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Special witness program in Québec

- The Québec Program operated by the DPP relates to a special category of special witness.
- Guideline Tem-3 is the basis of the program.
- The notion of repentant is defined by the guideline.

Guideline TEM-3

- The repentant is a party to an offence or a member of a criminal organisation who have been involved in criminal activities and who agrees to testify before the court against the organisation or the accomplice in exchange for benefits.

Control Board

The Board is under the DPCP responsible for:

- Negotiating and concluding an agreement with the repentant
- Oversees the implementation of the agreement

Composition of the Control Board

- Chief prosecutor for the Quebec DPP
- Police official for the provincial police force

Or with

- Police official from the local police force

How it works

- A police officer can suggest the utilisation of an unsavoury witness to the chief prosecutor.
- A prosecutor assigned to the case does an analysis of the importance of the witness to the whole case.

Criteria

- Seriousness of the offence
- Nature of the evidence already on hand
- Truthfulness and necessity of the repentant version
- Corroboration
- Repentant profile
- Repentant demands (like new identity)

Criteria

- Polygraph testing
- Mental health inquiry

Process

- Life statement on criminal activities (video)
- The statement is induce (won't be used unless there is independent evidence)
- Statement on his involvement in the offence
- Statement on accomplice involvement

Process

- Field crown position on sentence
- Pre-committee (taking the position of the repentant, correctional services meeting on security, position of the DPCP on sentence and advantages)

Process

- Meeting with the Board
- Final negotiation
 - no immunity policy
 - 140\$/month in detention
 - 400-500\$/week for two years
 - Strict prohibition to receive royalties from criminal stories (books, movies, interviews)
- Signing of the agreement

Process

Protection measures

- Re-localisation
- Identity changes
- Alimony
- Relative
- Work integration

Thank you

Further explanation or questions:

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