

T: 0300 244 4000
E: scottish.ministers@gov.scot

Martin Whitfield MSP
Convener
Standards, Procedures and Public Appointments
Committee
EDINBURGH EH99 1SP

By e-mail only: sppa.committee@parliament.scot

12 November 2025

Dear Martin,

Scottish Parliament (Recall and Removal of Members) Bill

I am writing to thank the Standards, Procedures and Public Appointments Committee for your helpful Stage 1 Report, published on 5 November 2025, on Graham Simpson's Scottish Parliament (Recall and Removal of Members) Bill. Given the timing of the Stage 1 debate (13 November), I am writing to set out the Scottish Government's initial response to your Report.

I have considered the Report and the evidence provided to the Committee, and agree with your clear conclusion that there are 'some fundamental issues that would need to be addressed at Stage 2 for the Bill to be able to deliver its intended purpose.' So, whilst I can confirm that the Scottish Government will support the general principles of the Bill at Stage 1, that support is only on the basis that substantial changes are made to the Bill at Stage 2.

I note that the Member in Charge, Mr Simpson, has already written to the Committee to indicate that he is considering proposing amendments to the Bill in response to some of the Committee's concerns around regional Member recall. I welcome his prompt and constructive response. You will be pleased to know that I have also had a helpful meeting with Mr Simpson to discuss his letter and his proposal for a single-stage regional Member recall process, as well as other potential changes that could be made to improve the Bill, informed by your Report.

Given that matters relevant to the conduct, recall or disqualification of Members are for the Scottish Parliament to lead on, and in light of the ongoing independent review of the Parliament's process for recommending and agreeing sanctions on MSPs, I have also met the Presiding Officer and the Chief Executive to discuss their position. As my predecessor laid out in the [Memorandum](#) to the Committee in May, the Bill will need to be future-proofed in the event of the Scottish Parliament agreeing parliamentary sanctions in the future.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

The Committee Report also sets out concerns around the role of the Standards Committee in recall and removal, expresses the view that non-attendance ought not to be a conduct issue that could potentially lead to removal of MSPs from this Parliament, and the administrative Parliamentary processes in relation to recall and removal, as well as the potential for those processes to be politicised.

Whilst the Scottish Government believes that these are matters for the Scottish Parliament to determine, not Scottish Ministers, I do note in particular the need to address the fundamental issues raised by the Committee's report in relation to the non-attendance provisions in the Bill – both in principle and in practice. As the Government set out in our Memorandum and evidence, we are concerned by the privacy implications for MSPs and their families, and whether a Committee, made up of multiple MSPs, is the most appropriate place for reasons for non-attendance to be disclosed and considered. Given these are internal parliamentary processes, which it would not be appropriate for Ministers to design, we would welcome reconsideration of this element of the Bill by Mr Simpson, following engagement with Parliament on how this proposal is made workable and to protect the privacy and confidentiality of Members.

I am pleased to confirm that if the Bill progresses to Stage 2, I have offered Scottish Government support to Mr Simpson and officials from the Non-Government Bills Unit to progress amendments to address some of the issues that the Committee has identified in your report. However, some of the points raised sit firmly with the Parliament to consider. Our support would also be available, if desired, to assist other members in addressing these.

You will also wish to be aware that, should this Bill progress to Stage 2, given the proximity of this Bill to dissolution and the range and volume of potential secondary legislation required, the Scottish Government will tabling amendments to commencement provisions so that Scottish Ministers have discretion to decide when the Bill should be commenced, once all those with a role to play have confirmed when they can conclude their work.

I trust that this information is of assistance to the Committee ahead of the debate on Thursday 13 November.

Yours Sincerely,



GRAEME DEY

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE
We invest in people Silver

