

Hello there. I'd like to make a response to the above mentioned SLC review.

I wholeheartedly support the arguments put forward by Scottish Pen on this matter – particularly the inclusion of the following in the draft bill:

- **The inclusion of a serious harm test** to ensure vanity cases and those brought solely to silence others cannot make it to court;
- **Requiring the defamatory statement to be communicated to a 3<sup>rd</sup> party;**
- **A public interest defence** that ensures journalists, activists, academics and others can inform the public free from the threat of undue legal threats;
- **The implementation of a single publication rule** to ensure that liability remains with the original publication and does not extend the time within which an action can be brought if the content is shared or retweeted;
- **Reducing the period within which a defamation action can be brought to 1 year;**
- **Bringing the Derbyshire Principle into law** so that public bodies cannot bring defamation proceedings;
- **An honest opinion defence** that protects the free and open sharing of opinion and expression both online and off.

As a journalist working for more than 30 years in Scotland, I've seen the "bravery" of editors diminish when it comes to holding potentially litigious and powerful people, companies and organisations to account. Obviously that's partly to do with falling sales and revenue – but it's also to do with worries about financial exposure because of our defamation laws. Since England improved its defamation laws, Scotland has fallen even further behind.

I wrote a column on the consequences of this in December 2016 when the nature of the threat hanging over Andy Wightman MSP became clear.

[http://www.thenational.scot/news/14972698.Lesley\\_Riddoch\\_The\\_threat\\_to\\_sue\\_land\\_reform\\_campaigner\\_and\\_MSP\\_Andy\\_Wightman\\_exposes\\_Scots\\_defamation\\_law\\_as\\_dangerously\\_outdated/](http://www.thenational.scot/news/14972698.Lesley_Riddoch_The_threat_to_sue_land_reform_campaigner_and_MSP_Andy_Wightman_exposes_Scots_defamation_law_as_dangerously_outdated/)

I hope your draft bill goes forward to bring Scotland up to UK standards on defamation.

Yours aye

Lesley Riddoch