
7 Impact of Artificial Intelligence

- 179.** The use of artificial intelligence (AI) tools by the UK’s film and HETV industry attracts productions to our shores and offers significant potential for growth. For example, Metaphysic’s Martin Adams told us that Robert Zemeckis’s 2024 film ‘Here’, which used AI to age and de-age the cast, was made in the UK because of its reputation for excellent production facilities and technological innovation.⁴⁰³ We heard of a strong appetite across the whole of the film and HETV value chain, including exhibition, to embrace the opportunities that AI presents.⁴⁰⁴ However, we were also told about the potential negative impact of generative AI—a sub-set of AI tools that generate text, images, audio, video or other media in response to user prompts—on copyright, the wider workforce, and the film and HETV industry.

Maximising potential

- 180.** Producers and creatives told us they were keen to embrace the opportunities that AI offers, while using it in an ethical and responsible way, but needed guidance and help doing so.⁴⁰⁵ At present, there is no fixed definition to describe the practice of designing, developing, and deploying AI while upholding values of trust, transparency, fairness and privacy. However, we heard that practitioners considered ‘ethical use’ of AI in film and HETV to include using tools trained on licensed data to ensure copyright was upheld; ensuring that anyone whose creative work or likeness was manipulated by AI tools had given informed consent; and ensuring creatives did not lose out financially.⁴⁰⁶ It was also suggested that audiences might want to be made aware when generative AI has been used in a film or programme.⁴⁰⁷

403 [Q3](#) [Martin Adams]

404 [Q58](#) [Jane Featherstone], and oral evidence taken by our predecessor Committee on 21 February 2024, [Q98](#) [James Hawes] and on 23 April 2024, [Q323](#) [Tim Richards]

405 [Qq58–59](#) [Jane Featherstone], and oral evidence taken by our predecessor Committee on 21 February 2024, [Q97–99](#) [James Hawes], and written evidence received for our predecessor Committee’s inquiry into British Film and High-End Television, Channel 4 ([FILO109](#)), November 2023

406 [Q14](#)

407 [Qq15–16](#)

- 181.** Industry bodies, including Pact, Equity and the Writers’ Guild of Great Britain, have developed guidelines for the ethical use of generative AI in film and HETV, which are underpinned by respect for “human creativity”.⁴⁰⁸ We understand that BAFTA is considering whether a certification scheme, similar to one that measures a production’s carbon footprint, could be used to embed and incentivise ethical practice in the use of AI tools across the industry.⁴⁰⁹ However, there is debate over what legislation, if any, is needed to underpin and enforce those industry standards.⁴¹⁰
- 182.** Embracing the opportunities of generative AI may also require changes to the UK’s tax incentives. Nick Lynes, whose company Flawless develops AI-powered post-production tools, told us that the UK’s tax credit system needs to keep up with the rapid changes in filmmaking that are blurring the lines between production and post-production.⁴¹¹ He told us that the new enhanced AVEC rate for visual effects (VFX) costs “was designed around a linear filmmaking process with a traditional understanding of filmmaking”, but that more productions could be attracted to the UK if the incentive covered new filmmaking techniques.⁴¹²
- 183.** To maximise the potential of generative AI, the film and HETV workforce needs the skills to use it effectively. When asked how easy it was to recruit people with the necessary skills to use AI tools, producer Benjamin Field told us training opportunities were being developed.⁴¹³ However, producer Jane Featherstone expressed concern that she had “not heard anyone talk about training for AI” when discussing skills and training.⁴¹⁴ Metaphysic’s Martin Adams also cited the disparity between the salaries that the film and HETV industry could offer and those offered by major AI developers as a barrier to recruitment.⁴¹⁵ We heard that could already be a barrier to getting enough teachers to train filmmakers to use AI tools.⁴¹⁶
- 184.** Jay Hunt, Chair of the BFI, agreed that the industry as a whole needed support to understand and navigate generative AI, and suggested that the BFI’s “thought leadership” would be significant at such a time.⁴¹⁷ The Government’s AI Opportunities Action Plan recommends the appointment of an AI Sector Champion in the creative industries to work between industry

408 [Q14](#) [Benjamin Field]

409 [Q14](#) [Benjamin Field], and written evidence received for our predecessor Committee’s inquiry into British Film and High-End Television, BAFTA albert ([FLO145](#)), November 2023

410 [Q14](#)

411 [Q4](#)

412 [Q5](#) [Nick Lynes]

413 [Q11](#)

414 [Q51](#)

415 [Q12](#)

416 [Q61](#)

417 [Q99](#)

and Government and develop AI adoption plans.⁴¹⁸ Asked if that was a role for the BFI, its CEO said “we will absolutely be a sector champion for AI” whether formally or not.⁴¹⁹ In the meantime, the BFI’s Spending Review bid will ask for funding for an “AI observatory” bringing together academics and researchers to share insights with the industry. It also plans to build a “tech demonstrator hub” to help those in the film and HETV sectors understand what AI tools could mean for their work.⁴²⁰

CONCLUSION

- 185.** Industry guidelines based around protecting human creativity in the use of generative AI are welcome, but the film and TV sectors are calling out for help to embrace the growth potential of generative AI in a way that is fair, responsible and legally compliant.

RECOMMENDATION

- 186.** At the Spending Review, the Government should fund the BFI’s development of an AI observatory and tech demonstrator hub to enable it to provide effective leadership around the industry’s use of AI.

RECOMMENDATION

- 187.** The Government’s AI Sector Champion for the creative industries, once appointed, should work with the industry to develop an AI certification scheme for the ethical use of generative AI in film and HETV. In setting out guidelines for the responsible use of generative AI, the scheme should consider the interests of copyright holders, creatives and audiences. To ensure compliance and protect the industry from irresponsible use of AI tools, the Government should mandate certification for UK-based broadcasters or productions claiming tax incentives and National Lottery funding.

418 Department for Science, Innovation and Technology, [AI Opportunities Action Plan](#), CP 1241, 13 January 2025

419 [Q102](#) [Ben Roberts]

420 [Q101](#) [Ben Roberts]

Risks and challenges

Copyright

- 188.** The success of the UK’s film and HETV sectors, like the wider creative industries, rests on a strong copyright and intellectual property framework, which the Motion Picture Association called “vital” to “sustaining investment”.⁴²¹ There was strong opposition to any breach of that framework in favour of AI development, which Equity told us “could impact inward investment and is highly likely to undermine the growth-potential of our industries”.⁴²²
- 189.** The Government’s December 2024 consultation on copyright and AI proposed introducing a data mining exception that would allow AI developers to train their models on material except in cases where rights holders have expressly reserved their rights.⁴²³ We heard that such an “opt out” system would be “unfair and unworkable”, giving rights holders an “illusion” but “no real control.”⁴²⁴ Equity stated that such a regime “would throw open centuries of creative content to exploitation without licensing and remuneration, destroying the value of these assets [...] and undermining long-established property rights.”⁴²⁵
- 190.** Legal consultant and co-convenor of the University of Reading’s Synthetic Media Research Network, Dr Mathilde Pavis, told us that an opt-out regime would likely be “in breach of the UK’s international obligations under intellectual property treaties”, which “clearly outline that any exceptions or carve-out of creators’ copyright, including performers’ rights, cannot place an undue burden on the rights holder.”⁴²⁶ She explained that European rights holders have responded “very negatively” to the EU’s ‘opt-out’ provisions, with evidence that rights holders’ preferences are not being honoured and claims that the measure is in breach of the EU’s international treaty obligations.⁴²⁷ However, the Minister seemed unconcerned about this, telling us that the UK’s interests are best served by proceeding “in the same direction” as other major economic blocs.⁴²⁸

421 Written evidence received for our predecessor Committee’s inquiry into British Film and High-End Television, Motion Picture Association ([FIL0113](#)), November 2023

422 Equity ([BF20019](#))

423 Intellectual Property Office, Department for Science, Innovation and Technology, Department for Culture, Media and Sport, [Copyright and Artificial Intelligence](#), CP 1205, 17 December 2024

424 [Q27](#) [Ed Newton-Rex]

425 Equity ([BF20019](#))

426 [Q27](#) [Dr Mathilde Pavis]

427 [Q30](#) [Dr Mathilde Pavis]

428 [Q163](#) [Sir Chris Bryant MP]

191. Broadly, the film and HETV sectors, like the wider creative industries, were in favour of requiring AI companies to license copyrighted works to ensure creative content is used with permission and remuneration.⁴²⁹ The Chair of the BFI told us that the priority had to be protecting creative rights holders because “copyright historically has delivered huge returns for UK plc.”⁴³⁰ The BFI later stated it supports “strengthening the copyright framework to require licensing in all cases, alongside a commitment to transparency measures, so that UK producers, writers, directors, and performers can fully exploit their copyrighted works and catalogues”.⁴³¹

192. A licensing approach need not necessarily make the UK less attractive to AI developers. The CEO of Fairly Trained, Ed Newton-Rex, told us:

The major economic opportunity from AI does not come from exploiting the life’s work of the world’s creators without permission. [...] You train on creative work you haven’t licensed if you want to replace the creative industries with AI without paying them—not if you want to cure cancer with AI.⁴³²

He recommended the UK invest in data centres, AI education and training, tax breaks for AI companies, and visa schemes for researchers. Through that, he argued the UK could “be the home of responsible AI development and responsible AI companies [...] without destroying our creative industries by upending copyright law.”⁴³³ We considered these and other issues alongside our colleagues on the Science, Innovation and Technology Committee and have shared our joint views with the Government.⁴³⁴

CONCLUSION

193. Getting the balance between AI development and copyright wrong will undermine the growth of our film and HETV sectors, and wider creative industries. Proceeding with an ‘opt-out’ regime stands to damage the UK’s reputation among inward investors for our previously gold-standard copyright and IP framework.

429 Written evidence received for our predecessor Committee’s inquiry into British Film and High-End Television, British Film Institute ([FIL0126](#)) para 6.59, Creative UK ([FIL0093](#)) para 171, Warner Bros. Discovery ([FIL0133](#)), November 2023

430 [Q99](#)

431 ScreenDaily, “[We support strengthening the copyright framework](#)”: BFI outlines its position on AI and creative works, 26 February 2025 (accessed 4 March 2025)

432 [Q31](#) [Ed Newton-Rex]

433 [Q31](#) [Ed Newton-Rex]

434 Letter from Dame Caroline Dinenage MP, Chair, Culture, Media and Sport Committee, and Chi Onwurah MP, Chair, Science, Innovation and Technology Committee, to Peter Kyle MP, Secretary of State for Science, Innovation and Technology, and Lisa Nandy MP, Secretary of State for Culture, Media and Sport, regarding AI and copyright, [25 February 2025](#)

RECOMMENDATION

- 194.** The Government should abandon its preference for a data mining exception for AI training with rights reservation model, and instead require AI developers to license any copyrighted works before using them to train their AI models.

Impact on jobs and incomes

- 195.** High-profile creative artists have spoken out about the unlicensed use of creative works to train generative AI models.⁴³⁵ Their concerns are reflected throughout the workforce, from extras and crew members to designers and composers.⁴³⁶ Organisations representing creative workers shared concerns that generative AI tools would compete with human creatives for work, ultimately offering a cheaper alternative.⁴³⁷ The union Equity found that 65% of performers think the development of AI technology poses a threat to employment opportunities in the performing arts sector, rising to 93% for audio artists.⁴³⁸ Director James Hawes cautioned that in a relatively short amount of time, generative AI might be used to develop programme outlines or scripts that would in turn put the next generation of creatives out of work.⁴³⁹ The Writers' Guild of Great Britain was concerned that "writers could be used to 'polish' draft scripts written by AI tools rather than develop original work themselves and be paid less as a consequence."⁴⁴⁰
- 196.** Concerns over the impact of AI on the UK industry mirror those in the US, where the perceived threat of generative AI to screenwriters and performers made the issue central to the 2023 Writers Guild of America and SAG-AFTRA strikes. The resulting agreements included strict and consensual controls on the use of AI in scriptwriting, rewriting and producing source material and

435 [Statement on AI training](#), (accessed 19 March 2025) and oral evidence taken by the Culture, Media and Sport Committee and Science, Innovation and Technology Committee on 4 February 2024, [Q44](#) [Max Richter]

436 Written evidence received for our predecessor Committee's inquiry into British Film and High-End Television, Bectu ([FILO088](#)), British Film Designers Guild ([FILO033](#)), Musicians' Union ([FILO043](#)), November 2023

437 [Q21](#) [Liam Budd], and written evidence received for our predecessor Committee's inquiry into British Film and High-End Television, WGGB - Writers' Guild of Great Britain ([FILO083](#)) para 38, November 2023

438 Equity, '[4 out of 5 performers don't understand their rights when working with AI](#)', 21 April 2022 (accessed 3 March 2025)

439 Oral evidence taken by our predecessor Committee on 21 February 2024, [Qq97-99](#)

440 Written evidence received for our predecessor Committee's inquiry into British Film and High-End Television, WGGB - Writers' Guild of Great Britain ([FILO083](#)) para 40, November 2023

rules on the alteration and replication of actors' likenesses.⁴⁴¹ Ed Newton-Rex told us that he expects the “backlash [...] to grow” and that British artists were “willing to strike”, with protests “leading to AI film screenings being cancelled”.⁴⁴² Dr Pavis told us that while the film and HETV industry might be expected to use generative AI tools in a way that is “good for the ecosystem”, it could still be vulnerable to its use in other sectors, such as advertising and video games.⁴⁴³

CONCLUSION

- 197.** Our world-class creatives are the lifeblood of the UK’s film and HETV sectors. However, the rapid growth of generative AI technologies threatens their earnings and future employment opportunities. This is not just an issue for one part of the industry: it about real lives and livelihoods, and the impact will be felt by the most vulnerable.

Performer rights and consent

- 198.** We were also told that AI’s impact on the rights of performers risked being overlooked.⁴⁴⁴ We heard that performers were “vulnerable” and “pessimistic” about AI because of a “patchwork” of out-of-date legislation to enforce people’s rights over their performances and likenesses in the digital age.⁴⁴⁵ Dr Pavis described performers as the “canaries in the coalmine”, and called for a system where digital identities were as protected as physical ones.⁴⁴⁶

Contracts

- 199.** The Copyright, Designs and Patents Act 1988 (CDPA) confers economic and moral rights over artistic works, including performances.⁴⁴⁷ Performers typically waive, license or assign their individual rights via contracts.⁴⁴⁸ However, Equity found that 79% of performers did not

441 Backstage, [Unpacking SAG-AFTRA’s New AI Regulations: What Actors Should Know](#), 18 January 2024 (accessed 3 March 2025) and AP, [In Hollywood writers’ battle against AI, humans win \(for now\)](#), 27 September 2023 (accessed 3 March 2025)

442 [Q24](#) [Ed Newton-Rex]

443 [Q32](#) [Dr Mathilde Pavis]

444 [Q27](#) [Liam Budd]

445 [Qq24, 27](#) [Liam Budd], [Q26](#) [Dr Mathilde Pavis]

446 [Q21](#) [Dr Mathilde Pavis]

447 Intellectual Property Office, [The rights granted by copyright](#), (accessed 4 March 2025)

448 Trades Union Congress, [Artificial Intelligence for Creative Workers: A TUC Manifesto](#), 3 March 2025, p 13

have a full understanding of their rights before signing a contract for AI work. AI technology is also not covered in historic collective bargaining agreements.⁴⁴⁹

- 200.** There have already been cases where performance contracts, signed before AI tools were conceived, have been used to justify the use of those performances to train AI models.⁴⁵⁰ Dr Pavis argued that it was important that where contracts allowed performers to transfer their rights, it was for a particular project purpose only, cautioning against broad clauses that transferred rights in perpetuity or for different uses.⁴⁵¹ The Trades Union Congress (TUC) manifesto on ‘AI for Creative Workers’ agreed and argued that evidence of a worker’s “free and informed consent” was also needed, calling for such safeguards to be enshrined in law.⁴⁵² The industry is developing tools to capture and manage performers’ consent to the re-use of their recorded image or voice by generative AI tools during the production process.⁴⁵³ However, such systems are not yet universal.⁴⁵⁴

Image rights

- 201.** We also heard there was an “urgent need” for the UK to codify image rights to protect performers from the unauthorised use of their identity by generative AI tools (alongside protecting the general public from non-consensual exploitation of an individual’s likeness).⁴⁵⁵ At present, the UK does not offer any protections against “unauthorised digital imitations of people” or ‘digital replicas’: what is created by AI tools synthesising someone’s voice, face or body, for example in the creation of ‘deepfakes’.⁴⁵⁶ This has already led to performers and other high profile figures, such as founder of MoneySavingExpert Martin Lewis, having their voices and likenesses cloned and used in scams.⁴⁵⁷ Although the Government is taking action to criminalise the creation of sexually explicit ‘deepfakes’, the TUC noted that there remained “a gap in protection” for non-criminal yet harmful uses of people’s likeness.⁴⁵⁸

449 Equity, [4 out of 5 performers don’t understand their rights when working with AI](#), 21 April 2022 (accessed 3 March 2025)

450 Financial Times, [How actors are losing their voices to AI](#), 1 July 2023 (accessed 4 March 2025)

451 [Q23](#)

452 Trades Union Congress, [Artificial Intelligence for Creative Workers: A TUC Manifesto](#), 3 March 2025, p 13–14

453 [Q17](#) [Nick Lynes]

454 [Q9](#) [Benjamin Field]

455 Equity ([BF20019](#))

456 [Q21](#) [Dr Mathilde Pavis]

457 The Guardian, [AI cloning of celebrity voices outpacing the law, experts warn](#), 19 November 2024 (accessed 4 March 2025)

458 Trades Union Congress, [Artificial Intelligence for Creative Workers: A TUC Manifesto](#), 3 March 2025, p 15

202. Legal reform may be needed. The Copyright, Designs and Patents Act 1988 (CDPA) applies to recordings of performances, but does not apply to synthetic, AI-generated performances.⁴⁵⁹ It was introduced at a time when CDs were the dominant recording format and the main imitators of performers were tribute acts or lookalikes.⁴⁶⁰ Equity seeks reform of the CDPA to protect against unauthorised synthetic AI-generated performances that reproduce someone’s voice or likeness. Specifically, it recommends:

- Section 182(1) should be revised to include performance synthesis, and the digital cloning of live performances as an act of ‘recording’;
- Section 182A of the Act should be revised to include performance synthesis, and the digital cloning of recordings as an act of making ‘a copy’;
- Alternatively, Part 2 of the Act should be revised to introduce a separate right to control the reproduction of performances.⁴⁶¹

203. The UK’s GDPR framework applies to any data that is capable of identifying a performer, such as voice and likeness. However, Dr Pavis told us that GDPR was not designed to stop the unauthorised use of that data by generative AI tools, and that it does not speak to the CDPA.⁴⁶² Equity’s Industrial Official for Recorded Media, Liam Budd, told us that weak enforcement meant GDPR was failing to protect performers’ personal data, particularly in respect to generative AI tools.⁴⁶³

204. Under copyright law, moral rights protect an individual’s right to be identified as a performer, and to object to any distortion of their artistic works. They cover live performances and sound recordings, but do not currently extend to audiovisual performances.⁴⁶⁴ In its 2023 Report on ‘Connected tech: AI and creative technology’, our predecessor Committee recommended that the Government implement the Beijing Treaty on Audiovisual Performances, to which the UK has been a signatory since 2013, which would extend those rights to audiovisual performances.⁴⁶⁵ The

459 [Copyright, Designs and Patents 1988](#), section 182

460 Equity (BF20019), [Q21](#) [Dr Mathilde Pavis]

461 Equity (BF20019)

462 [Q26](#) [Dr Mathilde Pavis]

463 [Q31](#) [Liam Budd]

464 Intellectual Property Office, [Consultation on the options for implementing the Beijing Treaty on Audiovisual Performances](#), (accessed 4 March 2025)

465 Culture, Media and Sport Committee, Eleventh Report of Session 2022–23, [Connected tech: AI and creative technology](#), HC 1643

previous Government committed to ratifying the Treaty and the Intellectual Property Office consulted on this in autumn 2023, but is yet to implement it.⁴⁶⁶

- 205.** Stakeholders also argued that performers’ rights should be unwaivable, that is unable to be transferred to any other party.⁴⁶⁷ Dr Pavis told us that otherwise:

the distributor, the media companies and the platforms will acquire those rights, and they will be running the show and will not protect those people’s dignity, privacy and autonomy.⁴⁶⁸

CONCLUSION

- 206.** Although the film and HETV industry may be motivated to protect performers’ interests, with the history of collective bargaining agreements equipping it to do so, that situation is not common across all the creative industries. The UK’s patchwork of copyright, intellectual property and data protection legislation is failing to protect performers from the nefarious use of generative AI technologies, such as unauthorised voice cloning and deepfakes.

RECOMMENDATION

- 207.** The Government should legislate to prevent historical contract waivers from being interpreted to allow the use of recorded performances by AI tools.

RECOMMENDATION

- 208.** Within the next six months the Government should also conduct a review of the Copyright, Designs and Patents Act 1988 and the UK’s GDPR framework to consider whether further legislation is needed to prevent unlicensed use of data for AI purposes.

RECOMMENDATION

- 209.** We repeat our predecessor Committee’s calls for the Government to implement the Beijing Treaty within the next six months, including extending unwaivable moral rights to audiovisual performances.

466 Intellectual Property Office, [Consultation on the options for implementing the Beijing Treaty on Audiovisual Performances](#), (accessed 4 March 2025)

467 [Q31](#) [Liam Budd], Equity ([BF20019](#))

468 [Q26](#) [Dr Mathilde Pavis]