

CRIMINAL JUSTICE COMMITTEE

1st Meeting, 2021 (Session 6), Tuesday, 22 June 2021

Declaration of interests

Introduction

1. At the first Committee meeting, members will be invited to make an initial declaration of any interests which are relevant to the remit of the Committee.
2. If a member has an interest which is relevant to an item being discussed at a Committee meeting, the member must also declare that interest before participating in the meeting.

Declarable interests

3. If a member has a registrable interest in any category of the register (apart from the voluntary category), this is also potentially a declarable interest. Declaring relevant interests before participating in Parliamentary proceedings is a statutory requirement under the Interests of Members of the Scottish Parliament Act 2006 and failure to do so is a breach of the Code of Conduct and is also a criminal offence.
4. [Section 3 of the Code of Conduct for MSPs](#) explains in detail the rules on declaration of interests. Further [guidance on the Code of Conduct for MSPs](#) is also available.
5. It is the responsibility of each member to be aware of the rules on the declaration of interests and to judge whether a registered interest is relevant to the proceedings and requires a declaration. The Standards, Procedures and Public Appointment Committee (SPPA) Clerks can provide further advice on the rules on declarations of interests.

Declaration of interests at the first Committee meeting

6. At the first Committee meeting, all members will be invited to declare any registrable interests which are relevant to the remit of this Committee. The declaration can be brief but should be informative enough to enable a listener to understand the nature of the Member's interest. **It is not enough to simply to refer to the register entry but nor is it necessary to repeat all the details of an interest as it appears in the Register.**
7. If Members have any questions about what might constitute a declarable interest, they can contact the Committee clerks prior to the meeting. The SPPA Committee Clerks are also happy to provide advice.

Declaration of interests at subsequent Committee meetings

8. Members are also required to declare any relevant registrable interests at subsequent committee meetings if they are relevant to the business under discussion. This type of declaration has to be made at each meeting where it is relevant and before the member participates in those proceedings. This allows people attending or reading the report of any Committee meeting to understand the nature of the member's interest.
9. Although not a registrable interest, the Code also advises Members, as good practice, to declare any business or personal relationships they might have with any advisers or witnesses to the Committee.

**Clerk to the Committee
17 June 2021**