



# Police and Fire Reform (Scotland) Act 2012

2012 asp 8

## PART 1

### POLICE REFORM

#### CHAPTER 10

##### COMPLAINTS AND INVESTIGATIONS

#### 68 Investigations: obstruction and contempt

After section 41E of the 2006 Act (inserted by section 67), insert—

##### “41F Investigations: obstruction and contempt

- (1) The Court of Session may, on a petition by the Commissioner, inquire into whether a person—
  - (a) without lawful excuse, is obstructing or has obstructed the Commissioner in the carrying out of a complaint handling review or in the carrying out of an investigation in pursuance of paragraph (c) or (d) of section 33A; or
  - (b) is doing or has done any act, or is failing or has failed to take any action, in relation to such a review or investigation which, if it were a proceeding in the Court of Session, would constitute contempt of court.
- (2) After so inquiring (and, in particular, after hearing any witness who may be produced against or on behalf of the person and any statement which may be offered in defence), the Court of Session may deal with the person as if the person had committed a contempt of court in relation to the Court of Session.”

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**Changes to legislation:** Police and Fire Reform (Scotland) Act 2012, Section 68 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Modifications etc. (not altering text)**

- C1** Pt. 1 Ch. 10 modified (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Supplementary, Transitional, Transitory and Saving Provisions\) Order 2013 \(S.S.I. 2013/121\)](#), arts. 1(1), **16(1)-(4)**
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**Commencement Information**

- I1** S. 68 in force at 1.4.2013 by [S.S.I. 2013/51](#), **art. 2**

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)