

Complaint details councillor's "unacceptable" behaviour

The Edinburgh councillor referred to an ethics watchdog has been accused of "needlessly aggressive" behaviour towards two female junior lawyers.

Councillor John McLellan is alleged to have banged his fists on a table and shouted at the lawyers while reading a sensitive report into the mishandling by council officials of sexual abuse allegations against former social worker Sean Bell.

The city council have referred the matter to the Standards Commission for Scotland, the body which probes ethical standards in public life. Councillor McLellan, who represents Craigentinny/Duddingston, has [refuted the allegations](#) and said he is confident he will be cleared.

The alleged incident happened at a meeting on 21 October at the offices of legal firm Pinsent Masons, who had organised a series of meetings for councillors to allow them to read in full the findings of an inquiry led by Susanne Tanner, QC, into council failings.

In a strongly worded letter to political group leaders on the council, Pinsent Masons Partner Julian Diaz-Rainey said that "junior lawyers were shouted at and left feeling uncomfortable in the presence of Cllr McLellan".

It is understood Cllr McLellan took exception to a section of the report which said it was hoped the findings and recommendations would not be “seized upon by elected members or their parties and used for political gain”.



John McLellan Conservative Councillor PHOTO © The Edinburgh Reporter

At the meeting, also attended by fellow Tory councillor Joanna Mowat and Lib Dem Neil Ross, attendees were asked not to use their mobile phones because of the sensitive and confidential nature of the reports.

However, Cllr McLellan used his phone to listen to a message from journalist Ian Swanson who was inquiring about the Report, and then turned to one of the lawyers and said to her: “Shall I just pass the phone to you to comment?” – provoking laughter from the other councillors present.

In the letter to council chiefs, Mr Diaz-Rainey said: “It is disgraceful that a Councillor should choose to make a provocative gesture such as pressing a junior member of the Inquiry Team to answer a journalist’s call, especially when previously requested to not use his phone

“I am shocked to hear of such manifestly unacceptable behaviour from a Councillor of the CEC; one who I would expect to hold himself to an elevated standards of behaviour given the public-facing nature of his role. I would also add that given the topic of the Report his behaviour demonstrated a clear lack of judgement.”

Council chief executive Andrew Kerr has referred the matter to the Commissioner for Ethical Standards, while Cllr McLellan told the Edinburgh Reporter that he had self-referred himself to the ethics body on Tuesday.

Cllr McLellan said: “I referred myself to the Standards Commission. These are entirely unsubstantiated allegations

which I fully deny. I referred myself to 'standards', in order that I can be independently exonerated which I am confident I will be."

Cllr Neil Ross confirmed that he was not in the room at the time of any alleged incident. He said: "I did attend Pinsent Masons office along with Cllr McLellan and one other, but I was not there for the same length of time, and I didn't experience or witness the banging of his fists. But that doesn't mean it didn't happen."

The Pinsent Masons letter also referred to the general behaviour of councillors to took up the opportunity of reading the Tanner report. It said: "Unfortunately, at times during the reading sessions, there was excessive questioning from some Councillors.

"The Inquiry Team sometimes felt that Councillors were deliberately trying to catch them out and spot inconsistencies in their responses through repeated questioning. This sort of behaviour is not constructive. It is obvious that Councillors who demonstrated this behaviour had forgotten the main purpose of their attendance at the reading sessions, and at times the central focus of the Inquiry altogether, which is disappointing."

Mr Diaz-Rainey concluded: "I hope that you will consider the behaviour I have detailed in this letter with the appropriate level of severity and formality within the CEC, and I sincerely hope that behaviour such as that experienced in the incident with Cllr McLellan in particular, will not be repeated at the CEC in the future".

Cllr McLellan revealed this week that he will not stand for re-election in May 2022, saying he wants to concentrate on his media and academic work. He is former editor of the Edinburgh Evening News, The Scotsman and Scotland on Sunday and is director of The Scottish Newspaper Society.

The Tanner report was commissioned to examine the way the council dealt with historic complaints against former senior social worker Sean Bell. The allegations of sexual and physical abuse over a 30 year period had been disclosed to council officials on several occasions but no action was taken – leading to claims that Bell was protected by an “old boys’ network” within the council.

Bell was found dead at the foot of Salisbury Crags in August 2020 before he was due to appear in court on charges of rape, domestic abuse and sexual assault.



Edinburgh City Chambers. Photo: Martin P. McAdam
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