

Data (Use and Access) Bill

Baroness Kiron amendments

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About the Association of Illustrators (AOI):

The Association of Illustrators was established in 1973 to advance and protect illustrators' rights and is a non-profit making trade association dedicated to its members' professional interests and the promotion of contemporary illustration. Today, the AOI has 2,400+ members, including freelance individuals, illustrators' agents and universities. As the only body to represent illustrators and campaign for their rights in the UK, the AOI has successfully increased the standing of illustration as a profession and improved the commercial and ethical conditions of employment for illustrators. The AOI offers members professional and business advice, as well as representing the interests of thousands more illustrators across the UK.

We are writing to the Committee to express support for the Baroness Kidron amendments to the Data (Use and Access) Bill. These amendments would benefit illustrators, as although they readily embrace technological progress and some incorporate AI-assisted tools in their work, illustrators face an unprecedented threat as generative AI platforms are directly competing with them by using their original works for training without permission or compensation. Our 2025 AI survey aimed at illustrators reveals that 32.40% of illustrators have already lost commissions to AI alternatives, with affected artists losing an average of £9,262 each—a trend that threatens both individual livelihoods and UK's position as a global creative leader.

We consider there is no requirement to change the underlying UK copyright framework as it is already sufficient to build on the current copyright licensing market. Our comments are below.

Clause 135 Compliance with UK copyright law by operators of web crawlers and general-purpose AI models

Compliance with UK copyright law by generative AI developers is imperative. The AOI's members and the wider illustration community have a vast number of images online, much of which has already been scraped without consent and used for generative AI dataset training. So, this clause will make sure any illustration work under copyright, regardless of the jurisdiction in which the scraping or training takes place, will require a legally acquired licence for use as required by law.

Clause 136 Transparency of crawler identity, purpose, and segmentation

Transparency of crawler identity

Illustrators have concerns that denying the use of crawlers, to their website portfolios for example, could make them open to the downranking of their website and images

from searches, which is clearly important when they require online visibility for their artwork to be seen by potential commissioners.

This clause requiring the specific purposes for which each crawler is used to be transparent will help illustrators identify when scraping is occurring. If it is illegal, they can then challenge it.

Segmentation

The clause requiring separate crawlers for separate purposes will stop search engines from penalising those who opt out for scraping crawlers by downranking their content. This is a major concern for illustrators as they cannot afford to not be found online. In our January 2025 AI survey 92.65% of illustrators say they cannot opt out of AI training datasets without seriously harming their business.

Clause 137 - Transparency of copyrighted works scraped

This amendment requires generative AI developers to be transparent about the content that is used to train their models. Transparency from AI developers will allow illustrators to be aware of when their artworks have been used without permission and therefore copyright law will be enforceable for them.

As illustrators have large numbers of works online, not only on their own websites, but downstream on portfolio sites, social media platforms, clients' websites and more, the ability to have 'information that can be used to identify individual works' will be essential, and this clause will allow for that.

Clause 138 - Enforcement

AI developers will require an incentive to comply with copyright law, and these amendment regulations will give creators confidence that the Information Commission will have the right powers to issue notices and fines to AI developers and web crawlers if relevant. (2) will allow creators to take action to recover damages for any loss and also to injunctive relief. Again, a positive aspect for creators.

Clause 139 - Technical solutions

Clearly it's important that there are technical solutions for creators and AI developers, and this clause requiring the Secretary of State to conduct a review of technical solutions, to identify the unauthorised scraping or other unauthorised use of copyright owners' text and data will help copyright holders identify unlicensed scraping by generative AI developers, helping them to assert their rights.

Link to [the AOI AI survey](#) (over 6800 respondents)