



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Standards, Procedures and Public Appointments Committee

**Thursday 22 December 2022**

**Session 6**



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Pàrlamaid na h-Alba

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**STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE**  
**25<sup>th</sup> Meeting 2022, Session 6**

**CONVENER**

\*Martin Whitfield (South Scotland) (Lab)

**DEPUTY CONVENER**

\*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

**COMMITTEE MEMBERS**

\*Edward Mountain (Highlands and Islands) (Con)

\*Collette Stevenson (East Kilbride) (SNP)

Alexander Stewart (Mid Scotland and Fife) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Stephen Kerr (Central Scotland) (Con) (Committee Substitute)

**CLERK TO THE COMMITTEE**

Katy Orr

**LOCATION**

The Sir Alexander Fleming Room (CR3)



# Scottish Parliament

## Standards, Procedures and Public Appointments Committee

Thursday 22 December 2022

[The Convener opened the meeting at 09:30]

09:52

Meeting continued in public.

### Complaint

**The Convener (Martin Whitfield):** We move to agenda item 2 of this, the 25th meeting in 2022 of the Standards, Procedures and Public Appointments Committee. I welcome Stephen Kerr MSP, who is substituting for Alexander Stewart, and invite him to make a declaration of any interests that are relevant to the committee's remit.

**Stephen Kerr (Central Scotland) (Con):** Thank you for having me on the committee. I have had experience of work in connection with public affairs, and I advise those who are watching and listening to go to my entry in the register of members' interests if they wish to know the details.

**The Convener:** Thank you.

The committee has been considering a complaint about a member of the Scottish Parliament. I will read a statement that sets out the committee's findings.

On behalf of the Standards, Procedures and Public Appointments Committee, I make the following statement in relation to a complaint against Jackson Carlaw MSP.

The committee has carefully considered the report by the Commissioner on Ethical Standards in Public Life in Scotland on the complaint that Jackson Carlaw MSP failed to declare a registered financial interest prior to the commencement of scrutiny of public petition PE1879 by the Citizen Participation and Public Petitions Committee on 6 October 2021. The committee is unanimous in its conclusions and decision.

The committee notes that, at the beginning of the Citizen Participation and Public Petitions Committee's meeting on 6 October 2021, Jackson Carlaw MSP declared an interest as the convener, in the previous parliamentary session, of the cross-party group on building bridges with Israel. However, the declaration did not refer to the financial interest that was in his entry in the register of members' interests of the £2,200 cost

of an overseas visit to Israel and the Palestinian territories, which was funded by the embassy of Israel in the United Kingdom. It appears, therefore, that Jackson Carlaw MSP did not fully recognise or understand the requirement to declare a relevant financial interest in advance of proceedings relating to that matter.

The committee recognises that Jackson Carlaw MSP took and acted on advice in relation to the consideration of petition PE1879. In his representations, Jackson Carlaw MSP states that he recused himself

"entirely from consideration of the petition and from any determination"

and that he cast no vote and advised the petitioner in the usual way and in terms drafted by the committee clerks. The committee considers that that demonstrated the intent of Jackson Carlaw MSP to address any perceived conflict of interest.

The committee further notes the commissioner's finding that the advice given to Jackson Carlaw MSP referred only to his being convener of the CPG and not to his overseas visit, and it concurs with the commissioner's view that it is

"unlikely that he"—

Jackson Carlaw—

"intentionally withheld information about the overseas visit in an attempt to hide this information".

However, the steps taken by Jackson Carlaw MSP did not meet the requirements of the Interests of the Members of the Scottish Parliament Act 2006 and the "Code of Conduct for Members of the Scottish Parliament" in relation to the declaration of registrable financial interests. For that reason, the committee must conclude that Jackson Carlaw MSP breached section 13(1) of the 2006 act and paragraphs 6 to 8 of section 2 of the code of conduct for MSPs.

The committee therefore agrees with the commissioner's findings in fact and conclusion that Jackson Carlaw's conduct in not declaring a financial interest breached the 2006 act and the code. A finding of a breach of the 2006 act and the code of conduct is a serious matter. Acknowledging the efforts made by Jackson Carlaw MSP to act with propriety, the committee is of the view that its agreement with the commissioner on the finding of a breach is sanction enough.

The committee intends to write to all members to remind them of the requirements to declare a financial interest in any matter before taking part in any proceedings of the Parliament that relate to that matter. In addition, members will be reminded that the standards clerks can provide advice to them on any matters relating to the registration or declaration of financial interests and that they

should seek that advice on any questions that arise.

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.

09:58

*Meeting continued in private until 10:19.*

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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