



COVID-19: Church lockdown worship ban is unlawful, Scottish court rules

Churches leaders say they believe it is the first successful legal case against coronavirus regulations in the UK.



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COVID-19

CORONAVIRUS

SCOTLAND



The legal challenge was brought by the Free Church of Scotland, the Church of Scotland and independent churches. Pic AP



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A judge has ruled that a Scottish government ban on church worship during lockdown was unconstitutional, disproportionate and an interference with human rights.

The legal challenge was brought by the Free Church of Scotland (continuing), the Free Church of Scotland, individuals from the Church of Scotland and a number of independent churches.

Their challenge was made in response to restrictions announced by First Minister **Nicola Sturgeon** on 8 January, which made it a criminal offence for churches to hold in-person services.

Nicola Sturgeon announced new coronavirus restrictions on 8 January, which made it a criminal offence for churches to hold in-person services. Pic: PA

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Following a judicial review at the Court of Session, Judge Lord Baird found that to criminalise communal church worship during the current lockdown "disproportionately infringed" the freedom to express religious beliefs secured in the European Convention on Human Rights.

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He also ruled that forcing church closures was unconstitutional.

Responding to the ruling, Rev. Dr William Philip, Senior Minister at the Tron Church in Glasgow, said: "From the outset, we have recognised the serious decisions the Scottish ministers had to take in response to the pandemic.

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"However, its approach to banning and criminalising gathered church worship was clearly an over-reach and disproportionate and if this had gone unchallenged it would have set a very dangerous precedent.

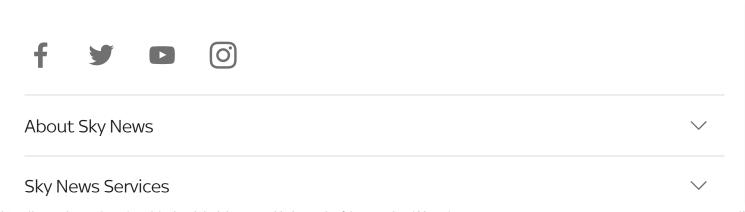
"However well-intentioned, criminalising corporate worship has been both damaging and dangerous for Scotland, and must never happen again."



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The legal challenge was brought by leaders of the Free Church of Scotland, the Church of Scotland and a number of independent churches.

In a statement, they said the Scottish government's restriction had been the first attempt to close churches in Scotland since the "persecution of the Presbyterian church, instituted by the Stuart kings, in the 17th century".



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