

GOVERNMENT CONSULTATION ON COPYRIGHT AND ARTIFICIAL INTELLIGENCE

Executive summary, 25 February 2025



The SoA submitted its response to the government consultation on Copyright and AI on 25 February. Our 46-page submission (with a further 36 pages of supporting evidence) was informed by the invaluable responses provided by the 1,035 authors, illustrators and translators who replied to the survey we conducted in January 2025. Thank you to all who responded.

The SoA submission included the following:

The government must uphold the current copyright regime and support an opt-in approach

The SoA:

- Firmly rejected the proposal to introduce a new and broad text and data mining exception into copyright law that would enable AI developers to use works unless creators opt out. We urged government not to erode copyright law but to support an opt-in system so creators retain full control over how their work is used.
- Pointed out that the proposed change would not only put an unfair, onerous and unworkable burden on creators, it would also irremediably and significantly damage our creative industries and the wider UK economy, put creators' livelihoods at risk, and contribute to the impoverishment of an already struggling profession.
- Highlighted the impracticality and inefficiency of an opt-out approach, urging government to learn from the shortcomings and limitations of the EU approach and to use the unique opportunity it has to pave the way for a better solution.
- Asserted that the current copyright regime works well. Requiring AI developers to obtain permission would fulfil all three of the government's objectives: it provides legal certainty; it enables rightsholders to retain control over their work and to be remunerated for its use; and it allows AI developers lawfully to access works to train their system. Upholding copyright law would ensure that the UK is not at odds with international copyright rules and doesn't contravene or impede other areas of national laws such as performers' rights, moral rights and data protection laws.

Transparency and labelling

The SoA:

- Called on government to ensure that transparency measures for AI providers are a priority in its policy agenda and a central tenet of any future policy development.
- Asserted the key role government must play in overseeing the introduction and swift implementation of robust transparency measures. Creators deserve to know if, how, when and for what purposes their works have been used by AI systems. New regulations requiring transparency on uses of copyright works for AI training are also an essential precursor to good practice in licensing, and vital to building a reliable and ethical environment.

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- Urged government to introduce statutory labelling obligations on AI developers. Labelling needs to be simple, accessible and coherent to the general public so AI-generated outputs can be easily distinguished from human-created works. Valuing and supporting human creativity is crucial.

Accountability and enforcement

The SoA:

- Urged government to factor in the economic and reputational harms creators suffer as a result of the unlawful uses of their works, and to hold AI developers accountable for the historical infringements that have taken place.
- Called for robust and genuinely effective enforcement mechanisms and dispute resolution mechanisms to be put in place as a matter of urgency, as well as deterring sanctions. Straightforward and affordable routes to obtain meaningful redress if infringement takes place should be implemented.

Evidence

The government asked for evidence, and we submitted 36 pages of member evidence and comments which were provided as part of the responses to our survey. These anonymised personal experiences and concerns demonstrate the human impact of unregulated and unlicensed AI.

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