

**"Source: *Immunity From Prosecution,
Working Paper 64, 1992.***
**Department of Justice Canada. Reproduced
with the permission of the Minister of Public
Works and Government Services Canada, 2007.**

Table of Contents

ACKNOWLEDGEMENTS	xiii
CHAPTER ONE: Introduction	1
CHAPTER TWO: Ethical Issues.....	11
I. The Commercialization of Justice	11
II. Secrecy.....	13
III. The Reduction of Effectiveness	15
IV. Compromise of Integrity — Ends and Means	15
V. Injustice and Inequality.....	17
A. Equality of Treatment	18
B. A Remedy for Every Wrong	19
C . A Fair Trial for All Defendants.....	20
VI. The Justifiability of Grants of Immunity	21
CHAPTER THREE: The Present Situation	23
I. The Authority to Provide Immunity	23
II. Public and Judicial Perceptions of Immunity	29
III. Judicial Supervision	31
IV. Disclosure	32
V. Evidentiary Implications	34
VI. The Enforcement of Immunity Agreements	39
CHAPTER FOUR: Our Reform Proposals	45
I. Immunity Agreement Defined	45
II. The Authority to Provide Immunity	47

III. Whether to Provide Immunity: Factors to Be Considered	51
IV. Conduct in Respect of Immunity Agreements	55
V. The Form and Contents of Immunity Agreements	58
VI. Prerequisites to the Use of an Immunized Person's Evidence	65
VII. The Enforcement of Immunity Agreements	66
VIII. The Exclusion of Evidence	69
IX. An Annual Report.....	69
SUMMARY OF RECOMMENDATIONS	73