



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Equalities, Human Rights and Civil Justice Committee

**Tuesday 11 January 2022**

**Session 6**



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**EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE**

**1<sup>st</sup> Meeting 2022, Session 6**

**CONVENER**

\*Joe FitzPatrick (Dundee City West) (SNP)

**DEPUTY CONVENER**

\*Maggie Chapman (North East Scotland) (Green)

**COMMITTEE MEMBERS**

\*Karen Adam (Banffshire and Buchan Coast) (SNP)

\*Pam Duncan-Glancy (Glasgow) (Lab)

\*Pam Gosal (West Scotland) (Con)

\*Fulton MacGregor (Coatbridge and Chryston) (SNP)

\*Alexander Stewart (Mid Scotland and Fife) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Alex Bennett (Former Miner)

Richard Leonard (Central Scotland) (Lab)

Jim McBrierty (Retired Police Officers Association Scotland)

Professor Jim Phillips (University of Glasgow)

Nicky Wilson (National Union of Mineworkers in Scotland)

Tom Wood (Former Deputy Chief Constable, Lothian and Borders Police)

Robert Young (Coalfields Regeneration Trust)

**CLERK TO THE COMMITTEE**

Katrina Venters

**LOCATION**

Virtual Meeting



**Scottish Parliament**  
**Equalities, Human Rights and**  
**Civil Justice Committee**

*Tuesday 11 January 2022*

*[The Convener opened the meeting at 09:45]*

**Subordinate Legislation**

**Civil Partnership (Supplementary Provisions relating to the Recognition of Overseas Dissolutions, Annulments or Separations) (Scotland) Amendment Regulations 2021 (SSI 2021/461)**

**The Convener (Joe FitzPatrick):** Good morning, and happy new year, everyone. Welcome to the first meeting in 2022 of the Equalities, Human Rights and Civil Justice Committee in session 6.

The first item on our agenda is consideration of a negative instrument. I refer members to committee paper 1. Do members have any comments on the regulations?

No member has indicated that they have any comments to make. That being the case, are members content not to make any comments to Parliament on the Scottish statutory instrument? I can see everyone nodding, so we agree not to make any comments. Thank you very much.

**Miners' Strike (Pardons)**  
**(Scotland) Bill: Stage 1**

09:46

**The Convener:** The next item on the agenda is to take evidence on the Miners' Strike (Pardons) (Scotland) Bill. I welcome to the meeting Richard Leonard MSP, who is joining us for this item.

I also welcome our witnesses. Nicky Wilson is president of the National Union of Mineworkers in Scotland; Robert Young is a board member of the Coalfields Regeneration Trust; Alex Bennett is a former miner; and Professor Jim Phillips is a professor of economic and social history at the University of Glasgow. For connectivity purposes, Robert Young and Alex Bennett will contribute by audio only.

I refer members to papers 2 and 3 and ask them to indicate which witness they are directing their questions to. We can then open the floor to other witnesses for comments. If other witnesses wish to respond to a question, please indicate that by typing R in the chat function on BlueJeans, and I will bring you in if time permits. Members can also use the chat function on BlueJeans to indicate that they want to ask a supplementary question.

I invite each of our witnesses to make a short opening statement, if they wish to do so. I will start with Nicky Wilson.

**Nicky Wilson (National Union of Mineworkers in Scotland):** Good morning, and thank you for the invitation. I am the president of the National Union of Mineworkers in Scotland. I started in the industry in 1967 at Cardowan colliery in Stepps, and I later moved to the Longannet complex.

I first became involved in the union in 1972, and I have been the secretary of the Scottish branch of the NUM since 1989. I was a participant in the strike, and I remained in the dispute until the end. I have good knowledge of what happened then and of the years before and after the strike. That is my background.

**The Convener:** Thank you very much, Nicky. I now call Robert Young.

**Robert Young (Coalfields Regeneration Trust):** I am Bob Young, and I was chairman of the National Union of Mineworkers at Comrie colliery. I happened to have Arthur Scargill down my pit on the day that the strike started.

I started in a pit in 1958, and I have worked in four pits. I have worked in the Frances, Michael and Wellesley pits, and I ended up at Comrie colliery. I was chairman of the strike centre in Dunfermline, and I was involved all the way

through the strike. At the end of the strike, I was dismissed by the National Coal Board for my actions during the strike. I had a lot of involvement in the strike, and I can certainly fill you in on it.

**Alex Bennett (Former Miner):** I started in the coal industry in 1962. I was a member of the committee at Monktonhall colliery and I was elected chairman of the NUM in 1979, so I was very much involved in the strike. I was a member of the central strike committee in the Lothians. I participated in the strike, and I was arrested at Bilston Glen colliery. That is the only time that I have ever been arrested in my life. I will be 75 next week.

Two weeks after I was in court and fined £100, I received a P45 through my door from the manager of the pit, telling me that I was summarily dismissed. The main man behind all the dismissals in Scotland was Albert Wheeler. I have no doubt about that, and I hope that that comes out in the hearing today.

**Professor Jim Phillips (University of Glasgow):** Hi, everyone. I am a professor of economic and social history. I have been researching the coal industry and its history, including the history of the strike, since around 2006. I have authored a couple of books on the strike and on miners in Scotland across the 20th century. I worked with John Scott on the undertaking and completion of the independent review of policing in the miners strike, and I am currently writing a book on the theme of justice and the strike of 1984-85. Thank you very much for the invitation to come here today.

**The Convener:** Thank you all for your opening remarks. We will now move to questions.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** Happy new year to everybody, including our panel members.

I am the MSP for Coatbridge and Chryston, which has a very rich mining tradition. One of our witnesses has mentioned Cardowan colliery, which is in Stepps, in my constituency. The Auchengeich memorial site is in my constituency, as well. I put on record my thanks to Willie Doolan and his team for the absolutely fantastic work that they do for the memorial every single year. There is an absolutely fantastic commemorative event, and I encourage all members, witnesses and anybody who is watching to go along to that event to see a mining community very much in action. I know that Richard Leonard attends it regularly.

I have quite a few questions. I am really glad to see the bill making its way through Parliament. It is long overdue, and it is about time that that happened. It will come as no surprise that I stand in complete solidarity with the mining communities that have been affected by the strikes.

Our business today is to scrutinise the bill to see how we can make it better. I will start by asking the panel about the lasting impact of the strikes and the subsequent charges and prosecutions on mining communities such as those in Moodiesburn, at Auchengeich, Cardowan or anywhere in the country. I am happy to take responses from witnesses in any order, convener.

**The Convener:** Fulton MacGregor has done exactly what I am not looking for by putting it back to me to bring everybody in. However, given that it is the first question, let us start with Alex Bennett.

**Alex Bennett:** I can answer the question. I was based in the Lothians coalfield, although I worked at Monktonhall colliery. There was quite a lot of activity around Bilston Glen colliery. It was not only miners from Scotland in attendance; there were also miners from Durham. There was a lasting effect on the community. Families were split down the middle. Some of the things that went on were unbelievable.

I do not know whether this has been recorded but, when I worked at Monktonhall, 46 men were sacked and arrested at Bilston Glen. There were lads at Bilston Glen who worked in the Durham coalfield, but not one former miner from the Durham coalfield was sacked for being arrested at Bilston Glen, even though they attended the courts in Edinburgh. There is a distinction, certainly in relation to dismissals, between what happened in Scotland and what happened in the rest of the British coalfields.

The period has been well documented. All the films that have been made about the miners strike—whether it is “Billy Elliot”, “Brassed Off” or “Pride”—have come out in favour of the National Union of Mineworkers. That gives you a rough idea of the effect on mining communities. It is coming up for 38 years since the strike. That is a long time, and there are still divisions.

**The Convener:** The question is quite wide, so we will hear from all the witnesses.

**Robert Young:** I agree with what Alex Bennett said. I live in Dunfermline, which is not so much a small community, but our pit—Comrie pit—was at Oakley. Oakley, Blairhall and Valleyfield were all small villages, and the knock-on effect was that shops, clubs and pubs—everything—closed down after our industry went to the wall. That has been the main contribution of the closure of the pits.

We had a situation in Scotland in which, as the chairman, I used to go out to the pit in the morning and ensure that the firemen were allowed in to cover the pit. As soon as the policing was changed—the Fife police were taken away and police from Edinburgh and Glasgow were put in their place—the whole situation changed

dramatically. That is when the conflict started. It was not us who started the conflict.

I was one of the guys at Orgreave. When you look at the film from Orgreave, you would think that it was us who started the trouble. If someone showed the true film from Orgreave, with the police charging us on their horses before anything had happened, people would see the reality of the situation. We were well set up by the media and by whoever took the decisions. You can have your own guess about who took the decisions about the miners strike.

**Nicky Wilson:** I will widen the discussion slightly. There is a belief that Arthur Scargill snapped his fingers and the miners all went on strike. However, the fact is that, in the two years leading up to the strike, Scotland had already had six pits closed, Wales had had seven pits closed, and the north-east of England had had five pits closed. Some of those areas had been agitating for the national executive committee to get an action, which led to the overtime ban in October 1983.

The difference with the strikes that I was involved in in 1972 and 1974 is that those strikes were about terms and conditions and wages. People in our industry knew that we were fighting for our very survival. We had seen what happened to communities when a pit closed; there were on-going adverse effects on close-knit communities around some of the collieries. From 1999 to this day, I have been a trustee of the Coalfields Regeneration Trust, and some of our communities have still not recovered properly from the effects of the closures.

10:00

Committee members are probably too young to remember this, but it is important to know the background. I think that the solidarity was so strong during the strike because we knew that we could either stand and try to fight to save our industry and our communities, or we could lay on our backs and give up. We tried, but it did not work.

On the number of pit closures in the subsequent years, by the end of the 1980s, we were down to one complex in Scotland. There were 11 pits in 1985, at the end of the strike, and three workshops. That is how rapidly the deterioration in our industry came. A lot of us knew that that would happen if we did not win the strike—and, unfortunately, we did not.

That is my view of the on-going effects of the strike.

**Professor Phillips:** What Nicky Wilson has just been talking about is the unjust transition that took

place. It was hidden from the communities by the Government at the time. It had plans, the existence of which it denied, for the closure of pits and for the redundancy of about two thirds of Scottish mine workers between 1984 and 1990, which came to fruition.

It is entirely fitting that the Scottish Parliament is to the fore in potentially delivering justice to miners. As was alluded to by Alex Bennett, the strikers in Scotland were twice as likely to be arrested as strikers in England and Wales were, and they were three times more likely to be dismissed as a result of their strike activities as strikers in England and Wales.

Many of the arrests took place within communities. That is one area of the bill on which I have a slight reservation. The bill makes provision for the pardon of strikers who had convictions that arose from events on picket lines, strike-related demonstrations and other related gatherings, but it does not make provision for miners who were convicted after incidents in communities, and that is an important deficiency. We might have time to explore that a bit further, but the first thing that I wish to add at this stage is that many incidents were created by the tensions and the conflicts that were introduced to mining communities by the actions of the National Coal Board. It was an absolutely unprecedented decision to organise a strikebreaking effort during an official industrial dispute, and that exposed the communities to conflict, leaving the strikebreakers within the communities alongside the strikers.

Looking at events in the long run, it is remarkable how little tension there was within those communities. It is remarkable how restrained miners and their families were, individually and collectively, when faced with that level of stress.

**The Convener:** Pam Duncan-Glancy wishes to put a brief supplementary question to Jim Phillips. Is that correct, Pam?

**Pam Duncan-Glancy (Glasgow) (Lab):** It is, thank you, convener—and thank you so much to all those on the panel who have spoken already. Before I go on to the questions that I seek to ask, I convey my solidarity to the miners who were on strike in the early 1980s. I was really young at the time, but I heard a lot about it, and the name Arthur Scargill was commonly heard in our household. I send my solidarity to those communities, particularly Blantyre in the Glasgow region that I represent.

My specific question is a follow-up to the point that you just made, Jim, about what was going on in communities. I think that you said that the board caused tensions by exposing strikers to conflict. I was interested to hear your point about people in

communities not necessarily being covered by the bill. Can you talk a little bit about the sorts of things that were going on in communities and about what was happening to those people who are not going to be covered by the bill unless—as I hope it will be—it is changed?

**Professor Phillips:** We would have to say that they involved fairly minor arguments between individuals within communities—in the streets, outside houses or shops—but those arguments were not normal: it was not a normal social situation. I am very keen for the committee to appreciate that it was a highly abnormal social situation.

Nicky, Bob and Alex have outlined the immense economic difficulties that confronted those communities, which were defending their economic future. The defence of that future involved arguments between neighbours over the strike. I feel a certain amount of empathy for people who argued with their neighbours about their actions in breaking the strike, but it put immense pressure on the harmony within communities. It was not normal for people to gather outside their neighbours' houses, break windows, attack people's cars or have fights in the street outside chip shops, and those are the things that happened during a highly abnormal social situation.

It seems to me that one of the slight dangers in the bill is that it creates a hierarchy of justice. There are the deserving of justice, including miners who were arrested on picket lines, and the undeserving of justice, such as young lads who got into fights with strikebreakers in the street on the way home from a picket line or wherever they were, going about their business.

It is understandable that we have arrived at this situation, but I would like us all to be aware of how abnormal and conflictual that social situation was, and how that conflict was imposed from outside mining communities by policy makers at the United Kingdom level and by employers. Specifically, the coal board was providing organised transport and co-ordinating activity with the police. It was behaving in highly provocative ways at the time.

**The Convener:** Thank you. We go back to Fulton MacGregor.

**Fulton MacGregor:** I thank the witnesses for their evidence so far. Jim Phillips raises a very good point that will probably make up the bulk of our discussions as we take evidence on the bill, and it concerns the bill's scope. Until you provided that evidence, Jim, I had not thought about the offences that were committed in the communities surrounding the miners strike.

Obviously, the bill is about a pardon for miners, and it defines what a miner was. Should its scope be widened to include those who supported miners on the strikes, such as family and friends, and who were also charged or convicted? That question is for Jim, but I would also like to ask the witnesses who were there whether friends and family members were convicted as well as miners, or did that not really happen?

Like Pam Duncan-Glancy, I was only a pup when the strikes took place—I was about six years of age—but like everybody who was in those communities, my upbringing was shaped by them. We heard about them through school; I can even remember them being talked about in primary school. That is how big an impact they had.

I am interested to hear from those who were there whether it was just miners who were ultimately charged or whether there were others. If so, should the scope of the bill be widened in that respect? I put that to Jim first, and then maybe other witnesses would like to come in.

**Professor Phillips:** I suggest hearing from the others first, because I was very young as well.

**The Convener:** We will not be able to have everyone respond; committee members need to be a bit more selective, please. Nicky, do you want to come in?

**Nicky Wilson:** I was just going to follow on from Jim Phillips. In my area, I was in joint charge of the Cardowan strike centre during the strike. We covered quite a vast area, as Fulton MacGregor has related.

One of the things that the coal board did was to get a car for a guy in Cumbernauld who went back to his work. He had previously worked at Cardowan and he was working at Frances colliery. The coal board supplied a car—allegedly, it bought the car for him—so that he could get to his work.

Other things happened. Thankfully, incidents were few and far between in our area, but a person could be on strike one day and, the next day, the coal board could persuade them to go back to work. Throughout the strike, various bribes were offered, such as a bonus at Christmas time or all your holiday pay. That was an on-going process that the National Coal Board carried out.

When there were spontaneous demonstrations—that is what they were—it was because people found out that a guy who had been on strike was no longer on strike. Therefore, a group within that community—be it wives, daughters or other family members—had a spontaneous reaction to that and demonstrated at the house. Some of them got arrested. Because the union organised demonstrations and picket

lines, we had an inkling and kept a record of everybody who was arrested, although not on the community side.

I support the point that Jim Phillips made. It is important to remember that not everything was organised through official means during the strike, and the pardon should cover those spontaneous demonstrations within communities.

**The Convener:** Fulton, do you want to hear from someone else as well?

**Fulton MacGregor:** Only if somebody else wants to come in, convener. I realise that there are four witnesses.

**The Convener:** If nobody else is particularly keen to answer that question and if Nicky Wilson has covered it, we will move on to questions from Maggie Chapman.

**Maggie Chapman (North East Scotland) (Green):** Good morning and happy new year to everybody. I thank the witnesses for being with us this morning. I am sorry that we cannot meet in person.

As Pam Duncan-Glancy and Fulton MacGregor did, I express my solidarity with the miners, their families and the communities that were affected and which continue to be affected by what happened in the 1980s. I was not in the country at the time; I was growing up in Zimbabwe, but the strike permeated our media in southern Africa.

Like Fulton MacGregor, I think that the bill is long overdue and I look forward to supporting its progress through the Parliament over the next wee while. We have had quite a lot of discussion about the scope of its definition of “miner” and the constraints placed on which offences are included. I thank Jim Phillips for outlining some of his critiques of those constraints. We will return to them. I was going to explore them a bit further but they have been covered, so I will turn to justice issues.

Bob Young and Alex Bennett mentioned that they had been dismissed as strikers. Alex Bennett said in his opening remarks that he had been arrested. I ask them to describe for us their experience of the police and the justice system.

**Alex Bennett:** It was a terrible atmosphere. The miners strike started in March and nothing happened with police arrests until June. As Bob said, the issue was not the local police, who were initially on the picket lines, but police from outside. There was a change of attitude in June 1984, when they made mass arrests. It was done by snatch squads. They just picked out individuals.

I was picked out, probably because I was chairman of Monktonhall NUM. I was arrested along with Davie Hamilton, who was a delegate,

and John Glennie, who was the secretary of Monktonhall NUM. We were all arrested at the same time. It was terrible.

Only later on did we realise that Albert Wheeler’s instruction was that anybody who had been arrested was not just going to get fined; they were going to lose their job and lose their redundancy payment. I was an official in the miners union, and we used to sit in when men were getting made redundant. I knew exactly what I would have got if I had been made redundant at that time: I would have qualified for £27,000 in 1985. I never got that, and it is still bitter to this day that I was denied that because of the attitude of the coal board in Scotland.

10:15

**Maggie Chapman:** Thank you for that, Alex.

Bob, do you want to say something about justice and about how all of that was handled?

**Robert Young:** I have to be honest: I was arrested more than once—I was arrested quite a few times, in fact. The funny thing was that I was only charged the once, at Cartmore, where 135 were arrested. I might be wrong with that number, but 130-odd people were arrested, and two of us got sacked. We were both contributors to the National Union of Mineworkers. That tells a story in itself.

If it had not been for a friend of mine, Margo MacDonald, who was working for Scottish Television at the time—she made three television programmes about me—I might have been like Alex and I might never have got my job back and never got my redundancy.

I maintain that I was sacked twice. I was sacked initially for my actions, and I was then sacked when Comrie pit was closed, and I never got offered a transfer.

People have to remember the psychological side of the miners strike. You might wonder why there was trouble in the streets in November or December, after we had been on strike for eight or nine months. People had lost their holidays and there was no money coming in for Christmas. You have to understand the psychological effect that that was having on people. I know for a fact that there were two guys who were working at Rosyth dockyard who were arrested with us at Cartmore. I am assuming that they got fined along with us, but they are not in the same position as us. That is wrong. They should be in the same position as us. For the life of me, I cannot remember their names. Think about the psychological effects and about the actions that took place outside, in the community.

**Maggie Chapman:** Thank you, Bob.

I have a final wee question for Jim Phillips. From your research, Jim, and from the people you have spoken to and the work that you have done, what is your view of how the justice system functioned? In your view, was it fair? Did it deal with the situation appropriately, or were there significant issues with the justice system through all of it?

**Professor Phillips:** There is very strong circumstantial evidence of collusion between the police and the coal board officials. The criminal justice system clearly worked as a strikebreaking and disciplining measure. It supported the coal board's victimisation of trade unionism and trade unionists.

The way in which miners were compelled to plead guilty in order to return to the picket line is something that we have not spoken about yet. There may have been about 800 convictions in Scotland for strike-related offences, and many of them were in effect false confessions, or they were pragmatic exercises by miners to avoid periods of detention on remand, in order to return to their communities and support the strike. Sheriffs imposed very strenuous bail conditions on miners who appeared before them, and those bail conditions included a requirement not to attend picket lines and strike-related demonstrations. There was a thoroughly anti-trade union atmosphere within which criminal justice was exerted against the strikers. It is a sorry episode.

**Maggie Chapman:** Thank you for laying that out so clearly. I will leave it there.

**Alexander Stewart (Mid Scotland and Fife (Con):** Good morning, gentlemen. Thank you very much for your opening statements. I am a Conservative member for Mid Scotland and Fife and I stood in elections in 2016 and 2021 in the constituency of Clackmannanshire and Dunblane, and I know that the area that I have represented and supported over the past years still has the scars of the miners strike and those scars run deep. I have been well aware of that over my tenure as a member of the Scottish Parliament.

Today, I would like to tease out some aspects of the strike. I remember the strike; I remember the reports and the media coverage. My perception is that it was one of the most bitter and divisive industrial disputes that I can remember happening in my lifetime. It would be good to get your views on that. The strike went on for a considerable length of time, and newspapers and other media published photographs and produced films that showed real aggression and tension in the situation.

When we look at that coverage, we think about the policing of the strike. The policing element was very strong and there is no doubt that there was tension and even aggression that seemed to come

through—that is the perception that I had from viewing what came on to the screens. It would be good to understand where and how those tensions erupted. I think that there were about 1,350 arrests and 470 court cases. As Professor Phillips indicated, there were about 800 convictions, and about 85 per cent of cases led to convictions.

This may be a question for Nicky Wilson initially. Was the tension and aggression that I described really what it was like on the ground? You said that things were quite low key at the beginning of the strike but then that changed. When it did, was that what it was like on the ground in some of the mining communities?

**Nicky Wilson:** To be quite honest, it depends on where you were. Somebody alluded to Cartmore, Hunterston, Ravenscraig and Bilston Glen; those were places where mass arrests took place, but I could tell you about picket lines during the strike where there was friendliness between the pickets and the police and there was an understanding; there were no arrests.

It was related that June was the start of the policy of mass arrests. It was actually May; we had the first use of mass arrests at Hunterston and Ravenscraig in Scotland before Orgreave even took place. I was arrested at Ravenscraig, when I was in charge of the picket line that day. I can talk about my feelings about what happened with the judiciary. I was a test case for legal aid for all the miners who were arrested at Ravenscraig—I do not know why it was me and whether it was because I had been in charge. I had a wife and two kids at the time. I had to attend the sheriff's chambers and the late Manus McGuire of Thompsons Solicitors represented me. He won the case that the miners arrested at Ravenscraig should receive legal aid because they had no income or very little income. When the sheriff conceded that he would give the legal aid, I remember Manus McGuire asking whether that covered everybody, as this was the test case, and the sheriff said no—everybody would be treated individually. That is what was happening. We also have a lot of proof. We were getting leaked faxes at that time—that is how long ago it was. The procurator fiscal's office in Scotland faxed the National Coal Board every day with the name of every miner who was arrested. That was collusion again between the judiciary and the coal board.

To answer your point, I cannot say that what you referred to was the case in general. At Bilston Glen, Ravenscraig, Hunterston or Cartmore colliery, yes, but at picket lines at most other places there was an understanding, and it was not as bad. I suppose that the answer to your original question is that it depended on where you were. If you think about Ravenscraig, why were there about 25 policemen lined up every time the lorries

came through? They were not there because they were thinking that there might need to be arrests—there were arrests, through the snatch boys, which is how I got arrested.

Incidentally, I was the last person arrested. They always left one van and took the other ones away to Hamilton or Motherwell police station. I sat for over an hour with one policeman in the back of the van at Ravenscraig until they emptied the other vans and brought them back before the next convoy came in. I got to know the policeman—I was chatting away to him. He told me, “We don’t want to be involved in this.” I said to him, “Well, open the door and let me out,” but he would not concede to that, so I did not get away in that sense. I found that the attitude of the police in a lot of cases on the picket lines was that they were not very happy about what they were doing. There were not always arrests and all that; as I said, it depended on where you went. The mass arrests were certainly pinpointed to take place—that is what happened.

**Alexander Stewart:** Professor Phillips, some views and opinions have been expressed, and you have done quite a lot of research on the way in which people were treated when they were arrested and on the convictions that they received. Some people say that pardoning will give the impression that a bit of rewriting of history is taking place. There was a situation or circumstance, there was a judicial process and what was received was based on that criminal offence and conduct. Do you think that the judiciary was heavy-handed? It is obvious from what the miners have said this morning that they believe that there was collusion between the judiciary, the coal board and maybe others, such as the police, in how this was managed. It would be good to get your view on that, Professor Phillips, because you are an academic who has looked at some of that.

**Professor Phillips:** Well, some of those others who were involved were members of the UK Government at the time. I have read the minutes of the Cabinet ministerial group on coal that was chaired by the Prime Minister, and they unambiguously indicate that the mass round-up and arrests at Ravenscraig that Nicky Wilson was just talking about took place after the Prime Minister asked the Secretary of State for Scotland to inquire as to why miners were being allowed to take the open road to attempt to blockade Ravenscraig and Hunterston. There was political interference with policing in Scotland, and that is an important part of this story.

As far as the broader issue is concerned, the courts dealt with the miners who were put in front of them by the police, who were unambiguously concentrated on trade union activists and trade union officials at pit level, such as Bob Young,

Alex Bennett and Nicky Wilson. A disproportionately high number of those who were arrested, convicted and sacked were trade union representatives, and they were community representatives as well. I think that that was part of the effort that was undertaken by the coal board in collusion with the police in pursuit of the UK Government’s policy at the time of moving Scotland out of coal mining. It was a hidden agenda. I do not wish to come across as being in any way conspiratorial, but there are documents that point to the plans that the Government had to reduce coal mining in Scotland. The disciplinary effort, criminalisation and victimisation were focused on trade union and community leadership to make the transition out of coal mining a lot more rapid by removing blockages and opposition to that approach.

10:30

**Karen Adam (Banffshire and Buchan Coast) (SNP):** I thank the witnesses for their candid testimony. I was young at the time of the miners strike—I was a nine-year-old girl from the north-east—but if you were to ask me about some of the most defining newsworthy moments of my childhood, the miners strike would certainly be in the top three, so it has been important to hear the witnesses’ lived experience.

I also thank Jim Phillips for keeping a record of that experience through the work that he does. It is extremely important that it is documented for history.

My question is about the pardon itself. Is there an alternative to it? Do the witnesses feel that it is the right and proper means to go about what we are trying to do?

**Nicky Wilson:** I go back to the point that Jim Phillips made initially. I had a number of discussions with the Scottish Government officials who drew up the bill and I thought that the community side of things had been covered, but the wording does not completely cover it. It is important that we widen the pardon to include people who were involved in some disputes and arrests in the communities.

Bob Young made a point about other workers. Other workers joined us on the picket lines at various times and might have been arrested. Does the bill need tweaking a bit to cover them?

I managed to attend the eight meetings that John Scott and his inquiry team held. I assisted them in setting the meetings up in different areas in Scotland. There is a question about compensation. I realise that John Scott’s inquiry did not cover that, but it raised its head at a number of the meetings.

I do not have a clue about law, but 206 men were sacked in Scotland. That was far more pro rata than anywhere else in the United Kingdom. We were far more likely to be sacked than men in Wales or even England because of the hard attitude of the area director, Albert Wheeler. I do not know how it could be done, but perhaps the bill could somehow consider compensation for the men who were sacked.

Alex Bennett has not said it, but he was blacklisted from getting a job by a number of firms for a number of years. Years later, he got back into mining with a contractor that worked in mining. For a one-off instance of arrest for breach of the peace, guys like Alex lost their employability and pension rights. Even guys who won at tribunals shortly after the strike were not reinstated; they were re-employed, which meant that all their previous service—everything about their pension—did not count any more.

There is a big injustice lurking in the background on compensation. I do not know whether that could be looked at. Perhaps the committee could see whether it is feasible or possible for those 206 men—or their families in the case of the ones who are deceased—to be compensated in some way under the bill.

In general, the NUM in Scotland, and the NUM nationally, which I also represent, welcome the fact that the Scottish Government has brought this forward. We thought that, in a sense, it was a brave step. We have been arguing for it for years. However, as Jim Phillips referred to, it was not until 2015, which was 30 years afterwards, when the Cabinet papers started coming out, that it was proved that, as a lot of people had always suspected, the finger of Government was conducting the strike in the background. That is why it took so long to bring a lot of it to the fore. That is my view.

Certainly, the community side needs to be widened out, and if the compensation could be fitted in somewhere, that would be a brilliant move by the Scottish Parliament.

**Pam Duncan-Glancy:** Thank you for your candid testimony.

I want to touch a little on compensation and on the psychological impacts that the strikes had on communities—the people who participated and their families. Could we hear a little from Bob Young and Alex Bennett—and Nicky Wilson, if there is time—about the feeling among communities at the time about the way they were being treated, and about the emotional, psychological and financial impact that that has had in the long term? I had hoped then to hear your views on compensation—I heard yours, Nicky, and I think that some form of compensation

looks to be appropriate, but it would be good to hear what Bob and Alex think of that as well.

**Robert Young:** Thank you for that. I am the only miner in Britain who has been fully reinstated into the mining industry. That was because of Margo MacDonald and the programmes that she made about me, and the fact that the coal board lied at my tribunal; fortunately, I had tape recorded all my interviews with the coal board, without telling it, and was able to use that as a means of proving my innocence, if you like.

When it comes to our community, I will give you three good instances. Where I live, two guys not far from me went back to work, unfortunately—I was going to cry them another name, but I will not. My cats got poisoned; when I phoned the police, there was nothing that the police could do. My car windows got broken; when I phoned the police, they said that they did not have anybody they could send. When my front window got broken, the police could not send anybody down—yet, at the same time, they had policemen sitting outside those two guys' houses, 24 hours a day, protecting their homes. That was the way we were being treated as individuals. That was the difference between me as a striking miner and those guys who went back to work.

Nicky Wilson alluded to the fact that offers were made to the guys who went back to work. Ten guys returned to Comrie pit late in the strike. Every one of them was offered a financial contribution to go back to work and, when the strike finished, all 10 immediately got redundancy. That was the way in which the coal board dealt with people and dealt with us.

**Alex Bennett:** On compensation, the strike had an effect in communities where I live. I live in a village called Danderhall, which was built to house miners for Monktonhall. After the strike, some families got quite substantial redundancy payments, and the families of miners who were sacked got nothing. In certain circumstances—not mine—marriages broke up and kids were left without mothers. Honestly, it was tearful to see some of the things that went on, and some of that still exists.

I want to respond to a point that was made by Alex Stewart MSP about policing and talk about some of the things that were reported and some of the things that were not. As I said, I covered Monktonhall—I was the chairman of the NUM at Monktonhall. It was only last year that the former soldier who shot three soldiers in the Pentlands and stole all the money died. At the time, the inspector informed me and another two officials of the NUM that they had a problem up in the Pentland hills, where soldiers had been shot and there had been a robbery. We agreed to stand down the picket and allow the police to do their

duty and pursue whoever had done the shooting. That was an example of the miners working with the local police. That is what was achieved when everything was localised, but when it was changed, we did not know who the inspectors were.

There was a lot of good will. Nicky Wilson mentioned it previously as well. A lot of the police did not want to be policing the picket line. They lived in the mining communities—their brothers were miners—but a lot of that did not come out. What came out during the strike seems to have been a one-sided affair, but there was also a lot of good stuff. The NUM in particular worked with the police to help where injustices took place in communities.

**The Convener:** Thank you. Pam, have you finished your questions?

**Pam Duncan-Glancy:** I have a supplementary question, if that is okay.

I thank both Bob and Alex for their testimony. Some of the experiences that you describe are shocking. I had thought that I had a real understanding of how bad it was, but that is incredible. What accounts for the difference between the number of arrests, disciplinary hearings and dismissals in Scotland and the number elsewhere in the UK? I ask Jim and Bob to have a go at that question.

**Professor Phillips:** After you, Bob.

**Robert Young:** Thanks, Jim.

I have to put it down to Albert Wheeler dealing with whoever was in charge of policing in Scotland. We do not know who that was, but whatever direction Albert Wheeler gave contributed to the arrests in Scotland. There can be no doubt about that whatsoever because, as Nicky Wilson said, we picketed in other places and we never had the problems that we had up here with arrests. I do not know who was dealing with Albert Wheeler and who gave him the instructions—whether it was McGregor who told Wheeler what to do and whether McGregor was given an instruction by a political leader. I could not prove that. At the end of the day, I would leave it up to the people to make their own minds up about it.

**Professor Phillips:** It is unambiguously clear that the individual concerned—Albert Wheeler, the figurehead for the National Coal Board in Scotland—along with his officials, saw the future for a very much smaller industry in Scotland that would be concentrated on the pits that supplied the Longannet power station and, possibly, the two big Lothian pits that we have heard about, Bilston Glen and Monktonhall. However, that required much stronger managerial control over

those workplaces. It required coal to be extracted at a much greater rate, with much greater worker effort required, and corners were likely to be cut with regard to health and safety. For a variety of reasons, the effort was designed to reduce the role of trade unions within a much reduced industry: closing it down altogether in Ayrshire after Lanarkshire, reducing it still further in Fife, and concentrating on west Fife and bits of the Lothians. That required the attack on trade union and community leadership.

10:45

**Pam Gosal (West Scotland) (Con):** Happy new year, everybody. I thank all the witnesses for coming along today to give evidence. Like most of the members who have spoken, I was very young when the miners strikes were happening. However, I remember the horrific scenes on television. As I was very young, I did not understand what was happening, so I welcome the insights and lived experiences that we have heard today from the people it happened to.

My question is about the lasting impact on miners and mining communities. Given that the impact on strikes continues more than three decades later, what are your views on the lasting impact of the strike and its policing on miners and mining communities? My question is for Professor Phillips about the research and then for Nicky Wilson.

**Professor Phillips:** In brief, there is a tendency to exaggerate the damage that was caused socially and culturally to those communities. As Bob and Alex have been telling us, employment and economic activity in those communities was radically reduced, but when we speak to friends and neighbours and people within those communities, we find that they are still very cohesive, progressive and positive about the present as well as the future. People are not looking back all the time and they are not obsessed with the past, but are determined to see justice for the wrongs that were committed against their communities in the past. They are good places and good people live there. I am proud to have friends in those communities.

**Nicky Wilson:** As I mentioned earlier, since 1999 I have been a trustee on the Coalfields Regeneration Trust and what Jim says is right, because of the work that the trust has done in communities. There is an in-born strength in mining communities—it is more inherent than in other communities—because miners went to work together, looked after each other and looked after the families that were in need. That still exists to this day.

The economic effects are obvious because of the job losses, especially in some of the more remote communities in parts of Ayrshire and those in the west Fife villages, and in Stirlingshire. In those places there was virtually nothing but a pit with a village and a community built around it, and when the pit was lost it was not replaced by other forms of employment. The legacy of that still exists.

For a long time after, there was a mistrust of the police. People should remember that the vast majority of miners who were arrested during the strike had never had a previous conviction and never had another conviction after that—they were law-abiding citizens. I am not saying that they disrespect the police—although you might get the odd one—but everybody knows that the police must exist to look after our communities, keep us safe and all the rest of it. Jim is right, in the sense that the way that the police were used—not the rank-and-file police, but how somebody way up high made decisions on the mass arrests—had a legacy. For the 206 cases of guys losing their job, or even those who were arrested and classified as a criminal, the stigma stuck for a long time and still exists. That is why it is so important that the committee and the Scottish Parliament passes the bill. That will right a wrong that has been there for many years.

In general, we are law-abiding people in mining communities, the same as in other communities. That will continue. It would be brilliant to right the wrong and I hope that the bill is successful.

**Pam Gosal:** Nicky, you talked about righting that wrong. Moving on, lessons were learned and although strikes still happen so many decades later, they are a lot more controlled and perhaps better behaved. In comparing what happened at that time to what happens now, is there anything that could still be done better in relation to strikes?

**Nicky Wilson:** I am speaking with my trade union hat on, but we have got to remember that the legislation has changed over the years. During the miners strike, all the funds of the National Union of Mineworkers were sequestered in England and Wales because the strike was deemed not to be legal. That did not happen in Scotland because the case was taken to court in Scotland and it was found that under Scottish law the strike was not illegal. A lot of the money that was passed down to other areas came through Scotland at that time.

The difference is that, over the years, legislation has been introduced to limit and change how trade unions act in industrial disputes—a vote has to reach a certain percentage and a certain amount of members of the union have to take part in the vote—and that means that I doubt we will ever see anything like it again.

Nobody wanted that strike. As I tried to say earlier, we were fighting because we knew what was coming at us down the line—the pit closures, the effect on our communities, there being no other alternative jobs and all the rest of it. Our backs were against the wall and we stood and fought. Unfortunately, we lost. In the end, what we tried to prevent happening, happened—there is no doubt about that.

I do not think that we can relate what happened then to today. I do not know, but I do not think that it could happen again. It is much more difficult for trade unions to organise workforces now. We had a nationalised industry and, like other nationalised industries, it was probably 100 per cent trade union members. It is much more difficult for trade unions to organise in present-day workforces. We cannot compare what happened then to what could happen today.

**Pam Gosal:** Thank you.

**The Convener:** We now go to Richard Leonard.

**Richard Leonard (Central Scotland) (Lab):** Thank you, convener. I appreciate the opportunity to ask my questions this morning.

As Karen Adam said, the strike was a defining moment in modern Scottish history and ensuring that we get the legislation right will be a defining moment for the Scottish Parliament.

I was old enough to be around during the miners strike. I was living in Stirling at the time and the Polmaise colliery was one of the flashpoints that precipitated the national strike.

I want to make a couple of points, if I may, convener. Bob Young introduced himself as the NUM chairman at Comrie, Alex Bennett introduced himself as the NUM chairman at Monktonhall, and Nicky Wilson, now the president of the union, was also very active. We need to understand that it was a clear attempt to decapitate the leadership of the union. That must be recognised in our approach to what happened and what we need to do now.

Alex spoke about his own experience. In preparation for today, I read the testimony of Cathy Mitchell from Kirkcaldy, because the families as well as the miners themselves were affected by what happened. She talked about her husband John, who was blacklisted and convicted of obstruction in 1984 and fined £5, which resulted in him losing out on a £26,000 redundancy payment from the Frances colliery. *[Richard Leonard has corrected this contribution. See end of report.]* The challenges were very real and that is why it is perfectly legitimate for us to look at compensation. Clear financial hardship and detriment were caused. I hope that we will address

that in the course of our deliberations in the Parliament.

I will put my question to Nicky Wilson. One of the arguments that people have made against compensation is that we no longer live in an age where there is a unitary UK Government because we have devolution, so why should the Scottish Government and the Scottish Parliament be in any way responsible for what happened back then?

There is now a Scottish Parliament and there is no longer a Scottish Office—there is a Scotland Office. We no longer have eight police forces—there is just one. The National Coal Board does not exist in the way that it did. My question to Nicky is this: does that mean that an apology is impossible and that financial compensation could not be met?

**Nicky Wilson:** The NUM welcomes the fact that the Scottish Government has taken this step. We think that it is a brave step. Over the years, many attempts have been made at Westminster. We thought that we were going to be successful when the Home Secretary under Theresa May was Amber Rudd, who agreed that there should be an inquiry into Orgreave and all the rest of it. Then it all changed and got dropped.

We now have a Scottish Parliament and that is so important to the Scottish people. If there is a means to do it, the Scottish Parliament can have the compensation put in line. Let us try and think back about progress through the years. Hypothetically, if there were still a coal industry or a national coal board, would it now be the Scottish coal board? Responsibilities have changed and have been passed down the line. Where is the responsibility for looking at how 206 people lost their livelihoods because of sometimes paltry offences and the vindictiveness of Albert Wheeler, the area director at that time? It would be a brilliant, brave and progressive step if the Scottish Parliament made the decision to put in place a compensation scheme for the remaining miners who are still alive and the families of those who have sadly passed away.

**The Convener:** Thank you. That concludes members' questions. I thank everyone on the panel for their insight. I was about 17 or 18 around the time of the strike. Although I did not live in a mining area, I was old enough to know that a great wrong was happening in our nation. It is important for us to hear directly from you about the continuing implications of that.

I suspend the meeting briefly before we move on to our next panel of witnesses.

10:58

*Meeting suspended.*

11:10

*On resuming—*

**The Convener:** We will now hear from our second panel. I welcome to the meeting Jim McBrierty, the immediate past president of the Retired Police Officers Association Scotland, and Tom Wood, a former deputy chief constable of Lothian and Borders Police.

I invite each of our witnesses to make a short opening statement, starting with Jim McBrierty.

**Jim McBrierty (Retired Police Officers Association Scotland):** Thank you, convener. By way of a brief introduction, I joined Lothian and Borders Police in 1981 as the son of a staunch trade unionist who was a shop steward at the Grangemouth plant. I was stationed at Leith police station. From 1984 to 1985, I was removed from my role as the local community's dedicated beat officer to police the miners strike both at the pits and at the homes, cars and property of return-to-work miners who were being attacked. I policed the strike from start to finish.

I retired from the police service as a detective superintendent in 2012, and I joined the Retired Police Officers Association Scotland. [*Inaudible.*]—to 2020, I was the president of the association. Understanding the importance of the review, I engaged with the review team on RPOAS's behalf and, indeed, on a personal basis. I ensured that there was an engagement plan for us to work with the review team and in relation to the outcomes and outputs resulting from the review.

**Tom Wood (Former Deputy Chief Constable, Lothian and Borders Police):** Good morning, convener. It is nice to meet you and the committee members. I was a chief inspector in Lothian and Borders Police during the 1984-85 strike. I am speaking here in a personal capacity. At that time, I was not at a rank in which I was a policy maker, but I was privy to the policy being made because of my job as a force information officer.

I worked throughout the strike. The gold commanders—the assistant chief constables who were running the police operation—are both now, sadly, dead. My experience is limited entirely to the east of Scotland and mainly to Bilston Glen. I cannot comment on and have no knowledge about what happened elsewhere. The policing of the strike was not centrally co-ordinated, so there were differences from force area to force area. I think that one of the earlier witnesses made that point.

The first thing to say is that 1984-85 was a terrible year for a lot of people, and for the mining communities, obviously. We were acutely aware of that. Many of us lived close to or in mining communities, and we knew the people who were

on strike very well. It was also a bad year for the wider community because, as Jim McBrierty has just mentioned, we had to strip away the whole of our community policing model during that year. That meant that, alongside the mining communities, others suffered. That was also the year when heroin really took a grip of many of our inner-city areas. It was a time when we could least afford to be light on street policemen.

From a police point of view, and as somebody said earlier this morning, it was a job that we did not want to do. That is absolutely correct. No one wanted to be policing a labour dispute. No one joined the police to police a picket line. We did not want to do that, but we had no choice because our job in the police is simple: we have to protect life and property. We had to facilitate peaceful picketing, of course, but we also had to protect the human right of people to go about their business unmolested. We had to protect the right of miners who wanted to work to be able to go to work and the right of those working miners and their families to go about their business unmolested. That has not changed, convener. If the same circumstances arose today, the police service would have to do the same job.

11:15

It was a long and exhausting year for the police. We stripped away our resources and there were a number of injuries. However, we were lucky in that we had very good police commanders at that time. I can now look back on almost 40 years of the police service and say that, although the police service in Scotland has not always been well led, it was then. We had two assistant chief constables running the police operation who were both steeped in the mining communities. One of them had been born and brought up in a mining community and worked all his days in a mining community, and the other had been a miner—he had been a Bevin boy just after the end of the second world war. They were therefore acutely aware of the stresses, strains and issues within the mining communities. We also had—very fortunately—a very fine chief constable at that time in Sir William Sutherland, who is still alive. Looking back now over 40 years, I can say that he was the best of his generation.

Did we have violent confrontations? Yes, we did, and they were mainly on the days when visiting pickets came to Bilston Glen. For most of the rest of the time, we had a good relationship with the local miners and the local miners' leaders, who—as I said—we knew. We did not have a good relationship with the National Coal Board or, indeed, the hierarchy of the National Union of Mineworkers, which is different from the local leaders. We found out that the coal board was

sometimes game playing and trying to manoeuvre us into doing what we did not want to do. Somebody mentioned earlier that there was collusion between the coal board and chief constables, but I was there and I can tell you that that is simply not true. The chief constables made their own decisions.

The other thing to say is that the criminal justice system is, of course, very distinct from policing. Anybody who suggests that the police and the procurator fiscal and sheriffs are in some kind of lockstep has not met the fiscals and sheriffs I have met over my career. Those people are fiercely independent. The decisions that they took are therefore for them. Suggestions of collusion are simply not true in my experience.

I appreciate the time, so I will talk quickly about the review. When it was announced, there was a great deal of suspicion among retired police officers that it was an attempt to rewrite history and gain compensation. That is why a lot of retired police officers did not participate in it. John Scott makes reference in his report to the fact that they feared litigation, but that is not what they told me. They said to me that, quite simply, they thought it was a political gambit to rewrite history. We—and I—took a different view. I thought that there was use in it, because I think that there will be lessons to be learned.

I wrote an article about it a while ago, a copy of which I sent to the committee, so some members may have read it. Five years after the strike, I was a divisional commander in an ex-mining area and I was horrified by the extent to which many small mining towns had been completely hollowed out and were in a desperate condition. There was unemployment and the fabric had not been kept up in many of those small towns, and into that void and vacuum stepped crime, drugs and deprivation. My very firm view at that time—which is still my view now—was that there were enormous lessons to be learned not so much about what happened at the picket line as about what did not happen afterwards. Earlier this morning, someone said that it is unlikely that we will have such a strike again. I think that that is correct, but we will still have to manage post-industrial decline, and that is the major learning point.

John Scott and his team did a good job with their review. They were great at gathering evidence and saw the flaws in their remit. The remit was simply about policing, but it should have been about criminal justice. John Scott, with his experience, managed to change that. He and his team did a very good job, and they deserve our congratulations.

I have no objection to the recommendation that John Scott made. The sacking and blackballing of miners who had been convicted once of simple

breaches of the peace was disproportionate and spiteful, so the pardoning of the men who have lived their lives under that conviction is fair and just. That is a personal view.

I am sorry to have gone on but, lastly, we sometimes forget the contribution to the community that was made by miners' leaders after the strike. In our area—I am talking about the east of Scotland and the Bilston Glen and Monktonhall area—many of the strike leaders entered local politics. One became a prominent member of Parliament and was knighted for his services. Others became very good, long-serving councillors who did an enormous amount of good work in local communities and with whom we worked very closely. It grieves me that, almost 40 years later, there are still divisions between us, because, when I meet such people—I have met them over the years in various roles—there is an awful lot more that joins us than divides us. I place on record what a remarkable job the men did after the strike through their contribution to public life.

**The Convener:** I thank both witnesses for their opening statements.

**Fulton MacGregor:** I, too, thank both witnesses for their in-depth and, at times, moving testimonies. Given the constituency that I come from, I am very aware of the impact on mining communities and miners, but it was really useful to hear reflections on how police officers, in the main, were impacted. From the early evidence that we have heard, it is clear that the vast majority of police officers, including both witnesses, did not want to be doing that job. You did not go into the police to do that. We are talking about something that happened 35 years ago, but we could all hear the emotion in your voices. You were recollecting events that were clearly uncomfortable for you, so thank you very much for doing that.

You touched on the main questions that I was going to ask—that is the benefit of making a good, long statement, so do not apologise for that. My questions are about the impact on mining communities after the strikes. Are you able to talk a bit more about how the communities were impacted? What were the relationships with the police like in mining communities in the years and decades that followed? I know that you have already alluded to those issues.

**Tom Wood:** To be honest, one or two individuals obviously felt that they had been very hard done by, and they had been. It is one thing to be arrested for a push or a breach of the peace at a picket line; it is quite another to be sacked and then blackballed. Blackballing is the most insidious of punishments, because it goes on and on and on. It is not just a case of being sacked from your place of employment; it means that you cannot get employment in other areas of the industry that you

know and work in. Therefore, I can understand the bitterness.

I attended one of the miners meetings that John Scott held in West Lothian and I enjoyed it very much. I met up with a lot of other people, including miners' leaders I had known during my police service, and we had a good chat about things. One of them said to me, "You're a brave man turning up here." I said, "Really? We're all 70-year-old men. What would it say about us if we couldn't sit down and have a conversation about something that happened 35 years ago?" Although there was bitterness among some, that was not the case in general.

After 1985, we made an effort to get back into the mining communities, but some of the small mining towns where the local pit was the only place of employment were desolate. When I took up my role as divisional commander—I will not name the division—I drove through all the local towns and, in some of them, even the street lights were out and the whole place had been hollowed out. The young people had left to seek jobs elsewhere, shops were closed and no investment or employment had been put back in. It was a dreadful waste, because those places had a tremendously skilled workforce that had been allowed to wither on the vine and go to waste. I thought that that was a tragic aftermath. I saw it close up over the years, and I saw the long-term consequences of it, with drugs and crime going hand in hand with deprivation.

For me, that was the huge learning point from the miners strike and, indeed, from other post-industrial decline. The same thing happened with steel and with shipbuilding, and the same thing might happen with oil. That is why it is so important that we have such conversations, in order that we learn lessons.

**Jim McBrierty:** I would like to add to that. As a young lad, I was a very keen football player and, in policing back then, each of the divisions had a football team. I can recall us playing miners' teams. There was no animosity and there was no violence either on the pitch or after the match. If anything, we would go for a beer to socialise and chew the fat.

When I saw that the review was being undertaken and I saw what the report contained, it worried me that a picture was being painted of "them and us". The "them and us" occurred only when miners from elsewhere came to our local area. We did not know who they were and they did not know who we were. Interestingly, some of them talked about it being their duty to be arrested and taken off the picket lines so that the NUM could be seen to be taking part. That is sorrowful, to be honest.

After the miners strike, our role was to engage and to bring back the strong and positive relationships that we had had.

**Fulton MacGregor:** I thank both of you for putting on record how you think that communities have been impacted. What you have said is quite telling. There has been a long-standing impact on communities and, in many ways, it is still there.

I have a question about the scope of the bill, which you will have heard us ask the previous panel about. At present, it is proposed that miners will be pardoned under the bill, which defines what a miner is. An issue that we have wondered about is how often other people who were not miners, such as family and friends—or even, based on what you have said today, off-duty policemen and women—were involved in picket lines. Was that a common occurrence? Was it mainly miners who were arrested, or were neighbours, friends and family members—spouses and sons or daughters—arrested, too? Did that happen?

11:30

**Tom Wood:** Not in my experience. Interestingly, quite a lot of the arrests for the more serious offences were not made on the picket line at all, because they were to do with assaults and intimidation at the homes of working miners.

At one time, at Bilston Glen colliery, a number of people showed up trying to muscle in on the action—extremely left-wing people who were selling the *Socialist Worker* and trying to get in on the action. The local miners' leaders gave them short shrift. They were not going to have their dispute hijacked by outsiders who had alternative political agendas. That happened a little bit at Bilston Glen but not very much, because, as I say, there was an awareness among the local miners' leaders that they did not want the dispute subverted for other political purposes.

**Jim McBrierty:** As I said in my brief introduction, I was on police duties during the strike, policing the picket lines from start to finish, and I never arrested anyone—not once. Was I pushed? Was I shoved? Yes, absolutely. But that was the nature of the business and, bearing in mind that you were standing next to people who would know you by name, prior to the vehicles coming into the pit to bring the miners in, we would be talking about what was on TV the night before and how their families were doing—general chit-chat.

As Tom Wood rightly says, when there were infiltrators, that is when the mood changed. You could literally smell it, because a lot of the miners who were brought in from strange areas were there for one reason, and that was to rumble up both the miners who were on the picket line and

the police. That was when things changed. I am not saying that it was pleasant when we had the local miners doing their picket line—absolutely not, because those men and their wives had a point to make and they were making it legally. However, when that changed, the whole tone dropped remarkably.

**Tom Wood:** To give you some of the context, the operational commander made the decision that we would not wear protective equipment even though we had it. We had had helmets, shields, protective shin guards and so on since the early 1980s, after the Scarman report on the Toxteth riots. We had all that kit but we never used it. We could maybe have done with it, to be honest, because we might have sustained fewer injuries. However, it was decided not to wear it because that would escalate things and it would up the ante, which was the last thing we wanted to do, because we knew that, sooner or later—it turned out that it was later—we would have to go back and police those communities with consent.

Somebody mentioned earlier that the vast majority of people in mining communities were good, decent, hard-working people. That is a very good point. They were the kind of people that the police absolutely depended on to assist them, so it was madness to drive any unnecessary wedges between us and the mining communities. All that said, however, I come back to the fundamental point that we had an absolute duty to protect the rights of people to go about their business unmolested, and that duty has not changed.

**The Convener:** In his question, Fulton MacGregor alluded to a concern that, as the bill focuses on miners, it will not pardon other people who may have been arrested. You mentioned that spouses were perhaps at picket lines. We are concerned that wives or partners may have been arrested at picket lines but the bill does not cover them. However, we do not want to spend huge amounts of time trying to sort out something that never happened. Are we worrying about something that did not happen? Were wives or partners arrested?

**Jim McBrierty:** Like Tom Wood said at the start, I can speak only for the Bilston Glen colliery or the pits that were within the Lothian and Borders Police area. I cannot say that it did not happen, but I cannot recall seeing, let us say, ladies being removed from the picket line. I can recall seeing people who were perhaps not miners but were hell bent on causing trouble and, to be frank and colloquial, winding things up, and who were perhaps removed.

As you can imagine, when people were removed from a picket line, they were taken away from the hot spot and removed for the purposes of process. That process could involve many things.

It could involve telling them to go away, which could lead to them taking the warning and walking away. Depending on the gravity of what they had done, they might be arrested. However, I cannot speak for whether those people included wives, sisters or aunts.

**Tom Wood:** I have no recollection of wives or people like that being arrested within the year. We had people coming along to cause trouble, who would go behind the picket line and throw things over the top, such as ball-bearings and pieces of metal, on to the police lines. However, as I said, there was a degree of self-policing among the picket, so those people were given short shrift. That happened only now and again, so I do not want to make too much of it, but when it happened, it was snuffed out very quickly by the miners themselves.

**Maggie Chapman:** Good morning and thank you for being here. This morning, we have heard about challenges and accusations of collusion and political interference in policing, and I hear clearly your refutations of that. We have also heard—and we know from some of the narrative around it—about the media being quite pliant. However, something that I am not sure has previously come out for many people is the disproportionate impact of the strikes on Scottish mining communities compared with those elsewhere. More Scottish miners were arrested and more of them lost their jobs than those elsewhere. I want to explore how some of that might have arisen.

When you were sent to police the picket lines, how were the miners described to you? What were you told about them? What orders did you receive? Were you told what the operational outcome of the policing procedure should be?

**Jim McBrierty:** From memory, Maggie—

It is Maggie, is it not?

**Maggie Chapman:** Yes.

**Jim McBrierty:** Sorry—I need to put my glasses on. That is one thing that I did not need in 1984.

We were told the numbers of miners that were on the picket line and where they were in relation to the points of entry and exit. In other words, we were told whether they were on both sides of the entry road or on one side. We were also given an indication of the mood of the miners. I say that because it gave us an idea of what we were going to face.

We were not marched on to the picket line; we simply got out of the vehicles that we had arrived in and walked towards the picket line. We would say, “Hello, how are you all doing today?” There would be a bit of banter, good fun and good nature. However, I emphasise again that that whole warm attitude changed when we were told

that we had Yorkshire or Durham miners that day. I made reference to the smell. Please forgive me, but those people were not in a sober state most of the time. They were fuelled to come on to a picket line and express their wishes in quite a hostile way. That was when the whole attitude would change.

As we walked towards a larger-than-normal crowd because miners from elsewhere had been brought on to the picket line, we could smell it. That was when it was time for us to steel up, by which I mean to be less casual in our approach, and more robust. We knew that there would be a stronger push and shove. Do not forget that the miners were extremely fit and strong men. Should they have wished to do so, they could have bowled us down the street. It was very seldom that we got bowled down the street, but we got pushed, shoved and sworn at.

Once the miners who were going into work had gone in, the pressure was off again. The miners who had come in from elsewhere would retire to the local miners’ welfare club or go back to their buses, and we would be left with the local miners having the conversations that I spoke about earlier. Does that answer your question, Maggie?

**Maggie Chapman:** That is helpful. Thank you.

Tom, we have heard in evidence this morning that it appeared that certain individuals were targeted. I take on board what Jim McBrierty said about miners coming from elsewhere to join picket lines, which was often the flash point. Were you aware of any specific targeting of individuals? It seems as though active trade unionists were targeted more than others. Was there any operational decision or discussions around that focus of police activity?

**Tom Wood:** No. There was no arrest policy per se. In the mornings, we would get there at about half past 5 or 6 o’clock. We all came in double-decker buses, and the operational commander would get on, walk up and down, say hello to everybody and thank them for coming. They would then give us what intelligence they had about the numbers that would show up. Jim is absolutely right about the difference between when there were visiting pickets and when there were none. It was like chalk and cheese.

One reason why officials were arrested more often than others was because they were truly leaders. They were trying to show their leadership, so they were on the front line. Given that they were on the front line, they were the first to be grabbed. It is as simple as that.

When a police officer arrests someone, it is up to them as an individual, and a corroborating officer, to present the evidence that they have. The evidence goes to the fiscal, who makes a

decision, and it then goes to the court, which makes a decision. It is an individual officer who does that, so it is just not the case that there was a huge arrest policy. That cannot be the case in the Scottish system. The reason why local officials and leaders were arrested was that they were leading from the front and were on the front line.

**Maggie Chapman:** Tom, you spoke about it being the police's role to protect the rights of people who are going about their business. Miners and striking miners were going about their business. Will you give us more of a flavour of when violence occurred? What were the flash points? You talked about trade unionists leading from the front. We have all seen the pretty horrific video footage of some of the violence that happened on picket lines. Will you give us more of a sense of how those incidents arose?

11:45

**Tom Wood:** Of course, but may I first make another point? The media coverage alarmed me, because—this has now stopped, principally thanks to the intervention of John Scott—the media kept showing pictures from England and Orgreave, with horses charging and running fights. None of that ever happened at Bilston Glen—or, to my knowledge, in the rest of Scotland, but I restrict myself to my knowledge of Bilston Glen, as I said. We need to be careful about the conflation of events in the media coverage, because it can be very misleading.

You are absolutely right to say that it was the human right of the striking miners to picket peacefully. You are dead right. It was the role of the police to facilitate that, which we did. It was also the right of the people who wanted to go to their work to do so without being impeded, assaulted or intimidated. We were the meat in the sandwich, trying to hold that balance.

When did the flash points come? On the picket line, they invariably came when there were visiting pickets. Sometimes, as Jim McBrierty said, the visitors had had a long bus ride and they arrived full of joie de vivre—or whatever it was—on a day out. At the time, the local strike leaders often felt that they had to show their mettle by showing themselves on the front line. Those were invariably the flash points.

The flash points off the picket line were just as important, because they involved the families of striking miners and working miners, and the people who wanted to go to work or who were seen to be colluding with the pit management. Those flash points happened in the housing areas and streets around the mining communities, rather than on the picket line.

Those were the main flash points.

**Maggie Chapman:** Thank you both for your helpful responses.

**Alexander Stewart:** I, too, thank the witnesses for their comments so far. As I said to the miners from whom we heard earlier this morning, my perception, as a youngster in those days, was that the miners strike was a bitter and divisive dispute.

Tom Wood said that police officers, given their role, had no choice but to do what they did to support the community and that the intention was to manage peaceful picketing—that came across. However, the miners who gave evidence to us said that they thought that there was a change in the policing attitude when the approach went from being local in flavour to being more national. They thought that there was a change in mindset, as well as in policy and procedure, when that happened.

Did Tom Wood and Jim McBrierty see any of that or interpret what happened in that way? The miners said that policing started off reasonably when the strikers knew the officers who were working with them daily, weekly and monthly, but that that accord seemed to change when police officers from other areas came in, when there was more aggression and confrontation. Can you give us your views on that?

**Tom Wood:** Yes, I can. First, the 1984-85 strike was so bitter because it was so very long. I was a teenage policeman in the 1972 strike, which was a lot more violent but lasted only three months—that was the difference.

The miners' recollection of the 1984-85 strike is right. It started in March, in spring weather, and it was all fine. However, as the strike went on, the striking miners clearly became more desperate. The violence escalated and we started to get travelling pickets.

I make this absolutely clear, and I speak only for our area: we never had outside officers come to the Lothian and Borders Police area. There were never any outside officers on the picket line at Bilston Glen. We sent officers to help Fife Constabulary and Central Scotland Police at that time, because they were much smaller forces, but as I said at the beginning of my evidence, I can speak only for Lothian and Borders Police. We made a firm policy that we would not have outside officers on our picket lines and that wherever possible we should have local officers at the front, so as to try to keep, as far as we could, that connection.

**Jim McBrierty:** The procedure that Tom Wood is talking about is called mutual aid, and it is something that is jealously guarded within policing. In fact, only in the past five or six years have I known the great Metropolitan Police Service of London to ask for mutual aid. I categorically state

that I knew every police officer who was standing next to me on the picket line in 1984-85 as being local to Lothian and Borders Police.

I would seek clarification from those who spoke earlier in the meeting and said that officers came from other areas. What do they mean by that? As a Leith officer, I had nothing to do with mining. There were no mines in Leith, as far as I am aware—we certainly dug plenty of holes, but there were no mines. When I was abstracted from my community—to its discontent—and moved to policing mining, I would have been regarded as an officer from outwith the area. When I moved out to Bilston Glen, the Bilston Glen miners would not have known me to start with, but as the weeks progressed, they did. The same thing happened with officers from outwith the areas who went to Monktonhall and Polkemmet—people got to know them. As Tom Wood rightly said, we never had mutual aid—in other words, officers from another force area brought in to help us in Lothian—but, as the picket line numbers increased, we mobilised ourselves to make sure that whether the focus of the picket was at Polkemmet, Monktonhall or Bilston Glen, the numbers that we were able to deploy would be moved around the force area to help.

I will touch on people saying that there was a sea change in the policing attitude. Very sinisterly, a lot of police officers and their families were targeted on the streets during the miners strike. They were spat on and assaulted as their kids went on to buses by the families of miners who were on strike. I assure you that, when word of that kind of thing gets around, you suddenly realise that the game had changed—it is only a human reaction—but the game had changed on both sides. The game changed when police officers, their families and their wives were being attacked on the street while going about their lawful business of simply going to the shops. When such things happened and news of them was fed back to police officers, we suddenly realised that it was not the happy-clappy event that we thought we were dealing with at the outset. There was a sinister turn. Forgive me, but human nature is what it is, and you are there to protect yourself and your family and your colleagues and their families as best as you possibly can. There was an attitudinal change, but I hope that it is understandable.

**Alexander Stewart:** You identify the length of time of the strike. It went through different phases. As someone who only watched the event, I certainly saw different phases of it through the media and on television.

We all understand that the pardon is intended to remove stigma. That is the crux of where the bill is trying to go, but by pardoning what was seen as

criminal conduct, is it not rewriting history? It would be good to get your take on that.

**Tom Wood:** It is a difficult issue. Speaking personally, in relation to the people who were convicted of a simple push-shove breach of the peace, as we call it, and who were thereafter sacked and blackballed, on balance, that was disproportionate. To be honest, it runs against natural justice. If that is pushed out to include pardons for people who assaulted the police, people who were convicted several times, or people who were convicted of more serious charges, that is a completely different question. On balance, I do not think that it would be appropriate to give a blanket pardon to people in that situation.

There are appeals procedures, and there is the Scottish Criminal Cases Review Commission and so on, which are well equipped to deal with that kind of complexity. Personally, if we are talking only about people who have a single conviction for breach of the peace and who have been punished extra-judicially thereafter, I think that it is in the interests of natural justice that they be pardoned. That is my personal view. However, I would draw the line there. One concern among my former colleagues is that there will be drift and that people will be pardoned for all sorts of more serious criminal offences that often involved assault, intimidation and other such crimes.

I hope that that lets you know where I come from on the issue.

**Jim McBrierty:** I read a note that said that the pardon will include offences under section 41(1)(a) of the Police (Scotland) Act 1967, which was referenced as merely being about obstruction of police officers. Forgive me, but section 41(1)(a) covers a multitude of things, including assault on a police officer. Therefore, if consideration is being given to pardons for section 41(1)(a) offences, I ask the committee to consider exactly what the offences were. If it was police assault, I would hope that there would be some understanding of the extent of that police assault.

Section 41(1)(a) is not merely about obstructing a police officer; it can be far more serious than that. Actually, one of Tom Wood's and my colleagues of many years ago had her leg smashed and broken during the miners strike, and I think that section 41(1)(a) was labelled for that, as opposed to a common-law assault. If an officer in uniform is assaulted, invariably, the default is to use section 41(1)(a). I ask the committee to be very careful that the reference to section 41(1)(a) in the bill is not seen to include the police assault aspects.

**Alexander Stewart:** Thank you for being so frank and for imparting your knowledge and

wisdom on where the bill could go if the committee and the Parliament do not consider all the aspects. As I say, on the surface, it comes across as what we would expect but, when we dig deeper, we find further elements and layers that need to be looked at to ensure that we get the parity that is required.

**Karen Adam:** I thank Jim McBrierty and Tom Wood for speaking so plainly. It is apparent that there has been an outstretching of hands and an attempt to build bridges between the police and the miners. The earlier witnesses said that, with the community police who they had known and grown up with and who were family and friends, there was some understanding and unity there. However, there are still discrepancies between witness testimonies, and between you and the witnesses who we heard from earlier. Even many years on, there is still some friction there.

12:00

There is also what I see as a power imbalance. There is the question of where the power lay. As elected representatives, we have to remember that the police officers, the miners and their extended families, as well the communities where there were ripple effects, were all the victims, and that the people who should be held to account are those who made the decisions without thinking through the ramifications for everyone involved.

Tom Wood spoke about being careful with how pardons are implemented, and Jim McBrierty spoke about section 41(1)(a). What is your opinion on pardons for the miners? Are there alternatives that could be suggested, or are pardons the right way to go?

**Tom Wood:** It is important that we get this right, and I will tell you why. It is about the credibility of these inquiries. There is a degree of scepticism and concern out there about revisiting the issues 35 or 40 years afterwards and rewriting history. It is important that the outcome is seen to be fair and balanced—it is about the proof of the pudding and all that stuff. Independent inquiries such as that chaired by John Scott have value, because we can learn lessons from them. If such inquiries are to retain their credibility, the outcomes have to be seen to be fair and balanced.

The question about pardons is a very difficult one. I attended one of the miners meetings as part of the John Scott inquiry and sat next to and listened to the testimony of union officials who had been arrested on the picket line and had been fined 50 quid for breach of the peace or whatever, but who had then been sacked and blackballed. Their whole lives had been marked by that incident, and they were otherwise law-abiding and highly reputable citizens—they were just good people.

How do we put that right? I think that John Scott had the same conundrum. He is a lawyer, so he will have recognised the difficulties with pardons. I think that, in this instance, he thought that it is the only thing that can be done, and I have to say that I think that he was right. It is difficult to see any other way to right that wrong. We cannot de-blackball those people or give them their jobs back as miners, when there are no jobs for miners and they are 70 years old. It is hard to fill in that gap where they were badly done by. I suppose that a pardon is a token, but it is an important token and, if it is important to these men as they reach old age, I come to the conclusion that it is right.

However, I do not want to repeat myself, but I say again that we have to be careful that we do not extend the pardon and push it out to people who were found guilty of more serious crimes. That is the balance that we have to strike.

**Pam Duncan-Glancy:** Thank you, Jim and Tom, for your candid, open and honest evidence this morning. I echo what my colleague Karen Adam said about stretching a hand across between miners and police over the years. The sense of that has come across strongly.

I want to ask a couple of questions about areas where things do not necessarily add up; given what we have heard this morning from the earlier witnesses and then from you. We just need help to get a little bit of clarity.

It is absolutely the case, as Tom Wood has noted, that the job of police is to protect people, their livelihoods and their homes. It was picked up earlier, however, that in some cases some people did not have that protection. In particular, people who were striking did not have that protection, and you will have heard what a witness said earlier about their cat being poisoned and their windows being smashed, and about their view that they perhaps did not get the same protection from police as people who had gone to work did. What are your views on that?

Similarly, can you help us understand the difference between the way that people tended to be treated in Scotland and how they were treated elsewhere? We know that, proportionally, there were more arrests and more people lost their jobs in Scotland. That is the first area I will ask about, and then I want to come in on one other thing.

**Jim McBrierty:** I heard the remarks in the earlier session this morning about miners who were striking not being afforded the same service from the force. My mind went back to when we were drawn out on night shift on what we regarded as security patrols. We were housed, as it were, in vehicles to protect striking miners and return-to-work miners and their property.

Returning miners started to grow in number, and there were pockets of them. There were confrontations between the growing number of return-to-work miners and those who remained on strike. I would question what was said this morning, because my experience as a front-line officer was sitting in a vehicle, for hours on end, looking at the front door of a striking miner's house to make sure that those who had returned to work did not carry out any acts against it. Thankfully, none did, but the intelligence indicated that that possibly would take place. I would dispute what was said about that to the committee this morning, as someone who was there and took part in what we can call the protection of the striking miners while they were not at home.

**Tom Wood:** At the start of the strike, there were a lot more striking miners than working miners. There were a couple of handfuls of working miners in March 1984 but, as time went on, more and more miners started to drift back to work. That opened up wounds in small mining communities where there were a great deal more working miners than striking miners.

At the start of the strike, it was very simple: there was only a handful of working miners, who we helped to go about their business, as we have said. Then the year went on and it got into winter—it was a bitter winter, and that was a real factor. Collieries and pits tend to be built in the most windswept, cold places, and it was a very bitter winter. None of that helped. Deprivation started to creep into the families of striking miners, and they saw other miners going back to work, and the whole thing was drifting. There was a point in time, in the winter of 1984, where that became really difficult.

We were dealing with thousands of police officers and thousands of miners, with hundreds of incidents taking place—sometimes, there were dozens and dozens in a day—so I am not saying that what the chap said this morning was wrong. I do not know; I cannot comment on that. However, I can say that we tried. The operational commander, Hugh Watson, was a great man. He tried to be as even-handed as he could be. That even-handedness was his central mantra. He came from a mining community and he knew the stresses and strains in it. He also knew that we had to go back in there once the strike was over and re-establish relationships. His view was always least damage, soonest mended.

Everybody should have got the same service. If, on occasions, somebody did not get that same service as others, that was a failure. However, that was nothing to do with policy. That is the point.

**Pam Duncan-Glancy:** I appreciate that; that is helpful to understand.

My last question is about the relationships between yourselves, other police authorities and the National Coal Board. You spoke briefly about those relationships earlier, but it would be good to understand a bit more about them. How much conversation went on about individuals, where they were, what they were doing and the approach that you might or might not want to take with them?

**Tom Wood:** I can tell you about that, because I was close to policy matters. There was no relationship. I can tell this story because my old chief told it himself to John Scott. There was one occasion when my old chief got a phone call from somebody in the coal board one afternoon encouraging him to do more—he was asked to do something or other. It was a very short conversation. Sir William Sutherland said to him, “You do your job and I’ll do mine.” He then put down the phone. I cannot speak to what happened in other force areas. However, knowing the chief constables of the time, including Sir Patrick Hamill of Strathclyde Police, I just cannot imagine any of them taking direction or encouragement from the coal board.

We were very aware that game-playing was going on, on both sides. Lines on the road were redrawn, and there was other such playground stuff. At—[*Inaudible.*—]the coal board would paint a line on the road overnight and say that that was its property and that the pickets were not allowed over it. There was other such nonsense. I remember Hugh Watson dealing with that preemptively. He would say, “No, this is the way that we are going to do it,” and point out what was his responsibility. He put things very much in their place. As I said, I cannot speak to what happened elsewhere; I do not know about that. However, I can tell you for sure that there was no direction or collusion.

Somebody on the previous panel mentioned that there was collusion between the coal board and the sheriffs and the Procurator Fiscal Service. No, I am sorry, but they simply do not know those people. The procurators fiscal and sheriffs of that time—and of this time—are fiercely independent. I use the word “fiercely” advisedly. I am sorry, but the thought that they would take direction from or be influenced by members of the coal board, or anybody else, is incredible in the true sense of that word.

**Jim McBrierty:** Pam Duncan-Glancy asked about the way in which policing was done. At that time, there were eight police forces in Scotland. I went on to become a national public order commander during my career. I could reflect on my time as a front-line officer about how we were ordered, fed intelligence and made aware of how policing was to be done.

12:15

I hope that I can reassure you that we policed the miners strike in a far less regimented and disciplined way than was the case with the major public disorder that we have seen on the streets of London, Manchester and Birmingham, which I recognise as being tactically very challenging. We were asked to police the miners strike with a far more softly-softly approach, if I can use that phrase, and it was dealt with in that way, as Tom Wood rightly said. I recall Hugh Watson, the former police commander for the force, coming on to the buses that we had when Arthur Scargill and his entourage came to town. That approach was taken so that we could still police the streets in the communities with credibility throughout the whole year-long event.

Please be reassured that there was nothing underhand and no spinning of the tactics. The tactics for dealing with public disorder have changed enormously but, back then, we policed it in the way that we thought was appropriate in order for us to return to the communities that we policed on a daily basis.

**Pam Gosal:** Thank you for coming along today to give evidence. I know that it is not easy to look back so many years and think about what happened then. I also thank you for being so honest in saying that you had to do a job that you did not want to do and that, as police officers, you had to no choice but to protect life and property. Jim, you said that police officers' families were attacked and spat on while walking down the street. That shows what you went through.

You have both said that we need to be careful in giving pardons, and especially that we must ensure that we do not pardon people who did things that were more serious. Jim mentioned a female police officer who was seriously injured.

Will you say a little about the impacts that the miners strike had on you? What are your reflections on that when you look back at that time and talk about it today?

**Jim McBrierty:** I can talk about that from a family point of view. As I mentioned in my introduction, I am the son of a staunch trade unionist and shop steward, and my father did not speak to me for four months. He could not come to terms with his son policing something that he firmly believed in, until Arthur Scargill became far more high profile. My late father would not talk to me across the dinner table. My mother was the United Nations in our family, in that she tried to bring us together, but my father was so steeped in trade unionism and his role as a shop steward, which involved looking after the men—I say “men” because back then, it was men, by and large—in the petrochemicals plant. I can assure you that the

miners strike had an immensely personal impact on me and even affected my home life.

As far as later years are concerned, as I said two or three minutes ago, I reflect on the way that we were asked to police versus the fact that the police are now trained in a far more disciplined way and there are more regimented ways of doing things. For me, however, I fully sympathise with the miners, and I hope that the truth that is told is listened to and considered when it comes to considering pardons as we take this forward.

**Tom Wood:** I thank Pam Gosal for asking an interesting question. As you go through your police service, there are certain milestones or markers. There are turning points in your service—times when you were doing certain things—and you always take them as points of reference. The miners strike is one of those for me.

I was a career detective, and I was called away from a child murder investigation, which I was very deeply involved in, to take on that role as a chief inspector and to work with the miners strike. It was a big change for me, and I was very disappointed at being called away from the murder investigation, because such things become very personal.

I think about—and, this morning, have been banging on about—secondary consequences. We tend to think that the miners strike involved picketing and was horrible, but we do not think enough about the secondary consequences. I saw those up close and personal, five years later, when I was a divisional commander policing an ex-mining area. I saw the devastation—and I use that word advisedly—to some small mining communities.

Somebody said, this morning, that those had grown back, and so they have. They have grown back as commuter towns. However, for 25 years, they were hollowed out. The damage that was done there is incalculable. We will never know what the health, crime or addiction consequences were. However, what I saw five years later in some of those communities was desperate. I say again that the only value in our sitting here and talking about this is the lessons that are learned—for me, that is the big lesson.

**Pam Gosal:** Thank you so much for being honest.

Jim McBrierty, I want to touch on something that you talked about. You went on to become public order commander. Looking back, is there anything that you would have done differently, if you had been in that policing role at the time?

**Jim McBrierty:** No, Pam, to be honest. Back then, when the miners strike first started, local police officers were policing local mines and the

local miners who were on strike, because that is all that it was; there were no return-to-work miners. When miners started to go back to work, that was the tipping point at which the attitudinal change took place. People became more hyped up about the whole thing. That was fully understandable.

I would not really change anything. Public disorder is a very strong thing to have in a community. I am sure that we have all seen images of the riots that took place in London, Manchester and Birmingham. That is a different mindset to what we had in the communities. We knew most of the local miners by first names, as they did us. Tom Wood made the very good point that mining communities are very close knit. If something happened, such as a child murder or something along those lines, those were the communities that we would reach into, and they would help us. That has not changed at all.

I go back to the lasting words of Hugh Watson, who said that “We’re here, because we’re coming back here. We’re here because we’re going to come back and help these communities and work through this.” The writing was on the wall, six or seven months into the strike, that things were going to be different.

Just to jog the memory—corporate memory being what it is—the 1984-85 strike was, in some respects, the last throw of the dice for the NUM as far as mining was concerned. It had come through the early 1970s miners strike, and we had seen the change and what had come out of that. When it got to 1984-85, we were in the realms of, “this could be our last stand.” Sadly, history will show that for those communities it was the last stand. Efforts were made to go back in, but it just did not happen.

**Tom Wood:** I would like to add one thing. Pam Gosal asked what would be done differently now. Some things would be done differently. Now, officers who went into such a situation would have to use personal protective equipment, such as helmets, body armour and shields. There have been enormous changes in health and safety over the past 35 or 40 years.

I remember Hugh Watson making decisions at the time about whether we would wear protective equipment; I have already spoken about that. The decision that he made was a very brave one, because, in effect, he was saying, “We’re going to accept some injuries because we don’t want to be seen to be escalating the dispute.” That comes back to Jim McBrierty’s point about Hugh Watson’s vision of going back into communities and how to play it in as low key a way as possible. He thought that, if we were to gear ourselves up in helmets and all sorts of other stuff, we would be

raising the stakes, so he made the brave decision that we would not do that.

I do not think that police commanders today would have that discretion—officers would have to wear a helmet and carry a shield.

**Pam Gosal:** Thank you.

**The Convener:** We now go to Richard Leonard.

**Richard Leonard:** I again thank you for giving me the opportunity to ask a couple of brief questions.

Language is extremely important, and the choice of words in this session has struck me. Jim McBrierty, you used the expression “infiltrators”. I presume that you do not consider Nicky Wilson, Alex Bennett and Bob Young to be “infiltrators”. How many of the 400-odd convicted miners that we are talking about would you classify as “infiltrators”?

The language that Tom Wood used, which I have heard him use before, really resonated. Tom, I think that you spoke about the coal board exercising extrajudicial punishment that you considered to be spiteful, disproportionate, excessive and so on, with people who committed minor breach of the peace offences being subsequently sacked and blackballed.

In those circumstances, what do you think that the most appropriate remedy is? You spoke about the lives that were changed, the lives that were lost and the course of people’s destinies being changed by that simple act, which you described as extrajudicial punishment. In those circumstances, do you not think that there is at least a case for some form of compensation to be paid to people?

**Tom Wood:** I will answer first. I am not sure that I am the best person to judge that, but I have been struck by the tremendous damage that has been done to people over a long period of time by what I describe—and I use the words advisedly—as extrajudicial punishment. That is what it was. It was completely disproportionate to be sacked and blackballed for a straightforward push-shove breach of the peace.

When it comes to compensation, I do not know how we could compensate someone for that kind of damage and for such unforeseen consequences. I am quite sure that the men who were on the picket line had absolutely no idea when they got arrested what the long-term consequences of that would be. How could they have known that?

On compensation, I do not know the answer. What would compensate someone for that kind of hurt? For such a grievous wound to their life, how much are we talking about? How do we put

pounds, shillings and pence against that? That is why I think that John Scott was right. Some of my colleagues will not agree with me on this, and that is fine, but I think that all that he could recommend was a pardon, in an attempt to provide some symbolic healing for what was a dreadful experience for those concerned.

I have spoken already about the secondary consequences. For years, that was a secondary and grievous consequence for them—particularly the blackballing.

12:30

I remember speaking to a man who was about my age at one of the meetings. He said that, for years and years, he had made all sorts of excuses for not going on holiday to Florida with his family—he was not feeling well, he had a sore leg and so on—but the truth was that he thought that, when he presented himself at United States Customs, he would be turned away because he had a conviction for breach of the peace. It is appalling that that man's life and his family's life had been so badly marked by such an incident. As it happened, he was wrong—that would not have been registered—but he did not know that, so it had changed his life markedly.

When we say “outsiders”, we are not talking about miners' officials. We are talking about a very brief time—I think that it was around the autumn of 1984, when things were reaching a peak at Bilston Glen colliery—when there were small numbers of extremely left-wing activists who came on the scene sensing an opportunity to cause trouble. They are the sort of troublemakers who arrive on any such scene. We must give all credit to the local miners' leaders, because those people were given short shrift. They were recognised for what they were and chased away before they could cause trouble.

**Jim McBrierty:** Richard Leonard asked about my use of the word “infiltrators”. Tom Wood has just covered that. The infiltration of the picket lines was by those who would not usually be on point, as it were, for the picket lines of the day. I was trying not to give this example, but I think that it captures the situation quite well. A good friend of mine—a police officer—who was at the picket line described a guy there who put the sun out when he stood up, because he was so big and tall. He was a strapping big man. He was at the front and he was pushing and shoving and, because of his size and bulk, it took four officers to keep him back. He would not heed the warning, so he was removed from the picket line and taken through the police lines to the police vehicles.

On the way back, my friend had a hold of the man's wrist—back in those days, we did not have

handcuffs. My friend had a fit of sneezing because of his hay fever, so he let go of the arrested miner's wrist, whereupon the miner reached into his pocket and gave my friend a clean handkerchief and said, “There you are, officer. That might help with your sneezing.” As a connection had been made, my friend said to him, “What on earth are you doing? I can tell that your heart's not in this, but you just wouldn't take the warning to stop pushing because you were causing a problem.” His reply, which was quite remarkable, was, “I have done my duty, son. I have got myself arrested. That's what I was sent here to do.” He was from Durham. When I talk about infiltrators, I am referring to the fact that there seemed to be a desire on their part to show strength. Sadly, in showing that strength, the local miners—the officials from the local pits—felt as though they had to up their game as well.

When Nicky Wilson and the other gentleman—forgive me, I cannot recall his name—spoke earlier about being arrested several times, it was possibly because they felt obliged to up their game and be seen to be leading, as Tom Wood said earlier, from the front. The infiltration was, by and large, when miners came in from other areas with a reason for being there. The man whom I mentioned was there to be arrested—that was his *raison d'être*.

**The Convener:** Thanks very much. That is the end of the committee's questions. We have taken a bit longer than we expected. I thank both of you for giving us your time. That is really helpful for the work that we have to do.

That brings us to the end of the public part of our meeting. Our next meeting will be on Tuesday 18 January, when we will meet in private to consider our draft report on the petition to end conversion therapy and our future work programme.

I close the public part of the meeting. We will move into private session for the final item on today's agenda.

12:35

*Meeting continued in private until 12:51.*

## Correction

Richard Leonard has identified an error in his contribution and provided the following correction.

**Richard Leonard (Central Scotland) (Lab):**

*At col 20, paragraph 9—*

*Original text—*

She talked about her husband John, who was blacklisted and convicted of obstruction in 1984 and fined £5, which resulted in him losing out on a £26,000 redundancy payment from the Frances colliery.

*Corrected text—*

She talked about her husband John, who was blacklisted and convicted of obstruction in 1984 and fined £50, which resulted in him losing out on a £27,000 redundancy payment from the Frances colliery.



This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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