

MINERS' STRIKE (PARDONS) (SCOTLAND) BILL

FINANCIAL MEMORANDUM

INTRODUCTION

1. As required under Rule 9.3.2 of the Parliament's Standing Orders, this Financial Memorandum is published to accompany the Miners' Strike (Pardons) (Scotland) Bill, introduced in the Scottish Parliament on 27 October 2021.
2. The following other accompanying documents are published separately:
 - Explanatory Notes (SP Bill 5-EN);
 - a Policy Memorandum (SP Bill 5-PM);
 - statements on legislative competence by the Presiding Officer and the Scottish Government (SP Bill 5-LC).
3. This Financial Memorandum has been prepared by the Scottish Government to set out the costs associated with the measures introduced by the Bill. It does not form part of the Bill and has not been endorsed by the Parliament.

BACKGROUND

4. In 2018, the Scottish Government commissioned an independent review led by John Scott QC into the impact of policing on affected communities during the miners' strike of 1984/85 (the strike). In its report¹, the independent review made a single recommendation that the Scottish Government should bring forward legislation to pardon miners convicted of certain offences relating to the strike subject to establishing qualifying criteria. In October 2020, the Scottish Government announced² that it had accepted in principle the review's single recommendation.
5. The Bill will pardon miners convicted of certain offences committed during the strike. The pardon will apply collectively to those who meet the qualifying criteria for the pardon. The purpose of the pardon is to recognise the disproportionate consequences and stigma suffered by many miners as a result of their participation in the strike.

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

² [Announcement by the Cabinet Secretary for Justice on 28 October 2020](#)

COSTS ON THE SCOTTISH ADMINISTRATION

6. These provisions provide for a miner (as defined under section 4 of the Bill) to be pardoned where the criteria specified under sections 1 and 2 of the Bill are met.

7. The issuing of a pardon in any given case is automatic and therefore involves no direct consideration of a case by the Scottish Government or any delegated body. It will be a matter for a person to consider whether the terms of the criteria in sections 1 and 2 are met and if so, they should consider themselves pardoned. This will also apply in cases where a person considers that the terms of the criteria in section 1 and 2 are met in the case of a deceased person. There will be no written communication sent to those who consider that the criteria for the pardon has been met.

8. Given the terms of how the operation of pardons will take place, it is not anticipated that any new costs will fall on the Scottish Administration as a result of the Bill.

COSTS ON LOCAL AUTHORITIES

9. It is not anticipated that there will be any new costs falling on local authorities as a result of the Bill.

COSTS ON OTHER BODIES, INDIVIDUALS AND BUSINESSES

10. It is not anticipated that there will be any new costs falling on other bodies, individuals or businesses as a result of the Bill.

This document relates to the Miners' Pardons (Scotland) Bill (SP Bill 5) as introduced in the Scottish Parliament on 27 October 2021

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