



The Scottish Parliament  
Pàrlamaid na h-Alba

## **Standards, Procedures and Public Appointments Committee**

Commissioner for Ethical  
Standards in Public life in  
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16 March 2018

Dear Commissioner

### **Complaint against Mark McDonald MSP**

In exercise of the powers conferred by section 12 of the Scottish Parliamentary Standards Commissioner Act 2002 (“the 2002 Act”), and by virtue of Rule 3A.2 of the Standing Orders of the Scottish Parliament the Standards, Procedures and Public Appointments Committee of the Scottish Parliament gives the following direction to the Commissioner for Ethical Standards in Public Life in Scotland:

With reference to the attached letter of complaint, received from Mr James Dornan MSP dated 12th March 2018, alleging that a member of Mr Dornan’s staff was a targeted victim of harassment and sexual innuendo by Mr Mark McDonald MSP, that the Commissioner—

- a) Undertake an investigation into the complaint about the conduct of the member of the Parliament.
- b) Take into account any information which may relate to the complaint.
- c) Treat the complaint as admissible. Further, the relevant provisions which are to be treated as having been identified by the Commissioner for the purposes of the first test within section 6 of the 2002 Act are sections 7 (1) of the Code of Conduct for Members of the Scottish Parliament (“the Code”) including in particular section 7 (6) of the Code (and formerly sections 7.1.1 and 7.2.3 of the 6<sup>th</sup> edition of the Code in force from 29 April 2016 to 29 August 2017).
- d) Treat the complaint as having met all the requirements specified within section 6 (5) of the 2002 Act.

The Committee look forward to receiving your Report at the conclusion of your investigation.

Yours sincerely

A handwritten signature in black ink, reading "CHaughey", enclosed in a thin black rectangular border. The signature is written in a cursive, slightly slanted style.

Clare Haughey MSP  
Convener  
Standards, Procedures and Public Appointments Committee

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To the Convener of Standards, Procedures and Public Appointments Committee,

I wish to lodge a formal complaint against a Member of the Scottish Parliament – namely Mark McDonald. I have a member of staff who was a targeted victim of harassment and sexual innuendo at the hands of this member. This member of staff would like to remain anonymous, if possible, to prevent any further hurt or distress.

My staff member first approached me to tell me of her distress at the end of 2016. I encouraged her to take it further but as Mr McDonald was a Government Minister at the time she was both afraid and anxious at the prospect. My staffer kept me informed of any contact from Mr McDonald and it was only at her insistence that I did not take this further. Mr McDonald sent her highly inappropriate messages on social media, which my staff member immediately showed me. I also witnessed him show unwanted attention within the Parliament grounds on a number of occasions. On one occasion I had to leave an event I was hosting to escort my staff member to a waiting car as she was sure Mr McDonald was waiting for her. As we left the building he was standing close to the exit, and I have no doubt he was indeed waiting for her.

When the “Weinstein” allegations started to break my staff member reported Mr McDonald to the Scottish National Party; the change in the perceived public response to victims helped enable her to do so.

The party has since conducted an investigation, including an investigation into allegations from other staffers, and Mr McDonald has since resigned from the SNP, left the SNP parliamentary group and his position as a Government Minister. However, Mr McDonald has now indicated that he will be returning to the Scottish Parliament. In my view having Mr McDonald in the same workplace as his victims would be clear negation of the duty of care that the parliament has to all its members of staff. In any other workplace I would expect my staff member to be protected from this kind of behaviour and the Scottish Parliament should be no exception.

In July 2017 my staff member became so unwell due to stress she was admitted to Wishaw General Hospital with a stroke, she then spent several months rehabilitating and six months off of her work, which had a massive impact on my office and on her life. It would be wrong of me not to mention that she was under other extreme pressure, but this was compounded by a Member who should have known better and who, in my opinion, used his position to harass her. I have a duty of care to all my members of staff and subjecting them to work with

someone who has admitted to wrongful behaviour just feels out of the question. Something must be done to ensure her and others safety, and that her well-being and mental health is protected.

I look forward to your committee giving this matter speedy and serious consideration, and would appreciate a timely response on this pressing matter.

Kind Regards,

James Dornan MSP  
Glasgow Cathcart constituency