

# NewsRelease



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## HAIR EVIDENCE REVIEW COMMITTEE ESTABLISHED

The deputy attorney general of Manitoba has established an advisory committee to review homicide cases from the past 15 years in which hair comparison was relied upon to secure a conviction.

In announcing the review committee, Deputy Attorney General Bruce MacFarlane said the province is leading this initiative to actively seek out any possible miscarriages of justice that may have resulted from a reliance on hair comparison evidence.

Prior to the introduction of DNA testing, microscopic comparison was used to assess forensic hair evidence. While microscopic comparisons may show hair to be consistent with a source, DNA tests can prove a hair's origin with much greater accuracy.

The committee will examine all murder and manslaughter cases prosecuted in the last 15 years meeting three criteria:

- the Crown tendered and relied upon hair comparison evidence;
- the accused pled not guilty at trial, claiming factual innocence; and
- the case was appealed to the Court of Appeal, with a continuing claim of factual innocence.

The committee chair can arrange for DNA and other scientific testing of evidence to assist the committee during the review.

In assessing cases, the committee will weigh:

- the nature of the evidence tendered in the case;
- with the benefit of current scientific expertise, whether the conclusions tendered by the Crown at trial were incorrect or overstated;
- the extent the evidence was relied upon to prove the case;

- the comments made by the trial judge about the evidence and the weight it should be given; and
- whether other evidence supports the conviction or a conclusion that a miscarriage of justice has occurred.

The committee will be chaired by Assistant Deputy Attorney General Rob Finlayson and will include a senior Crown attorney, a representative from the Winnipeg Police Service and the RCMP, a forensic expert unconnected to either police force, and a private sector lawyer designated by the Association in Defence of the Wrongfully Convicted.

The committee will forward its report in confidence to the deputy attorney general. The results of the study will be made public.

The terms of reference for the committee are posted on the Manitoba Justice Web site at <http://www.gov.mb.ca/justice/index.shtml>.

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