



7 October 2025

MEDIA RELEASE

ARGYLL & BUTE COUNCILLOR CRITICISED FOR BEING DISRESPECTFUL BUT CLEARED OF BREACH OF CODE OF CONDUCT

At a Hearing held online on 7 October 2025, Argyll & Bute Councillor Tommy Macpherson was found by the Standards Commission, on the face of it, to have breached the provision in the Councillors' Code of Conduct that requires elected members to treat others with courtesy and respect, in a Facebook post published in September 2024. The Standards Commission's Hearing Panel found, however, that a restriction on Cllr Macpherson's right to freedom of expression could not be justified in the specific circumstances of the case and, therefore, that a formal finding of breach could not be made.

Ms Helen Donaldson, Standards Commission Member and Chair of the Hearing Panel, said: *"The Panel heard it was not in dispute that in September 2024, Cllr Macpherson shared, on his Facebook page, a post published by a group called by 'Glasgow Friends of Israel', along with a quote taken from it that stated he had landed in trouble as a result of being an outspoken and unashamed supporter of Israel. The Panel noted that the Glasgow Friends of Israel post, shared by the Respondent, included a statement that a "certain Israel hater in Argyll who's a member of an Argyll and Bute Palestinian society", had decided to walk into a council meeting and complain about Cllr Macpherson. The Glasgow Friends of Israel post further stated that Cllr Macpherson then found himself being investigated by the Ethical Standards Commissioner (ESC), whereas the "nasty Israel hater has ties and a strong affiliation to proscribed terrorist organisations".*

The Panel noted that the post concerned Glasgow Friends of Israel's comments on a complaint made to the ESC about Cllr Macpherson. The Panel agreed that it was apparent Cllr Macpherson posted the quote from, and link to, the Glasgow Friends of Israel post in order to draw attention to it and promote its contents. In the circumstances, the Panel agreed Cllr Macpherson's post would be reasonably regarded as endorsing the Glasgow Friends of Israel post in its entirety, even if that had not been his intention.

The Panel noted that the Glasgow Friends of Israel post did not name the individual it had accused of being a "nasty Israel hater" who had "ties and a strong affiliation to proscribed terrorist organisations". The Panel noted, however, that the post referred to the individual as having complained about Cllr Macpherson in a council meeting. The Panel noted that council meetings are held in public and, further, that there had been press coverage of the complaint the individual made. The Panel further noted that Cllr Macpherson had advised the ESC's office, during its investigation, that the individual had "long relinquished" their right to anonymity. The Panel was satisfied, therefore, that it was accepted the individual was readily identifiable.

The Panel was further satisfied that it was objectively disrespectful to endorse a post where a readily identifiable member of the public was accused of having ties and a strong affiliation to terrorist organisations, when there was no evidence the individual in question had been investigated, charged or convicted with any related offence. The Panel therefore concluded that Cllr Macpherson had, on the face of it, breached the respect and courtesy provisions in the Code in respect of the post.

The Panel accepted nevertheless that, as a politician posting about a matter of public concern, being the fact that a complaint had been made about him in his capacity as an elected member, Cllr Macpherson was entitled to enhanced protection in respect of his right to freedom of expression, under Article 10 of the European Convention on Human Rights. In assessing whether a restriction on this right could be justified, the Panel noted that the Courts have found that, in such a context, a degree of the shocking, non-rational and even aggressive, that would not be acceptable outside that context, should be tolerated.

In this case, the Panel accepted that the accusation about the member of the public having ties and a strong affiliation to terrorist organisations could be taken as being a value judgement or opinion. The Panel was satisfied that it had not been presented with any evidence whatsoever the individual in question had been investigated, charged or convicted with any related offence or anything that could reasonably be regarded as being a sufficient basis in fact for an accusation of such a serious nature.

The Panel nevertheless noted that, by appearing at a Council meeting where a motion on the conflict in the Middle East was being considered, the member of the public had essentially already put herself and her views into the public domain. The Panel agreed that given the contentious nature and strength of views on both sides of the conflict, it would be reasonable for her to expect that, in doing so, she might be the subject of some negative commentary (albeit not necessarily from an elected representative).

The Panel acknowledged, however, that while Cllr Macpherson shared the Glasgow Friends of Israel post containing the statement about the individual in question, he had neither authored it himself nor specifically named them. The Panel further noted that the Respondent had edited his post to remove the link to the Glasgow Friends of Israel post, when advised that the ESC was investigating the matter.

Having taken into account the context and factors outlined above, the Panel determined, on balance, that Cllr Macpherson's conduct was not so excessive as to justify, as proportionate, a restriction on his enhanced right to freedom of expression. The Panel concluded, therefore, that a formal finding of a breach of the Code could not be made.

Ms Donaldson stated: *"the Panel wishes to emphasise, nonetheless, that the Standards Commission and, indeed the public, expect councillors, to lead by example and be courteous and respectful at all times, including when publishing content on social media. The Panel noted a failure to do so can have a detrimental impact on the standards of public debate and can erode public confidence in both elected members and the local authorities they represent."*

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

ENDS

NOTES FOR EDITORS

1. Complaints about councillors 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. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/>
Tel: 0300 011 0550
2. The [Standards Commission for Scotland](#) 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](#) 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.