Submission on Proposed SMS Guideline from an Independent Media Alliance: 21/07/25

Joint submission by the **Independent Media Association**, **Independent Community News Network**, **Association of Online Publishers** and the **Independent Publishers Alliance**.

Response to invitation from the Competition and Markets Authority to comment on their proposed decision to designate Google as having Strategic Market Status.

22nd July 2025

1. Introduction

We are responding on behalf of several hundred publishers, represented through four associations: the Independent Media Association (IMA), Independent Community News Network (ICNN), Association of Online Publishers and the Independent Publishers Alliance. These all produce journalism-based original information content, and share similar concerns about the impact of Google's dominant market position on their businesses.

We welcome the CMA's proposal to designate Google as having Strategic Market Status (SMS), and the range of remedies proposed in the Roadmap. Google's near-total monopoly over digital search and advertising has created a range of market distortions over the last fifteen years. These have particularly impacted the independent publishers represented by our associations, many of whom are small, under-resourced and serve minority audiences. The result has been less competition in the UK news media market, as well as a decline in the provision and availability of news and information published in the public interest for UK audiences.

This submission summarises our joint responses to the scope of the designation and the proposed conduct requirements, specifically in relation to fair ranking, complaints and publisher controls.

2. Scope of the designation

2.1 Gemini AI Assistant

We believe the exclusion of the Gemini AI assistant (or any other replacement) from scope creates an artificial and potentially problematic distinction, one that risks undermining the effectiveness of the regime as AI capabilities are increasingly embedded into the search experience. We believe that it should be included for the following reasons:

- Functionally equivalent to AI Overviews and AI Mode: Gemini AI Assistant, when used for search-like queries, performs virtually the same role as AI Overviews and AI Mode, delivering summarised answers and aggregated information in response to user prompts.

    - In both cases, the user enters a query and receives a generated response drawing on Google's search infrastructure.

    - Both are capable of bypassing traditional links and sources, replacing them with direct answers that reduce click-through opportunities for publishers and service providers.

    - The only technical difference is the user interface and domain — not the functionality or outcome.

- Growing substitutability: Gemini is being actively promoted by Google as a frontline search alternative, especially on mobile and in its apps. In some Android experiences, Gemini has already displaced the traditional Google Search bar. This blurs the line between search and assistant experiences.

- Risk of regulatory evasion: Leaving Gemini out of scope may incentivise Google to continue shifting core search functionality into Gemini, thereby escaping obligations or scrutiny. If Google can freely rebrand or rehost its search services and thus lose SMS oversight, it undermines the integrity of the designation.

We recognise that Gemini AI Assistant, if maintained as a standalone product, hosted on a separate domain/subdomain (e.g. gemini.google.com), and only accessible via intentional user navigation, should not be treated the same as Search unless it begins to fulfil that function for a critical mass of users.

However, this separation only remains legitimate if:

- There is no automatic redirection from Google.com or its mobile apps to Gemini.

- Gemini is not made the default search experience on Android devices or Chrome browsers.

- It is not embedded in the main Google Search results page (SERP) unless subject to the same oversight as AI Overviews and AI Mode.

If any of those thresholds are crossed as they have been or are likely to be Gemini AI Assistant must be brought into scope in the same way that AI Mode and AI Overviews are.

We urge the CMA to:

- Explicitly recognise the functional similarity between Gemini AI, AI Mode, and general search services.

- Commit to a faster review mechanism should Gemini's AI Assistant integration into search expand.

- Include Gemini AI Assistant now in scope for any use case that is surfaced through Google.com or the main SERP, especially where the assistant is being forced or defaulted upon users.

- Treat Gemini as in-scope by default if embedded within search results, mobile apps, or entry points traditionally used for general search.

We believe this approach preserves regulatory clarity, avoids loopholes, and ensures that powerful, AI-driven interfaces do not erode competition or harm digital publishers through unregulated extraction of content and traffic.

2.2 YouTube

YouTube is an indispensable pillar of Google's strategic market status in search, acting as the world's **second-largest search engine** with **over 2.5 billion monthly active users**. It registers more searches than Bing, Yahoo! or Ask combined and draws an average of **122 million daily users**. We believe it should be included within the designation for the following reasons:

- **Structural integration**: Owned by Alphabet, YouTube is directly embedded in Google Search—its results are prominently featured in video search and integrated with the broader SEO ecosystem.

- **Market power and self-preference**: Google Search routinely prioritises YouTube-hosted videos over independent hosts or news podcasts. This confers a powerful distribution and visibility advantage - UK publishers optimising for YouTube benefit

disproportionately from Google's ranking algorithms.

- **Cross-format relevance**: News production is inherently multimedia. UK journalism relies heavily on **video and podcasts**, and YouTube's algorithm and visibility shape editorial strategy and audience reach. Exclusion of YouTube from the designation would ignore a critical dimension of media consumption.

- **Unified negotiation necessity**: Regulatory action must treat Search and YouTube in tandem. Forcing publishers into **multiple rounds of negotiations**, with duplicated compliance effort and fractured data analysis, would dilute the efficacy of any remedy and leave openings for Google to shift leverage.

YouTube is not merely a video-sharing platform—it stands as the world's second-largest search engine, with over 2 billion logged-in monthly users, and receives more queries than Bing, Yahoo or Ask combined Open OKState. Crucially, YouTube is owned by Alphabet and is thoroughly interwoven with Google Search. Its results are prominently embedded in search engine result pages (SERPs), and its visibility is tightly linked to Google's overarching SEO ecosystem. The closeness of this relationship means that excluding it from the designation will make the regulatory framework less fair and effective for publishers.

For UK publishers, YouTube represents far more than a distribution channel: it is a **core determinant** of visibility and audience engagement for video and podcast content. The platform's opaque algorithmic mechanisms mirror those of Google Search - subject to unexplained ranking changes, opaque preference signals and commercial bias that favour those aligned with Google's commercial interests. Publishers report that hosting content outside YouTube—on proprietary platforms or competitors—can lead to significant penalties in discovery and reach, effectively compelling them into the YouTube ecosystem to preserve their viability.

Moreover, journalism in the digital age is inherently multimedia. News content spans text, video, and podcast formats - and success is often dictated by YouTube's algorithm as much as by quality journalism. Excluding YouTube from the CMA's designation would fracture regulatory oversight. Publishers would be forced into **multiple, disjointed** compliance and negotiation processes—adding avoidable cost and complexity in data analysis and reporting, and diluting the efficacy of any remedy. This fragmentation would disadvantage all UK publishers, especially smaller outlets, by increasing administrative burdens and threatening their economic sustainability.

In contrast, a **unified regulatory framework** that treats Google Search and YouTube as a single strategic entity would simplify oversight and enforcement. It would allow for coherent transparency mandates, consistent ranking principles, and consolidated data-sharing processes—all critical to ensuring plurality and enabling sustainable business models. By regulating them together, the CMA would effectively address the opaque, vertically integrated architecture that currently disadvantages UK journalism, whilst offering a clear path for publishers to access, engage, and monetise audiences under fair conditions.

N.B
a stat shared previously with the CMA is the fact that 85% of all video searches favour
YouTube content in SERPS

Section 2.3 Google's Data Deal with Reddit: A Backdoor Route to Self-Preferencing

The CMA should explicitly consider first-party data partnerships, such as the one between Google and Reddit, either as part of its fair ranking principles or as a standalone area of concern within the SMS framework. In 2024, Google entered into a reported $60 million licensing agreement with Reddit, granting it access to Reddit's real-time and historical data. This arrangement enables Google to train its generative AI models, including Gemini and AI Overviews, on a vast dataset of human conversation and opinion, while Reddit benefits from enhanced visibility in Google Search.

Since this deal, **Reddit's prominence in Google's search results has increased dramatically**. The platform has become the seventh most visited website globally, with Reddit links now appearing at or near the top of search results across a wide array of query types, from product advice and software help to entertainment recommendations and news discussion. The scale and consistency of this visibility raise serious questions. If Google had launched its own forum or Q&A platform and given it the same ranking treatment, it would likely have been seen as a textbook example of self-preferencing. By elevating Reddit, Google gains many of the same competitive benefits, such as occupying valuable real estate in the SERP and capturing user engagement, without having to build, maintain, or moderate a community platform.

This kind of indirect preferential treatment represents a strategic workaround to traditional anti self-preferencing rules. Google gets access to Reddit's valuable training data without the burdens of content management as well as being able to promote it in the SERPs as if it was its own site. The real concern, however, is the knock-on effect on competition. Forums, publishers, and content providers that have not struck similar licensing deals are now effectively disadvantaged both in how often their content appears in results and in how visible it is relative to Reddit. The implication for the broader market is clear: if content creators or communities do not provide their data to Google, they risk being deprioritised.

We urge the CMA to scrutinise such arrangements within the SMS regime. **These data-driven partnerships should be treated as a form of preferential treatment**. At minimum, the CMA should require transparency around such deals, ensure that any ranking benefit derived from exclusive data access is subject to fair ranking obligations, and prevent publishers from being punished, implicitly or explicitly, for not licensing their data to Google. Failing to address this risks creating a two-tier search ecosystem, where visibility is increasingly determined by commercial data agreements rather than relevance, quality, or user value.

2.4 Google Discover

Google Discover is an increasingly influential component of Google's content distribution architecture. Functioning as a personalised news and information feed embedded in mobile apps, browser landing pages, and potentially soon in desktop search, Discover acts as a **gatekeeper to publisher visibility** for millions of users each day.

Despite this reach, **Discover remains an opaque and unaccountable system**, with little clarity as to how content is selected, ranked, or excluded, and algorithmic changes occurring without notice. This creates systemic disadvantages for UK publishers - particularly those producing high-quality, specialist-interest or public-interest journalism - who are unable to understand or influence how their content is surfaced.

Google Discover has a high level market influence and integration with Google search:

- Discover is **increasingly integrated with Google Search and Chrome**, including tests that place Discover content directly into desktop search interfaces.
- It functions as a **personalised push-feed**, reducing the user's reliance on active search and reinforcing Google's role as a curator, not just an indexer, of content.
- Its growing reach makes it **functionally inseparable** from the broader search experience.

Google Discover also replicates the same patterns of dependency and value extraction seen across the Google ecosystem**.** Discover is powered almost entirely by publisher content - including headlines, images, and article snippets - across news, lifestyle, cultural and specialist verticals. Outside of Google Showcase participants, publishers receive no direct compensation for the value their content provides to this product. This means that Discover represents a form of value extraction without return very similar to Gemini and other AI-facing products, in which Google's SMS reinforces platform dependency.

Discover's personalisation logic and opaque curation mechanisms **pose particular risks to pluralism** - privileging content optimised for click-through over content of civic, educational, or cultural value. This affects many of the publishers represented by our associations, as specialist-interest publications and those serving hyper-local audiences are particularly vulnerable to de-ranking or exclusion, given the lack of clarity around inclusion thresholds and metadata requirements.

Without oversight, Discover risks becoming a shadow editorial layer, where algorithmic opacity replaces market access, and public interest media is displaced by content that meets proprietary engagement metrics. The CMA must act now to ensure that this rapidly expanding component of the search ecosystem supports, rather than undermines, UK media plurality. Given these factors we urge the CMA to include Google Discover within the scope of designation for Strategic Market Status (SMS).

2.5 Moving Towards a Unified Framework

Google's strategic market status is not a monolithic phenomenon—it is **composite**, built upon tightly interlinked platforms: Search, YouTube, Discover, and by extension, data

partnerships like Reddit. Treating these elements in isolation is both **inefficient** and **dangerous**.

- It places undue **cost burdens** on UK publishers, which must separately track and report on how content performs across multiple Google-regulated platforms.

- It creates **regulatory gaps**, enabling Google to shift focus to less-regulated channels where remediations do not yet apply.

- It obfuscates the **opaque, vertically integrated nature** of Google's control over discovery and distribution.

Therefore, a **single designation** is essential - one that encompasses Google Search, Google Discover, Gemini (all sections), YouTube, and Reddit (and their AI-overview functions). Only such a holistic approach can deliver:

- Transparent, consistent data-sharing requirements;

- Unified ranking and complaints mechanisms;

- Cohesive remedial pathways for publishers;

- And meaningful protection for UK media plurality and economic sustainability.

This unified remedy would not only shore up access for UK news publishers - it would also support Google's own growth by fostering a diverse, engaged, and plural media ecosystem, which ultimately enriches the content Google benefits from.

3. Category 1 Conduct Requirements

3.1 Fair Ranking Principles

We welcome the CMA's consideration of conduct requirements relating to fair ranking. We propose a dual approach, which should apply to across the Google ecosystem including within Search, Gemini Search and Assistant, and Google Discover:

1. The **removal of systemic barriers** that unfairly penalise UK publishers through opaque algorithms and conflicts of interest with Google-owned platforms, and ensure algorithmic transparency and proactive communication with verified publishers regarding changes that affect visibility and discoverability.
2. Promote media plurality and sustainable business models by introducing a **trusted ranking status** for regulated publishers and/or members of recognised UK trade

associations, enabling prioritisation of verified, high-quality journalism

These will be **low-cost, high-impact solutions** for Google to improve content quality and user trust - enhancing both the UK news market and the integrity of Google products.

3.1.1 Removing systemic barriers

The CMA must address the current systemic barriers embedded within Google Search. Independent UK publishers are routinely disadvantaged by algorithmic decisions that are opaque, commercially skewed, and in many cases, directly conflict with the public interest. One such barrier arises where Google down-ranks UK publishers for engaging in legitimate commercial activities - such as selling merchandise, using alternative video hosting, or declining to participate in YouTube's monetisation ecosystem. These commercial penalties reflect Google's vertical integration across search, video, shopping and advertising services, and constitute a clear abuse of its strategic market status.

A further barrier is the near-total opacity of the ranking process itself. Algorithmic changes are implemented without prior notification, even to verified news publishers. These changes can drastically affect visibility, discoverability, and ultimately the sustainability of news businesses. Publishers who meet high editorial standards should be entitled to transparency over how their content is ranked and treated. At present, the over-commercialisation of Google's search experience—dominated by sponsored content, AI-generated summaries, and paid placements above the fold—means that original journalism is often buried, undermining both civic and commercial value.

These barriers severely restrict new publishers' access to audiences, reduce the diversity of the news market, and stifle the development of sustainable business models. Addressing these issues is not simply necessary to protect legacy business models - it will ensure that a vibrant, pluralistic UK news ecosystem can survive and grow in the digital environment.

3.1.2 Trusted ranking status

We propose the introduction of a system of **trusted ranking status** for UK publishers. This should apply to all regulated publishers (by bodies such as Impress or OFCOM) and/or those who are verified members of recognised UK trade associations such as the Independent Media Association, the Independent Community News Network, Association of Online Publishers, or the Independent Publishers Alliance. The goal is not to censor or exclude other voices, but to proactively elevate those outlets that meet demonstrable standards of accuracy, accountability, and public value.

This system would allow Google to improve its ranking methodology without needing to conduct exhaustive manual classification of misinformation and disinformation - an increasingly impossible task given the scale of AI-generated content. Rather than identifying and excluding every untrustworthy source, Google can prioritise those that have already

undergone regulatory verification. This inversion of the current burden is scalable and effective, and would be straightforward to implement. As such we want it to be central to the CMA's guidance.

More importantly, a trusted ranking status would directly **support market diversity**. At present, UK publishers - particularly small and medium-sized outlets - are forced to compete with content farms, clickbait operations, and offshore disinformation networks that pollute the information ecosystem. By giving prominence to regulated local publishers, Google would be helping to clear space in the market for journalism which serves the public interest, which in turn would incentivise innovation in news and information products for consumers' benefit overall. This directly supports UK economic growth and helps secure the long-term future of media serving its many diverse communities.

Such a system would also assist Google. By working with trade associations and regulators to define eligibility criteria, it can build an auditable, transparent and efficient framework for boosting trusted information sources. It would also help insulate Google from reputational risk and future regulatory exposure for spreading misinformation and disinformation on its services.

Crucially, this is an administratively simple intervention. The verification work is already done by trade associations and regulators. Google does not need to identify new sources of trust - it simply needs to integrate existing markers of trustworthiness and media identifiers into its ranking architecture. We therefore believe this measure can be implemented immediately and with minimal operational burden.

Finally, we underline that this recommendation aligns not only with the interests of UK publishers but also with broader economic and democratic goals. The associations represented in this submission encompass a remarkable breadth of publishers - covering underserved regions, diverse communities, and neglected policy areas. By improving their visibility, the CMA would not only enhance access to accurate information but also stimulate a more dynamic, economically robust media landscape. A trusted ranking system would be a catalyst for growth, diversity, and long-term public benefit.

Section 3.1.3 Further Opportunities for Partnership

The UK's news ecosystem is increasingly characterised by **news deserts**, particularly at the local level, and a chronic underrepresentation of interest-based and identity-based communities. These deficits have grown in part due to the centralising and commercialising tendencies of platforms like Google, which inadvertently crowd out smaller, diverse voices in favour of highly optimised or commercially aligned content. This dynamic poses a direct threat to journalism that is published in the public interest, local democratic participation, and social cohesion.

Independent UK publishers - particularly those represented by the associations submitting this response - are ready and able to meet this challenge. The independent sector possesses the **growth potential, high editorial standards, and local democratic function** required to serve communities more effectively than legacy or platform-native

alternatives. However, access to the market - defined here as visibility within search and discovery - is currently restricted by Google's ranking systems, which reward scale and commercial conformity over information quality and civic need.

By enabling a **trusted ranking status** for new and established publishers, Google would immediately unlock growth potential across the sector. This approach reduces misinformation and disinformation by prioritising content from trustworthy sources rather than through punitive moderation. It supports UK GDP and employment in high-skill sectors, and also **Google's own interests** - reducing the reputational and operational burden of identifying down-ranking misinformation and disinformation, and boosting the long-term legitimacy of its search product.

Crucially, this intervention is **administratively simple** and **extremely low-cost**. The burden of verification is already carried by existing trade associations and regulators. Google need only accept and integrate these pre-existing standards, thereby outsourcing reputational risk while gaining substantial fiscal and social return on investment.

In short, this is not a demand to diminish Google's role in the information market. This is a pro-social intervention on Google's strategic market status, that creates consumer benefit. A partnership-based approach, in which associations act as custodians of quality and plurality, would allow Google to **meet regulatory expectations, increase consumer benefit, and strengthen plurality in the market**. Most importantly, it would support the emergence of a sustainable UK media sector capable of meeting the complex information needs of consumers in the future.

3.2 Complaints

To ensure fair treatment of UK publishers and support the enforcement of conduct requirements, we recommend the establishment of a dedicated, accessible, and effective complaints mechanism, operated by Google under CMA guidance and aligned with UK and EU regulatory best practice.

At present, publishers face a near-total absence of meaningful recourse when adversely affected by changes to ranking, visibility, or monetisation policies. Automated workflows and opaque resolution processes are wholly inadequate for responding to the complex, editorially sensitive issues that arise in the news publishing environment. Therefore, the conduct requirements should mandate that Google establish and maintain a formal complaints system specifically for regulated publishers and recognised trade associations.

We recommend that each recognised UK trade association be assigned a **named human point of contact** within Google's UK operations to provide adequate response to publisher complaints, and expedite the process through human to human interaction. These liaison officers should be part of a **dedicated team of no fewer than five full-time UK-based staff**, including individuals with **media regulatory expertise** and, preferably, who have direct experience working with news organisations. While individual publishers should ideally have direct access, we acknowledge that - given the scale of publisher numbers - working through associations offers a more efficient and cost-effective model. Trade associations are

well positioned to act as intermediaries, where they are resourced accordingly and formally recognised within the system.

The complaints mechanism should incorporate the following features:

- **Clear complaint procedures** modelled on **Impress processes***, including defined stages, timelines, and multi-person panel reviews where appropriate. *The Impress complaint scheme (which has operated successfully for 10 years), has been audited and recognised under Royal Charter as an independent and effective process. Aside from its Charter pedigree, it is also a practical process, subject to annual consultation, reflecting the views of hundreds of constituents.

- A **ticketing system** to track complaint progress, which is standardised and accessible to users, with clear instructions on use.

- **Transparent communication of timeframes** in advance, enabling publishers and associations to make informed decisions about editorial and commercial activity. Those timeframes should be reasonable and proportionate (acknowledgement within 24 hours, decision or outcome within 7 days, and appeal within 21 days).

- **Defined resolution outcomes**, including but not limited to:

  - Reinstatement or correction of search rankings;
  - Public explanation or clarification from Google;
  - Algorithmic review or correction;
  - Access to enhanced support services;
  - Compensation where material damage can be demonstrated.

Crucially, there must be a **formal escalation pathway** where complaints are not resolved within prescribed timeframes or remain contested. That process must be clearly set out, including how the user may appeal, and include the remit and grounds of appeal, including whether the user can appeal based on the procedure, decision merits or service provided, as well what the steps in the appeals process are. This should include the ability to escalate to an **independent adjudication process** overseen by regulators such as **Impress** or **Ofcom**, ensuring independence, impartiality, and public confidence. By working with established regulators, Google can reduce its own internal burden and benefit from existing expertise in media complaints handling. Appeals should be reviewed and reported on, on a reasonable basis, to determine whether improvements are required to the procedure or decision making.

Records of all decision making should be kept and made available upon request by the regulator. We also recommend that Google be required to publish **anonymised or aggregate reports** on complaint types, resolutions, and timeframes. This will aid transparency, support research and policymaking, and enable continuous improvement in system design.

To ensure compliance, we believe the CMA should mandate enforceable oversight mechanisms. These may include:

- **Fines** for non-compliance or unreasonable delay;

- **Mandatory reporting obligations**;

- **Regular third-party audits**, including randomised case reviews and systemic evaluations of the complaints process.

Finally, this system should align with and, where possible, mirror relevant provisions of the **EU Digital Services Act (DSA)**—particularly those relating to user redress, trusted flaggers, and independent arbitration; this would allow for regional harmonisation, particularly as UK news publishers operate in many different territories outside of the UK. The arbitration mechanisms developed under the DSA offer an immediate blueprint for scalable, credible, and cost-efficient models that can be adapted to the UK context.

A well-designed complaints mechanism is not simply about redress—it is a **core component of a functioning digital information market**. It helps level the playing field for publishers, provides stability and predictability, and reduces systemic harm by ensuring that platform decisions are subject to due process. If the CMA is to meaningfully address the market imbalance between platforms and the UK news sector, then a robust, human-led complaints mechanism must be implemented.

3.3 AI attribution

The emergence of AI-generated content in search - particularly through systems like Google's Gemini-powered summaries - represents a structural transformation in how users engage with information. While we acknowledge the technical promise of generative AI, its deployment within the core infrastructure of Google Search has introduced severe and immediate risks to the sustainability, visibility, and credibility of UK news publishers.

Attribution is not a cosmetic concern - it is a market necessity. AI-generated summaries that incorporate journalistic content without clear, immediate and visible attribution undermine the economic foundations of the UK news sector. These summaries often remove the identity of the publisher, obscure source links, and redirect user attention away from trustworthy human-led information sources.

The harms are direct and compound:

- **Loss of traffic**, as users are no longer incentivised to click through to the publisher site;

- **Loss of quality and brand recognition**, as content is decontextualised and rendered anonymous;

- **Devaluation of original reporting**, which becomes functionally interchangeable with synthetic outputs;

- **Systemic financial harm**, as all viable business models - ads, memberships, affiliates, partnerships, grant funding - require demonstrable engagement and visibility metrics.

Left unaddressed, these harms will **accelerate the collapse of the UK news market** - not over years, but within months. The CMA must therefore establish clear conduct requirements to prevent irreparable damage.

We propose the following minimum standards:

A. Mandatory and Prominent Attribution

- **All AI-generated summaries must be clearly marked as AI-generated**. This marking must appear at the beginning of the response - not buried in footnotes, disclaimers, or backend metadata. It must be visible to the average user without additional interaction.

- **Citations and clickable links to source publishers must appear** *above* **the AI-generated content**, not beneath it. This ensures that attribution is seen, not assumed. Users are far less likely to click or scroll below the fold once an answer has been provided. Placement is therefore a direct factor in traffic, trust, and economic sustainability.

B. Restoring Public Trust in News and Search

Trust is the core currency of journalism - and of search engines. It is the economic foundation on which both industries are built. When users cannot distinguish between AI synthesis and human reporting, or when trustworthy publishers are not credited, that trust is undermined.

Importantly, AI-generated outputs **cannot be treated as neutral summaries**. Users must be made aware that these outputs:

- May contain errors or misinterpretations;

- Are not reviewed by human editors;

- Are not a substitute for original reporting.

Therefore, **a standard declaration should accompany all AI-generated answers**, encouraging users to consult the linked article to verify the content and its context.

C. Safe Harbour for Publishers

Where AI systems misrepresent or distort content sourced from publishers, those publishers must be protected. Provided they have adhered to recognised editorial standards (e.g. recognised industry editorial codes), they must not be penalised in ranking systems, credibility assessments, or monetisation frameworks as a result of AI inaccuracies.

A **formal "safe harbour" or non-penalisation clause** should be included in the CMA's guidance, recognising that liability for AI-generated misinformation must rest with the platform deploying the AI system—not the human publisher whose work was partially or poorly referenced.

D. Transparency, Monitoring and Compensation

- Google must provide publishers (or their trade associations) with access to data on how frequently their content is used in AI-generated summaries—whether cited or not. This should include visibility metrics, summary appearance frequency, and click-through ratios.

- **Compensation mechanisms** must be developed for the use of publisher content in AI-generated outputs. We recommend that the CMA facilitate the development of a **per-query/prompt compensation model**, which could be managed collectively through recognised UK trade associations. This would reduce transaction costs, simplify negotiations, and ensure equitable distribution.

E. Collaborative Standard-Setting

The development of AI attribution standards must involve **ongoing consultation with UK publishers, regulators, and trade associations**, including bodies such as Impress and Ofcom. These stakeholders bring the regulatory expertise and sectoral knowledge required to ensure that AI systems reflect public interest obligations and market realities.

This process should also align with emerging global frameworks—particularly the **Digital Services Act (DSA)** in the European Union—which establish clear expectations for AI transparency, citation, and user redress.

At its core, this is not simply about protecting a threatened industry - it is about **preserving the very basis of market competition and information integrity**. AI-generated search

risks monopolising visibility and eroding the delicate economic relationships that underpin a free, independent and pluralistic news market. Without visibility, there is no traffic; without traffic, there is no revenue; without revenue, there is no journalism.

Conversely, a robust, transparent, and fair system of AI attribution can deliver enormous value: supporting public trust, sustaining UK jobs, improving search reliability, and reducing the burden on Google to moderate misinformation and disinformation.

The CMA must act decisively now, ensuring that AI integration supports—not supplants—a diverse, high-quality news ecosystem in the UK.

4. Category 2 Conduct Requirements

4.1 Publisher Controls and Access to Data

The operation of a competitive digital news market depends fundamentally on the availability of actionable, accurate, and accessible performance data. At present, UK publishers are structurally disadvantaged by Google's refusal to provide meaningful insight into how their content is used, ranked, or monetised within its ecosystem. This denies them the ability to assess impact, improve performance, make informed strategic decisions, or innovate. This imbalance is unsustainable and must be addressed directly in the CMA's conduct requirements.

We propose that Google be required to provide **mandatory, auditable access to detailed performance and usage data**, summarised as follows and expanded in sections 4.1.1-4.1.3:

- **Mandate regular data access** for all regulated UK publishers and/or their recognised trade associations, including click-through rates, impressions, AI usage metrics, Retrieval-Augmented Generation (RAG), benchmark comparisons, and non-search channel data (e.g. YouTube, Discover, News Showcase, Google Podcasts, Gemini).

- **Delivery data weekly,** with real-time access to key metrics where feasible. Format must be standardised, actionable, and machine-readable, and there should be a formal right to clarification or dispute, enabling publishers to challenge inaccuracies or request deeper insight into performance. Anonymised/aggregate datasets should be made available to research bodies.

- **Enable regulators to audit and enforce compliance**, supported by a regular platform fee to fund oversight functions.

This data must be made available either directly to publishers through secure dashboards, or via recognised trade associations acting as intermediaries. We are open to either approach, but the outcome must be functional, accessible, and enforceable.

The consequences of withholding this data are not merely commercial - they are systemic. In a functioning market, publishers would have visibility over how their content is used. The only reason they do not is because Google occupies a position of Strategic Market Status - and chooses to withhold this data. This actively undermines market diversity, and restricts innovation as publishers cannot assess what works, what doesn't, or where new opportunities lie.

In addition, membership models, grant-funded journalism, public-interest publishing and local news all rely on being able to demonstrate reach and relevance. Impact reporting is central to audience engagement in a modern trust-driven media economy. Supporters, members and funders increasingly want to know how content performs - and why. That depends on access to real performance data.

This is not a competitive issue between publishers and Google. News publishers are **not Google's competitors** — they are producers of high-value, regulated, public-interest content whose access to the market is being structurally impaired by a dominant intermediary.

Any remedy that fails to provide publishers with transparent, timely data on their own content will fail to address the core dysfunction in the UK digital media economy. The CMA must therefore enshrine **data access and accountability** as a baseline requirement of any conduct regime arising from Strategic Market Status.

4.1.1 Required Data Disclosures

The following data disclosures should be mandated across **all Alphabet products** where news publisher content is surfaced, referenced, or utilised — including Google Search, Gemini, YouTube, Google Discover, Google News Showcase, and associated AI tools.

- **Click-through rates (CTR)**: Publishers must have access to how often their content is shown and clicked on in search results and AI-generated outputs.

- **Impressions**: Data on how frequently content appears across Google Search, Gemini/AI Overviews, Discover, and Google News-related products.

- **AI-specific visibility data**: Including: appearances in Gemini and other AI summaries; whether the publisher was cited, linked, or omitted; positioning (e.g. above or below the fold); relative ranking in relation to other content.

- **Retrieval-Augmented Generation (RAG) disclosures**: Google must disclose when publisher content is used as part of retrieval systems (e.g. in AI-generated answers), even if the content is not explicitly cited or linked)

- **Comparative performance benchmarks**: against sector averages and category peers; against the publisher's own historical performance (month-on-month, year-on-year); across demographic or audience targeting segments.

- **Non-search channel data**: This must include performance metrics across YouTube, Google Discover, Google News, News Showcase, Google Podcasts, and other Alphabet-controlled discovery pathways. For Google Discover, this should include clear publisher inclusion policies and visibility and performance data.

4.1.2 Frequency, Format and Access

- Data must be made available weekly, with select real-time metrics where technically feasible.
- Data delivery must be standardised and machine-readable.
- Publishers should be able to request further clarification or dispute inaccuracies through a formal mechanism.
- Anonymised and aggregated datasets should be made available to recognised trade associations or independent research bodies, to support market diversity and pluralism research, evaluation of business models, insights on trusted news vs. misinformation (including content farms or foreign-backed actors), and public-interest research into media penetration and democratic engagement.

4.1.3 Oversight and Enforcement

- Data quality and delivery must be subject to independent audit, overseen by a regulator such as the CMA, Impress or Ofcom.

- A formal fee should be levied on Google (or Alphabet) to support the regulator's oversight of these obligations.

- Penalties must be available for late, inaccurate or incomplete data delivery.

- Google must not be permitted to substitute non-transparent or aggregated metrics in place of specific, actionable data.

Appendix: Publisher Associations

Association of Online Publishers (AOP)

Formed in 2002, the Association of Online Publishers [AOP] is a UK industry body representing digital publishing companies. We champion the interests of media owners from diverse backgrounds including newspaper and magazine publishing, TV and radio broadcasting, and pure online media. Our mission is to support these organisations in their continued commitment to the creation and distribution of high-quality original content, for the benefit of the consumer.

Independent Community News Network (ICNN)

The Independent Community News Network (ICNN) supports over 100 independent community and hyperlocal news outlets spanning the length and breadth of the UK. Members of ICNN are community focused, produce contemporaneous news content, and uphold high professional standards. The ICNN provides support to bolster local journalism and address news deserts.

Independent Media Association (IMA)

The IMA is a democratically governed cooperative of over 75 independent media outlets, reaching some 5–8 million UK readers monthly. It champions the creation of public-interest journalism that is financially independent, ethically accurate, and free from corporate or political influence. The IMA provides training, research, resource-sharing, and policy advocacy, reinforcing editorial standards and uplifting marginalised voices and underrepresented communities

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Independent Publishers Alliance (The Alliance)

Founded in 2021, The Alliance is a membership body of over 50 independent publishers representing more than 150 web brands. It empowers members through shared learning, advocacy, and commercial initiatives - such as a collaborative marketplace to support sustainable monetisation. The Alliance's members are not owned by Private Equity or Venture Capitalist, have a market cap of less than £50m and are not owned by one of the large newspaper or publishing groups.