[GB] BBC not an Investigative Body in Possession of Different Powers from the Rest of the Media

IRIS 1998-2:1/11

Tony Prosser
University of Bristol Law School

The Scottish courts decided that a defamatory statement made to the BBC was not protected by the doctrine of `qualified privilege' as the BBC is no different from any other media organisation. This doctrine serves to protect certain defamatory statements from creating liability where they fall into categories where it is seen as especially important for the public interest that free communications takes place, for example reports of inquiries or communications with members of Parliament. The court rejected the claim that the BBC performed a special role of a `watchdog in society' and that in reporting allegations to it the defender was performing a public duty.

Baigent v McCulloch 1997 Rep. L.R. 107 (OH)

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026