

# **Miners' strike 1984/85 pardon: Consultation**

**March 2021**

## Miners' strike 1984/85 pardon: Consultation

### Ministerial foreword



In 2018, the Scottish Government commissioned an independent review into the impact of policing on affected communities during the miners' strike 1984/85 ("the Strike"). The Strike was one of the most bitter and divisive industrial disputes in living memory. The purpose of the review was to provide an opportunity to those who were affected by the Strike to share their experiences, as a means to aid understanding and reconciliation - and to help heal wounds.

With that purpose in mind - and drawing on the powerful testimonies provided by former miners, police officers and mining communities - the review group produced a report which made a single recommendation, that subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon miners convicted for certain matters related to the Strike.

The Scottish Government recognised that this would be a collective pardon, which would apply posthumously and to those living, symbolising a desire for truth and reconciliation, following the decades of hurt and anger and misconceptions. The pardon would also bring a restoration of dignity to a number of miners, their families and their communities.

Therefore, I announced last October that the Scottish Government accepted the recommendation in principle and would consult widely on what the qualifying criteria should be for the pardon. I also made clear that in accepting the recommendation, the Scottish Government should not be seen as intending to cast any doubt on decisions made by the judiciary.

I fully recognise the need to make swift progress on this matter, given the passage of time since 1984/85. That is why we have acted quickly to publish this consultation now.

This consultation paper sets out potential criteria - based on the criteria suggested in the independent report - and asks for your views. It is important that we have a rationale for the qualifying criteria which is well-thought through and informed by a range of views. That is why I would encourage all of you with an interest in the Strike to take this opportunity to have your say. The responses to the consultation will help shape the legislation which will be necessary to give effect to the pardon.

I look forward to hearing your views.

A handwritten signature in black ink, appearing to read "H. Yousaf". The signature is written in a cursive style with a long vertical stroke at the end.

Humza Yousaf, MSP  
Cabinet Secretary for Justice

## **Introduction**

### **Purpose of the consultation**

In October 2020, the Cabinet Secretary for Justice announced that the Scottish Government accepted in principle the recommendation made by an independent review panel<sup>1</sup>, that subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon miners convicted for matters related to the strike.<sup>2</sup> The Cabinet Secretary also undertook to consult widely on what the criteria should be.

This consultation therefore welcomes views on the qualifying criteria for a pardon in respect of convictions relating to the miners' strike of 1984/85.

The consultation sets out some criteria for consideration - some were suggested by the independent review group and others are offered by the Scottish Government, though not necessarily endorsed by the Scottish Government. The consultation also asks whether any other criteria should be added.

### **Why we are consulting**

The Scottish Government envisages that an automatic and collective pardon will apply where the qualifying criteria are met. That is why it is important that careful consideration is given to the qualifying criteria, and why we are consulting on this.

Legislation will be required to give effect to the pardon. Responses to this consultation will help to shape the qualifying criteria which will be an important part of the future legislation.

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<sup>1</sup> [Policing of the miners' strike 1984-1985 - impact on communities: independent review](#)

<sup>2</sup> [Announcement by the Cabinet Secretary for Justice on 28 Oct 2020](#)

## Background

In 1984 there were approximately 15,000 Scottish miners<sup>3</sup>. Over the course of the Strike (March 1984 to March 1985), there were an estimated 1,350 arrests in Scotland linked to the Strike<sup>4</sup>. There were approximately 470 court cases held in Scotland, of which 85% led to a conviction<sup>5</sup>. Evidence suggests that there were around 200 dismissals in Scotland - with an estimated 40% of those who were dismissed being reinstated<sup>6</sup>.

The 1984/85 miners' strike was a bitter and divisive dispute. In commissioning an independent review into the policing of the Strike, the Scottish Government aimed to provide an opportunity to share experiences of the Strike, as a way of bringing reconciliation between police officers who were upholding the law in difficult circumstances which they had never encountered before - and miners who were protecting jobs, their way of life and their communities. The expectation in commissioning the review was that the process and outcome would help to bring a degree of closure to those affected by the Strike.

The report adopted a conciliatory approach, highlighting the similarities of those who were on the picket lines from the different perspectives - for example, the report draws out that many of those affected were young men with young families; that they shared similar experiences, such as scenes of violence when miners or police officers from outwith the local area were present at picket lines.

The report recognised that although the constitutional, legal and cultural landscapes have changed since the Strike, the strength of feeling at the time of the Strike continues to be felt in the former mining communities today. The independent review panel noted that they had received a number of allegations of unfair dismissal, wrongful arrest and miscarriage of justice. The report also noted that many miners still felt burdened by the loss of their jobs or good name and believed that they had been punished in an excessive manner by the State and the justice system as a whole. With that, the report took the view that it was impossible to separate out the impact of the policing of the Strike from other key influences such as the role of the National Coal Board (NCB) and the criminal justice system.

In adopting a truth and reconciliation approach, the report made a single recommendation, that "subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon men convicted for matters related to the Strike". The recommendation is framed with a view to promoting reconciliation and inclusion

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<sup>3</sup> "Tholing a double penalty" - Scottish miner - June 1985

<sup>4</sup> "Tholing a double penalty" - Scottish miner - June 1985

<sup>5</sup> "Tholing a double penalty" - Scottish miner - June 1985 and "The case for a review on the conviction of miners in Scotland" - Public and Commercial Service Union, 2015

<sup>6</sup> [Policing of the miners' strike 1984-1985 - impact on communities: independent review – Appendix A](#)

## The Pardon

In accepting the recommendation, the Scottish Government noted that the pardon is intended to:

- Acknowledge the disproportionate impact arising from miners being prosecuted and convicted during the Strike - such as the loss of their job.
- Recognise the exceptional circumstances that gave rise to the former miners suffering hardship and the loss of their good name through their participation in the Strike.

The proposed pardon for miners is based on the provisions of the Armed Forces Act 2006 ("the 2006 Act") which provided a mass pardon to 306 British Empire soldiers executed for certain offences (including desertion and cowardice) during World War 1 - recognising them as victims of the war. The 2006 Act did not expunge the convictions or sentences of the servicemen affected - nor did it create any new rights, entitlements or liabilities. The 2006 Act provided for a collective pardon which did not cast doubt on court processes or procedures. The effect of the pardon was to recognise that execution was not a fate that the individual deserved, but resulted from the particular discipline and penalties considered to be necessary at the time for the successful prosecution of the war.

In bringing forward the legislation, the intention of the UK Government was to remove the particular dishonour that execution brought to the individuals and their families. In the case of the miners, the pardon is intended to remove the stigma of a conviction for miners who suffered disproportionate consequences for taking part in the Strike. There are parallels here - for example, the lack of surviving court and police records. While an existing route is available to miners to seek to quash a conviction through working with the Scottish Criminal Cases Review Commission, the lack of surviving records means that few, if any, miners would now be able to pursue that remedy.

Given that the Strike took place 35 years ago, a number of ex-miners will have passed away in the intervening years, and it is important that they are also included in the collective pardon, to bring comfort to their families, friends and communities. The pardon will therefore apply both to living people and posthumously.

Because this would be a collective pardon, there would be no need for individuals to apply for a pardon. The pardon will be granted automatically if the qualifying criteria are met. That is why it is important that careful consideration is given to the qualifying criteria, and why we are consulting on this.

The report from the independent review suggested that the criteria could specify the range of qualifying offences; consider previous and subsequent offending history; take account of whether the conviction led to a fine or to imprisonment. We now need to consider those criteria and explore whether any additional criteria should also apply.

It should be noted that the pardon will apply to all miners who were convicted in Scottish courts, irrespective of their residence (then or subsequently). Therefore, it is possible that miners from outwith Scotland could also be pardoned if they meet the qualifying criteria.

## **The Criteria**

The criteria proposed by the independent review panel were as follows:

- No previous convictions
- No subsequent convictions
- Convicted in Scotland for Breach of the Peace or Breach of Bail
- Case resulted in a fine

Based on the evidence available, the report believed that the vast majority of miners who were convicted for matters relating to the Strike would be able to satisfy all of these criteria. But it should be noted that using these criteria will mean that those who were imprisoned rather than fined would not qualify for a pardon. Also, miners who were convicted of other crimes, either before or after the Strike, would not be pardoned for convictions relating to the Strike.

The Scottish Government may choose to agree with some or all of the criteria proposed in the report - or indeed may add more criteria. That is why we are seeking a range of views to help inform our position on the criteria.

## **Definitions**

To help you to form your views, explanations are set out below of some of the key terms used in relation to the criteria suggested by the independent review group.

**Pardon:**

As can be seen from the 2006 Act example, pardons can be used as a means of “dealing with the past”. In the present circumstances, a pardon will be a symbolic acknowledgement of the disproportionate impact, such as job loss, that some miners suffered as a result of being convicted of certain low grade offences relating to the Strike. The pardon is intended to symbolically lift the burden of such convictions but does not affect any conviction or sentence or give rise to any right, entitlement or liability.

**Breach of the Peace:**

At the time of the Strike, any conduct which caused, or was capable of causing, mere embarrassment, upset or annoyance to another person was usually sufficient to merit a Breach of the Peace conviction. It should be noted that Breach of the Peace is a common law offence which means that it has been developed through the Scottish courts, with the ambit of the offence evolving over time. Therefore, the current ambit of the offence differs from how the courts interpreted it the time of the Strike.

Since the leading case of *Smith v Donnelly*<sup>7</sup> in 2001, the offence is framed in terms of conduct severe enough to cause alarm to any reasonable person or threaten disturbance to a community; conduct which is a mere annoyance or irritation will not be a breach of the peace. Conduct will be alarming and disturbing if it would cause a reasonable person to fear that the peace of the immediate neighbourhood would be broken if that conduct were allowed to continue or be repeated. For example, fighting or challenging someone to fight in the street; shouting; swearing; and disorderly conduct.

It is the conviction for Breach of the Peace as it was interpreted by the courts at the time of the Strike which would be relevant for the purposes of the pardon.

Breach of Bail:

Where an accused who has been granted bail fails to appear for any court diet or fails to comply with any condition imposed on bail (e.g. not to interfere with witnesses or to stay away from a specified place) the accused is in breach of bail and commits an offence.

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<sup>7</sup> 2001 SLT 1007.

## Consultation Questions

### Part 1: Range of offences suggested by the independent review group

Miners were convicted for a range of offences related to the Strike. The criteria proposed by the independent review panel, was that miners convicted of Breach of the Peace or Breach of Bail related to the Strike should be pardoned. We are interested in hearing your views on the range of offences to be included in the criteria for a pardon.

**Question 1: Do you agree that miners convicted of Breach of the Peace related to the Strike should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Question 2: Do you agree that miners convicted of Breach of Bail related to the Strike should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**



**Part 2: Other offence-related matters for consideration**

Although the independent review group did not suggest any other qualifying offences in addition to Breach of Peace and Breach of Bail, for completeness we are interested in your views on whether any other offences committed by miners during the Strike should be included in the qualifying criteria. We are also interested to know if committing multiple offences relating to the Strike rather than just one, should be a relevant criteria.

**Question 3: Are there any other offences which miners were convicted for and which related to the Strike that you think should be included in the qualifying criteria?**

Yes

No

Don't Know / No opinion

**If yes, please tell us what other offences you think should be included in the criteria.**

**Question 4: Do you think that miners who were convicted of a single offence related to the Strike should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Question 5: Do you think that miners who were convicted of multiple offences related to the Strike should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Part 3: Previous or subsequent convictions**

The criteria proposed by the independent review panel are that in order to receive a pardon miners must have had no previous convictions, before the Strike began in March 1984 and have no subsequent convictions after the Strike ended in March 1985. This section therefore asks for your views on whether a history of committing offences should disqualify someone from receiving a pardon.

**Question 6: Do you agree that miners who had been convicted of an offence before the Strike began in March 1984, should be pardoned for offences committed during the Strike?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Question 7: Do you agree that miners who were convicted of an offence after the Strike ended in March 1985, and which did not relate to conduct during the strike, should be pardoned for a conviction related to the Strike?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Question 8: In considering your responses to question 6 and question 7, do you think that the severity of the offending is relevant?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

#### **Part 4: Consequences of the conviction**

The independent review group suggested that miners whose convictions led to imprisonment should not receive a pardon. This section asks whether the outcome of the conviction is relevant to receiving a pardon. It also asks whether the loss of employment is relevant.

**Question 9: Do you agree that miners whose conviction relating to the Strike resulted in a non-custodial sentence (such as a fine or a community service order), should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

**Question 10: Do you think that miners whose conviction relating to the Strike resulted in imprisonment should be pardoned?**

Yes

No

Don't Know / No opinion

**Please explain your answer.**

The independent review group's report notes that that the dismissals policy of the National Coal Board was inconsistent - with some miners losing their jobs as a result of a conviction, while others did not. The independent report did not include loss of employment as a consideration in its suggested criteria for receiving a pardon. We are interested in your opinion on whether the additional hardship of being dismissed from their job, should be relevant to receiving a pardon.

**Question 11: Thinking about the fact that some miners were dismissed by the National Coal Board, as a result of a conviction relating to the Strike, and others were not, which of the following statements most closely matches your view (please select one option only)?**

- All miners who meet the criteria should be pardoned, regardless of whether or not they were dismissed by the National Coal Board.
- Only miners who meet the criteria AND were dismissed by the National Coal Board should be pardoned.
- Neither of the above.
- Don't Know/No opinion.

**Please explain your answer.**

**Part 5: Further criteria / comments**

**Question 12: Are there any other criteria that should be added to those mentioned above?**

Yes

No

Don't Know/ No opinion

**Please explain your answer.**

**Question 13: Do you have any further comments that you would like to make concerning the criteria? If so, please use the box below.**

## **Part 6: Equality Impact Assessment**

Ensuring that there are no negative equalities impacts from this consultation is a key part of the development. Presented alongside this consultation paper is a partial Equality Impact Assessment (EQIA) attached at Annex A. This document examines where possible equalities impacts could be, and will help us ensure that any negative impacts will be avoided. A final EQIA will be prepared and presented following this consultation. We would welcome your feedback on the partial EQIA.

**Question 14: If you have any comments on the partial EQIA, please tell us, using the box below**

## **Responding to this consultation**

We are inviting responses to this consultation by Friday 4 June 2021.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space: <http://consult.gov.scot>.

You can access and respond to this consultation online at:  
<https://consult.gov.scot/safer-communities/miners-strike-pardon/>.

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of Friday 4 June 2021.

If you are unable to respond using our consultation hub, please send your views and comments either by email to [minersstrikepardon@gov.scot](mailto:minersstrikepardon@gov.scot) or by posting a paper copy to:

Miners' Strike 1984/85 Pardon Consultation  
For the attention of:  
SAH House Team  
Scottish Government  
St Andrews House  
Edinburgh  
EH1 3DG

**If responding by email or post, please complete and return the Respondent Information Form included at Annex B along with your response.**

## **Handling your response**

Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. If you respond by email or by post, please use the Respondent Information Form included at Annex B to indicate how you wish your response to be handled.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

To find out how we handle your personal data, please see our privacy policy:  
<https://www.gov.scot/privacy/>



## **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot> . If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

## **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them by email to [minersstrikepardon@gov.scot](mailto:minersstrikepardon@gov.scot) or by post to the contact address above (see responding to this Consultation).

## **Scottish Government consultation process**

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation.

Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

## Partial Equalities Impact Assessment (EQIA) results summary

<b>Title of Policy</b>	Miners' Strike 1984/85 Pardons: Consultation
<b>Summary of aims and desired outcomes of Policy</b>	<p>The Scottish Government is consulting on proposals for the qualifying criteria for a pardon in respect of certain convictions relating to the miners' strike of 1984/85. The consultation sets out some criteria for consideration, and also asks whether any other criteria should be added.</p> <p>The Scottish Government envisages that an automatic and collective pardon will apply where the qualifying criteria are met. That is why it is important that careful consideration is given to the qualifying criteria, and why we are consulting on this.</p> <p>Legislation will be required to give effect to the pardon. Responses to this consultation will help to shape the qualifying criteria which will be an important part of the future legislation.</p>
<b>Directorate: Division: Team</b>	Safer Communities Directorate Police Division Police Powers and Workforce Unit

## Executive Summary

1. In 2018, the Scottish Government commissioned an independent review into the impact of policing on affected communities during the miners' strike 1984/85. The Strike was one of the most bitter and divisive industrial disputes in living memory. The purpose of the review was to provide an opportunity to those who were affected by the Strike to share their experiences, as a means to aid understanding and reconciliation - and to help heal wounds.

2. With that purpose in mind - and drawing on the powerful testimonies provided by former miners, police officers and mining communities - the independent review group produced a report<sup>8</sup> which made a single recommendation, that subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon miners convicted for certain matters related to the Strike.

<sup>8</sup> [Policing of the miners' strike 1984-1985 - impact on communities: independent review](#)

3. In October 2020, the Cabinet Secretary for Justice announced<sup>9</sup> that the Scottish Government accepted in principle the recommendation made by the independent review group, that subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon miners convicted for matters related to the strike. The Cabinet Secretary also undertook to consult widely on what the qualifying criteria should be.

4. A consultation is likely to launch in March 2021. This Partial EQIA will be revisited in light of the consultative response, with a further final EQIA being prepared which will take account of any additional views and wider evidence which may emerge.

5. Once the policy is developed further in light of the consultative response, a Bill will be prepared to give effect to the pardon.

## **Background**

6. The 1984/85 miners' strike was a bitter and divisive dispute. In commissioning an independent review into the policing of the Strike, the Scottish Government aimed to provide an opportunity to share experiences of the Strike, as a way of bringing reconciliation between police officers who were upholding the law in difficult circumstances which they had never encountered before - and miners who were protecting jobs, their way of life and their communities. The expectation in commissioning the review was that the process and outcome would help to bring a degree of closure to those affected by the Strike.

7. In adopting a truth and reconciliation approach, the report made a single recommendation, that "subject to establishing suitable criteria, the Scottish Government should introduce legislation to pardon men convicted for matters related to the Strike".

8. In accepting that recommendation, the Scottish Government intends to consider carefully the criteria that might apply to such pardons - so that it has a rationale which is well-thought through and informed by the views of stakeholders.

9. The Scottish Government recognised that this would be a collective pardon, which would apply posthumously and to those living, symbolising a desire for truth and reconciliation, following the decades of hurt and anger and misconceptions. The pardon would also bring a restoration of dignity to a number of miners, their families and their communities.

10. The Scottish Government is now consulting on proposals for the qualifying criteria for a pardon in respect of convictions relating to the miners' strike of 1984/85. The consultation sets out some criteria for consideration, and also asks whether any other criteria should be added.

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<sup>9</sup> [Miners' strike review: Justice Secretary statement - 28 October 2020](#)

## The Scope of the EQIA

11. The proposals seek to set a qualifying criteria for a pardon in respect of convictions relating to the Miner's Strike of 1984/85. The scope of the EQIA is to assess and highlight the direct and indirect impact of such proposals on persons who fall within the terms of the protected characteristic groups (Age, Disability, Sex, Pregnancy and Maternity, Gender Re-Assignment, Sexual Orientation, Race, Religion or Belief and Marriage or Civil Partnership) as identified in the Equality Act 2010<sup>10</sup>.

## Key Findings

12. In accepting the recommendation, the Scottish Government noted that the pardon is intended to acknowledge the disproportionate impact arising from miners being prosecuted and convicted during the Strike - such as the loss of their job. The pardon is also intended to recognise the exceptional circumstances that gave rise to the former miners suffering hardship and the loss of their good name through their participation in the Strike.

13. The policy proposal is that such pardons are intended to symbolically lift the burden of such convictions but does not affect any conviction or sentence or give rise to any right, entitlement or liability. The intention of the consultation proposals is to balance the need to address such matters with the wider legal, ethical and human rights considerations for how such pardons should be applied.

14. It has been difficult to construct a comprehensive and accurate evidence base in relation to the miners' strike of 1984/85. The Independent review report stated that in 1984 there were approximately 15,000 Scottish miners<sup>11</sup>. Over the course of the Strike (March 1984 to March 1985), there were an estimated 1,350 arrests in Scotland linked to the Strike<sup>12</sup>. There were approximately 470 court cases held in Scotland, of which 85% led to a conviction<sup>13</sup>. Evidence suggests that there were around 200 dismissals in Scotland - with an estimated 40% of those who were dismissed being reinstated<sup>14</sup>. Therefore, it is not known exactly how many miners were arrested for offences directly connected to the Strike. The number of ex-miners who may be eligible for a pardon is similarly difficult to predict, particularly when this also depends on the qualifying criteria which have not yet been determined.

15. No specific information was mentioned as to the impact on protected characteristic groups in the independent review report, though it did note that the average age of miners employed by the National Coal Board in 1984 was 37 years. Given that the strike took place 36 years ago, it would however be reasonable to infer that the miners likely to be affected by the consultation's proposals will be aged 50+ years, and that most if not all are male. Other than the likely age and gender of miners, there is no specific baseline evidence (quantitative or qualitative) currently

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<sup>10</sup> Chapter 1 of the Equality Act 2010 - [Chapter 1 of the Equality Act 2010](#)

<sup>11</sup> "Tholing a double penalty" - Scottish miner - June 1985

<sup>12</sup> "Tholing a double penalty" - Scottish miner - June 1985

<sup>13</sup> "Tholing a double penalty" - Scottish miner - June 1985 and "The case for a review on the conviction of miners in Scotland" - Public and Commercial Service Union, 2015

<sup>14</sup> [Policing of the miners' strike 1984-1985 - impact on communities: independent review – Appendix A](#)

held on the number of miners who would fall within any of the other protected characteristic groups likely to be impacted by the policy proposals.

16. The proposals may potentially have an indirect impact on others who were also involved in the strike, such as miners who were not convicted of offences; former and serving police officers; and members of the wider mining communities including family and friends of those convicted.

17. Ensuring that there are no negative equalities impacts from this policy is therefore a key part of the Scottish Government's development of its policy proposals. Consideration of the potential impacts (negative and positive) that this policy might have on each of the protected characteristics is being given at the outset of developing such proposals for consultation and through the next steps to be taken by the Scottish Government post-consultation.

18. Given that the Strike took place more than 35 years ago, there is an expectation that a number of ex-miners who may be eligible for a pardon (subject to any eligibility criteria being determined) will now be of retirement age. The policy is therefore most likely to have an impact on the protected characteristic of Age, given that:

- It may help to eliminate unlawful discrimination, harassment and victimisation of ex Miners, former police officers and members of the wider mining communities.
- It may help to promote good relations and a greater understanding of experiences of the strike among and between different age groups.
- A pardon may bring comfort to the families and friends of ex Miners and their communities at a multi-generational level.

## **Recommendations and Conclusions**

19. The policy will contribute to the national outcome that “we live in communities that are inclusive, empowered, resilient and safe and that we respect, protect and fulfil human rights and live free from discrimination”.

20. There are no negative consequences identified to date through a Partial EQIA of this policy, and in terms of the protected characteristic groups identified in the Equality Act 2010, the policy is expected to advance equality of opportunity specifically on the grounds of age.

21. This Partial EQIA will be revisited in light of any responses to the public consultation, with a further final EQIA being prepared which will take account of any additional views and wider evidence which may emerge.

Scottish Government  
March 2021

**Respondent Information Form**



**Miners' strike 1984/85 pardon: Consultation**

**Respondent Information Form**

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:  
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

**Information for organisations:**

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No



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