

Collaborative Discussion 1 – Research Methods and Professional Practice – Summary Post – Michael Geiger

The discussion on the case study 'Dark UX Patterns' by the Association of Computing Machinery (ACM, N.D.) was able to show that, in addition to a large number of ethical concerns that arise when implementing a misleading design, violations of applicable laws can also be identified. The practicing company can be demonstrably insinuated that deliberate concealment induces users to accidentally select a more expensive category and attach a protection guarantee without their consent.

This violates the guidelines of the Federal Trade Commission (FTC), which expressly stipulate that all information about a service or good in the context of a transaction must be presented in a clear and understandable way to the buyer (FTC, 2022). This not only affects the conclusion of a subscription in this case, but also the possibility of terminating such a contract. A clear disregard for these guidelines has demonstrated the intentional concealment of information for financial gain, which has made those involved liable to prosecution under the Fraud Act 2006 Section 3.b (The Crown Prosecution Service, 2020).

This example of the Code of Conduct of the British Computer Society (2022) clearly shows how legislation and ethical principles are intertwined. The unethical practices identified at the various levels indicate possible legal distortions, which could be identified in the context of the collaborative discussion. In addition, it was possible to illustrate the extent to which those involved did not comply with the Code of Conduct and which responsibilities they missed as a result. For companies, as well as for all those involved, it should be in the interest of them to behave in an ethically responsible manner. This interest is not only based on extrinsic factors such as the legal framework. Intrinsic reasons for ethically justifiable behaviour should also

motivate companies to make ethically reflected decisions, since long-term customer loyalty is the guarantee for a long-term successful company, which can only happen if the customers are satisfied and do not feel betrayed.

References:

ACM (N.D.) Case: Dark UX Patterns. Available from: <https://ethics.acm.org/code-of-ethics/using-the-code/case-dark-ux-patterns/> [Accessed 24 November 2022].

British Computer Society (2022) Code of Conduct for BCS Members. Available from: <https://www.bcs.org/media/2211/bcs-code-of-conduct.pdf> [Accessed 24 November 2022].

FTC (2022) FTC Report Shows Rise in Sophisticated Dark Patterns Designed to Trick and Trap Consumers. Available from: <https://www.ftc.gov/news-events/news/press-releases/2022/09/ftc-report-shows-rise-sophisticated-dark-patterns-designed-trick-trap-consumers> [Accessed 24 November 2022].

The Crown Prosecution Service (2020) Fraud Act 2006, The. Available from: <https://www.cps.gov.uk/legal-guidance/fraud-act-2006> [Accessed 24 November 2022].