

These notes relate to the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2) which received Royal Assent on 14 January 2016

INQUIRIES INTO FATAL ACCIDENTS AND SUDDEN DEATHS ETC. (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

The inquiry

Section 19 – The powers of the sheriff

59. **Section 19** makes it clear that sheriffs have all of the inherent powers that they have as a judge in civil proceedings in relation to an FAI. This would include, for example, power to punish contempt of court. This does not make an FAI a form of civil proceedings. Such inherent powers are, however, subject to the other provisions in the 2016 Act or provision made by FAI rules by virtue of subsection (2). But for section 25, for example, a sheriff would have inherent power to award expenses.