

# 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".)

Politician (MSP/MP/peer/MEP/Councillor)

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).

Cllr Moira McKee Shemilt

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.**

In January 2022, I put forward a motion to a meeting of the full council in West Lothian, requesting that the council instruct officers to write to the First Minister, Nicola Sturgeon, outlining its support for the above Campaign. In addition, to reiterate the request of the Campaign, that the First Minister makes it clear, on

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

International Women's Day 2022, that the Scottish Government accepts that what happened to those accused of witchcraft was a terrible miscarriage of justice and to apologise on behalf of the people of Scotland. I was delighted that the motion passed by acclaim.

Below is my speech to council.

"This motion asks council to endorse the aims of the Campaign for Justice, which seeks a legal pardon and an apology from the Scottish Government for the thousands of people, mostly women, who were convicted of witchcraft and executed between 1563 and 1736 in Scotland. In doing my research for this motion, I uncovered the names of many West Lothian women.

I can imagine my colleagues asking why on earth does this matter, when it happened so long ago? My answer to that question is that history is inescapable. What happened in the past informs our present and our future. Memory makes the map that we carry around with us. It informs our view of society.

It would appear that 2500 people in Scotland, almost all women, were burned in our country – mostly because they were scapegoated for being a bit different, not conforming to the current societal view of how a woman should behave. They were a threat to the social order. Witch hunts were a grim affair with men going to great lengths to uncover the "privy mark of the devil" on women's bodies to prove their guilt.

It could be said that women's behaviour is still judged by society. The still prevalent Madonna/Ladies of the Night (to use a euphemism) dichotomy still denotes polarised perceptions of women as being either good and chaste or bad and promiscuous. We can see this in the responses and advice proffered by many in the wake of the deaths of women who were merely going for a run or walking home alone. How were they dressed? Had they been drinking? Were they good girls? Did they somehow do something to deserve it? Were they sluts or were they saints?

We don't burn women in this country any more but too many are still being killed at the hands of men. Between January and November last year, at least 140 women were killed by men in the UK, and that is not counting domestic violence. In this country and in others, we have female genital mutilation; honour killings and refugee girls being trafficked and pimped for profit.

We have strong expectations as to how women should behave in our society, what they should say and how they should say it. Witness a woman saying anything mildly controversial on Twitter and watch the storm of approbation descend upon her with the sword of righteous wrath! So many women politicians have spoken out about the horrors of online abuse, including rape and death threats.

It has often been said that history is written by the victorious. Much is being done to uncover the truth about our country's involvement with the slave trade. Scotland in the 18th Century was built on slavery, so many buildings in our finest cities are made from bricks drenched in blood. It has been said that our involvement in the slave trade is a story of uncomfortable truths over how we see ourselves and perhaps that is why it has been largely forgotten. It challenges the notion that we are all Jock Tamson's bairns. There is a growing campaign to acknowledge our past with an apology and reparations.

So, I ask that we acknowledge our past in relation to the thousands of, mostly, women who were castigated for not conforming, who were scapegoated, who were tortured. I ask that we consider this past, so that we can continue to improve the lives and opportunities of all the women and all the girls in our present and in our future.

Please support this motion."

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.

Organisations such as The Calder Witch Hunt are doing sterling work, raising awareness of the history and its relevance to present day misogyny. However, I think that it is only legislation that would lead to pardons

## 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?

Unsure

## 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**

Raising awareness of the misogyny, stereotyping and treatment of those who were vulnerable for many reasons during the Witchcraft Convictions - and how that thinking is still prevalent today - can only be beneficial in terms of impact on equality and all that that entails.

## 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?

*No Response*

## 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)?

I hope that it succeeds.