PRIVATE AND CONFIDENTIAL
Commissioner for Ethical Standards in Public Life in Scotland
Thistle House
91 Haymarket Terrace
Edinburgh EH12 5HE

Dear Commissioner,

Neil Findlay MSP recently made a complaint against me to the Scottish Parliament Corporate Body. This complaint has now been concluded. On reviewing his actions I note that Mr Findlay publicly stated on 17th January 2016, through the media of The Sunday Herald, that he intended to write to the Presiding Officer asking for the complaint to be investigated. This took place prior to his actually making the complaint and prior to the complaint being investigated and a ruling being made.

I consider that Mr Findlay breached the code of conduct - specifically the undermentioned clause on Disclosure.

Disclosure

9.1.2 Members must not disclose, communicate or discuss any complaint or intention to make a complaint to or with members of the press or other media prior to the lodging of the complaint or during Stages 1 and 2 of the procedure for dealing with complaints (this procedure is set out in Volume 3, Guidance; Section 9).

9.1.3 In relation to Excluded Complaints (which are not always subject to the four stage process set out in the guidance notes), this restriction applies until the Standards, Procedures and Public Appointments Committee has confirmed that the Ethical Standards Commissioner will not be carrying out an investigation or, where such an investigation has been carried out, that the Ethical Standards Commissioner will not be carrying out any further investigation.

9.1.4 Where, during the period when the restriction in paragraph 9.1.2 applies, any complaint or intention to make a complaint has been publicised in the press or other media without the involvement of the member who is the subject of the complaint or intended complaint, that member may issue a brief statement. In doing so, the member must, so far as possible, avoid discussing details of the complaint or intended complaint.

I/
I enclose a copy of the media article and request that this breach be investigated.

Yours sincerely,

[Signature]

Colin Beattie MSP
Midlothian North & Musselburgh
SNP MSP's campaign offered Holyrood tours for donations

12:15am Sunday 17th January 2016

Exclusive By Paul Hutchison

An SNP MSP is facing an investigation after his campaign team offered a Holyrood tour for a £250 donation to his re-election bid.

Party treasurer Colin Beattie’s fundraiser promised the "reward" in spite of the Parliament making it clear that its resources cannot be used for political fundraising.

Labour MSP Neil Findlay said he would write to the Presiding Officer to call for a probe.

Beattie was elected as the SNP MSP for Midlothian North and Musselburgh in 2011 after defeating the Labour candidate by 2,996 votes.

As well as representing his constituents, he has a vital role for his party by looking after the SNP purse strings.

The former international banker, who declared full or part ownership of four properties, was re-elected by SNP members and his campaign team created an online fundraiser to attract donations for the May poll.

A target of £2,000 was set and the website listed the "rewards" for supporters who backed his campaign financially.

Some of the incentives were unremarkable – such as supporters getting a "surprise campaign pack" for £100 – but Holyrood facilities were also explicitly linked to the fundraising strategy.

A "pledge" of £150 would result in a "personal tour of the Scottish Parliament", while a £250 contribution would give a supporter the same plus lunch thrown in. The Parliament does not charge a fee for its tours.

**Pledge £250**

**Personal tour of the Scottish Parliament with lunch.**

0 backers so far

His campaign's written message to potential donors stated: "We did fantastic well in the Westminster Elections but unless we have an SNP Government in Scotland our MPs in Westminster will have their influence hugely reduced.

"Now we need to start the 2016 election campaign in Midlothian North & Musselburgh Constituency and we are asking for £2,000 in order to purchase materials for that purpose."

A video of the MSP making a personal pitch is also included on the crowd-funding website. Nobody took up the offer of a tour.

The Scottish Parliament's Corporate Body (SPCB), which runs Holyrood, states: "All facilities and services which [SPCB] provides, including the Members' Restaurant, are parliamentary resources...Parliamentary resources must not be used for any significant party political purposes, including party political fundraising."

The SPCB has also made clear that MSPs may use Holyrood resources to engage in fundraising to support charities and "other good causes."

However, the governing body offered the caveat that these "activities do not encompass any fundraising for party political purposes."

Other SNP MSPs used their crowd-funding sites to flag up minor gifts for donors.

A £50 pledge to Joan McAlpine's election campaign gets the contributor a canvas bag designed by a pro-independence cartoonist, while the same amount for Nicola Sturgeon gets the donor an SNP badge, pen and "thank you" pack.

Similarly, giving £100 to Ash Regan Denham's campaign to beat Scottish Labour leader Kezia Dugdale in Edinburgh Eastern results in an invitation to a special donors' event in
Findlay has taken a dim view of the Beattie campaign’s use of Holyrood tours and lunches as part of a donation drive.

He said: “This stinks. I’ll be writing to the Presiding Officer calling on her to investigate this. Holyrood was supposed to be the people’s parliament where MSPs were transparent and accessible, not touting for tours.”

An SNP spokesperson said: “The crowdfunding incentives were raised at a campaign meeting and it was made clear that parliamentary resources should not be used. Unfortunately, incorrect information was still featured. The website is no longer accepting donations and there has been no use of parliamentary resources.”