



OFFICIAL REPORT
AITHISG OIFIGEIL

Standards, Procedures and Public Appointments Committee

Thursday 16 December 2021

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
12th Meeting 2021, 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)

*Tess White (North East Scotland) (Con)

*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

*attended

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The Sir Alexander Fleming Room (CR3)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 16 December 2021

[The Convener opened the meeting in private at 09:00]

10:00

Meeting continued in public.

Complaint

The Convener (Martin Whitfield): Good morning. I welcome members to the 12th meeting in 2021 of the Standards, Procedures and Public Appointments Committee.

We have moved into public session for agenda item 2. The committee has been considering a complaint about a former MSP, and I will now read out a statement that sets out the committee's findings.

On behalf of the committee, I would like to make the following statement in relation to a complaint against a former MSP.

The committee has considered a complaint from Ms Fiona Johnston and Ms Elizabeth Tennet about former MSP Adam Tomkins. The complaint was that a tweet posted by Adam Tomkins on 1 March was disrespectful towards another MSP. The commissioner concluded that the respondent had breached the code of conduct's provisions in relation to courtesy and respect.

The committee is unanimous in the decisions reached on the complaint. It agrees with the acting commissioner's findings in fact, but it does not agree with the conclusion that a breach of the code of conduct occurred.

The "Code of Conduct for Members of the Scottish Parliament" sets out the standards of conduct for members in relation to their parliamentary duties as an MSP. It specifically excludes members' private and family life and members expressing their political views in their capacity as a member of a political party or organisation.

In considering the complaint, the committee was mindful of the scope of the code of conduct. On balance, it concluded that a link between the tweet in question and the member's parliamentary duties was not sufficiently established.

The guidance on the code of conduct makes it clear that its provisions in relation to how members

conduct themselves apply in relation to activity on social media, subject to the overall scope of the code. The committee recognises, however, that there might be value in reviewing the guidance so that MSPs, as well as the public, have a clearer understanding of the interaction between social media postings and parliamentary duties and what falls within the scope of the code. For that reason, the committee intends to look at whether any clarifications to the code or its guidance might be helpful.

Full details of the complaint, and the acting 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.

10:03

Meeting continued in private until 11:15.

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