



20 November 2020

MEDIA RELEASE

ABERDEEN COUNCILLOR SUSPENDED AT HEARING OF STANDARDS COMMISSION

At a public hearing on 20 November 2020, the Standards Commission imposed the maximum suspension of one year on Councillor Alan Donnelly of Aberdeen City Council.

The suspension followed Councillor Donnelly's conviction in December 2019, for sexual assault. In March 2020 the Standards Commission had imposed an interim suspension on Cllr Donnelly while the matter was being investigated by the Commissioner for Ethical Standards in Public Life.

Ms Ashleigh Dunn, Chair of the Hearing Panel, said: "The requirement for councillors to behave appropriately, and with respect for others, is a fundamental requirement of the Code. A failure to do so can harm others and has the potential to erode not only the reputation of the councillor in question, but also that of their council and the role of an elected member.

"The Panel emphasised that, when acting in a public capacity, councillors are expected to behave in a respectful, courteous and professional manner. The Panel was of the view that individuals should be able to work in an environment where they are not subjected to harassment in any form."

Background

- The Panel noted that the Cllr Donnelly was convicted of sexual assault in respect of an incident that occurred in November 2018 at a Seven Incorporated Trades Association event in Aberdeen.
- The Panel noted that the rules of good conduct in the Councillors' Code of Conduct must be observed in all situations where an individual is acting, or could reasonably be perceived as acting, as a councillor.
- The Panel was satisfied that it would have been reasonable for an informed member of the public to have perceived that Cllr Donnelly was acting as a councillor at the event, given both the public nature of it and because the invitation to attend had originally been sent to another councillor, a party group leader, before being passed on. The Panel therefore concluded that the Code applied.
- The Panel was satisfied that, by sexually assaulting an individual at the event, Cllr Donnelly had harassed the individual and had failed to treat him with courtesy and respect, as required by the Code.
- At a Sentencing Hearing on 31 January 2020, Councillor Donnelly had been ordered to pay compensation of £800 and placed on the Sex Offender's Register. An eight-month supervision period was also imposed.

- The supervision period has now ended, and Cllr Donnelly is no longer on the Sex Offender's Register.
- The Panel was of the view that, in order to reflect the serious nature of the breach of the Code and how wholly inappropriate the Cllr Donnelly's behaviour had been, the maximum suspension should be imposed.
- The Panel noted that the Standards Commission had imposed an interim suspension on the Respondent on 4 March 2020, while the matter was being investigated by the Commissioner, and to reflect the serious nature of the conviction. The interim suspension had remained in place since then, meaning that the Respondent had already been suspended for a period of seven months. As such, the suspension would end on 3 March 2021.

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

ENDS

Issued on behalf of the Standards Commission for Scotland. For further information please contact Giselle.dye@pagodapr.com or barbara.fraser@pagodapr.com or phone **0131 556 0770**

NOTES FOR EDITORS

1. Complaints about councillors, including that they have been convicted of a criminal offence, are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. The ESC will only refer cases to the Standards Commission for adjudication if, following investigation, the ESC considers that a breach of the Councillors' Code of Conduct has occurred. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
2. The [Standards Commission for Scotland](https://www.ethicalstandards.org.uk/) is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The [Codes of Conduct](https://www.ethicalstandards.org.uk/) outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one Code of Conduct, approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland's 32 Local Authorities.
4. A copy of the Standards Commission Interim Suspension Decision in the case of Councillor Allan Donnelly can be found here www.standardscommissionscotland.org.uk/cases/details-of-alleged-breach .
5. The Scottish Government is currently consulting on the contents of the Councillors' Code of Conduct. The consultation can be found at <https://consult.gov.scot/housing-and-social-justice/the-councillors-code-of-conduct/>. The consultation will run to 8 February 2021.