

**WRITTEN QUESTION TO THE MINISTER FOR HOME AFFAIRS
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 14th DECEMBER 2015**

Question

With reference to Operation Rectangle will the Home Affairs Minister explain to Members -

- (a) the chain of evidence requirements for all bone or suspected bone fragments recovered from Haut de la Garenne; and,
- (b) whether there were breaches in the chain of evidence that occurred in their handling, examination and testing and, if so, how many breaches, who was responsible for them and what effect these breaches would have had on their admissibility had they been used as evidence in court?

Answer

(a) All material that was excavated from the grounds and building of Haut de la Garenne was searched using appropriate methods including careful archaeological excavation, visual search and sieving.

Any items that were identified as being possible bone or teeth were set to one side for assessment by an on-site anthropologist. These assessments were carried out periodically throughout the day. If an item was identified as being of human origin (e.g. as occurred with teeth), or it was not possible to immediately identify the source of the material (e.g. as occurred with numerous bone fragments) that item was packaged in a suitable tamper proof evidence bag giving details of the nature of the item, and the location in which it was found in terms of room, area, archaeological context (layer). Each item or exhibit was sealed, labelled and documented in an Exhibits Register as soon as possible after identification. This was all carried out onsite at Haut de la Garenne.

If an item was confirmed as not coming from a human source, it was still retained in the same way with appropriate annotation. In addition, items within each context which could be considered as suitable for dating a particular layer or context were also recovered in the same way.

A dedicated temporary property store was set up within the premises of Haut de la Garenne. Access to this was very limited and could only be gained by a key which was held by the Forensic Co-ordinator or their representative. Anyone entering the store had to obtain the key, break a unique numbered seal on the door and sign a register. When completed in the store, they would then lock the room on their exit before placing a new numbered seal on the door/frame and return the key. Any movement of exhibits from the store was logged in the appropriate exhibits register. When the forensic teams were not on site, the key was removed from the building and scene guards ensured that no one entered the site. Access to the whole site by any personnel was logged throughout the investigation.

At the end of the work at Haut de la Garenne all exhibits were packed into sealed crates and transferred to the main property store at the Police Station where any exhibits of potential relevance are still held. The only exception to this were a number of sealed wheelie bins containing soil which were retained off site in case further examination was deemed necessary.

A number of exhibits were submitted for further examination by suitably qualified experts. Examinations included carbon dating tests, histology examinations and assessments of teeth in terms of type, condition and ageing. These tests were carried out either in Jersey or in the UK. In all cases, the exhibits remained sealed until they were delivered to the appropriate expert who handled them in line with recognised forensic methods ensuring that their continuity (chain of evidence) was assured at all times.

(b) Breaches in the chain of evidence have the potential to significantly impact on the admissibility of evidence in an investigation or at court. For this reason, continuity is vitally important and carefully regulated and recorded. If there had been any breaches, these would have been recorded and communicated to the relevant expert before any evidence was put forward so that those breaches could be taken into account.

In the case of Operation Rectangle, there are no known breaches to the continuity of evidence.