CENSUS (AMENDMENT) (SCOTLAND) BILL

POLICY MEMORANDUM

INTRODUCTION

1. This document relates to the Census (Amendment) (Scotland) Bill introduced in the Scottish Parliament on 29 February 2000. It has been prepared by the Scottish Administration to satisfy Rule 9.3.3(c) of the Parliament’s Standing Orders. The contents are entirely the responsibility of the Scottish Administration and have not been endorsed by the Parliament. Explanatory Notes and other accompanying documents are published separately as SP Bill 8–EN.

POLICY OBJECTIVES OF THE BILL

2. The objective of the Bill is to amend the primary legislation under which the Census is carried out (the Census Act 1920) to enable a question or questions on religion to be asked in the Census in Scotland. The Bill will also make it clear that the criminal penalties for not answering questions in the Census will not apply in Scotland in relation to questions on religion.

3. The Bill implements an undertaking given by the Scottish Executive in the debate on the draft Census (Scotland) Order in the Scottish Parliament on 16 February. In his opening speech, the Deputy First Minister indicated that, having listened to the views expressed by the Equal Opportunities Committee, the Commission for Racial Equality and others, the Executive have decided to include a voluntary question on religion in the 2001 Census in Scotland.

4. The main purpose of a question or questions on religion is to provide benchmarking information in connection with social inclusion policies designed to prevent discrimination against particular religious groups. The question or questions will also provide information which will improve services to minority religious groups.

ALTERNATIVE APPROACHES

5. While alternative procedures such as household surveys can provide some relevant information for the Executive’s purposes, only a Census can give comprehensive coverage of all households to enable authoritative, accurate and
comparable statistics to be produced for all parts of the country and for small geographical areas and sub-groups of the population. The voluntary nature of the religion question or questions proposed for the Census is likely to have an effect on the information obtained. Alternative procedures such as household surveys would also involve voluntary questions.

CONSULTATION

6. Extensive consultation has been carried out with Census users in central government, local authorities, health authorities, the academic community and the business sector. In addition, the case for a religion question has been considered by the Equal Opportunities Committee of the Scottish Parliament and debated in the Scottish Parliament.

EFFECTS ON EQUAL OPPORTUNITIES, HUMAN RIGHTS, ISLAND COMMUNITIES, LOCAL GOVERNMENT AND SUSTAINABLE DEVELOPMENT

7. The Bill is compatible with the European Convention on Human Rights. It is envisaged that the Bill will have a positive effect on equal opportunities. There will be no effect on human rights, island communities, local government and sustainable development.
This memorandum relates to the Census (Amendment) (Scotland) Bill (SP Bill 8) as introduced in the Scottish Parliament on 29 February 2000

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