

**"Source: *Obtaining Forensic Evidence – Investigative Procedures in Respect of the Person, Report 25, 1985.*
Department of Justice Canada.
Reproduced with the permission of the Minister of Public Works and Government Services Canada, 2007."**

Table of Contents

INTRODUCTION	1
CHAPTER ONE: The Need for a Rational Comprehensive Regime	5
I. Inconsistency and Uncertainty in the Present Law	9
II. Outdated Nature of the Present Law	12
III. The Charter Implications of Investigative Procedures in Respect of the Person	13
CHAPTER TWO: Issues and Guidelines for the Statutory Regulation of Investigative Procedures in Respect of the Person	15
I. Consistency with the Charter	15
A. Protection against Self-Incrimination	15
B. The Presumption of Innocence	18
C. Security of the Person	21
D. Unreasonable Search or Seizure	21
E. Cruel and Unusual Treatment	23
II. Permissible Procedures	23
III. Grounds and Authority for Conducting Investigative Procedures in Respect of the Person	24
IV. Protections and Safeguards	26
V. The Consequences of Violation of Procedural Requirements	29
VI. Ensuring the Subject's Co-operation	31
CHAPTER THREE: Our Recommendations	35