

Impact case study (REF3)

Institution: University of Glasgow (UofG)		
Unit of Assessment: 28 History		
Title of case study: Advancing justice for former miners through the establishment of an Independent Review into the policing of the 1984-85 miners' strike in Scotland		
Period when the underpinning research was undertaken: 2011-2015		
Details of staff conducting the underpinning research from the submitting unit:		
Name(s):	Role(s) (e.g. job title):	Period(s) employed by submitting HEI:
Jim Phillips	Professor of Economic and Social History	1998-present
Period when the claimed impact occurred: March 2014-31 st Dec 2020		
Is this case study continued from a case study submitted in 2014? N		
<p>1. Summary of the impact (indicative maximum 100 words)</p> <p>Research by Jim Phillips helped change the Scottish Government's approach to justice in relation to the miners' strike, benefiting over 500 ex-miners in Scotland who were convicted of public order offences in 1984-85. Phillips used UK Government papers, released under the 30-year rule in 2014, to reveal the extent of injustice. The findings were shared with campaigners and Scottish Government officials, who reversed earlier policy to appoint an Independent Review of Policing in the Strike in Scotland in June 2018. The Review's final Report was published in October 2020, accompanied by the Scottish Government's announcement that the central recommendation, the collective and posthumous pardon of more than 500 ex-miners, would be legislated for in 2021.</p>		
<p>2. Underpinning research (indicative maximum 500 words)</p> <p>Professor Jim Phillips carried out his research into the miners' strike in Scotland in two phases. From 2007 to 2011 he used government, industry and union records, integrated with oral history interviews with strike activists [3.1; 5.6, 5.7 and 5.8], to establish the distinct character of the strike in Scotland. He found that anti-union initiatives by National Coal Board (NCB) management in 1982-83 transgressed established customs in the Scottish industry, and that 50% of Scottish miners were in dispute at pit-level before the British-wide strike commenced in March 1984. Around 200 miners were sacked by the NCB in Scotland and not reinstated after the strike because of their entanglements in the criminal justice system. Victimization of union activists was not replicated on this scale anywhere else in the British coalfields by the NCB.</p> <p>From January 2014 to May 2015 Phillips then used minutes of the UK government's Cabinet Ministerial Group on Coal (CMGC) from 1984, released by The National Archives on 1 January 2014. These showed for the first time that the CMGC, which met twice-weekly, chaired by then Prime Minister Margaret Thatcher, was micro-managing the strike. The government's goal, of removing effective union representation from the coal industry, particularly on the question of pit closures, was identified by Phillips in his reading of these minutes and emphasised in subsequent publications [3.2, 3.3]. These contained two other new findings, each with implications for understanding justice in the coalfields.</p> <p>First, the Prime Minister intervened on policing, ensuring that strikers were prevented from mustering at power stations, steel works, and other pressure points. Specifically, she asked (8 May 1984) why officers in Scotland were not preventing miners from travelling to picket the steel mill at Ravenscraig and ore terminal at Hunterston. The Secretary of State for Scotland was detailed to investigate, and on 10 May eight coachloads of miners were apprehended on the open road, arrested and detained. This practice was thereafter followed by Scottish police, reducing the effectiveness of the strike.</p>		

Second, the Parliamentary Under-Secretary of State at the Scottish Office, Michael Ancram, advised that in Scotland additional resources had been provided to bring forward prosecutions against miners (4 September 1984). Subsequent penalties for picket-line offences were typically *at least* four or five times higher than for other public order offences. In some cases, they were ten, fifteen or even twenty times higher. Once arrested, moreover, miners were summarily dismissed by the NCB, and refused reinstatement even where charges were later either dropped or convictions not secured.

The research by Phillips established beyond doubt that there was an unusually high level of victimisation of miners' union activists in Scotland in terms of arrests and dismissals. This met the government's aim of disciplining the generality of strikers in Scotland, but severely compromised the integrity of the criminal justice system and led to long-term social and economic consequences for otherwise law-abiding miners who found themselves on the wrong side of the law.

3. References to the research (indicative maximum of six references)

- 3.1 Phillips, Jim, [Collieries, Communities and the 1984-1985 Miners' Strike in Scotland](#) (Manchester University Press, 2012 [available on request from HEI])
- 3.2 Phillips, Jim, '[Containing, Isolating and Defeating the Miners: the UK Cabinet Ministerial Group on Coal and the three phases of the 1984-85 Strike](#)', *Historical Studies in Industrial Relations*, 35 (2014), pp. 117-41. [doi:10.3828/hsir.2014.35.5](https://doi.org/10.3828/hsir.2014.35.5)
- 3.3 Phillips, Jim, '[Contested Memories: the Scottish Parliament and the 1984-5 Miners' Strike](#)', *Scottish Affairs*, 24.2 (2015), pp. 187-206. [doi:10.3366/scot.2015.0066](https://doi.org/10.3366/scot.2015.0066)

Quality: these outputs have all been rigorously peer-reviewed and the research is expected to meet or exceed the 2* threshold.

4. Details of the impact (indicative maximum 750 words)

Establishment of Government Review into the Policing of the Miners' Strike in Scotland

Phillips' research became known to campaigners via his 2012 book [3.1] which established his work as authoritative regarding the miners' strike in Scotland. Neil Findlay, MSP for Lothians [5.1], who has co-ordinated the ex-strikers' campaign for justice since 2010, contacted Phillips in 2013 to seek expert advice on the character and extent of the injustices experienced by the strikers. Findlay noted that '*Jim's work and knowledge has had a very positive impact on this campaign. [The research] showed the extent to which striking miners in Scotland were victimised disproportionately by the criminal justice system ... Jim provided my office with briefing notes that were helpful in strengthening the case for an independent review...*' [5.1].

Findlay and fellow Labour MSP Iain Gray, making use of a summary from Phillips of his research using the 30-year-old CMGC minutes [3.2], then secured a [2014 anniversary debate](#). The Scottish government at this stage refused to establish a review into the criminal justice aspects of the strike. Findlay commented that '*together with testimonies gathered from ex-miners ... this research helped me strengthen the case further for a review. This was critical in pressuring the Scottish Government to change its position in 2018 and set up the review, chaired by John Scott QC*' [5.1].

In October 2016 the UK Government had announced that there would be no official inquiry into policing of the strike in England, giving new impetus to the campaign for a Scottish inquiry, and

Findlay, along with Bruce Shields of Thompsons Solicitors, Scotland, representing the National Union of Mineworkers (NUM), cited Phillips' CMGC research [3.2, 3.3] to lobby the Scottish Government. In February 2017, Michael Matheson, Cabinet Secretary for Justice, instructed officials to examine claims that systematic injustices had been experienced by strikers. These officials contacted Phillips, interviewed him at length, and read his published analyses. Consequently, in June 2018 Matheson reversed the Scottish government's position and announced an [Independent Review of Policing of the Miners' Strike in Scotland](#), noting [to the Scottish Parliament in June 2018](#) the moral and cultural significance of its topic: *'in some areas of the country most heavily impacted, the sense of having been hurt and wronged remains corrosive and alienating [including] those employed in the mining industry at the time ... but also wider families and communities'* [5.2, also quoted in 5.3].

The review, chaired by John Scott QC [5.3], and assisted by Dennis Canavan, former Labour MP and MSP for coalfield constituencies in Stirlingshire; Jim Murdoch, Professor of Public Law at the University of Glasgow; and Kate Thomson, former Assistant Chief Constable in Police Scotland, began collecting evidence in August 2018. John Scott QC commented that *'from early discussions and initial research, it was clear that Professor Phillips was an expert on the strike and ... we used his research throughout our work ... he was able to offer additional information, advice and suggestions which were of great assistance to us'*. Scott added that Phillips reviewed a first draft of the report and assisted with hearings in ex-coal communities [5.3], eight of which were held during October-December 2018, where ex-miners gave testimony [listed in 5.4, p85].

The findings and impact of the Review's Report

The [Interim Report](#) [5.5] was published in February 2019, acknowledging Phillips' support and his *'considerable knowledge about all aspects of the strike'*, stating, *'we have benefitted greatly from his undoubted expertise in this area.'* The final Report [5.4] was delayed due to the Covid-19 pandemic but finally [published in late October 2020](#), and it references Phillips' research repeatedly, for example noting, *'Jim Phillips has been of invaluable assistance to us throughout the period of the review'*, and opening with a direct quotation from Phillips' research, that *'the miners' strike is a site of contested memories'*.

The Report notes the continued alienation of many in mining communities from the police and attributes some responsibility for this to the UK government, citing *'the CMGC Minutes of 8 May 1984 [as] evidence of, at the very least, their scant disregard for the independence of the police'* [5.4, p70]. The Report goes on: *'referring back to some of the points made by Dr Jim Phillips ... there are lessons for Government in how to manage such a major change without unnecessary and lasting damage to jobs and communities'*.

The Report concludes that *'strikingly, there was widespread recognition on all sides of the disproportionate consequences of the Strike for some miners who were arrested or convicted, particularly in relation to dismissal and all that flowed from it. Taking all of this into account ... we have settled on a single recommendation...'*, intended to promote reconciliation and inclusion. That recommendation, based on the conclusion that unfair convictions led to dismissals that were *'disproportionate, excessive and unreasonable'*, was that in the cases of striking miners who had neither previously nor subsequently been in trouble with the law, convictions for *'matters related to the Strike'* that were *'disposed by way of a fine'* should be pardoned.

Humza Yousaf, Cabinet Secretary for Justice, announced upon publication of the Review report that *'the Scottish Government accepts the recommendation in principle, and that we intend to introduce legislation that will give a collective pardon to miners who were convicted for matters*

related to the strike [5.6]. This development is now providing vindication to the miners who were wronged. One ex-miner (AB), who supported a young family at the time he was arrested while picketing in Midlothian and then summarily dismissed by the coal board, stated: *'I was blacklisted. I couldn't get a job for three years ... I'm 74 at my next birthday and I've never even had a parking ticket ... [being pardoned would] right a wrong.'* [quoted in 5.7]. Another former miner (AW) said he was 'elated' to know he may now be pardoned [5.7]. Widespread media coverage [e.g. 5.8] has included calls by Fife Council for a further UK inquiry into the Miners' Strike [5.9].

5. Sources to corroborate the impact (indicative maximum of 10 references)

- 5.1 Testimonial letter, Neil Findlay, MSP Lothians, corroborating and detailing the role and importance of Jim Phillips's research at multiple stages of the campaign for an independent review. [PDF]
- 5.2 Statement to the Scottish Parliament, 7th June 2018 by Michael Matheson, then Cabinet Secretary for Justice. [PDF].
Video also available at: <https://www.youtube.com/watch?v=rIJhv-VKlb8>
- 5.3 Testimonial letter, John Scott, QC, corroborating the various contributions of Jim Phillips and his research to the process of the review. Written at a time when it remained unclear whether the report would be further delayed, it also outlines the importance of Phillips' work to the Final Report which had been submitted in draft form to the Cabinet Secretary for Justice in October 2019. [PDF]
- 5.4 Final Report: *Independent Review: Impact on Communities of the Policing of the Miners' Strike 1984-84*, published 28th October 2020. [PDF].
Also available at: <https://www.gov.scot/publications/independent-review-impact-communities-policing-miners-strike-1984-85/>
- 5.5 Interim Report *Independent Review into Policing in the Miners' Strike* [PDF]
- 5.6 Statement by Humza Yousaf, Scottish Government Cabinet Secretary for Justice, 28th October 2020 [PDF] Also available at: <https://www.parliament.scot/parliamentarybusiness/report.aspx?r=12899&mode=html>
- 5.7 Coverage in The Guardian, 28th October 2020: *Scotland to pardon hundreds convicted in 1984 miners' strike* [PDF].
Also available at: <https://www.theguardian.com/politics/2020/oct/28/scotland-to-pardon-hundreds-convicted-in-1984-miners-strike>
- 5.8 Examples of media coverage [collated as PDF]
 - a. <https://www.dailyrecord.co.uk/news/politics/hundreds-scots-miners-convicted-during-22707625>
 - b. <https://www.scotsman.com/news/politics/hundreds-scottish-miners-convicted-during-1984-strikes-set-be-cleared-according-recent-report-2977318>
 - c. <https://www.edinburghnews.scotsman.com/news/politics/hundreds-scottish-miners-convicted-during-1984-strikes-set-be-cleared-according-recent-report-2977318>
 - d. <https://www.thetimes.co.uk/article/compensation-plea-for-miners-sacked-during-strike-wl276zz9j>
- 5.9 Dunfermline Press, 25th November 2020: *Fife council to ask for UK enquiry into miners' strike* [PDF]. Also available at <https://www.dunfermlinepress.com/news/18896495.fife-council-ask-uk-enquiry-miners-strike/>