



3 May 2021

MEDIA RELEASE

RENFREWSHIRE COUNCILLOR DISQUALIFIED FOR MISCONDUCT

A Renfrewshire Councillor, Paul Mack, has been disqualified by the Standards Commission for misconduct following a Hearing held online on 3 May 2021, at which he was found to have behaved repeatedly in a manner which was harassing, threatening and offensive towards two other councillors, as well as to the Chief Executive and other officers.

At the Hearing, which was held in Councillor Mack's absence, the Panel heard that Councillor Mack had made a number of serious and unfounded allegations about the allocation of a council property to the family member of another councillor. The allocation was the subject of a review by the Council's Chief Auditor and then Audit Scotland, who concluded that the Council property was appropriately let and that there was no influence, or opportunity for influence, over the selection process, by any elected member.

Despite this, and without any evidence to the contrary, Councillor Mack had embarked upon a course of conduct in which he made wholly unwarranted accusations of corruption and cronyism, and of covering up criminal activity, towards the other councillor, the Chief Executive and senior Council staff. Councillor Mack had further demanded the suspension of senior officers, again without any justification.

Mr Paul Walker, Chair of the Hearing Panel, said: "Even when confronted with independent findings which confirmed him to be in the wrong, Councillor Mack compounded his misconduct by continuing to make offensive and damaging allegations. A fundamental element of the Code of Conduct is the requirement for Councillors to behave with courtesy and respect towards fellow Councillors and staff. Councillor Mack has shown little regard for his obligations, not just in these cases, but on previous occasions when he was suspended for breaches of the Code for disrespect. He has provided no justification, no apology, and no undertaking to avoid similar conduct in the future, and indeed his participation in the whole process has been minimal. Imposing a sanction of disqualification is not one we have come to lightly but the Panel is satisfied, in the circumstances that it is fully warranted and necessary to protect others and to reflect Councillor Mack's repeated wilful misconduct and unwillingness to change his behaviour."

The Hearing Panel accepted that Councillor Mack was entitled to raise concerns about the allocation of council housing, particularly if he was doing so on behalf of a constituent. However, having heard evidence, reviewed emails sent to other councillors, senior officers and a journalist over a period of some seven months in 2019, and watched a video recording of comments made in public at a Council meeting on 27 June 2019, the Panel was satisfied that Councillor Mack had sought repeatedly to allege serious wrongdoing by a widening

number of individuals. This was despite no evidence of wrongdoing being found during any investigation (including the independent inquiry). The Panel noted that Councillor Mack had not produced any evidence to support his claims at any stage.

The Panel was satisfied that Councillor Mack's accusations amounted to offensive and abusive personal attacks and were persistent and unwarranted. The Panel also considered that, in copying in all elected members to some of the emails, in sending one to a newspaper and in making comments at full Council meetings, Councillor Mack had sought to inflict reputational harm.

The Panel was further satisfied that Councillor Mack had made a number of gratuitous and unwarranted personal comments to a second councillor in an email of 24 April 2020. In addition, the Panel found that Councillor Mack had made threatening and intimidating remarks in that email in making reference to someone going to the second councillor's house and inflicting personal harm on him.

The Panel found that Councillor Mack's actions contravened the Councillors' Code of Conduct, which states that elected members must treat officers and their colleagues with respect, that they must avoid any conduct that amounts to bullying and harassment; and that they should refrain from raising matters relating to the conduct or capability of officers in public.

The finding and sanction take into account that the Standards Commission had previously suspended Councillor Mack for breaches of the respect provisions in the Code at Hearings on 17 October 2016 and 23 October 2017, with the latter suspension being for a period of seven months. Despite this, the Panel did not consider there was any evidence that he had made any attempt to moderate his behaviour or that he gave any consideration to how it could impact others.

The Panel noted that Councillor Mack had repeatedly indicated that he should not have to abide by the Code and did not recognise the Standards Commission and its role in the ethical standards framework.

The Panel determined that Councillor Mack's behaviour was deliberate and serious in nature. The Hearing Panel considered that the manner in which Councillor Mack had raised his concerns was unacceptable and that it amounted to personal attacks on officers and fellow councillors. The Panel considered that, as such, it was likely that Councillor Mack's behaviour would have seriously undermined public confidence in local government and have a significant detrimental impact on working relationships within the Council. The Panel did not consider, therefore, that a more lenient sanction than disqualification was appropriate in the circumstances.

Notes:

At a hearing on 4 February 2021, a Sheriff Principal considered an appeal lodged by a Respondent against a decision made by a Panel of the Standards Commission about the same complaints, at a Hearing on 10 September 2020, to find him in breach of the Councillors' Code of Conduct and to disqualify him. The Sheriff Principal did not consider, or

make any finding, on the Panel's decisions on breach and sanction, but determined that the Standards Commission should not have proceeded with the Hearing in the absence of the Respondent, who stated he was self-isolating from 9 September 2020 (having been in close contact with an individual who had tested positive for Covid-19). The Sheriff Principal remitted the matter back to the Standards Commission to consider at a new Hearing.

A full written decision in respect of the Hearing will be issued and published on the Standards Commission's website within 14 days. The disqualification will remain in place until July 2022.

The Standards Commission for Scotland works independently of Government and political parties. It promotes and enforces Codes of Conduct for councillors, as well as for individuals appointed to a wide range of national and regional public bodies across Scotland such as the Accounts Commission, the Scottish Qualification Authority, SportScotland, 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 www.standardscommissionscotland.org.uk.

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