

Challenging the power of US Digi-Tech companies

Adapted from Foxglove press release by Tony Burke

The campaigning group Foxglove which fights to make digi-tech fair for everyone has launched a legal complaint against the way Google scrapes journalists' work for its new AI-generated summaries, without paying. This is an abuse of Google's market power, and Foxglove are demanding that regulators in the UK and EU take action.

Google users will have noticed search results changed last year. Before, in a search for a subject, the results would be a list of blue links to click through to other sites. But now, instead, Google will presents an autogenerated AI overview (AIO) first, pushing the links to other sites much further down the page.

These AIOs are generated by scraping information from the rest of the internet. For news-related searches, Google's AIOs are scraped from news reports by professional journalists. But Google isn't paying a penny for this information.

This has a massive negative impact on new sites and journalists. Before, if a user searched for a news story, they'd click through to a news site. That meant the journalists who did the work got some traffic and revenue. Now, the AI summaries push the blue links down, prioritising Google's own (often error-strewn!) AI-generated content instead.

In simple terms: Google is stealing the work of professional reporters. One of the richest and most powerful companies in the world, which has a monopoly on the global search market, is taking the money out of the pockets of journalists.

Foxglove says "This is a significant power grab from Google, with dangerous implications for democracy. For democracy to function, a free press, and multiple independent providers of news, are essential. Google's actions threaten this.

No one is suggesting there aren't problems with the traditional press. But replacing it with a Google monopoly would make things much worse. And it isn't just big mainstream newspapers that are being hit. Smaller, independent, investigative and public interest journalists are even more threatened."

Foxglove have sent legal letters to the competition regulators of the UK and the European Union calling for an urgent intervention to prevent Google stealing the work of professional journalists – and regurgitating it into error-strewn AI-generated summaries that rip off the reporters who did all the actual work.

Foxgloves' partners in this case are the Independent Publishers Alliance and the Movement for an Open Web (MOW), and it is supported by leading antitrust law firm Preiskel and Co.

The complaints detail how Google is abusing its dominant position as a search engine to take publishers' content and use it to promote AIO. It's a perverse situation where the work of real, human reporters is cannibalised by Google's AI and used against them, paradoxically making it much less likely that the original reporting will be clicked through to.

Crucially, publishers are given no realistic opportunity to opt out of AIOs without opting out of search altogether. As Google controls around 90% of search requests, the result of this would be to become effectively invisible online, a devastating blow for a news organisation that probably means going out of business.

Foxglove argue that news publishers urgently need the ability to opt out of Google's AI summaries but without being removed from search altogether. This is a measure that has already been proposed by other leading regulators, including the US Department of Justice and the South African Competition Commission.