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Standards, Procedures and Public Appointments Committee

Comataidh Inbhean, Dòighean-obrach is Cur-an-dreuchd Poblach

Complaint against Peter Chapman MSP



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Contents

Introduction	1
Decisions of the Committee	2
Conclusion	3
Annexe A - Extracts from Minutes	4
Annexe B - Report from the Commissioner for Ethical Standards in Public Life in Scotland	5

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.
- (f) matters relating to Scottish general elections falling within the responsibility of the Cabinet Secretary for Government Business and Constitutional Relations.



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



SPPA.Committee@parliament.scot



0131 348 6924

Committee Membership



Convener
Bill Kidd
Scottish National Party



Deputy Convener
Mark Ruskell
Scottish Green Party



Jamie Halcro Johnston
Scottish Conservative
and Unionist Party



Tom Mason
Scottish Conservative
and Unionist Party



Gil Paterson
Scottish National Party



Elaine Smith
Scottish Labour



Maureen Watt
Scottish National Party

Introduction

1. The Committee met on 25 October and 1, 15 and 22 November 2018 to consider a complaint from Mr Ricky Taylor about Peter Chapman MSP. The complaint was that Peter Chapman may have breached the Code of Conduct for MSPs by failing to disclose his shareholding in Aberdeen Northern Marts Group (ANM Group) when making representations on behalf of the company to members of the Garioch Area Committee of Aberdeenshire Council.
2. The Commissioner for Ethical Standards in Public Life in Scotland investigated the complaint and found that Peter Chapman had not breached 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 decision reached on the complaint. It agrees with the findings in fact and conclusion of the Commissioner that there is no evidence to suggest that Peter Chapman's actions amounted to paid advocacy, as prohibited by Section 4 of the Code of Conduct for MSPs and by the Interests of Members of the Scottish Parliament Act.

Conclusion

5. The Committee looked carefully at the paid advocacy provisions of the 2006 Act and the Code of Conduct.
6. While the Member did advocate on behalf of ANM Group in his capacity as an MSP, we agree with the Commissioner that there is no evidence to demonstrate that Peter Chapman - whose shares in ANM Group are of a fixed value – agreed to act on behalf of ANM Group in return for, or in expectation of, receiving a payment or benefit in kind from them. In addition, there was no evidence of a connection between the Member's action and the level of interest due to him in respect of his shareholding.

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 items 5 and 6 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.

21st Meeting, 2018 (Session 5), Thursday 15 November 2018

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

22nd Meeting, 2018 (Session 5), Thursday 22 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
\(13.8MB pdf\)](#)

