



# 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.”