

PE2122/A: Pardon those who were accused and convicted of witchcraft in Scotland under the Witchcraft Act 1563

Scottish Government written submission, 15 November 2024

Thank you for your email of 4 November 2024 seeking information from the Scottish Government to help inform the Committee's consideration of petition PE2122

The petitioner's proposal in PE2122 is to call on the Scottish Parliament to urge the Scottish Government to pardon those who are accused and convicted of witchcraft under the Witchcraft Act 1563.

As the petitioner may be aware, in March 2022, the then-First Minister made an apology to those accused and convicted of witchcraft under the Witchcraft Act of 1563.

A formal pardon is different from an apology in that it would require legislation to be passed, as was done with, for example, the Historical Sexual Offences (Pardons and Disregards) (Scotland) Act 2018.

The Scottish Government noted the formal Member's Bill proposal that had been progressed in this area by Natalie Don MSP. After Ms Don was appointed as a Government Minister, she was unable to progress her Member's Bill further under the Standing Orders of Parliament. In the event that any MSP were to introduce a Member's Bill on this matter, the Scottish Government would of course give careful consideration to the detail of any such Bill. I can advise that, as the Committee will be aware, the Scottish Ministers have set out their plans for legislation in this Parliament in the Programme for Government in September and this did not include any plans for legislation in this area.

I hope this is helpful.

Justice Directorate