



The Scottish Parliament
Pàrlamaid na h-Alba

Edward Mountain MSP
Convener
Net Zero, Energy, and Transport
Committee
The Scottish Parliament
EH99 1SP

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Dear Edward

Ecocide (Scotland) Bill

This letter is to assist in informing the scrutiny of the Ecocide (Scotland) Bill following the introductory evidence session on 23rd September 2025.

Firstly, I want to use this opportunity to speak directly to the Bill and to everyone whose lives and livelihoods it could affect. The Ecocide (Scotland) Bill is about protecting the places we love, our peatlands, rivers, coasts and seas, by making the most serious, deliberate destruction of nature a crime. It's driven by a simple idea: when ecosystems are wrecked on a large scale, the law should be able to hold those responsible to account. This is not an anti-business measure; it is pro-responsibility. This Bill seeks to encourage sustainable enterprise, not reckless destruction, recognising that we must protect workers whose jobs and livelihoods are often the first to be harmed when the environment is damaged.

After this week's evidence session and the many thoughtful calls for views from organisations, farmers, fishers, trade unions and members of the public, I welcome scrutiny and practical suggestions. I have been listening closely to stakeholders and the Scottish Government. I am open to amendments at Stage 2, including clearer drafting for section 2, on the defence of necessity and adjustments to section 4 on liability to ensure employers and corporations are held to account without scapegoating on-the-ground workers. I remain amenable to proportionate changes that strengthen safeguards for frontline workers, local farmers and fishers so the Bill is fair, enforceable and protects livelihoods while delivering the stronger environmental protections Scotland needs.

With regards to the question of liability and ensuring the workers are protected, I would like to highlight paragraph 29 in the [Explanatory Notes](#) to the Bill which states: "It is notable that the list of responsible individuals in respect of companies does not include managers, so only directors, company officers or members involved in the

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management of the company and not people who are simply “workers” as traditionally conceived, will be capable of being prosecuted under this provision.”

Secondly, I would also like to provide clarification on some aspects in the accompanying documents to the Bill. It has come to my attention that a few minor errors have been picked up by the Non-Government Bills Unit as a result of further checking following the introduction of the Bill on 29th May 2025. These are minor corrections that do not impact on the core content of the Bill or how it will operate in any way.

Specifically, there is an error in the Policy Memorandum in paragraph 86. It states that section 10 of the Bill provides that a report must be laid by Scottish Ministers on the operations of the Bill once enacted *every* five years, not *once only at* five years, as provided for in Part 2 of the Bill, Subsection 10(6).

There is a typo in paragraph 9 of the Explanatory Notes, which states “Provision is made for individual culpability where an organisation commits the offence and for the vicarious liability of employees and agents.” Importantly, “**employees**”, should be “**employers**.”

Finally, in paragraph 55 of the Financial Memorandum, the final sentence of that paragraph states “This would create a maximum annual cost of around £370,000 to £383,000”. These totals did not include the total annual ongoing costs of £12,510, so the totals in that sentence should be £382,510 and £395,510. This change has no impact on the total figures and the conclusions in the Financial Memorandum.

I hope this letter is helpful in informing the scrutiny of the Bill. Please do contact me, or the Non-Government Bills Unit which is supporting me with the Bill, if you have any questions during the course of Stage 1.

Yours sincerely

Monica Lennon MSP