

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".)

Professional with experience in a relevant subject

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

My specialism as an academic historian is in the history of witchcraft trials and the subsequent representation of witches in culture.

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

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).

Professor Marion Gibson

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.

This pardon would recognise the impossibility of the crime of witchcraft, sending an international signal to places where people are still being accused, convicted or simply killed extra-judicially. It would also note the fact that the overwhelming majority of the accused were, and are, women and would mark the Scottish Government's stated commitment to address structural misogyny where it has the power to do that.

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.

Legally speaking, I do not know. Culturally-speaking, legislation would make a strong point.

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

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

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

This bill would promote equality by example, because of its focus on a crime imagined as strongly gendered and having a long history in culture as dramatising the supposed failings of women - intellectual, sexual, moral etc. It would encourage discussion of their status as historic and contemporary victims of violence, and challenge assumptions relating to that. Why has this aspect of society not changed as much as one might expect? Can it be changed further, and if so how? In addition, because the bill draws attention to issues of scapegoating and persecution in society, it addresses other disparities in treatment of supposedly equal citizens.

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?

This bill addresses historic injustice and encourages reflection on contemporary injustices. I would see it as a model for promoting that reflection across society, educating people about the past of their nation (and the past and present of other nations) and encouraging reflection on their own historic narrative about who they are and want to be.

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)?

no