

Dear Sir/Madam,

In connection with the Bill referred to above, I welcome the inclusion of the following points:

- The inclusion of the serious harm test (section 1(2)(b)).
- A single publication rule (section 30(3)) - meaning that the time limit for bringing defamation claims is not reset every time a publication is shared, for instance by retweeting.
- The reduction of the time limit for bringing proceedings to one year (section 30(2)(b)).
- The Derbyshire principle (section 2), which prevents public bodies from bringing actions for defamation, gaining statutory footing.
- The introduction of a public interest defence (section 6).

However, as the Bill stands:

- The public interest defence is weaker than in the Defamation Act 2013. The public interest defence is new to Scots law, so that is most welcome, but it must be robust.
- 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 - I strongly believe that they do not need protection under defamation law.

I believe that defamation law in Scotland needs to be as strong - or stronger - than the Defamation Act 2013.

Yours faithfully,

Teresa Preece

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