

LEGAL DEFINITION OF SECTARIANISM WORKING GROUP

Background

A working group has been established in response to a recommendation made by the Scottish Parliament's Justice Committee in their report on the Stage 1 of the Offensive Behaviour at Football and Threatening Behaviour (Repeal) (Scotland) Bill. The Committee published their report on 18 January recommending (on page 58) that:

The Committee considers it important that the Scottish Government gives consideration to introducing a definition of sectarianism in Scots Law, which – whether or not the 2012 Act is repealed – would help any future parliaments and governments in taking forward laws to tackle sectarianism.

Remit

The remit of the working group is:

To consider and weigh up the pros and cons of establishing a legal definition of “sectarianism” in Scots Law. Report the findings of these considerations to Scottish Ministers making clear recommendations on whether such a definition should be introduced and, if so, propose the text of such a definition.

Membership

The membership of the working group is:

- **Duncan Morrow** (Chair)
- **Alison Logan**
- **Andrew Tickell**
- **Margaret Lynch**
- **Ian Galloway**
- **Michael Rosie**

All of those invited to join the group have been invited on an individual basis because of their background and expertise in addressing social issues or knowledge of Scots Law. No member has been invited to represent any organisation that they are currently, or have previously been, affiliated to.

It is entirely open to the group to engage with whoever they wish to enable them to fulfil their remit. The findings, conclusions and recommendations of the group will be submitted to the Scottish Government as a report for wider consultation.

The report of the group will be published by the Scottish Government at an appropriate point after it has been considered by Ministers. The consultation process will be taken forward by the Scottish Government.

Review of Hate Crime Legislation in Scotland

The working group is independent of Lord Bracadale's Review on Hate Crime Legislation in Scotland. The findings and recommendations from the review will be fed into the working group so that these can be considered as part of the process for weighing up the pros and cons of establishing a definition.