

Case Lab 3. Digital by default, exclusion by design

The situation

Elena is 80 years old.

Her municipality introduces a new system:

All applications for social benefits must now be submitted online.

Paper applications are no longer accepted.

Elena:

- does not own a computer,
- is not familiar with digital tools,
- and finds the platform difficult to navigate.

She tries to complete the application with help from a neighbour, but:

- the system requires multiple authentication steps,
- information is unclear,
- and errors lead to the application being rejected.

When she contacts the administration, she is told: “You can ask someone to help you.”

There is no alternative procedure. As a result, she does not receive the benefit.

For the breakout rooms:

Please choose one person to report back briefly in plenary.

Discuss the case using these questions:

1. What is the core problem?
2. Is it an individual issue or part of a broader structural pattern?
3. What could be challenged: a decision, a practice, an omission, or the design of the system?
4. What legal or rights-based approach could be explored?
5. Would litigation be strategic here? Why, or why not?
6. What risks, barriers or alternative strategies should be considered?

When we come back, each group will share:

- one structural issue,
- one possible legal or strategic approach,
- one risk or open question.

Case Lab 4. When harm remains invisible

The situation

Ana is 83 years old and lives with her son. Over time:

- she becomes financially dependent on him,
- her access to money is gradually restricted,
- she stops seeing friends and neighbours.

There are signs that something is wrong:

- unpaid bills,
- increasing isolation,
- changes in behaviour.

However, no formal complaint is made, no authority intervenes, and the situation remains largely invisible. People around her are unsure if this is a private matter? Or something that requires intervention?

For discussion

Please choose one person to report back briefly in plenary. Discuss the case using these questions:

1. What is the core problem?
2. Is it an individual issue or part of a broader structural pattern?
3. What could be challenged: a decision, a practice, an omission, or the design of the system?
4. What legal or rights-based approach could be explored?
5. Would litigation be strategic here? Why, or why not?
6. What risks, barriers or alternative strategies should be considered?

When we come back, each group will share:

- one structural issue,
- one possible legal or strategic approach,
- one risk or open question.