



OFFICIAL REPORT  
AITHISG OIFIGEIL

# Standards, Procedures and Public Appointments Committee

Thursday 14 September 2017

Session 5



The Scottish Parliament  
Pàrlamaid na h-Alba

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**Thursday 14 September 2017**

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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**  
**15<sup>th</sup> Meeting 2017, Session 5**

**CONVENER**

\*Clare Adamson (Motherwell and Wishaw) (SNP)

**DEPUTY CONVENER**

\*Patrick Harvie (Glasgow) (Green)

**COMMITTEE MEMBERS**

\*Tom Arthur (Renfrewshire South) (SNP)

\*Jamie Halcro Johnston (Highlands and Islands) (Con)

\*Emma Harper (South Scotland) (SNP)

\*Daniel Johnson (Edinburgh Southern) (Lab)

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

\*attended

**CLERK TO THE COMMITTEE**

Douglas Wands

**LOCATION**

The Sir Alexander Fleming Room (CR3)



## Scottish Parliament

### Standards, Procedures and Public Appointments Committee

Thursday 14 September 2017

[The Convener opened the meeting at 10:00]

#### Decision on Taking Business in Private

**The Convener (Clare Adamson):** Good morning and welcome to the 15th meeting in 2017 of the Standards, Procedures and Public Appointments Committee. I remind everyone to switch off electronic devices or switch them to silent.

Item 1 is for the committee to agree to consider a paper on the commission on parliamentary reform in private at a future meeting. Do I have agreement for that?

**Members** *indicated agreement.*

10:00

*Meeting continued in private.*

10:13

*Meeting continued in public.*

### Complaints

**The Convener:** The committee has been considering two complaints, one against a single member and the other against two members. I will now read out two statements that set out the committee's findings.

On behalf of the committee, I make the following statement in relation to a complaint against a member of the Scottish Parliament.

The committee has considered a complaint from Councillor David Aitchison about Alexander Burnett MSP. The complaint is that Alexander Burnett MSP failed to declare his registered business interests when submitting written parliamentary questions.

The committee is unanimous in the decisions reached on the complaint. First, it agrees with the findings in fact and conclusion of the Commissioner for Ethical Standards in Public Life in Scotland. Secondly, it admonishes Alexander Burnett for his failure to make a declaration of a registered financial interest when giving notice of two parliamentary questions.

The committee does not consider that the breach justifies the imposition of sanctions on Alexander Burnett on this occasion.

10:15

The committee believes that the declaration of registered interests in any matter before taking part in proceedings of the Parliament relating to that matter represents an important aspect of parliamentary transparency and accountability. The committee issued a reminder to all members of their responsibilities to declare relevant interests in March this year. The breach for which Alexander Burnett has been found responsible occurred before that and the committee is therefore minded to be lenient on this occasion. However, the committee will consider the full range of sanctions available to it for any future breaches of this nature.

Full details of the complaint, and the commissioner's investigation of it, will be included in the committee's report, which will be published later this afternoon.

I now move to the second statement. On behalf of the committee, I make the following statement in relation to a complaint against two MSPs.

The committee has considered a complaint from Stuart McMillan MSP about Rachael Hamilton MSP and Jackson Carlaw MSP. The complaint alleged that the respondents sought political

advantage by making public comments on a committee report prior to its formal publication on 6 February 2017. It was alleged that that amounted to a breach of the confidentiality requirements in the "Code of Conduct for Members of the Scottish Parliament".

The commissioner investigated the complaint and concluded that, based on the information provided to him, neither member was in breach of the code.

The committee is unanimous in the decisions reached on the complaint. It agrees with the findings in fact and conclusion of the commissioner that Rachael Hamilton MSP and Jackson Carlaw MSP did not breach the code of conduct.

Although no breach of the code of conduct has taken place on this occasion, the committee reminds all members of the confidentiality provisions in the code of conduct. It is the responsibility of members to ensure that support staff are similarly aware of those provisions.

Full details of the complaint, and the commissioner's investigation of it, will be included in the committee's report, which will be published later this afternoon.

Thank you. We now move into private session.

10:17

*Meeting continued in private until 10:18.*

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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