

SIGCHI SPRING SEMINAR

“Coming to the light side”

- Advocating for fair design
as a UX designer

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GOFORE

Emma Nevala

- Graduated with MSc in Economics, majored in Information Systems Science at the University of Jyväskylä
- Conducted research on dark patterns and user experience:
 - [Dark Patterns and their use in E-Commerce \(2020\)](#)
 - ["Just let me buy my thing!" – A Survey Study on Consumers' Perceptions of Social Influence in E-Commerce \(2023\)](#)
 - [The Antecedents of Advertisement Scepticism and Its Effects on the User Experience of Social Influence Features in the Context of Online Shopping \(2024\)](#), published in the Proceedings of the Annual Hawaii International Conference on System sciences
- Currently working as a UX design professional at Gofore, a digital transformation consultancy committed to pioneering an ethical digital world.



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Agenda

- Factors affecting design decisions
- What can designers do to advocate for fair design?
 - Arguing for ethical design
 - Paying extra attention in specific contexts
 - Combatting deceptive design with fair patterns
- Closing thoughts
- Questions

Empathy for designers

- Why do UX designers, aiming to create user centric experiences in the digital world, end up designing services and solutions riddled with deceptive and manipulative patterns?
- We need empathy to understand that design does not exist in a vacuum, many factors influence the design decisions made by the UX designer
 - These factors will be discussed in more detail in the next slides



Factors affecting design decisions

- Time pressure
- Lack of knowledge
- Economic pressure
- Automating decisions and distancing the designer from real users



Factors affecting design decisions

- Time pressure
 - Time crunch might entice designers to adopt design patterns blindly, by following what's popular -> adopting patterns that are deceptive or manipulative
 - If designs are to be made in a hurry, designers might be pressured to focus on a "happy path" – a path that fulfills the goals of stakeholders. Equal attention is not paid for actions that are against shareholder goals, such as deleting one's account or unsubscribing from a service (Germain, 2019)
- Lack of knowledge
- Economic pressure
- Automating decisions and distancing the designer from real users



Factors affecting design decisions

- Time pressure
- Lack of knowledge
 - Lack of knowledge about users might make the designer use design patterns that do not fit their intended audience, and are dark in their nature
 - In UX/service design studies, ethics education often focuses on theoretical background and not so much on practical ways of ensuring ethical design for all. Practitioners may lack the concrete skills and knowledge of ensuring ethics in the design process in practice
 - Gofore has created [Ethical Design Guide](#) to bring forward practical ways of how to create ethical services for all
- Economic pressure
- Automating decisions and distancing the designer from real users



Factors affecting design decisions

- Time pressure
- Lack of knowledge
- Economic pressure
 - Even if designers are aware of user values and ethical design, they tend to leverage these values to generate value for stakeholders (Chivukula, 2018)
 - Focus on short-term business gains drives designers to look for "quick wins", possibly deceitful and manipulative designs, that can show a quick return of investment for companies
- Automating decisions and distancing the designer from real users



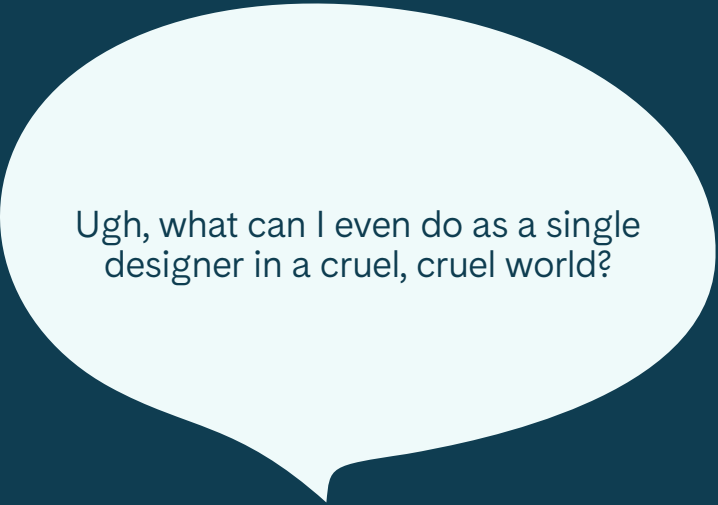
Factors affecting design decisions

- Time pressure
- Lack of knowledge
- Economic pressure
- Automating decisions and distancing the designer from real users
 - If design decisions are based on A/B testing and other automated forms of user testing, their results might skew toward more deceptive and manipulative design patterns; especially if the success of the design pattern is measured on short-term financial metrics
 - If the designer is distanced from real users by automating user research, the designer might find it hard to feel empathy toward their users, and in turn implement designs that would have been otherwise ruled out by the designer's own ethical compass



What can I do as a designer?

- Arguing for ethical design
- Paying extra attention in specific design contexts
- Using fair patterns to combat deceptive design patterns



Ugh, what can I even do as a single designer in a cruel, cruel world?

Balancing business goals and user needs

- In an ideal world, the UX designer would only need to worry about creating an ideal user experience for their users. However, as UX designers are often employed in for-profit companies, they need to find a balance between business goals and user needs.
- Designers need to communicate the benefits of ethical design to businesses, and why making use of deceptive design often back fires
 - Some of these arguments are discussed in the next slides



How to argue for ethical design

- Deceptive design harms users
- Deceptive design is bad for business
- Deceptive design solutions have legal consequences



Arguing for ethical design

- **Deceptive design harms users**
 - Deceptive design patterns have various negative effects on users. They cause negative emotional responses (annoyance, frustration, anger) (Maier, 2020); psychological stress (increased anxiety and alertness) (Lupiáñez-Villanueva, 2022); loss of privacy (Mathur, 2021); increased cognitive burden (Mathur, 2021); and financial losses (Mathur, 2021)
 - Deceptive design is thus bad for the general user experience
- **Deceptive design is bad for business**
- **Deceptive design solutions can have legal consequences**



Arguing for ethical design

- Deceptive design harms users
- Deceptive design is bad for business
 - By employing deceptive design practices, businesses reduce their customer satisfaction, trust and credibility (Maier, 2020). Deceptive design patterns reduce the number of purchases and returning customers (Costello, 2022).
- Deceptive design solutions can have legal consequences



Arguing for ethical design

- Deceptive design harms users
- Deceptive design is bad for business
- Deceptive design solutions can have legal consequences
 - As knowledge about the harms of deceptive design is increasing, so is the motivation to create regulation to protect users and customers using online services
 - For example, GDPR and Digital Services Act include regulation against the use of dark patterns. Companies can be fined 4-6% of their global turnover according to these legislations if they are caught using deceptive design patterns



Pay extra attention when designing for...

- Younger and less educated users
- Context that makes us vulnerable to deceptive design patterns
- Smaller screens



Recognizing when to pay extra attention to avoiding deceptive design

- Not all users and contexts are equally vulnerable to the effects of deceptive design
- Pay extra attention when...
- Designing for younger and less educated users
- Designing in a context that makes us vulnerable to deceptive design patterns
- Designing for smaller screens



Recognizing when to pay extra attention to avoiding deceptive design

- Not all users and contexts are equally vulnerable to the effects of deceptive design
- Pay extra attention when...
- **Designing for younger and less educated users**
 - Younger and less educated people are less likely to spot deceptive design patterns, and are thus more vulnerable to their negative effects (Nevala, 2023)
- **Designing in a context that makes us vulnerable to deceptive design patterns**
- **Designing for smaller screens**



Recognizing when to pay extra attention to avoiding deceptive design

- Not all users and contexts are equally vulnerable to the effects of deceptive design
- Pay extra attention when...
- Designing for younger and less educated users
- Designing in a context that makes us vulnerable to deceptive design patterns
 - As willpower is a depleting resource, cognitively taxing user flows make users take shortcuts in their decision making that can be used against their own interest (Nevala, 2023)
 - Deceptive design patterns are more effective in environments where social cues about others' behaviour, uncertainty, and limited information are present (Nevala, 2023)
- Designing for smaller screens



Recognizing when to pay extra attention to avoiding deceptive design

- Not all users and contexts are equally vulnerable to the effects of deceptive design
- Pay extra attention when...
- Designing for younger and less educated users
- Designing in a context that makes us vulnerable to deceptive design patterns
- Designing for smaller screens
 - The larger context also has an effect – deceptive design patterns are more effective on smaller screens (FTC, 2022)



Combat deceptive design patterns with fair patterns

- Neutral or protective default
- Adequate information
- Plain and empowering language



Combating deceptive design with fair patterns

- Fairpatterns.com has created [a handy list of fair patterns](#) to combat the most often used dark patterns, to create an ethical and enjoyable user experience for users of a service
- Some easy to adopt solutions for designers include...
- Neutral or protective default
- Adequate information
- Plain and empowering language



Combating deceptive design with fair patterns

- Fairpatterns.com has created [a handy list of fair patterns](#) to combat the most often used dark patterns, to create an ethical and enjoyable user experience for users of a service
- Some easy to adopt solutions for designers include...
- **Neutral or protective default**
 - Set the default option as neutral or protective of users' privacy and financial status instead of taking advantage of the status quo bias
- **Adequate information**
- **Plain and empowering language**



Combating deceptive design with fair patterns

- Fairpatterns.com has created [a handy list of fair patterns](#) to combat the most often used dark patterns, to create an ethical and enjoyable user experience for users of a service
- Some easy to adopt solutions for designers include...
- **Neutral or protective default**
- **Adequate information**
 - Do not hide costs or information from the user until the last steps of the user flow. Make it easy to compare similar options for users to choose the best one for them
- **Plain and empowering language**



Combating deceptive design with fair patterns

- Fairpatterns.com has created [a handy list of fair patterns](#) to combat the most often used dark patterns, to create an ethical and enjoyable user experience for users of a service
- Some easy to adopt solutions for designers include...
- **Neutral or protective default**
- **Adequate information**
- **Plain and empowering language**
 - Use plain and easy to understand language to make it clear for users what they are doing and what they agree on



Closing thoughts

“I cannot do all the good that the world needs. But the world needs all the good that I can do.”

- It's important to understand that no single designer can fix all the manipulative and deceptive practices that exist in the world, but they can do their best to lead others toward more ethical and bright design with their own example



Thank you! Questions?

If you are interested in working at Gofore, you can contact me via email emma.nevala@gofore.com or LinkedIn (Emma Nevala)

Sources

- [Costello, 2022](#)
- [Chivukula, 2018](#)
- [Fairpatterns.com](#)
- [Federal Trade Commission, 2022](#)
- [Germain, 2019](#)
- [Lupiáñez-Villanueva, 2022](#)
- [Maier, 2020](#)
- [Mathur, 2021](#)