

# Miners' Strike (Pardons) (Scotland) Bill

[AS AMENDED AT STAGE 2]

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**Amendments to the Bill since the previous version are indicated by sidelining in the right margin. Wherever possible, provisions that were in the Bill as introduced retain the original numbering.**

# Miners' Strike (Pardons) (Scotland) Bill

[AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to pardon certain individuals convicted of certain offences committed during the 1984-85 miners' strike.

## **1 Pardons for certain individuals convicted of certain offences committed during miners' strike**

- 5 (1) A qualifying individual who has been convicted of an offence listed in section 2 is pardoned for the offence if the conduct constituting the offence—
- (a) occurred during the period beginning with 12 March 1984 and ending with 3 March 1985, and
  - (c) in relation to—
    - 10 (i) an offence listed in section 2(a) to (c), meets condition A or condition B, or
    - (ii) the offence of theft, meets condition C.
- (4) Condition A is that the conduct—
- 15 (a) occurred while the individual was engaged or participating in—
    - (i) activity (whether or not organised) supporting or opposing the miners' strike, or
    - (ii) activity ancillary to such activity (for example, assembling before or after or travelling to or from such activity), and
  - (b) did not occur for a reason unrelated to the miners' strike (for example, a disagreement about a personal matter).
- 20 (5) Condition B is that the conduct—
- (a) occurred in response to conduct that meets condition A, and
  - (b) did not occur for a reason unrelated to the miners' strike.
- 25 (6) Condition C is that the conduct occurred because of economic hardship arising from participation (whether by the individual or another person) in the miners' strike.

**1A Pardons: qualifying individuals**

In section 1, "qualifying individual" means an individual, including a deceased individual, who—

- (a) was a miner, or
- (b) was, at the time of the commission of the offence, a member of the same household as a miner.

**2 Pardons: offences**

The offences referred to in section 1 are—

- (a) breach of the peace,
- (b) an offence under section 3 of the Bail etc. (Scotland) Act 1980 (breach of bail conditions),
- (c) an offence under section 41(1)(a) of the Police (Scotland) Act 1967 (obstructing police etc.),
- (d) theft.

**3 Pardons: supplementary**

Section 1 does not—

- (a) affect any conviction or sentence,
- (b) give rise to any right, entitlement or liability, or
- (c) affect the Royal prerogative of mercy.

**4 Interpretation**

In this Act—

“conviction” includes any finding in criminal proceedings that a person has committed an offence or done the act or made the omission charged (including a finding linked with mental disorder or in respect of which an admonition or absolute discharge is made), and “convicted” is to be construed accordingly,

“household” means a group of people living together as a family or other unit (whether or not related) in a private dwelling, who—

- (a) have the dwelling as their only or main residence, and
- (b) share living accommodation and cooking facilities,

“miner” means an individual who at any time during the period beginning with 12 March 1984 and ending with 3 March 1985 was employed in any part of Great Britain—

- (a) by the National Coal Board established under section 1 of the Coal Industry Nationalisation Act 1946, or
- (b) by a person holding a licence granted under section 36(2)(a) of that Act,

“miners’ strike” means the national concerted stoppage of work by miners led by the National Union of Mineworkers.

**5 Commencement**

This Act comes into force on the day after Royal Assent.

**6 Short title**

The short title of this Act is the Miners' Strike (Pardons) (Scotland) Act 2022.

# **Miners' Strike (Pardons) (Scotland) Bill**

[AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to pardon certain individuals convicted of certain offences committed during the 1984-85 miners' strike.

Introduced by: Keith Brown  
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