

The Clerk to the Fire and Rescue Board
The Chief Executive, Dumfries and Galloway Council
The Chief Executive, Fife Council

Our ref: FSC(S) 1/2008
18 February 2008

Dear Sir / Madam,

SCOTTISH FIRE SERVICE CIRCULAR 1/2008

The Corporate Manslaughter and Corporate Homicide Act 2007

1. The Corporate Manslaughter and Corporate Homicide Act 2007 comes into force on 6 April 2008 and introduces a new offence of corporate homicide in Scotland. This offence is committed by an organisation where a gross failure in the way activities are managed or organised, results in a person's death, and this amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased.
2. The Act will apply to a wide range of organisations across the public and private sectors. The new offence of corporate homicide is concerned with corporate liability of the organisation itself and does not apply to individuals. However, individuals can already be prosecuted for culpable homicide and for health and safety offences. The Act does not change this.
3. Section 6 of the Act provides a limited exemption for Fire and Rescue Authorities and Joint Fire and Rescue Boards in connection with responses to emergencies.
4. Guidance on the Act is available at www.justice.gov.uk/guidance/manslaughteractguidance.htm

Yours faithfully



Graeme Fraser