



[How] Do Users Benefit From Giving Consent? https://doi.org/10.5281/zenodo.4601141

Harshvardhan J.Pandit | pandith@tcd.ie | @coolharsh55

ADAPT Centre, Trinity College Dublin, Ireland

Soheil Human Mandan Kazzazi

Vienna University of Economics and Business, Austria

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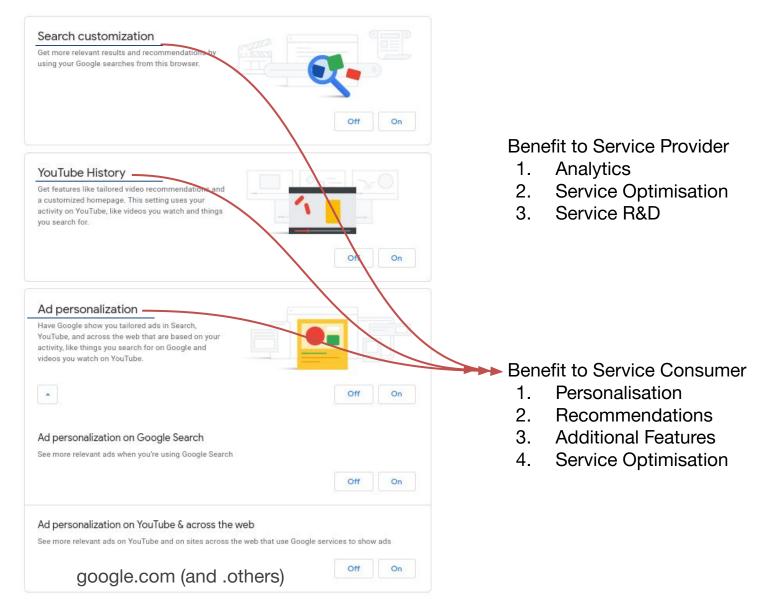








Consent as a Permission and as a Contract





Malpractices regarding Consent and Consenting (acknowledge and keep aside)

- 1. Benefits and Values [1],[2]
- $2.\;$ Legal Compliance [2],[3]
- **3.** Dark Patterns [3],[4]-[8]
- 4. Ambiguity in Purposes and descriptions [3],[9]-[11]

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Existing avenues of Consumer Protection



Unfair practices → *fairness*



Fraud → *accountability*



Gaining advantage over competitors → *competition*



Mislead consumers → *accuracy*



Disclosure of information → *transparency*

GDPR's Principles relating to processing of personal data (Art. 5)

- lawfulness, fairness, transparency
- purpose limitation
- data minimisation
- 4. accuracy
- 5. storage limitation
- integrity and confidentiality
- 7. accountability





Call for Investigation Do Users receive the [PROMISED] Benefits from their Consent

To investigate this, we propose a set of interdisciplinary methodological study in which researchers carefully study:

- (a) whether benefits exist in return for consenting;
- (b) how they are <u>formulated</u> or <u>justified</u> by data-controllers
- (c) whether they are clear and comprehensible;
- (d) whether they are <u>legally justifiable</u>;
- (e) can they be seen or demonstrated; and
- (f) what 'value' does it provide to the user;
- (g) do users perceive the benefit.





Methods of Investigation (non-exhaustive)

- → Sources of Information: notices, privacy policies, publications
- Methodologies: surveys, interviews, experiments, data collection, data analysis
- → Technological aspects: technical/algorithmic evaluation of benefit and provision
- → <u>Legal compliance:</u> conformance with legal requirements
- Legal rights: exercising rights e.g. Right to Access (GDPR)
- Information transparency: accessibility, availability, comprehensibility
- → Benefits within/across domains: domain-specific context e.g. personalisation

- → <u>Linguistic aspects:</u> quale, formulation, sentiment, readability, vocabulary
- → <u>Users' perspective towards benefits:</u> knowledge, attitude, preferences
- Users' perception after consenting: comprehension, interactions
- → Service Provider perspective: knowledge, attitude, perception, framing
- Actors involved: parties and roles and relationships
- → Representation: HCI, UI/UX, nudging, dark patterns
- → Other human-centric aspects: heterogeneity, cognition, collective



