

The Hon. Lord Pentland
Scottish Law Commission
140 Causewayside
Edinburgh EH9 1PR

16 June 2016

LIBEL REFORM

Dear Lord Pentland,

I would like to add to the requests made for your support to amend the liable laws in Scotland. For too long, unscrupulous individuals and organisations suppress truths via legislation meant to provide safeguards to all who are innocent, rather than those who may be guilty but who have deep pockets.

Among the topics for your attention, I would include:

Establishing a test to decide the degree of harm, if any, to deter 'vanity' cases cluttering the courts.

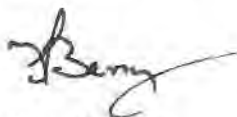
A restriction on the number of times the same material counts. In these days of mass media posts and/or emails, a single item may appear many times. Attacking each one as if it were a premeditated action would be akin to suing a newspaper, not for a false story, but for every edition in which it appeared.

Rather than holding media platforms responsible for all data they carry, create a system to ensure the authors of the information know their material is suspect. At present, the law is willing to act against the courier, regardless of their awareness of the contents of the messages they convey.

Create a public interest defence to protect the public's right to receive and, if necessary, debate information concerning civil affairs.

Restrict the ability of organisations and/or corporate bodies to sue for defamation. These constructs have no feelings to hurt, and should not have the right to use legislation designed to protect those who do.

Yours sincerely,



Francis Berry.