

Hello there - I want to give my view on the new defamation act.

It is fantastic to see:

- 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, gain statutory footing.
- The introduction of a public interest defence (section 6).

However, as the draft stands:

- The public interest defence is weaker than in the Defamation Act 2013. The public interest defence is new to Scots law, so it's fantastic to see its introduction, 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 - they do not need protection under defamation law.

Defamation law in Scotland needs to be as strong - or stronger - than the Defamation Act 2013. I join the Society of Authors, of which I am a member, to not support a law for Scotland that doesn't meet at least that standard.

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**The 6th Mirabelle Bevan Mystery, *Russian Roulette* is out July 2017.
Sara's book about the real-life history behind ITV's Victoria is out September 2017, as is *Bloody Scotland*
- a book of Scottish crime short stories launching as part of the Bloody Scotland Festival.**

Recently ... STV Productions optioning the Mirabelle Bevan Mysteries for TV, London Calling launching in the US, a portrait of Sara by Sophie McKay Knight on display at the National Gallery of Scotland, On Starlit Seas being shortlisted for the Wilbur Smith Prize and being named as one of Scotland's 365 most influential women, past and present by the Saltire Society.

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