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ARTIFICIAL INTELLIGENCE TECHNOLOGIES TO PREVENT ABUSE OF "CLIENT IS ALWAYS RIGHT" PRINCIPLE

Abstract. This article explores the potential of Artificial Intelligence (AI) to mitigate the misuse of the "The client is always right" principle, often exploited for unfair advantages. While consumer rights are well-protected, businesses increasingly face consumer extremism, manifesting as abusive behaviors like unwarranted returns, fraudulent service claims. AI technologies, including machine learning and natural language processing, offer solutions by identifying patterns of abuse, analyzing sentiment and intent, and automating decision-making processes. This proactive approach allows businesses to detect and prevent consumer extremism, protecting both their financial interests and employee well-being. However, ethical considerations, particularly regarding bias in AI systems, must be addressed to ensure fair and transparent practices. This research utilizes a qualitative literature review and ethical and legal modeling to analyze the challenges and opportunities of implementing AI to counter consumer extremism, advocating for a balanced approach that protects both businesses and consumers.

Keywords: artificial intelligence; customer service; abuse; fraud; ethics; bias; sentiment analysis; consumer rights; legal modeling.

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Қазақстан Республикасы Бас прокуратурасының жанындағы Құқық қорғау органдары академиясы, Қосшы қ., Қазақстан Республикасы

«КЛИЕНТТІҢ ТАЛАБЫ БАСЫМ» ҚАҒИДАТЫН ТЕРІС ПАЙДАЛАНУДЫҢ АЛДЫН АЛУ ҮШІН ЖАСАНДЫ ИНТЕЛЛЕКТ ТЕХНОЛОГИЯЛАРЫ

Аннотация. Мақалада жасанды интеллекттің (ЖИ) «Клиенттің талабы басым» қағидатын теріс пайдалануды азайту әлеуеті қарастырылады, ол көбінесе әділетсіз артықшылықтар үшін пайдаланылады. Тұтынушылардың құқықтары жақсы қорғалғанымен, кәсіпорындар ақшаны негізсіз қайтару немесе алаяқтық қызмет көрсету талаптары сияқты заңсыз мінез-құлық ретінде көрінетін тұтынушылық экстремизмге көбірек тап болады. ЖИ технологиялары, соның ішінде машиналық оқыту және табиғи тілді өңдеу, теріс пайдалану үлгілерін анықтау, көңіл-күй мен ниеттерді талдау және шешім қабылдау процестерін автоматтандыру арқылы шешімдерді ұсынады. Бұл белсенді тәсіл бизнеске тұтынушылық экстремизмді анықтауға және алдын алуға, олардың қаржылық мүдделерін де, қызметкерлердің әл-ауқатын да қорғауға мүмкіндік береді. Дегенмен, әділ және ашық тәжірибені қамтамасыз ету үшін этикалық ойларды, әсіресе ЖИ жүйелеріндегі біржақтылыққа қатысты ескеру қажет. Бұл зерттеу тұтынушылардың экстремизміне қарсы төтеп беру үшін ЖИ енгізудің қиындықтары мен мүмкіндіктерін талдау үшін әдебиеттерге сапалы шолу мен этикалық және құқықтық модельдеуді пайдаланады, бизнесті де, тұтынушыларды да қорғайтын теңдестірілген тәсілді қолдайды.

Түйінді сөздер: жасанды интеллект; клиенттерге қызмет көрсету; теріс пайдалану; алаяқтық; этика; біржақтылық; көңіл-күйді талдау; тұтынушының құқықтары; құқықтық модельдеу.

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ТЕХНОЛОГИИ ИСКУССТВЕННОГО ИНТЕЛЛЕКТА ДЛЯ ПРЕДОТВРАЩЕНИЯ ЗЛОУПОТРЕБЛЕНИЙ ПРИНЦИПОМ «КЛИЕНТ ВСЕГДА ПРАВ»

Аннотация. В статье исследуется потенциал искусственного интеллекта (ИИ) для предотвращения злоупотреблений принципом «Клиент всегда прав», который часто используется для получения несправедливых преимуществ. Несмотря на то, что права потребителей хорошо защищены, предприятия все чаще сталкиваются с потребительским экстремизмом, проявляющимся в виде неправомерного поведения, такого как необоснованный возврат денег или мошеннические требования об оказании услуг. Технологии искусственного интеллекта, включая машинное обучение и обработку естественного языка, предлагают решения, позволяющие выявлять модели злоупотреблений, анализировать настроения и намерения и автоматизировать процессы принятия решений. Такой упреждающий подход позволяет компаниям выявлять и предотвращать потребительский экстремизм, защищая как свои финансовые интересы, так и благополучие сотрудников. Однако для обеспечения честной и прозрачной практики необходимо учитывать этические соображения, особенно касающиеся предвзятости в системах искусственного интеллекта. Это исследование использует качественный обзор литературы и этическое и правовое моделирование для анализа проблем и возможностей внедрения искусственного интеллекта для противодействия потребительскому экстремизму, отстаивая сбалансированный подход, который защищает как бизнес, так и потребительском.

Ключевые слова: искусственный интеллект; обслуживание клиентов; злоупотребление; мошенничество; этика; предвзятость; анализ настроения; права потребителя; юридическое моделирование.

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Introduction. The rule "The client is always right" appeared in the early twentieth century, and its author was Harry Gordon Selfridge, the founder of the famous chain of stores Selfridges & Co. In 1909, he uttered this phrase, emphasizing the importance of creating conditions in which customers not only make purchases but also return to the store with a desire to spend more time there. The idea was to form long-term relationships with customers through high levels of service and attention to their needs¹.

"The client is always right" is perhaps the most famous expression of customer loyalty, but it is not the only one. In modern conditions, when the market is saturated with many sellers and competition is steadily increasing, the rule "The client is always right" is increasingly used not to restore justice but to extract unjustified benefits. This leads to sellers often suffering both financial and reputational losses. This trend in consumer behavior has contributed to the development of consumer extremism, which creates a significant imbalance in the legal position of market participants and hurts the sphere of retail trade and services [1].

Artificial intelligence (AI) and robotics have emerged as a powerful presence in today's world, captivating us with their promise to address significant societal challenges. In this regard, utilizing AI is promising to identify and address abusive customer behavior, promoting the welfare of customer service agents and boosting the quality of service delivery [2].

The purpose of the study is to is to explore how AI technologies can help to prevent the misuse and abuse of the "The client is always right" principle, which is often exploited by malicious or unreasonable customers to gain unfair advantages.

Materials and methods. To explore the topic comprehensively, the study utilises a qualitative literature review method. Given the prospective nature of the study, it also includes the method of

¹ Потребительский экстремизм современные тенденции и механизмы противодействия // Sudohod [Электронный ресурс] – Режим доступа: https:// sudohod.info/consumer-extremism/ (дата обращения: 05.10.2024).



ethical and legal modeling to consider potential implications in the future.

Various sources were used in the study: works of scientists devoted to the issues of consumer rights and rights of businesses against abusive behavior of customers as well as researchers of AI utilization to prevent abusive customer behavior.

The literature review draws on a wide range of academic sources, including peer-reviewed journal articles, books, and conference papers, focusing on consumer rights and abusive behavior and AI in fraud detection and prevention.

Ethical modeling involved analyzing the ethical dilemmas associated with AI, such as algorithmic bias, transparency, and fairness. For example, the study considered how AI systems might inadvertently discriminate against certain consumer groups or violate privacy rights.

Legal Modeling focused on the legal frameworks that would need to be adapted or developed to regulate the use of AI in this context. The study examined existing consumer protection laws and explored how they might intersect with AI technologies, particularly in cases of false positives or misuse of AI systems.

Results, discussion.

"The client is always right" motto.

"The client is always right" is perhaps the most famous statement about customer loyalty, but by no means the only one. This concept has spread around the world in various variations.

"Le client n'a jamais tort" (The client is never wrong) was the motto of Swiss hotelier César Ritz, founder of the Ritz Carlton hotels. In the 1890s he said: "If a visitor complains about a dish or wine, remove it immediately and replace it without asking questions".

In Spanish, the phrase is expressed as "El cliente siempre tiene la razón", while in Italian, it is phrased as "Il cliente ha sempre ragione". Both phrases translate to "The customer always has a reason". Employees and customer service agents must find that reason and make sure that customers are treated well.

In Germany they say, "der Kunde ist König" (The customer is king). Germany has updated its consumer protection laws to give customers more options and support. Customers can feel like kings when they have legal rights and can stand up for themselves.

The Japanese have a motto, "Okyakusama wa puzzle desu" (お客様は神様です), which means "The client is God". This view is reflected in Japan's Consumer Contract Law, which guarantees customers fair trade and prohibits unfair commercial practices" [3].

Using the phrase "The client is always right", some consumers believe that moral standards and the framework of the law do not apply to them. However, few people realize that this phrase is taken out of context. The full expression is "The client is always right until proven otherwise!", which emphasizes the importance of balancing the interests of the customer with the observance of justice, because sometimes the customer may be mistaken or abused.

The legislation of the Republic of Kazakhstan provides consumers with ample opportunities to protect their interests. The basis of legal regulation in this area is the Law "On Protection of Consumer Rights". This legislation is organized from the position of good faith of the consumer, which is successfully used by unscrupulous persons. The more rights the law provides, the more chances for their manipulation by such persons. The difference between a citizen who defends his rights and an extremist lies in their goals. The citizen seeks justice, while the extremist seeks personal gain through the abuse of rights.

Consumer extremism is the abuse of consumer rights when individuals, using legislative norms, make unreasonable or excessive claims against manufacturers and sellers. In the Republic of Kazakhstan, this issue is becoming more and more relevant, causing concern among entrepreneurs and lawyers. On the one hand, consumer protection is a condition for violation of the system of any country, on the other hand – unscrupulous users can use the laws for unjustified gain.

A review of the news feed showed that articles on consumer extremism have been appearing in Kazakhstan since 2018. Then the National Chamber of Entrepreneurs "Atameken" came to the conclusion that the reason for the disagreement between the seller and the consumer is the imperfection of legislation on



consumer protection². One of the publications also gave an example of a developer from Astana who was forced to build a school and set up a park to satisfy the indignation of residents of neighboring houses³.

"Consumer extremism has its origins in the West. In scientific literature in Russian the most widespread term is "Consumer extremism", whereas in English one there is no consensus: consumer extremism, consumer terrorism, consumer abuse of rights, consumer fraud, Strategic lawsuits against public participation (SLAPP). All of them means slightly the different things, especially the latter.

One of the most famous precedents of consumer extremism is the "coffee cup case".

In February 1992, Stella Liebeck, a 79-yearold New Mexico resident, was leaving a McDonald's with a cup of coffee she had just purchased. The door at the diner was too tight, knocking the cup out of her hands, and the hot beverage spilled onto the woman, who suffered third-degree burns. She sued. The settlement amount was \$2.9 million and was later reduced to \$640,000. After this episode, the restaurant chain put a sign on the styrofoam cups "Caution: contents hot!" [1]; [4].

Signs that you have become a victim of consumer extremism:

1. Frequent returns of goods without apparent reasons or with far-fetched claims.

2. Using goods at events or for their intended purpose before returning them.

3. Claiming unreasonable discounts or compensation for minor defects that do not affect the functionality of the product.

4. Frequent complaints in order to receive free services or bonuses.

5. Manipulation of return conditions, including abuse of the right to return within the statutory period.

6. Offensive or aggressive behavior to pressure employees for favorable terms.

7. Exceeding standard operating norms, followed by product quality claims.

Examples of consumer extremism range from

minor abuse of rights to more complex schemes to pressure a business. Let's look at a few of the most common situations:

Product Return Abuse. A consumer purchases a product, uses it for a period of time, and then returns it to the store under the pretext of non-existent defects or violation of operating conditions. For example, a person bought clothes for an event, and after the event is over, demands a refund, claiming that the goods were "substandard". Stores are forced to accept the goods in order to avoid scandals and possible complaints to regulatory authorities.

Service fraud. Consumers use services, such as repair, maintenance of appliances, medical or travel services, and then claim that the service was improperly provided and demand a refund or additional compensation. Often such claims are made after the service has been fully utilized, when it becomes more difficult to prove that the task was performed well.

Intimidation by litigation. Some consumers threaten entrepreneurs with lawsuits or complaints to government agencies, such as the Department of Consumer Protection, in order to obtain free goods, discounts, or other benefits. In some cases, the threats may be unfounded, but entrepreneurs prefer not to take the matter to court because litigation can be lengthy and costly.

Unwarranted claims for compensation. Consumers may make exaggerated claims for compensation for alleged inconvenience or loss. For example, if a customer claims that a product broke or a service was delayed, they may demand not only a refund, but also compensation in the form of moral damages, additional goods or services for the future.

Use of forged evidence. In some cases, consumers provide forged documents or fabricated evidence (such as photos or videos) to support their claims. For example, they may claim to have received damaged goods by providing photos of the goods that were not taken by them, or even damaging the goods themselves before returning them.

² «Потребительский экстремизм» в Казахстане провоцируют законы – НПП // BaigeNews [Электронный ресурс] – Режим доступа: https://baigenews. kz/gruppi_potrebitelei_zloupotreblyaushchie_zakonnimi_pravami_uchastilis_v_kazahstane__npp_29148/?ysclid=m7u1fxbtcn365167431 (дата обращения: 03.03.2025).

³ Н. Халыкберген: Потакать потребительским спекулянтам весьма чревато! // Время [Электронный ресурс] – Режим доступа: https://time.kz/news/ society/2020/10/14/nurken-halykbergen-potakat-potrebitelskim-spekulyantam-vesma-chrevato?ysclid=m7u1hx55a7857626878 (дата обращения: 03.03.2025).



Turning to "gray" middlemen. Sometimes consumers may turn to professional "middlemen" or legal advisors who specialize in creating artificial conflicts with businesses. These intermediaries, for a fraction of the possible compensation or judgment, help consumers make unreasonable claims against businesses. In such schemes, consumers exploit legal loopholes to maximize their benefits.

Creating deliberately difficult situations for sellers. Some consumers intentionally create conflict situations by putting the seller or company in an uncomfortable position where any response could result in losses. For example, a buyer may demand a refund for a product, but keep the product itself, threatening further claims and complaints to various authorities if the demands are not met.

All these examples show that consumer extremism can take many forms and its impact on business can be devastating. It is important that entrepreneurs and authorities work to create a balanced system that protects businesses from abuse while preserving the rights of conscientious consumers.

The next section is devoted to the exploration of potential usage of AI in order to prevent abusive behavior of consumers and to protect business owners at the same time.

The potential of AI to detect and prevent abusive behavior of customers.

Upon initially contemplating the topic of this article, we encountered a notable scarcity of scientific literature specifically focused on the application of AI technologies for detecting and mitigating abusive consumer behavior. Most existing literature predominantly concentrates on safeguarding consumer rights, with comparatively less attention given to the protection of businesses from potential abusive behavior by consumers [5]; [6]; [7]. There also the literature concentrating on the AI liability aspect with analogy to infamous coffee cup case [8]; [9].

Due to this fact, the most popular generative AI resources ChatGPT⁴ and Google Gemini⁵ were utilized.

Google Gemini suggest that AI can be utilized

in identifying abusive behavior, protecting employees, improving customer service. More specific prompts as "AI against abusive customer behavior" provided the results grouped by real-time detection, post-interaction analysis, protecting employee well-being.

ChatGPT provided a way different results as Natural Language Processing (NLP) and Sentiment Analysis, Behavioral Pattern Recognition, Predictive Analytics for Risk Assessment, Automated Moderation and Monitoring Systems, Evidence-based Decision Support Systems, Bias Mitigation and Ethical Concerns.

Al, namely through machine learning and natural language processing, is utilized in customer service to improve customer interactions and identify fraud trends. This change enables service providers to concentrate on controlling fraudulent activity instead of only identifying it [10].

According to research on conversational AI systems, harsh language is frequently encountered by these platforms. Although detection accuracy can still be improved, research efforts are concentrated on developing datasets and models to better identify and comprehend subtle abuse in these interactions [11].

By examining textual and behavioral characteristics, AI algorithms are used to identify spam reviews. Users usually trust these technologies, and younger generation are more likely to trust behavior-based AI solutions. AI's perceived expertise and kindness are increased when it can identify unexpected spam reviews [12].

In our opinion, AI can be utilized against abusive consumer behavior in different dimensions:

1) Detection of Fraud Patterns. Consumer data sets can be analyzed by AI to look for anomalous behaviors that indicate suspicious activity such as requests for refund or return without a proper reason, the threat of a lawsuit or poor review.

Increase in number of complaints from certain clients or geographic regions. For example,

⁴ ChatGPT / OpenAI [Electronic resource] – Access mode: https://chatgpt.com/ (Access date: 11.11.2024).

⁵ Gemini Al / Google [Electronic resource] – Access mode: https://gemini.google.com/ (Access date: 11.11.2024).



e-commerce platforms can use machine learning models to identify accounts that have abnormally high number of refund requests compared to their regular buying behavior.

For example, an Amazon started flagging an items as "frequently returned"⁶. This encourages shoppers to read reviews and understand potential issues before purchasing. If a specific seller consistently has high-return items, Amazon may investigate them for misleading listings or low-quality products. With analogy to this, there can be developed the system to monitor return and refund/replacement behavior of customers. If a customer returns items too often, especially high-value ones, the AI flags their account for review. Customers who repeatedly claim items were "never delivered" or "arrived damaged" may be flagged. Al helps determine whether a customer is genuinely reporting an issue or trying to exploit the system.

2) Sentiment and Intent Analysis.

Al powered NLP can analyze phone calls, emails, and chats to look for language that is aggressive or threatening, or currency that sounds like blackmail.

For example, if abusive behaviour triggers are recognized, the customer support chatbots can have the ability to move the conversation to the moderation channel right away.

3) Decision Making Systems.

Al can help in the process of assessing claims to distinguish between real and fraudulent claims. Such systems can check for purchase history, previous claims, and customerprovided evidence to determine if a refund or compensation is due.

For instance, in the case of airlines or e-commerce companies, it can use AI to check the authenticity of the refund request for the 'missing package' through the delivery details.

But we do not advise implementing measures like client behavior scoring that rates the risk of each client's account. Of such a kind of systems there is a considerable risk of bias.

Conclusion. The implementation of Al technologies can be effectively used for preventing abusive consumers as there is almost no academic literature available on this specific aspect of the topic. Despite the fact most research focuses on consumer rights, the new Al tools hold much promise in the protection of business. Both Google Gemini and ChatGPT reveal how Al can be used to detect abuse – from live monitoring to after interaction analysis and sentiment analysis.

The AI technologies like machine learning and NLP can be used for the recognition of risky activities, consumer sentiment analysis, and decision making. These developments enable the service providers to transition from being reactive players in fraud detection to being proactive players in fraud prevention. However, the ethical issues such as bias and fairness in the automated systems are still an issue of concern. Client behaviour scoring measures should be employed with caution to prevent discrimination in the workplace.

In conclusion, the application of AI for combating abusive consumer behaviour can be a reasonable approach for businesses to ensure the integrity of their operations as well as improve the relationship with their customers. The future work and development should be directed towards the ethical AI models and the transparency of the models' work to increase the trust and equity.

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