



# PIRACY: A PROBLEM SHARED

2022 - 2025

**TAKING A WHOLE SOCIETY APPROACH  
TO INFRINGEMENT IN THE UK**

# Introduction to Piracy: A Problem Shared

## Foreword by Liz Bales

The innovation boom in the decade pre-pandemic helped to insulate the audio-visual industry from some of Covid's challenges. When people were limited in their social interactions, they were offered more ways to watch - and wait out the crisis - than ever before. Despite the disruption, the UK audio-visual industry proved as agile as ever, responding to audiences' needs. BASE brought this to life in its Evolution report in partnership with DEGI, which charts the growth of screen entertainment.

The report reveals an innovation - and opportunity - curve for the industry that has continued steeply upwards. It forecasts a future in which video alone could more than double its pre-pandemic category value by 2025. You can download the report here. But the Evolution report also points to the negative influence of infringement on the industry's potential and how this is also developing. We have not been alone in expanding the choice of viewing

experiences for the public. In recent years unauthorised players have been professionalising piracy across film, TV and sports.

In the context of a cost-of-living constraints, professionalised piracy, technological convenience, gaps in regulatory protection, and peer and media advocacy of infringing practices are combining to create the potential for a perfect storm.

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In isolation, the developments could be dismissed as the latest evolution of a long-standing and evolving challenge. Especially in the

UK, which sets the gold standard globally for the protection and promotion of copyright. The UK's historic track-record on enforcement and education could well instil confidence. Yet the future outlook is uncertain, thanks to a rapid coming-together of challenges. A climate in which copyright infringement is potentially re-legitimised for increasingly cash-strapped consumers and normalised by trusted media sources and family role models. We've seen a similar climate before. It's one that cost the creative sector dearly, and has taken decades, and significant investment, to address.

More than ever before, piracy must be a problem shared - paving the way for a progressive, whole society solution. Industry Trust Insights are a leading source of behavioral understanding and have been used to educate the sector on the impacts of copyright infringement for many years. We have

For more information, please contact Sylvia Dick at [sylvia@baseorg.uk](mailto:sylvia@baseorg.uk)

created this infringement overview to shed light on the ways in which we can make sizeable change to the current state of infringement through understanding, collaboration and actions. It suggests a fully supportive policy framework, more consistent use of technological measures and a more responsible media environment, all underpinned by proven education and enforcement that can match the growing scale of the threat will encourage audiences to value and support creative endeavours. The supportive measures set out are designed to empower more of those who reap rewards from the UK audiovisual industry to contribute to its onward success. Working together, we can play a proactive role in IP protection and curb the growing infringement threat.



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# The 5 Key Problems: UK Piracy At-A-Glance



Ingrained behaviour in society's role models

An increasing proportion of 25-44-year-olds are engaging in infringement, with more than a third whose first experience of piracy was a decade ago. It points to long-term growth in piracy, and a future in which historic positive patterns among older generations could eventually be reversed.



Social Media driving advocacy

Greater numbers of young people are choosing to infringe and social media has become their platform of choice. The sense of community gives momentum to what may have been an individual act in the past.



Convenience and ease of access fuels engagement

Legal devices, internet search and social media are facilitating infringement. Convenience continues to be a key catalyst for piracy. Infringers report how straightforward it is to find unauthorised content online, while it remains all too easy to access the unauthorised apps and add-ons that facilitate infringement on legal streaming devices.



Perceptions of Risk being eroded

A growing proportion of the population feels 'safe' using infringing sites, which increasingly have a more mainstream look and feel, and are frequently supported by credible payment methods. Meanwhile, 'improvements' in infringing services seem to be eroding the view that official content - and legal services - are "worth paying for".



Media Misinformation

A growing number of mainstream news articles and film blogs are offering consumers suggestions for how they can seek out content that they may not have permission to view. Creating clickbait "where can I watch X?" headlines, advocating internet search for unauthorised access, and advising on how to circumnavigate permissions with VPNs' all serve to devalue the importance of copyright more broadly and may introduce a gateway to other forms of piracy, according to research.

## The 4 Key Risks:

Personal Consequences



More than half of those who infringe regularly run into several personal problems when accessing unauthorised content up 9% YOY.

Hacking Havoc



More than one in six regular infringers have had their devices hacked or wider home appliances accessed with instances tripling YOY.

Malicious Content



Scale of malicious content and consumer risk evidenced across illegal sites. Consumers' experiences are echoed in a growing body of data from IP groups across the UK, Europe and beyond.

Industry Losses



One third of infringers total content consumption infringes copyright.

# The Solution:

## A whole society approach



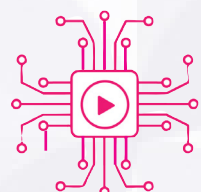
**Policymakers** could update the UK Policy framework with due diligence protocols for intermediaries providing commercial services to online businesses.

Right now copyright criminals can pay for the domains, internet access and server space that underpins their infringement operations without fear of ramifications. While the EU will shortly offer partial protection insofar as domain names and online marketplaces are concerned, via the Digital Services Act and NIS2 Directive, more effective solutions are possible and should be at the forefront as policymakers at home consider the future direction of UK laws.



**Technology companies** could support enforcement efforts by introducing improved customer identification and verification.

Rights holders and enforcement bodies collaborate successfully with UK law enforcement to bring copyright criminals to justice but the difficulty in identifying and locating the various people responsible for making unauthorised content available remains a major challenge in removing infringing content from the internet. More technology companies could contribute to these efforts by introducing enhanced verification procedures that make it easier to determine criminals' identities.



**Technology companies** could implement technical measures that introduce greater friction into infringement journeys.

These include effective and appropriate takedown tools which prevent unauthorised streams from being uploaded; clear and consistent policies to deal with repeat infringers; and applying search term bans on social media platforms (including private groups and pages) and market places for words that are notorious for the promotion/sale of devices or IP services.



**Education** efforts could be extended to encompass a greater range of companies that benefit from creative copyright.

Campaigns by Rights Holders have proven the effectiveness of education on influencing consumer attitudes and behaviours. Education could now be extended to a wider set of stakeholders who benefit from the audiovisual industry's content ensuring that more people are exposed to constructive messaging relevant to where they are on their infringement journey.



**Media** could ensure that reporting about ways to watch respects the value of IP and always directs audiences to legal routes.

Journalists and bloggers could take greater accountability for how they promote access to creative content, ensuring that advice on ways to watch respects the value of copyright and promotes legal routes. They should be mindful that endorsing internet search and VPN use for unauthorised access could create gateways to other forms of piracy.



**Malvertising** on infringing websites is a criminal activity that could be addressed via specific and tailored law enforcement.

Industry efforts can and have made a significant difference in stopping the inadvertent flow of legitimate advertising revenue to copyright infringing sites. However, industry-led action can't effectively combat the illegal actors that profit from malvertising and copyright infringement - who, by their nature, operate outside of regulatory systems.

# THE PROBLEM:

## UK piracy at-a-glance



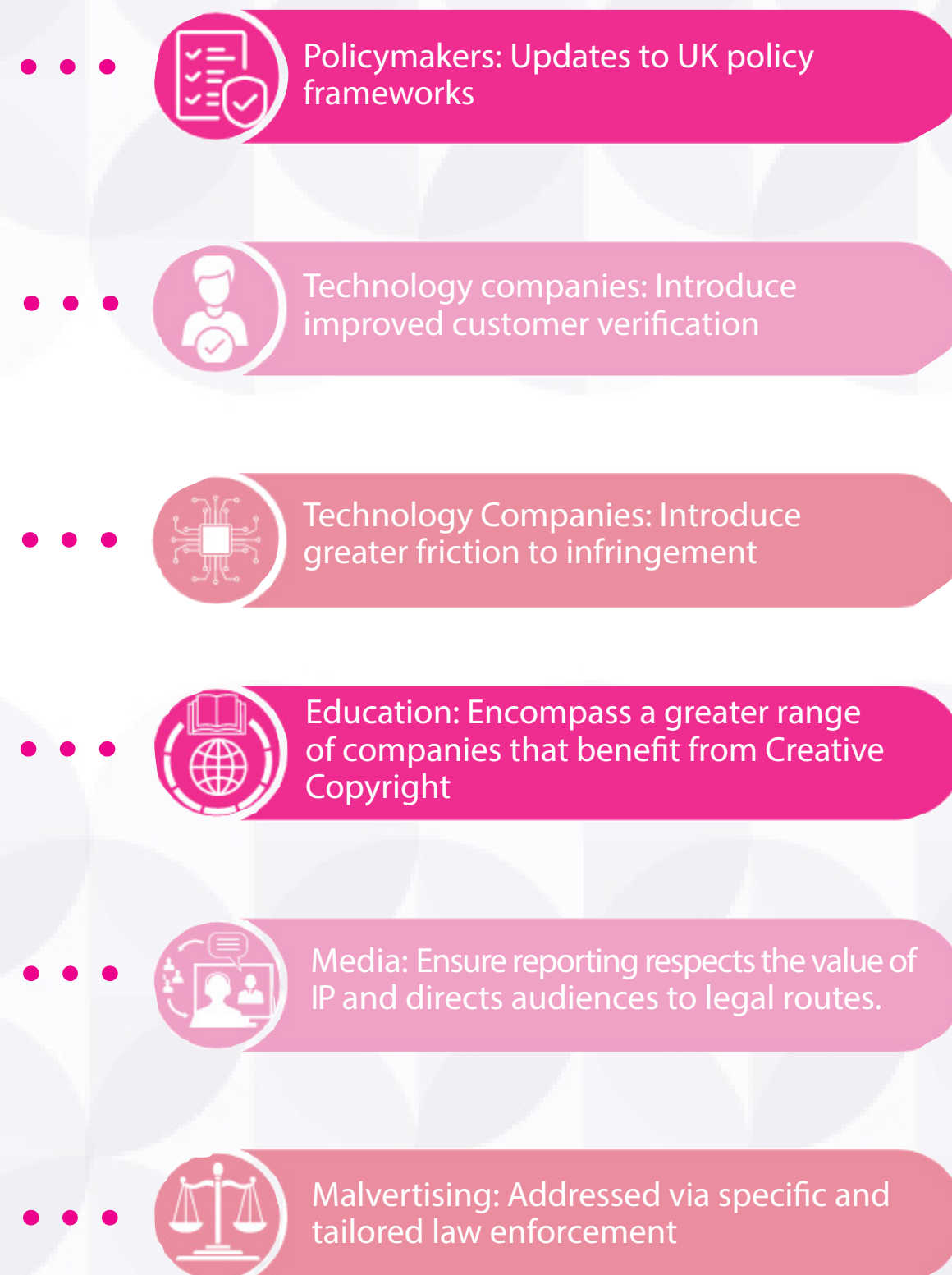
# THE RISKS:

## Impacts on individuals and industry



# THE SOLUTION:

## A whole society approach





# About BASE and the work of the Industry Trust for Intellectual Property Awareness:

The British Association for Screen Entertainment (BASE) has represented the publishers and rights-owners of filmed entertainment for over 40 years.



BRITISH ASSOCIATION for SCREEN ENTERTAINMENT

Its Members are part of the £3.75 billion Home Entertainment industry and include Affiliate and Associate members from a host of critical stakeholders. Within the context of rapid technological evolution and changing consumer needs, BASE champions the continued growth of screen entertainment across digital and physical formats, and advocates for a commercial and regulatory environment in which creative enterprises of all sizes can thrive.

Regular BASE and Digital Entertainment Group International (DEGI) reports, such as The Evolution of Home Entertainment (2022), chart the growth of UK screen entertainment as well as the evolving, negative influence of infringement. The Industry Trust for IP Awareness is a dedicated unit within BASE. Under BASE's stewardship, the Industry Trust promotes the positive role of copyright in supporting film and TV in the UK.

Industry Trust Insights are a leading source of research and behavioural understanding for the UK audio-visual industry, including copyright infringement and its multiple impacts. Over nearly two decades, in-depth tracking studies have monitored changing attitudes to copyright, creativity, and infringement, as well as the resulting shifts in consumer behaviour. BASE's insights underpin the Trust's education

efforts and help to inform wider education, enforcement and marketing activities across film, TV, sports and beyond. BASE readily shares its research for the benefit of creative stakeholders in the public and private sectors, both in the UK and worldwide.

Since 2004, the Trust has conceived and delivered multiple award-winning copyright education and digital disruption campaigns, including 'Knock-Off Nigel', 'You Make the Movies', the Crimestoppers branded search

interruption initiatives, and 'Moments Worth Paying For'. These campaigns engender respect for creativity while promoting the wealth of legal ways to watch. Independent evaluations of this work have demonstrated clear change in public attitudes and behaviours by the UK audio-visual industry and associated financial savings of millions of pounds.

For more information visit [www.baseorg.uk](http://www.baseorg.uk)



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