

Standards, Procedures and Public Appointments Committee  
Thursday 22 May 2025  
9th Meeting, 2025 (Session 6)

## Scottish Parliament (Recall and Removal of Members) Bill

### About the Bill

1. The [Scottish Parliament \(Recall and Removal of Members\) Bill](#) is a Member's Bill introduced by Graham Simpson MSP on 17 December 2024. The Parliamentary Bureau referred the Bill to the Standards, Procedures and Public Appointments Committee for consideration at Stage 1.
2. The Scottish Parliament Information Centre has [published a briefing on the Bill](#).
3. The Bill proposes measures for the recall and removal of Members of the Scottish Parliament (MSP) from that office.

### Recall

4. Part 1 of the Bill would introduce a process for the recall of an MSP by electors in the MSP's constituency or region. The Bill proposes that a recall process should be triggered if either:
  - An MSP is excluded from the Parliament for a period of 10 sitting days; or
  - An MSP is convicted of an offence anywhere in the UK and, as a result, receives a prison sentence of less than six months.
5. When one of the above conditions is met, the electors in that MSP's constituency or region would be able to sign a petition calling for the MSP to lose their seat. If the petition is successful, the MSP will lose their seat. The Bill proposes that a constituency election or a regional poll would take place to fill the vacant seat.

### Removal

6. Part 2 of the Bill concerns the removal of MSPs. Under section 15 of the Scotland Act 1998, MSPs automatically cease to be an MSP if they receive a prison sentence of 12 months or more. The Bill proposes new grounds for the removal of MSPs. It proposes that an MSP could be removed if either:
  - An MSP is convicted of an offence anywhere in the British Islands or the Republic of Ireland and, as a result, receive a prison sentence of six to 12 months; or
  - An MSP does not attend the Parliament in person for 180 days (approximately six months) without a valid reason for their non-attendance.

7. The Bill proposes that the Standards, Procedures and Public Appointments Committee would have a central role in determining whether an MSP has not attended the Parliament in person without a valid reason for their non-attendance.

## **Stage 1 scrutiny of the Bill**

8. The Committee ran a call for views on the Bill from 26 February to 4 April 2025. All of [the responses are published and available on the Scottish Parliament's webpage](#).
9. At its meeting on 8 May, the Committee [took evidence from electoral administrators and regulators](#).
10. This week, the Committee will continue its oral evidence gathering by hearing from academics and advocacy organisations. The Committee will take evidence from the Scottish Government and Graham Simpson MSP at future meetings.
11. The Committee will conclude its scrutiny of the Bill at Stage 1 by submitting a report to the Parliament later in the year.

**Clerks to the Committee**  
**May 2025**