

Collaborative Discussion 1: Initial Post (304 words)

I selected the Dark UX Patterns case study for review. There are multiple critical ethics issues demonstrated in this example. Firstly, incorrect visual cues are used intentionally to mislead the customer. For example, the directional arrow cue here is used to trick the user to select a product they did not anticipate, where arrows normally indicate an ordered relationship, usually used to navigate between pages (Brinck et al., 2001).

Tricking consumers into purchasing products they did not intend to is in breach of EU's Digital Services Act (Moore, 2024) and intentionally defaulting the consumer to a product/service they did not choose goes against a helpful Online Choice Architecture (OCA) (Competition and Markets Authority, 2022). OCA highlights that the use of such dark patterns and others can distort the market and reduce consumer trust, as competition is driven by irrelevant and misleading attributes, rather than quality and price – healthy competition drivers.

Gray et al. (2021) discuss the felt manipulation by websites and applications, highlighting that the consumer feel that something is not right with their current user experience, but cannot pinpoint exactly where manipulation is happening. This points to a worrying trend that consumer trust might be gradually chipped away at in the short term, cumulatively leading to long-term consequences such as eroded consumer trust and loyalty. Indeed, consumers can detect dark patterns, but do not know how to respond to being manipulated (Bongard-Blanchy et al., 2021).

This highlights an urgent need for additional legislation specifically targeting the creation and enablement of such practices. The BCS Code of Conduct stipulates that the member must "have due regard for public health, privacy, security and wellbeing

of others and the environment” under serving Public Interest and “avoid injuring others [...]” under Professional Competence and Integrity (BCS, 2022), however it does not address the subtlety of “dark patterns”.

References:

BCS (2022) CODE OF CONDUCT FOR BCS MEMBERS. BCS. Available from: <https://www.bcs.org/media/2211/bcs-code-of-conduct.pdf> [Accessed 29 January 2025]

Bongard-Blanchy, K., Rossi, A., Rivas, S., Doublet, S., Koenig, V. & Lenzini, G. (2021) “I am Definitely Manipulated, Even When I am Aware of it. It’s Ridiculous!”-Dark Patterns from the End-User Perspective. In *Proceedings of the 2021 ACM Designing Interactive Systems Conference* (763-776).

Brinck, T., Gergle, D. and Wood, S.D., 2001. *Usability for the web: Designing web sites that work*. Elsevier.

Competition and Markets Authority (2022) Online Choice Architecture: How digital design can harm competition and consumers. Gov.uk. Available from: <https://www.gov.uk/government/publications/online-choice-architecture-how-digital-design-can-harm-competition-and-consumers> [Accessed 29 January 2025]

Gray, C.M., Chen, J., Chivukula, S.S. and Qu, L., 2021. End user accounts of dark patterns as felt manipulation. *Proceedings of the ACM on Human-Computer Interaction*, 5(CSCW2), pp.1-25.

Moore, L. (2024) Dark Patterns: Not a new concept, but will now be heavily regulated. William Fry. Available from: <https://www.williamfry.com/knowledge/dark-patterns-not-a-new-concept-but-will-now-be-heavily-regulated/> [Accessed 29 January 2025]