



27 May 2026

MEDIA RELEASE

STIRLING COUNCILLOR CRITICISED FOR BEING DISRESPECTFUL BUT CLEARED OF BREACH OF CODE OF CONDUCT

At a Hearing held on 27 May 2026, Stirling Councillor Gerry McLaughlan 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. The Standards Commission's Hearing Panel found, however, that a restriction on Cllr McLaughlan's right to freedom of expression could not be justified in the specific circumstances of the case and, therefore, a formal finding of breach could not be made.

Ms Helen Donaldson, Standards Commission Member and Chair of the Hearing Panel, said:
"The Panel found that, at a public Council meeting on 1 May 2025, Cllr McLaughlan was disrespectful towards the trustees of The Stirling Smith Art Gallery & Museum and its then Chair".

The Panel noted that during consideration of an agenda item that concerned a report prepared by a consultancy firm on The Stirling Smith Art Gallery & Museum operating model and finances, Cllr McLaughlan made several comments about the then Chair and trustees of the museum. In particular, the Panel noted Cllr McLaughlan stated that:

- There was evidence that the trustees, had "basically sat back and watched" the museum being run into the ground; and
- The trustee were a "a shower" who deserved "every criticism" they got.

The Panel was satisfied that, in making these comments in particular, Cllr McLaughlan publicly questioned the competence and integrity of the museum's then Chair and its trustees. The Panel agreed that while Cllr McLaughlan was entitled to raise questions and concerns about the museum's finances and how it was being governed (particularly as the Council was its primary funder), his comments had gone beyond this and amounted to a personal attack on the then Chair and other trustees. The Panel was further satisfied from the evidence before it that the Respondent had behaved in a needlessly aggressive manner when making his remarks. While the Panel accepted it may not have been the Respondent's intent, as his remarks and comments were made to the council officer, the Panel considered he had been disrespectful and discourteous towards the officer. The Panel found, therefore, that Cllr McLaughlan had been disrespectful and discourteous towards the officer, then Chair and trustees in breach of the Code.

The Panel accepted nevertheless that, as a politician commenting on a matter of public concern, being a museum that was funded to a significant extent by the Council, Cllr McLaughlan was entitled to enhanced protection in respect of his right to freedom of expression. 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.

The Panel was satisfied, in this case, that Cllr McLaughlan's comments were made in good faith and the fact that a report had been produced, meant there was a sufficient evidential basis for his concerns about how the museum was being governed, regardless of whether these had any merit or not.

The Panel accepted the trustees were members of the public acting in a voluntary capacity and, as such, would not expect to be subjected to offensive and public criticism of them as individuals. The Panel agreed, nevertheless, that as trustees, they were responsible for governing the museum, ensuring it was run effectively and that it made best use of its resources (including any council funding). The Panel agreed that as such, it would be reasonable for them to expect their actions and decisions as a collective to be scrutinised robustly. The Panel agreed that in light of this and, in the circumstances (including that the comments were spontaneous in nature), that while inappropriate, Cllr McLaughlan's remarks and conduct were not so sufficiently offensive, personally abusive or egregious to justify, as proportionate, a restriction on his enhanced right to freedom of expression. As such, the Panel was unable to make a formal finding of a breach of the Code.

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. 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. 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.