

# Dutch identity management systems on children and migrants render these groups more vulnerable

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Digital modes of prevention have earned growing prominence in Dutch youth care, law enforcement, immigration and border control. However, the use of identity management systems (IDM) as a tool increases the risk of stigmatization and discrimination. That is one of the conclusions Karolina La Fors draws in her PhD research which she defended at Tilburg University on November 2nd 2016.

Karolina La Fors investigated the Reference Index High Risk Youth (Verwijsindex Risicjongeren), the Digital Youth Healthcare Registry (Digitaal Dossier Jeugdgezondheidszorg) and the ProKID (ProKid SI 12-) system used in Dutch youth care and their implications on children. Moreover, she investigated the INS console, a biometric identification system of the Dutch immigration services (ID Zuil van de Immigratie en Naturalisatie Dienst), the PROGIS console, a biometric identification system of Dutch [law enforcement](#) agencies (ID zuil voor de strafrechtsketen) and the Advanced Passenger Information System (API) a risk profiling system for all travellers, including immigrants at Schiphol Airport.

Although the three prevention systems in Dutch youth care are meant to serve the "best interest of the child" in practice their very use can infringe upon this. All six digital systems are intended to create more transparency about the citizens subjected to them. Yet, in practice the gained transparency - to differing degrees - is not neutral, but biased

towards risks. Therefore, using such IDM systems can render the position of children and migrants vulnerable.

In youth care for instance, the Reference Index High Risk Youth is designed in a way that professionals can only register risks and no improvements in a child's file. Second, as a consequence of the extensiveness of in-built risk categories in the Digital Youth Healthcare Registry and ProKID, and of the high pace by which parameters indicating 'deviance' in API risk profiles change in border management, it becomes very easy to assign a risk profile to a child or a migrant. But, for those having been risk profiled it becomes extremely difficult to get rid of such a 'digital identity'. Third, the ways in which these preventative systems are used in practice blur the boundaries between which child or migrant shall be regarded being 'at risk' - needing protection from society -, or 'as a risk' for society.

All these aspects can lead to multiple occurrences of stigmatization and discrimination in practice, as La Fors observed.

## **Solutions**

La Fors stresses that the new European data protection regime provides stronger remedy for children and migrants compared to the current 95/EC/46 Directive. Yet, the challenges posed by using these preventative systems require broader, fundamental rights considerations to remedy such long-term implications as discrimination, stigmatization, false accusation or the digital unease in getting rid of risk profiles. All such instances violate rights of the scrutinized citizens.

The problems need to be addressed by a combination of legal and practical techniques, according to La Fors. First, by introducing a more balanced system design between risks and improvements. Second, by an extensive data protection impact assessment on these systems bearing in

mind the new regime. Third, by carefully evaluating the (prevention) benefits (for children, migrants and society) achieved so far by these systems against the initial objectives legitimizing their very introduction. Fourth, by introducing children and human rights considerations as a top priority during the design and daily use of these systems.

Provided by Tilburg University

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