



The Scottish Parliament
Pàrlamaid na h-Alba

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6th Report, 2018 (Session 5)

**Standards, Procedures and Public Appointments
Committee**
**Comataidh Inbhean, Dòighean-obrach is Cur-an-dreuchd
Poblach**

Complaint against Annie Wells MSP



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Standards, Procedures and Public Appointments Committee

The remit of the Standards, Procedures and Public Appointments Committee is to consider and report on—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members; and
- (d) matters relating to public appointments in Scotland; and
- (e) matters relating to the regulation of lobbying.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/standards-committee.aspx>



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Introduction

1. The Committee met on 25 October and 1 November 2018 to consider a complaint from Gail Ross MSP about Annie Wells MSP. The complaint is that Annie Wells sought political advantage by making advance public comment on the Equalities and Human Rights Committee's report on "Prisoner Voting in Scotland".
2. The Commissioner for Ethical Standards in Public Life in Scotland investigated the complaint and found that Annie Wells had breached paragraphs 12, 15 and 16 of Section 7 of the Code of Conduct for MSPs .
3. Annexe B to this report containing the Commissioner's full report and appendices is incorporated in and forms part of this report.

Decisions of the Committee

4. The Committee is unanimous in the decisions reached on the complaint. Firstly, it agrees with the findings in fact and conclusion of the Commissioner that Annie Wells breached paragraphs 12, 15 and 16 of Section 7 of the Code of Conduct for MSPs.
5. Secondly, the Committee considers that the breaches justify the imposition of sanctions on Annie Wells.

Conclusion

6. The final decision on whether to issue sanctions lies with the Parliament. The Committee considered previous breaches of the Code of Conduct of a similar nature and agreed that the sanctions against Annie Wells should mirror the sanctions given for those breaches.

Recommendation

7. The Committee recommends that the Parliament agrees to exclude Annie Wells MSP from all meetings of the Parliament and all meetings of its Committees for a period of five sitting daysⁱ.

ⁱ A sitting day is a day when the offices of parliamentary staff are open (usually Monday to Friday) and the Parliament is not in recess or dissolved.

Annexe A - Extracts from Minutes

18th Meeting, 2018 (Session 5), Thursday 25 October 2018

Decision on taking business in private: The Committee agreed to take item X in private.

Decision on taking business in private: The Committee agreed to take future consideration of a report from the Commissioner for Ethical Standards in Public Life in Scotland, and its own draft report on the complaint, in private at future meetings.

Complaint (in private): The Committee considered a report from the Commissioner for Ethical Standards in Public Life in Scotland.

19th Meeting, 2018 (Session 5), Thursday 1 November 2018

Complaint (in private): The Committee continued its consideration of a report from the Commissioner for Ethical Standards in Public Life in Scotland.

Complaint: The Committee announced its decision at Stage 3 on a report from the Commissioner for Ethical Standards in Public Life in Scotland.

Complaint (in private): The Committee agreed its draft report.

Annexe B - Report from the Commissioner for Ethical Standards in Public Life in Scotland

[Link to the Report from the Commissioner for Ethical Standards in Public Life in Scotland
\(4MB pdf\)](#)

