

Regarding the draft bill on defamation law:

I am writing as a Scottish citizen in favour of the following:

- The inclusion of the serious harm test (section 1(2)(b))
- A single publication rule (section 30(3))
- The reduction of the time limit for bringing proceedings to one year (section 30(2)(b))
- The Derbyshire principle (section 2)
- The introduction of a public interest defence (section 6)

However, I feel very strongly that the draft bill should:

- Have a stronger public interest defence, to bring it in line with the 2013 Defamation Act.
- Not protect the right of corporations 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 2013 Defamation Act, in order to protect Scottish freedom of expression.

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ScotsWrite SOAiS Weekend Conference 22-24th September 2017
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