



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01843

Name of petitioner

Ewen Cameron

Petition title

Review the Commissioner for Ethical Standards in Public Life in Scotland

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to review and consider revision of the governance, accountability and integrity of the Commissioner for Ethical Standards in Public Life in Scotland (CESPLS), and ensure it adheres to the 7 principles of public life as stipulated in the "Nolan principles": Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership.

Action taken to resolve issues of concern before submitting the petition

I have contacted Brian Whittle MSP. He contacted the Scottish Government on my behalf.

Petition background information

CESPLS investigates complaints about the behaviour of MSPs, local authority councillors, and board members of public bodies and about lobbyists. I have genuine concerns that CESPLS has deviated from national policy and practice.

I was unable to get answers to important issues raised with Scottish Government's Director-General Learning and Justice Department. I was advised to contact Public Standards Commission for Scotland (PSCS). It was stated to be "committed to high ethical standards in public life through the promotion and enforcement of Codes of Conduct." From my experience, such a claim was unfounded in practice. Disturbing conflict of interest issues also arose. For example, the then Convener of the Standards Commission for Scotland was also a board member of the Scottish Legal Complaint's Commission (SLCC). I believe that my concerns were not subject to a thorough investigation.

The other conflicts of interest involved both SLCC and PSCS which were inextricably linked.

This dual role scenario was covered in "Diary of Injustice in Scotland" article under HUSH & MONEY, dated Thursday, 19 May 2011. The relevant data begins with "Frequent Fryers (sic) of FOI requests" at end of bulletin. Please refer to: <http://petercherbi.blogspot.com/2011/05/hush-money-former-slcc-law-complaints.html> (copy and paste)

In 2011 I wrote to PSCS to explain my concerns. Reply stated that it would consider the information I provided. I was told that unless I could identify Code of Conduct breaches, the Commissioner "would be unable to report on this matter to the Standards Commission or be of further assistance in this case." I provided several unequivocal breaches of Code of Conduct, but PSCS refused to investigate in spite of the evidence. PSCS actually accepted that answers had not been given to questions I raised. This contradicted insistence that answers had been given, and thus dishonesty was proved. It strengthened my belief that a cover-up took place with various conflicts of interests in the melting pot. PSCS advised it had reviewed the issues raised but made no attempt to provide any rationale at all behind decision not to investigate alleged breaches of Code of Conduct. Lack of accountability may also have been a major factor in its incredible support of SLCC.

CESPLS was later asked by Scottish Public Services Ombudsman (SPSO) to send it specific data. I was told such data would "normally be shared" with me. However, several deadline dates for delivery of data to SPSO were mysteriously bypassed and only arrived 4 months after initial deadline.

I was not allowed access to any of that "normally shared" data or any further exchange of information between the 2 bodies. I wondered why CESPLS fought so hard to avoid handing-over the documents legitimately sought by SPSO. It gave further credence to cover-up and lack of accountability issues. CESPLS should have had nothing to hide, if it had indeed done its job within the stipulated Nolan principles.

I did all I could to resolve the difficulties and problems I encountered with PSCS/CESPLS. However, at the end of the day, I was told that I had made a compelling case in terms of evidence, but they will do nothing more than circle the wagons. I was advised that attempts had been made to elicit information but it was difficult to get anything and the mere suggestion of my name frightened them off. I felt that such a state of affairs brought into serious doubt the proper and lawful delivery of national policy and practice with little, if any, meaningful accountability of bodies such as SLCC, PSCS/CESPLS and SPSO. I later contacted Brian Whittle MSP who ultimately advised me to petition the Scottish Parliament.

I believe I have shown that PSCS, now CESPLS, did not exhibit these principles in 2011. In the long years I have subsequently spent in pursuit of a coherent explanation for this failure, I have been met with obfuscation and denial. This led me to being concerned that similar practices may still be ongoing: I have difficulty in believing that I am the only person who has had such issues with CESPLS. I consider these to be issues of national interest and importance, and thereby deserving of thorough investigation.

I understand that the rules for petitioning state that no supplementary information will be accepted as part of a petition to explain all the situations I had to confront. Some may still be in MSP's possession. Should Committee decide to refer matters to an appropriate investigative body I can submit such data if requested. I should point out that, while PSCS/CESPLS is the subject of this petition, I found replication of similar problems and mindset within SLCC and SPSO.

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01843>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

23 / 12 / 2020

Comments to stimulate online discussion

Do you agree the governance, accountability and integrity of CESPLS should be reviewed?

Have you had any issues with the CESPLS?