

For immediate release

STANDARDS COMMISSION FOR SCOTLAND CANCELS HEARING

The Commissioner for Ethical Standards in Public Life (CESPLS) referred a complaint to the Standards Commission for Scotland about the alleged conduct of Councillor Kathleen Howie of Perth & Kinross Council. The substance of the allegation was that Councillor Howie had contravened the Councillors' Code of Conduct and, in particular, a provision relating to the registering of an interest in a directorship. The Standards Commission considered the report referred by the CESPLS and decided to hold a Hearing.

The Standards Commission has been advised by the CESPLS that he is now satisfied that Councillor Kathleen Howie's directorship was not remunerated. In terms of paragraph 4.3 of the Councillors' Code of Conduct, councillors are only required to register being a director if it is a remunerated position. As such, the CESPLS now accepts the directorship did not require to be registered and, accordingly, there has been no breach of the Councillors' Code of Conduct. On that basis, the CESPLS indicated that he wished to withdraw his Report.

The Standards Commission considers it is evident that there was a material deficiency in the original Report. In the exceptional circumstances of this case where it is now clear that there has not been a breach of the Councillors' Code, the Standards Commission does not consider it is in the public interest to proceed with the Hearing and has agreed to the withdrawal of the Report.

It is the Standards Commission's understanding that the CESPLS will be issuing a new non-breach report in due course, which will be published on his website at <http://www.ethicalstandards.org.uk/>. The non-breach report will not be referred to the Standards Commission.

15 February 2017

Note for editors:

(1) It should be noted that complaints in terms of the Councillors' Code are made to the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS). It is for the CESPLS to investigate and determine if any matter should be referred to the Standards Commission for Scotland as alleged breach of the Councillors' Code. It is for the Standards Commission for Scotland to determine if there has been a breach and if so proven, to issue an appropriate sanction.