

It seems to me that the draft is a major step in the right direction.

Personally, I feel "Honest opinion" is a weak defense, unless there is good evidence of an attempt to form an *informed opinion*. For example, during the 2014 Scottish Independence referendum campaign, many people held the honest opinion that the BBC was biased in one direction or the other. Almost certainly, individual programmes, or parts of them, did favour one side. It is hard to see how it could be otherwise. That in itself should not be a defence of someone accusing the BBC of general, or blanket bias. It is to be expected that anyone accusing a broadcaster of this *is himself biased*, so his honest opinion is itself biased from the start. His defence should need to show that he researched a number of programmes before arriving at his (reasonably unbiased) conclusion. We all have honest opinions. Many of them are very silly.

With regard to the public interest defence, I feel rather more latitude should be permitted the defendant. "Public interest" is a moving target. Criticising an energy company for activity which damages the environment is in the public interest, but may show no discernable benefit for decades, whereas the benefit to drivers of a cheap fuel may be a positive shorter term gain. Public interest is harder to pin down than "honest opinion". I feel it needs wider tolerances as a defence.

The right of a company or corporate entity to sue for defamation should be entirely withdrawn in my opinion. Defamation is a matter of *personal* damage and should be restricted to personal suit.

Overall, I offer my congratulations on the draft. It appears that progress is being made here.

Sincerely,
Alastair Macrae.