Dark patterns and sludge audits: an integrated approach *Mills et al, 2023*

Context

Dark patterns are user interface design elements that harm users but benefit commercial organisations, as they make you do things you don't mean to like buying or signing up for something. Sludge, defined by Thaler (2018), are behavioural impediments that are implemented to make it harder for decision makers to complete certain actions.

In this paper the authors contribute a framework, the dark patterns auditing framework (DPAF), and combine this with sludge audits (proposed by Sunstein (2019, 2022) to investigate the ease of activating and deleting user accounts for 14 large, online services.

Key Insights

The DPAF comprises the below 4 components:

Table 1. Dark patterns audit framework (DPAF)

Component	Description	Example
Detour	A dark pattern designed to delay or distract a decision-maker.	Up-selling at an online retailer checkout.
Roundabout	A dark pattern designed to tire or bore a decision-maker, or otherwise redirect a decision-maker when they are trying to achieve an outcome.	A long series of 'are-you-sure' checks.
Shortcut	A dark pattern designed to exploit feelings created by detours and roundabouts to encourage decision-makers to take 'easier,' but ultimately more costly, decisions.	Salient 'Accept All' online tracking (cookie) prompts.
Forced Action	A dark pattern which forces a decision-maker to incur an additional, unexpected or undesired cost, in order to achieve their objective.	Mandatory terms and conditions requirements for new users of an online service.

Most services were harder to leave than join

The authors find that 57% of the services were harder to leave, requiring approximately double the numbers clicks, than to join. It was noted that some services require more information to join and that additional details are collected at different points so this can skew the data.

Sludge audits

The authors develop two possible tools for conducting sludge audits:

1. Equal clicks principle (ECP) – a principle that can be used a rule-of-thumb that suggests that services should be as easy to leave as they are to join

2. Pathway plotting – these are visuals that depict the user journey

Financial services are more complex

Financial services accounts are easy to open but require funding to function. This raises questions about how far they deviate from the ECP and whether they merit special attention in sludge and dark pattern audits.

It's also important to consider the device people use to access the services, as the computer vs smartphone experience is likely to be different.

Implications

- How might you conduct a sludge audit on your user journeys?

- How easy is it for your customers to delete their account?

- Have you experienced or noticed dark patterns in any services you've used?

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