit a brief essay in English of no longer than 500 words responding to the following prompt:

"Choose one actual or plausible use of artificial intelligence, big-data analytics or automated decision-making by a public authority. Identify the most serious legal risk it creates and explain the safeguard you consider most important."

The essay serves in place of a statement of intent: it will be read both as an expression of the applicant's motivation and as a sample of their legal reasoning and ability to contribute to the group's discussions.