



**20 February 2019**

**MEDIA RELEASE**

### **COUNCILLOR SANCTIONED FOR DISRESPECTFUL BEHAVIOUR**

A local councillor was sanctioned for disrespectful conduct by the Standards Commission at a public Hearing held in Forfar on 20 February 2019.

The complaint concerned a petition Angus councillor, Brian Boyd, had signed, which called for the removal of a chaplain of a high school in the Council area. The petition referred to the chaplain as “a homophobic reverend” and included allegations that he had, on multiple occasions, expressed hatred for the LGBTQ+ community.

The Hearing Panel heard the petition included a false allegation about how the chaplain had treated his daughter. The Panel accepted the Respondent had not referred to himself as a councillor when signing or commenting on the petition, but admitted that the question of whether the complainer should remain as the school chaplain had been brought to his attention, in his capacity as a councillor, and that, after the signing of the petition, he provided comments to the press on it in that capacity.

The Panel determined that while the Respondent received and signed the petition in his personal capacity, he was not acting as a councillor at that stage. Nevertheless, the Panel found a link to it had then been posted to the Respondent’s Facebook page, as a result of the settings he must have selected. The Panel was satisfied that the Respondent’s Facebook page had been proven to be accessible to people other than his Facebook friends.

The Panel was further satisfied that the Respondent was clearly identifiable as a councillor on his Facebook page, and the fact that he had subsequently commented on the petition in that capacity, meant that he was acting, or could be perceived as being acting, as a councillor when posting about the petition and encouraging others to sign it. The Panel determined, therefore, that the Code of Conduct applied to the Respondent at the time of the events in question.

The Panel accepted that the Respondent had not made any direct comment about the chaplain’s daughter and further noted his position that, at the time he signed the petition, he had not read it in full and had not seen the content about the complainer’s daughter. The Panel noted, however, that when the complainer made the Respondent aware of the content, he had not made any effort to respond, to distance himself from the petition, or to address the factual inaccuracy it contained.

The Panel found that by signing and encouraging others to sign a petition that contained an untrue accusation that was critical of the member of the public’s private family life, the Respondent was, in essence, endorsing the comment or, at the very least, could be

perceived as doing so. The Panel considered that, as a prominent local politician, the Respondent should have known the matter to be of concern or interest to some of his constituents and it was of the view that he should have taken steps to review the petition and to ensure he agreed with the comments it contained before signing, endorsing and proactively circulating it.

The Panel concluded that the comment amounted to a personal attack on the member of the public. The Panel was therefore satisfied that the Respondent failed to observe the rules of good conduct by behaving in a respectful manner towards the complainer, in breach of the Code.

Mr Paul Walker, Chair of the Hearing Panel, said: "Councillors have a duty under the Code to treat members of the public with courtesy and respect and cannot, therefore, indulge in offensive personal attacks or circulate unfounded accusations. While politicians have a right of freedom of expression, they cannot, simply indulge in abusive behaviour. In this case, the Panels' opinion was that Councillor Boyd's conduct, in signing and encouraging others to sign a petition that included an offensive attack and unfounded accusation about a member of the public's personal life, went well beyond that which is acceptable."

A full written decision in respect of the Hearing will be issued and published on the Standards Commission's website within 14 days.

The Councillors' Code of Conduct is based on nine key principles, which include integrity, honesty and transparency.

The Standards Commission works independently of Government and political parties. It promotes and enforces Codes of Conduct for councillors, as well as individuals appointed to a wide range of national and regional public bodies across Scotland such as the Accounts Commission, the Scottish Qualification Authority, Sport Scotland, Scottish Water and the Scottish Police Authority and many other organisations, including NHS Boards and further education colleges.

Further information on the work of the SCS can be found at <http://www.standardscommissionscotland.org.uk/>

**ENDS**

**Issued by the Standards Commission for Scotland. For further information please contact the Standards Commission on 0131 348 6666 or [enquiries@standardscommission.org.uk](mailto:enquiries@standardscommission.org.uk)**

