

Miners' Strike (Pardons) (Scotland) Bill

[AS INTRODUCED]

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**THE FOLLOWING ACCOMPANYING DOCUMENTS ARE ALSO PUBLISHED:
Explanatory Notes (SP Bill 5-EN), a Financial Memorandum (SP Bill 5-FM), a Policy
Memorandum (SP Bill 5-PM) and statements on legislative competence (SP Bill 5-LC).**

Miners' Strike (Pardons) (Scotland) Bill

[AS INTRODUCED]

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

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

(1) A miner 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
- (b) meets condition A or condition B.

(2) Condition A is that the conduct—

- (a) occurred while the miner was participating in a picket, demonstration or other similar gathering supporting the miners' strike, and
- (b) occurred in the course of the miner's participation in the picket, demonstration or other similar gathering.

(3) Condition B is that the conduct—

- (a) occurred while the miner was travelling to participate in, or travelling from, a picket, demonstration or other similar gathering supporting the miners' strike, and
- (b) was directly related to the miner's intended participation, or actual participation, in the picket, demonstration or other similar gathering.

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.).

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,

“miner” means a person, including a deceased person, 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.

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

Introduced by: Keith Brown
On: 27 October 2021
Bill type: Government Bill

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