NUJ submission to UK government call for evidence on AI and Copyright

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The National Union of Journalists (NUJ) is the voice for journalism and journalists in the UK and Ireland. It was founded in 1907 and has more than 22,000 members working in broadcasting, newspapers, news agencies, magazines, book publishing, public relations, and digital media.

The NUJ represents a range of workers – including writers, presenters, photographers, videographers and freelances - who have well-founded fears over the lack of meaningful regulation, safeguards and transparency in the deployment of artificial intelligence. Threats of exploitation and intellectual copyright breaches have already been realised, with false attributions, inaccurate AI-generated stories, and creators discovering use of their work without consent or compensation. Such advancements in the use of AI erode public trust in journalism and risk the reputation of every journalist seeking to adhere to ethical standards.

The NUJ recognises the potential to use AI within journalism as an assistive tool with human oversight. But without government intervention to block monopolistic tech firms from dictating industry practice, workers' employment opportunities and ability to make a living will be existentially threatened. The NUJ has urged the government to work with trade unions to introduce and enforce legislation to regulate AI in the creative industries.

The NUJ is affiliated to the Trades Union Congress (TUC) and is not affiliated to any political party.

Executive summary

- The deployment of AI has huge economic implications, threatening journalists' jobs, pay and the future of the news industry.
- In the face of rapid deployment, the government must introduce comprehensive legislation and regulatory oversight to enshrine workers' rights and regulate AI, while enforcing existing copyright and intellectual property laws.
- Creators' economic rights must be protected from exploitation – with journalists having full control over their work, how it is used and what they are paid for it.
- The NUJ supports a simple opt-in mechanism, either for individuals or as part of collective licensing, revocable by the creator at any time.
- Fair and reasonable terms of compensation must be secured for all journalists and creators whose work has already been used without consent.
- Transparent labelling is key to maintaining public trust and quality standards.
- Tech companies should be obliged to disclose their training data, the design of their algorithms and their output, and pay their fair share for the wholescale theft of creative workers' labour.

Evidence on changes in employment levels, job tasks, hours worked, wages, fees, or royalties in creative occupations associated with generative AI adoption, including both increases through productivity-enhancing augmentation and decreases due to task or job substitution.

Journalism has experienced devastating waves of job losses in recent years. Over the last two decades employers have used digital change as a rationale to cut staffing to the bone in the face of commercial pressures, leaving journalists overstretched and under-resourced. The unregulated deployment of AI, positioned as the next stage of the digital transformation process, is likely to threaten further jobs and worsen working conditions.

Impact on newsrooms

AI has already been adopted within newsrooms. Newsquest, one of the UK's biggest publishers, has introduced AI-assisted reporters in a bid to cut costs. These reporters feed information, including press releases, into an AI tool that produces stories. Publishers have argued that using AI in this way will free journalists to forego mundane tasks and pursue meaningful public interest journalism. The reality is the opposite with members reporting an increase in workloads, an increase in repetitive re-packaged news, an increase in page view targets, and an increase in the number of articles or videos needed to meet 'content' demands. The result is a fundamentally demoralising and deskilling experience, particularly for younger journalists who enter the profession with a commitment to developing their craft and keeping the public informed.

Last year Reach, the UK and Ireland's largest commercial publisher, cut over 300 jobs as the company continues to hitch its wagons to a digital model that is simply not producing the promised returns, and in the context of continued declining print circulations. Changes in tech company algorithms over which publishers have no control mean there is no stability in the model. At the same time, the company is using artificial intelligence to attempt to plug holes created by the loss of experienced, hardworking journalists. Reach has an in-house AI tool called Guten that tweaks and reproduces articles in the style of different titles. Instead of having dedicated local reporters based in - and accountable to - the communities they represent, Reach is increasingly centralising staffing and relying on Guten to duplicate content across different titles. The result is less localised coverage and poorer media diversity as different titles and brands blur into one another.

NUJ members at Reach are seriously concerned that making journalists redundant while publishing more AI-generated articles will do serious financial and reputational harm. A YouGov report published in February 2025 found that 86% of the public think AI usage in the media should be disclosed, while 70% do not think there are enough regulations for AI-generated content. The NUJ has consistently called for AI-generated journalism - including text, photos, and videos - to be clearly labelled as such. As this practice has not

been voluntarily adopted across the sector, the government must mandate publishers to introduce transparent labelling as a regulatory requirement.

<u>Impact on freelances</u>

AI systems are being trained on vast quantities of journalistic work without consent or remuneration, allowing large technology firms to generate significant revenue at the expense of journalists. The impacts of this disproportionately fall on freelance journalists, who make up at least one third of the news force in the UK. Research by the Authors Licensing and Collective Society (ALCS) in 2024 found that the median wage for a freelance journalist was just £17,000 – below minimum wage when calculated as an hourly rate. Any fall in freelances' livelihoods will force thousands of marginal earners out of the industry. Most journalists who retain copyright are freelance sole traders, and enforcing their economic rights is extremely difficult as unfavourable contract terms have historically weakened journalists' bargaining power. This imbalance is exacerbated by the rapid, unregulated deployment of AI. We urge the government to rectify this inequality to protect freelances from infringements.

Evidence from NUJ members reinforces these concerns. Responses to the NUJ's AI licensing survey highlighted widespread anxiety concerning remuneration models. One member said it is "vital that the government understands how difficult the market is for freelancers", with copyright theft compounding low rates that journalists "have little power to increase". The member added that "those who benefit commercially from our work should pay for the use of it or we will be priced out of the industry all together." Another member compared the prospect of AI licensing income to a "Spotify-type" model, in which creators receive pitiful payments for their work.

The work of trade unions is essential in resisting further opportunistic cuts to staffing that endanger journalists' working conditions and livelihoods. Given the potential economic impact this would have on an already beleaguered media sector, the NUJ urges ministers to engage directly with trade unions so that government policy addresses members' concerns over pay, job security and rights infringements.

The role and scale of creative content used in training and developing generative AI models, including how this content contributes to value creation and commercial returns.

Large Language Models (LLMs) and image generation tools are fundamentally dependent on the large-scale theft of work produced by journalists and other creative workers. These systems, which currently operate on an opt-out basis, have been built by scraping vast volumes of text and images - including news reporting, photography, and other

journalistic outputs - which have been used at multiple stages of model development, including pre-training and fine tuning.

No consent, no compensation

The use of journalists' work has overwhelmingly taken place without permission or recompense. The exploitation continues with the output of generative AI systems frequently resembling the creative works on which they have been trained. LLMs produce text that mimic the style, structure and subject matter of identifiable journalists. This demonstrates that creative content is a core input to model performance and commercial value. Yet the creators whose work generates commercial returns receive no compensation.

LLM systems are widely known to 'hallucinate' - a euphemism for producing fabricated information, invented quotes, and false attributions. This undermines journalistic integrity and jeopardises individual reputations. Ultimately, the authenticity of a journalist's work is guaranteed by the byline on it: named journalists take responsibility for their work. AI-generated content severs this link between authorship and accountability, contributing to the declining trust in news and the media more broadly.

The NUJ is concerned that as generative AI becomes more closely integrated into editorial and publishing work, public confidence in journalism will only deteriorate. The NUJ notes that people have a right to access reliable information that influences the decisions they take about their lives. However, the more audiences are exposed to AI-generated content, the harder it becomes to distinguish verified reporting from false or unreliable material. This has concerning implications, not only for journalists, but for the democratic function of a free and trusted press.

Lack of transparency

Despite the central role that creative works play in AI training and development, rightsholders lack meaningful access to information about how their works are used. Journalists are unable to establish whether their works have been included in AI training datasets; which URLs, publications or archives have been scraped; and at what stage of model development their works were used.

The NUJ stresses that there must be greater transparency requirements on developers to disclose the data sources used throughout the training process, and that rightsholders must be able to access this information easily. Lack of transparency is a critical barrier to accountability. Without access to this information, rightsholders cannot assess the extent to which their labour contributes to the performance and commercial returns of generative AI, nor can they challenge unauthorised use or seek appropriate remuneration.

Existing mechanisms for licensing creative works for AI use, including how revenues and costs are distributed across creators, intermediaries, and AI developers.

There is no standardised licensing framework governing the use of journalistic and creative works for AI training. Digital corporations have scraped words and images they find to train their LLMs without permission, negotiated terms or payment.

More than 400 NUJ freelance members participated in the union's AI licensing survey. 60% of members agreed that their work should only be used for AI learning with their explicit consent while 20% disagreed with licensing their work for any AI use. Nearly a quarter found that their work had already been used for AI learning without their consent and 90% said they would seek compensation for past use. The small number who wouldn't seek compensation cited the lack of effective redress mechanisms, with one member stating there would be "no hope of winning a case" as AI firms hold greater power than an individual.

Opting in

The NUJ has called for an opt-in mechanism, either for individuals or as part collective licensing, revocable by the creator at any time. The NUJ's membership includes photographers and the union has seen no technical solution that would allow photographers to opt out of their images being used. Doing so for each image would be an arduous, almost impossible task. An opt-in mechanism, therefore, is the only realistic option.

For journalists who do opt in, fair remuneration should be granted for the use of their material. In no sector are workers expected to provide their labour and creation for free, so the same fundamental principle should apply to journalists and other workers in the creative industries.

Current control mechanisms are fundamentally flawed. Robot.txt files can inform web crawlers which parts of a website they have permission to access, but this is often ignored as crawlers proceed to access content without permission. Even for publishers, this mechanism is ineffective and shifts the burden onto rightsholders to protect their work. As search tools based on deterministic indexing are replaced by LLM-based tools, opting out effectively results in websites being excluded from search engines, harming traffic revenue for already struggling titles. Reuters Institute for the Study of Journalism's 'Journalism and Technology Trends and Predictions 2026' found that a fifth of respondents expect a loss of more than 75% in their company's search traffic due to Google AI overviews and AI Mode.

Licensing agreements

As publishers agree licensing deals with AI companies, there must be recognition and fair remuneration for freelance journalists whose works are included in the deals for data

sets to train and develop technologies. The majority of our AI licensing survey respondents have still not been approached to give consent for their work to be used. And of those who have been approached, the majority have not received any fees from these services or agreements.

If tech companies have the funds to pay for the hugely energy-intensive infrastructure and operating processes required to train and maintain their AI systems, they can also provide fair remuneration for work where consent is granted. The NUJ strongly opposes a text and data mining exception for commercial purposes and urges enforcement of existing copyright legislation. Compensation for the use of works for AI training to date, almost all of which has been unlawful, must be distributed to workers, not just publishers and broadcasters.

The short- and long-run effects of different regulatory and remuneration regimes on employment, productivity, innovation, and output quality in the creative and AI sectors.

The creative industries are worth £125 billion to the UK economy so it is incumbent on the government to protect the sector against further exploitation from AI developers.

Urgent legislation and enforcement

The government must introduce strengthened legal frameworks that hold developers to account and create accessible methods to seek redress where journalists' rights are breached. Without this, weakened copyright protections risk increasing unemployment and undermining productivity and the quality of news and information dissemination.

It is alarming how widespread the acquisition of journalists' work for the purpose of training LLMs has been since the inception of generative AI. Journalists, creators and freelancers bear the emotional and economic toll of infringement. The intellectual property rights of creators must be respected for their economic survival. The government could consider the approach adopted by the Competition and Markets Authority (CMA) and issue penalties of 10% of annual income for infringements.

Beyond the economic precarity many journalists face, mass breach of copyright in news reporting at the hands of AI developers has also played a substantial part in perpetuating the news industry crisis. Monopolistic digital advertising that depends on purloined news reporting to generate clicks has been particularly destructive. As publications transitioned from print to digital, tech companies sucked up the lion's share of digital advertising revenue.

The same platforms that pillaged and profited from sector should be compelled to play a meaningful role in its preservation. Google, Meta, and X regurgitated editorial content without contributing to its production, supplanting local news sources while claiming

that they are merely platforms and not publishers, and therefore not responsible for the discrimination and disinformation published on their platforms and pushed by their algorithms. The NUJ has called for a 6% windfall tax on the tech giants to reinvigorate the sector as well as an ongoing digital tax to sustain funding.

Decline in quality and public trust

Free markets are a fallacy unless buyers and sellers have access to truthful, independent information, and journalism is the prime means of transmitting such information. However, when control of AI currently rests in the hands of only a few oligarchs who demonstrate disregard for workers' rights, the UK is not independent from the interests of unaccountable individuals concerned primarily with amassing extreme wealth.

The small number of extremely powerful individuals and corporations who dominate AI development have control over data and platforms whose algorithms serve to reinforce and inflame prejudice. Generative AI often draws on databases that have been trained on uncurated content containing stereotypes, biases, and misinformation. This thwarts access to reliable information and impartial news reporting, damaging public discourse and democracy.

As even advanced iterations of AI technology continue to produce error-prone images and copy, it is only humans that can preserve journalistic standards. Employers must recognise that without the knowledge, skill and human oversight of journalists, they do not have a viable business model. And the government must realise that economic growth is a mirage if an AI free-for-all results in mass job losses, diminishing trust and a democratic deficit.