

Thanks for the proposed reform to libel laws in Scotland.  
The serious harm test (section 1(2)(b)) and a single publication rule (section 30(3)) are welcome inclusions - meaning that the time limit for bringing defamation claims is not reset every time a publication is shared.

Further, the reduction of the time limit for bringing proceedings to one year (section 30(2)(b)) and The Derbyshire principle (section 2), which prevents public bodies from bringing actions for defamation, gain statutory footing.

The introduction of a public interest defence (section 6) is new to Scots law and therefore a very good addition but it needs to be more robust; as it stands it is weaker than in the Defamation Act 2013.

Corporations would still have the right to sue. Defamation law was designed to protect the rights of individuals: corporate bodies do not have a private life, personal identity or psychological integrity. Corporations also have other means to defend themselves, such as malicious falsehood and laws governing advertising, competition and business practices - they do not need protection under defamation law.

Defamation law in Scotland needs to be as strong - or stronger - than the Defamation Act 2013. We cannot support a law for Scotland that doesn't meet at least that standard.

Best wishes

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