

# **PUPILS 2 PARLIAMENT**

**Response to**

**the Intellectual Property Office,  
Department for Science, Innovation and Technology and  
Department for Culture, Media and Sport**

**For their consultation on**

## **COPYRIGHT AND ARTIFICIAL INTELLIGENCE**

**Children's views gathered and submitted on their behalf by  
Dr Roger Morgan OBE, for Pupils 2 Parliament**

### **Introduction**

1. This response is made on behalf of an organisation, Pupils 2 Parliament. It is unusual in that it gives the views of children on the consultation topic, gathered after briefing them neutrally from the material in the consultation document.
2. The Pupils 2 Parliament project was established in 2014 and works with schools to engage pupils in considering national issues, submitting their views to government consultations and select committee inquiries.
3. The views in this response were independently gathered for this consultation from 29 pupils aged 9 to 11 at Eardisley CofE Primary School, Herefordshire, through a children's focus group discussion led by Pupils 2 Parliament. The views are entirely those of the children involved, without adult suggestions or leading towards or against any particular view.
4. This response is not confidential, and may be used and quoted in relation to the consultation and subsequent discussion and action.

## Who should own the copyright on AI produced material?

5. We gave the children a brief explanation of the overall concept of copyright. Then we asked the children, without making any suggestions to them or leading them towards or against any particular view, who they thought should own the copyright to material produced by, or assisted by, artificial intelligence, rather than entirely by one or more humans.
6. The following is an account of the children's discussion on the issue of copyright and AI. It is probably unique as a child citizens' discussion on the topic. It is also remarkably clear and thoughtful, with a strong sense of fairness to the interests of the parties involved.

### **The children's discussion on copyright for fully AI produced material**

7. The children decided to consider accountability and therefore copyrights in relation to material fully produced by AI.
8. They decided that both the creators of the AI computer system used, and the person or people who gave that system the trigger instructions to produce the material in question, deserved to share copyright to the material.
9. They established the concept of 'shared copyright', and debated what should be a fair apportionment of that copyright between AI system creators and the users instructing such systems to create specified material. **Overall, they wished to give the greater proportion of copyright rights to "whoever made the AI program" – but "whoever gave the instruction must be acknowledged".**
10. Their reasoning was that the AI system or app creators should probably have the greater claim to copyright rights, since their contribution had enabled everything that was subsequently produced by that system or app: "without them, we wouldn't have the app". But they held that the user remains the prime mover for any specific product of the AI system, even though their role may be one of little effort and so merit the lesser share of rights to the material produced: "they still instruct the AI what to do".

11. This was not however the universal view. The group produced three different proposed splits of shared copyright between AI programme creators and user instruction givers for the specific AI-produced material in question. These were (in the order proposed) for a 70% / 30% split in favour of the AI system creators, then a counter-proposal was made for a 50/50 split between them and the user who gave the system the command for the material that was produced. This was followed by a strong reiteration of a split in favour of the AI system creator with a proposal for a 90% / 10% split in their favour, since "the creator of the app sacrificed their time".
12. The children also raised the point that most AI systems were probably created by a team of people, rather than a single user, and this needs to be reflected in their share of the copyright rights.
13. On the question of the extent to which material is fully AI produced, or produced with AI assistance, the children saw the need for some way of identifying and keeping track of who has contributed to the creation of an AI system itself, who has given it instructions and specifications to produce a particular AI product, and how far the AI was the sole producer, or assisted in the production of the resultant material – "to keep a record of exactly who does what and who owns what is produced".
14. They acknowledged that this is a problematic expectation – "it belongs to many people so you need consent from many people for your program to be used".
15. At the end of the discussion came the view that **AI itself should be credited for what is produced by AI**, although this was not proposed to be linked to copyright shares. "The AI should get some credit too."

### **Should AI-produced material be labelled as AI made?**

16. In a vote, the majority (16) of the children voted that completely AI-produced material **SHOULD** be required to be labelled as such.

## **The balance of importance between the rights of creators of material, and access to that material for AI training**

17. After the children had discussed the issues of the rights of creators of material in relation to payment and control of the material they had created, versus the need for extensive access to data and material for AI training, we asked them to vote on whether they thought creators' payment and control, or access for AI training was most important – or whether these interests are of equal importance.
- 18. By a large majority (22 of 28 children voting), the children voted that preservation of creators' payment and control of their human-created material, and access to material for AI training, are of equal importance.**
19. As this may be the only vote available expressing the views of children, we hope that this evidence of a midway position will be of value to those developing policy and legislation to balance these potentially conflicting interests.
20. Finally, in relation to the practicalities of accessing material for AI training, the children did propose that for training use, **"people should have to get permission, but can do so retrospectively"**.

## **The children's wider concerns on AI development**

21. From consideration of the commitment to develop AI through access to data and material for AI training, the children wished to log some of their own concerns about the expansion of AI.
22. They had security concerns – such as AI use of someone else's voice recording to fake oral access to a person's account, and the need to support creators of AI programs to monitor and counter hacking risks.
23. Additionally, they were concerned that there needs to be stronger control over the age-appropriateness of AI produced material.

24. Children also saw AI as potentially superseding human choices: "AI is ruining things because it is doing things for us and taking away our choice. AI can be too sensitive".
25. There was strong support across the group for the view (raised by the children themselves) that "we need humans to keep control of AI and check what it is doing. It has the power to intervene in human business and we need humans to control it".
26. However, they saw human monitoring of what AI does as a major challenge to any human – and therefore "you would need to monitor the toll it would take on that human".
27. Finally, there was a view that **limits should be set on the use of AI in place of humans in the public sector**: "AI should only advance past a certain point if it is for the private sector – the public should only have it to a certain point".

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