

SAMPLE IMMUNITY OR BENEFITS AGREEMENT

IT IS HEREBY AGREED THAT (name) will be granted (describe immunity or benefits) in relation to (describe type of cooperation) concerning (describe investigation or prosecution) arising out of (describe event).

AS a condition of receiving this (immunity or benefit), (name), who has had and continues to receive legal counsel, agrees to the following terms and conditions:

1. To be fully cooperative in making written, oral and video recorded statements under (describe nature and form of oath) as to (his/her) entire knowledge, information and belief as to all circumstances and events involving all offences (he/she) has participated in (himself/herself), or has knowledge of, that involve (the event) including offences planned but not committed.
2. That all statements and responses to questions given by (name) to law enforcement investigators or a Crown Prosecutor must be true and be the full truth. It is understood and agreed that no information of any type will be intentionally withheld by (name), which a reasonable person of (his/her) intellect would consider to be relevant to the (describe event).
3. To not refuse to answer any questions in any way relevant to the (describe event) asked by law enforcement investigators or a Crown Prosecutor.
4. To make (himself/herself) available for any witness interviews requested by the law enforcement officers or a Crown Prosecutor whether (he/she) is in or out of custody, and will be truthful, complete, full and forthright in all witness interviews as to (his/her) knowledge of, and participation by (himself/herself) and others, in all activities associated with the (describe event).
5. To testify truthfully in all court proceedings, whether (he/she) is in or out of custody and will be truthful, complete, full and forthright concerning (his/her) knowledge of, and participation by (himself/herself) and others, in all activities associated with the (describe event).
6. To not give evidence that (he/she) knows to be untrue, deceptive or misleading.
7. That (he/she) has been briefed by legal counsel in layman's terms and understands what "consent" means in law and where (his/her) consent is required, expressly or by implication, at any place in this agreement, and (he/she) gives such consent voluntarily.

IN THE EVENT THAT (name) fails to honour this agreement, or any term of it, then this agreement will be null and void.

SPECIFICALLY, (name) understands that if (he/she) makes a false statement, whether to a law enforcement officer or investigator, to a Crown Prosecutor or under oath to the court, (he/she) may be prosecuted for any criminal charges arising out of the (describe event) and/or for perjury, and/or the giving of contradictory evidence under oath, and/or public mischief, and/or attempting to obstruct justice, and/or a similar offence, and the Crown's obligations under this agreement cease to exist.

ACKNOWLEDGEMENT OF THE CROWN

In an effort to ensure (name) is truthful, the Crown agrees that nothing (name) does, or omits to do, while fulfilling (his/her) obligations under this agreement, will be used as evidence against (him/her) in any prosecution. However, should (name) breach any of the terms and/or conditions of this agreement, then (he/she) may be prosecuted for any criminal charges arising out of (the event) and/or perjury, and/or the giving of contradictory evidence under oath, and/or public mischief, and/or attempting to obstruct justice, and/or a similar offence.

ACKNOWLEDGEMENT OF (name)

I, (name) have read every word of this agreement. My lawyer has explained all these words to me. I know what they mean and I agree with everything on these (number of) pages. I know this is the complete agreement and that I can expect no other benefits of any kind.

(name)

I, (name), counsel for (name) hereby certify that I have carefully explained the contents of this agreement to (name) who appears to fully understand the entire contents of this document and to have signed this agreement in my presence of (his/her) free will.

(name, Counsel for (name))

I, (name), (Director of Public Prosecutions/Attorney General), hereby certify that I have read and agree to everything contained in this (Public Interest Immunity/Public Interest Benefit) Agreement.

Director of Public Prosecutions/Attorney General of New Brunswick