



16 February 2022

MEDIA RELEASE

FORMER MORAY COUNCILLOR CLEARED OF BREACH OF CODE OF CONDUCT

Former Moray Councillor, Paula Coy, was cleared by the Standards Commission at a Hearing held today in respect of a complaint that she had breached the Councillors' Code of Conduct in relation to comments posted by her on Twitter in late March 2021 in relation to a fellow politician moving to another political party.

Paul Walker, Standards Commission Convener and Chair of the Hearing Panel, said:

"The Panel found that former Cllr Coy had made personal comments about another politician and his wife (the complainer) in publicly available tweets. The Panel noted that this included making a comparison between the complainer and an activist suspended by another political party for mocking, on Twitter, the First Minister's experience of suffering a miscarriage. The Panel considered that making a comparison between the complainer and someone who had supported such an offensive view was a wholly inappropriate and discourteous personal comment. The Panel was of the view that former Cllr Coy's conduct in doing so was unacceptable, because it lowered the standard of public debate and, further, had the potential to erode public confidence in the role of an elected member".

The Panel found that certain of the former councillor's comments met the threshold for a breach of the respect and courtesy provision in the Code. However, the Panel was satisfied that the Respondent's comments had been made in the context of tweets about political matters and, as such, concerned matters of public interest. In the circumstances, the Panel considered that the Respondent would attract the enhanced protection to freedom of expression afforded to politicians, including local politicians, under Article 10 of the European Convention on Human Rights.

Having undertaken a balancing exercise, which involved weighing the enhanced protection to freedom of expression enjoyed by the Respondent, when discussing issues of political interest or public concern, against any restriction imposed by the application of the Code and imposition of a sanction, the Panel considered that former Cllr Coy's comments were not sufficiently offensive and gratuitous as to justify such a restriction. This was because the Panel was ultimately satisfied that the Respondent was attempting to draw an analogy in terms of her opinion about the extremity of the complainer's views, albeit she had done so in a clumsy manner (particularly given the comments were made in the context of a discussion about the behaviour directed towards women in public life).

Mr Walker stated that:

"The Panel would wish to emphasise that the requirement for councillors to behave in a respectful and courteous manner towards members of the public is a fundamental

requirement of the Code, as it protects the public and also ensures public confidence in the role of an elected member and the council itself is not undermined.”

A full written decision of the Hearing will be issued and published on the Standards Commission’s website within 7 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.