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Standards Commission's decision to disqualify Renfrewshire councillor upheld by Court

A decision by the Standards Commission to disqualify a Renfrewshire man from serving as a councillor until September 2022 has been upheld by the Sheriff Principal of Paisley Sheriff Court.

Sheriff Principal D L Murray of Paisley Sheriff Court considered the appeal at a hearing on 31 August 2021 and issued his decision on 21 October 2021.

The respondent, former Councillor Paul Mack, had lodged an appeal against the 16-month sanction imposed by the Standards Commission, on the grounds that it was excessive and unreasonable.

Paul Mack was 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.

A press release relating to the original decision and a copy of the Hearing Panel's full Written Decision can be found here under case ref: [LA/R/2257 & LA/R/3262](#)

The Panel found that former 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 took 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. 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 as to how it could impact others.

Speaking on behalf of the Standards Commission, Lorna Johnston, Executive Director, said, "Paul Mack's actions and behaviour amounted to serious and repeated breaches of the Councillors' Code of Conduct - a code that is in place to uphold public confidence in local government and facilitate respectful and professional working relationships within local authorities.

"We are pleased that our original decision to disqualify Paul Mack has been upheld by the Sheriff Principal, and in particular would note the Sheriff Principal's confirmation that the original decision was not unreasonable or excessive in the circumstances."

Paul Mack's disqualification will remain in place until September 2022. This means he cannot stand for election as a councillor until after that date.

-ENDS-

NOTES FOR EDITORS

1. 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. Twitter @standardsscot and on Facebook at www.facebook.com/StandardsCommission

2. The Standards Commission holds Hearings (usually in public) to adjudicate on alleged breaches of the Codes. Decision made at Hearings are published on the Standards Commission website at: <https://www.standardcommissionscotland.org.uk/cases>
3. If a breach of a Code is found, the Standards Commission is obliged, under section 19 of the Ethical Standards in Public Life etc. (Scotland Act 2000) to impose a sanction. Available sanctions are censure, suspension (for up to one year) or disqualification (for up to five years).