

# Criminal Justice Committee

**21st Meeting, 2023 (Session 6), Wednesday 13  
September 2023**

## Declarations of interest

### Note by the clerk

#### Introduction

1. At the first meeting after becoming a member of the Committee, new members are invited to make a declaration of any interests which are relevant to the remit of the Committee.

#### Declarable interests

2. 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.**
3. 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.
4. 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.
5. At their first Committee meeting, new members will be invited to declare any registrable interests which are relevant to the remit of this Committee (see **Annex**). 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.**
6. 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.

## **Action**

7. John Swinney will be invited to declare any interests relevant to the remit of the Criminal Justice Committee.
8. Any substitute members attending the Committee for their first meeting will also be asked to declare.

**Clerks to the Committee  
September 2023**

**Remit of the Criminal Justice Committee**

To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland.