

# Proposed Witchcraft Convictions (Pardons) (Scotland) Bill

## Introduction

A proposal for a Bill to pardon all those convicted under the Witchcraft Act 1563.

The consultation runs from 23 June 2022 to 15 September 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (\*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

*No Response*

## About you

Please choose whether you are responding as an individual or on behalf of an organisation.  
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation.**

I am a member of Remembering the Accused Witches of Scotland (RAWS) and have been researching into the witchcraft persecutions, as an amateur. I was born in Edinburgh in 1973 and am shocked that we weren't taught at school about this period in our history.

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I would like this response to be published anonymously

**If you have requested anonymity or asked for your response not to be published, please give a reason (Note: your reason will not be published):**

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).

(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

**Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").**

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

Fully supportive

**Please explain the reasons for your response.**

The Witchcraft Act legalised the accusation, torture and ultimately execution of thousands of people, around 85% of whom were women. The criteria considered under the Act(s) to qualify as a "witch" are now understood to be impossible. The legal force of the State was used to reinforce the influence of the Kirk in a misogynistic attack on women dressed up as religious zeal. Innocent people were separated from their loved ones, humiliated, tortured to extract a "confession", possibly forced to name "accomplices". They were made to wear sackcloth and forced to stay awake for days. They were strip searched and pricked all over with a long metal pin by a "brodder" looking for the "witches' mark". Women were denied a voice at their own trial and couldn't defend themselves. If found "guilty" they were mostly strangled at the stake and their bodies burned. Then their grieving family were sent the bill for the cost of their imprisonment, trial and execution. Unspeakable atrocities were committed in Scotland at this time, legitimised by the legal system. None of those accused were guilty since the crime couldn't have been committed. They were innocent people and they deserve a posthumous pardon to clear their names. The current population of Scotland should stand up and show the world we do not tolerate this kind of violence and persecution and acknowledge a great wrong was done and the names of those affected should be cleared.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

I believe legislation is required to ensure everyone is legally pardoned, even those whose name is not recorded in trial records (often the male clerks would simply say "sundry witches", "the widow of the miller" or just fail to record a name at all.

## Financial Implications

Q3. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

no overall change in costs

**Please explain the reasons for your answer.**

There will be a relatively modest cost associated with bringing the Member's Bill and passing the legislation. Some costs around communication with the public. Recompense won't be due to many people for the posthumous pardon in historical times.

## Equalities

Q4. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Positive

Q4. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

**Please explain the reasons for your response including the impact on people with particular protected characteristics**

Many of those prosecuted under the Witchcraft Acts would be classed as "vulnerable" because of age, gender, socio-economic standing, whether people were considered disabled or in some way "different". This pardon would give a clear statement to the world that Scotland has learned by looking back and will never again permit such a gross miscarriage of justice. This is important, not just to Scotland, but to send a message to the rest of the world. Some parts of the world still persecute children, women, men, vulnerable people for "witchcraft". This practice must be stamped out.

## Sustainability

Q5. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

I think passing the law, granting the pardon and then possibly erecting one or more memorials will bring economic, social and environmental opportunities to Scotland. Already, communities are working together to learn research techniques to investigate the stories of the unfortunate people accused in their localities. I attended a superb event on 10th-11th June in West Calder. It was a sociable and educational experience and the exhibition had involved local school children creating artwork and learning about their local history. I travelled over 290 miles to attend and stayed overnight for three nights, all adding to the local rural economy. The surge of internet generated by such a pardon would certainly attract tourists and engage the people of Scotland too.

## General

Q6. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

Thank you for this consultation. It would be good, as a follow-on action to include a work pack for teachers in schools in Scotland, covering the witchcraft persecutions and subsequent apology and pardon, hundreds of years later. Part of healing the collective wound and focussing on building a future where this would never happen again.