

## The Association of Photographers Position On:

### *AI Generative Content Programs + Text & Data Mining*

With the arrival of numerous AI generative content programs that have data-mined image-text files to build enormous datasets that are subsequently commercially exploited – and allow users to type in text prompts that artificially generate images for further exploitation – the Association of Photographers (AOP) sets out its position on this phenomenon.

The AOP and its members have long supported the introduction of new technologies that can assist with the mechanics of image production, process and delivery. Our concern is where new technologies threaten to commercially exploit creators' work without permission and by competing directly in the same marketplace, seeking to displace professional photographers, image-makers and other associated creators' careers.

We advocate that any current and future policies and frameworks must:

- Compensate creators by paying them for the work they produce and invest in at their own expense;
- Always allow for permitted use via an 'opt-in' option, rather than simply take or scrape images from public-facing websites;
- Provide for an effective copyright enforcement framework, which allows for digital claims to be processed easily and affordably.

CEO, Isabelle Doran, comments, "We are well aware that the '*genie is out of the bottle*' when it comes to text and data mining images for AI generative content platforms. However, by no means must policy makers facilitate the demise of the image-making industry at the expense of creators and for the profit of AI developers. It is imperative that we place the rights of photographers, as human creators, front and centre, and ensure they remain incentivised to carry on creating original and visionary imagery."

Any desire for economic growth through AI and associated technology should not be at the expense of the already highly successful UK creative industries. AI should support, not compete with, the creative sector.

Sources suggest that by 2025 we will see at least 90% of content online generated by AI<sup>1</sup>. With an estimated 30,000 professional individual photographers in the UK<sup>2</sup> whose commissioned work is heavily featured online, and an average individual turnover of £81,500, per professional photographer based in the UK<sup>3</sup> (which equates to £2.44 billion total turnover per annum) their livelihoods are substantially under threat.

The UK is recognised as a net exporter of creative content (£35.6 billion p.a. in 2018)<sup>4</sup>, it is therefore vital that a strong policy and framework is put in place to protect human creativity. A significant step would be to work together to ensure fair compensation by setting out a system that firstly allows creators the choice to opt in, remunerates them and deals with infringements, to achieve authentic and ethical AI.

The Association of Photographers, 2023

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<sup>1</sup> Sources: <https://futurism.com/the-byte/ai-internet-generation> and <https://petapixel.com/2023/01/17/90-of-online-content-could-be-generated-by-ai-by-2025-expert-says/>

<sup>2</sup> ONS Statistics 2022 shows no. of photographers, audio-visual & broadcasting equipment operators is 73,300, therefore approx. 30,000 professional photographers is a fair assumption. <https://www.statista.com/statistics/319286/number-of-photographers-audio-visual-and-broadcasting-equipment-operators-in-the-uk/>

<sup>3</sup> AOP survey conducted, September 2022. <https://www.the-aop.org/uploads/aop-tdm-supporting-submission-to-the-ipo051022.pdf>

<sup>4</sup> The UK creative industries exported £35.6bn of services in 2018, the latest available year of data. <https://www.thecreativeindustries.co.uk/facts-figures/resources-infographics>