



Journal Website:
<https://theusajournals.com/index.php/ijlc>

Copyright: Original
content from this work
may be used under the
terms of the creative
commons attributes
4.0 licence.

MODERN STATE OF FORENSIC HANDWRITING EXPERTISE

Submission Date: January 20, 2023, Accepted Date: January 25, 2023,

Published Date: January 30, 2023

Crossref doi: <https://doi.org/10.37547/ijlc/Volume03Issue01-12>

Sobirov Furqat

Teacher Of The Department Of Criminalists At The Academy Of Ministry Of Internal Affairs Of The Republic Of Uzbekistan

ABSTRACT

This article presents a brief history of the emergence and development of forensic handwriting expertise, one of the independent types of traditional forensic examinations, the current state of forensic handwriting expertise in the Republic of Uzbekistan, its role in solving crimes, the modern relevance of this type of forensic examination. Also, in practice, a brief analysis of a number of problems existing in the process of forming the conclusions of the handwriting examination, which will be compiled at the end of this type of examination, was carried out, and proposals were made to eliminate these problems.

KEYWORDS

Handwriting expertise, expert opinions, re-examination, identification.

INTRODUCTION

Forensic handwriting is a special branch of criminalistic technique, which is a set of knowledge about methods of studying handwriting and signatures to determine factual information of evidentiary value in criminal and civil proceedings [1]/

Just as every independent field has its own history of development, there is a unique and appropriate path of development of the Expertise of Ethnology to reach its present state. If we look at the history, the history of correspondence examination is very long. Historical data indicate that the first manifestations of this field

date back to the time of the Ancient Roman Empire. Correspondence was first introduced into the legal system during the reign of Byzantine Emperor Justinian (V-VI century). By the 15th century, correspondence science found its way of development in Russia, and it began to be used to shed light on the issue of forgery of documents in the country. Be that as it may, the first works on the study of documents appeared in France at the beginning of the 17th century [2].

Since forensic science has a long history, it would be a mistake to think that this field predates the science of criminology. Because in the first forms of correspondence examination, it was not carried out by specialists in this field, but by random persons, and among these persons, we can mention teachers, artists, and sometimes any literate people as the best ones.

The development of forensic expertise in foreign countries is associated with the names of forensic scientists such as A.Bertillon, E.Locar, S.Ottolenghi, A.Osborn. In the development of forensic expertise, it is permissible to highlight the services of the Russian forensic scientist E.F. Burinsky [3]

In our country, the activity of the expert in the field of ethnology is mainly related to the books written and published by foreign, especially Russian, scientists. Although the scientific competence of our country is extremely high, we can hardly boast of scientific competence in the field of correspondence science. A situation where the development of any industry depends on the attention paid to that industry. Today, it is not an exaggeration to say that the expertise of Khatology has found its way of development in our country, and because of my strong interest in this field,

I decided to independently conduct scientific research and create my own, unique methodology in the future.

Today, the types of crimes, the scope of the people who commit them, the way of committing them are changing so quickly that we understand that the intention to solve these crimes in time cannot be achieved without creating new methodologies in the field of criminology, in particular, without introducing new technologies into this field. must.

With the above opinion, I am far from the opinion that the methods of correspondence examination currently in force in the Republic of Uzbekistan are old or should not be used, on the contrary, on the basis of these methods, we have developed the field of foreign scientists who have come together from the criminogenic situation of our country and the trends of committed crimes. In cooperation with. Today, our honorable president is creating unparalleled opportunities for our youth, and I think that we should only be inspired by this and move forward, and we should all respond positively to these reforms with our own positive results.

Nowadays, forensic forensic examination is considered one of the most frequently assigned expert studies in practice, and it has a special place among expert studies due to its complexity and at the same time it is interesting. Epistemic expertise is one of the few types of expertise that does not have an automated system within traditional forensic research. In this expertise, the human factor is very important, and the expert expert gives a conclusion based on his knowledge, experience and skills, and not with an automated system, on almost all issues that are supposed to be solved before the expert. That is why there are more cases of appointment of re-examination within the

framework of this expertise compared to other types of expertise.

Correspondence examination is carried out by a specialist expert based on the decision and verdict issued by the court and investigative authorities in order to clarify whether the handwritten writings and signatures in the document, which are considered to be the object of investigation in the civil and criminal proceedings, have been executed by a certain person or not, and at the end, it is formalized through a conclusion.

One of the main reasons for the relevance of forensic expertise and the high demand today is that the signature (in some cases, writing) considered as the objects of this expertise is one of the requisites that has the power to confirm documents, real estate, bank, will, etc. used to confirm similar documents. That is why the demand for this expert research is increasing and not decreasing. At this point, I will touch on a very common situation in practice. We know that during the process of appointing an expert, the body that appointed the expert must put a question to the expert for a solution. In some cases, the authority appointing the expert will ask questions such as "Whether the signature or stamp on the document with conditional name "A" to be checked is forged." The correct seal is not an object of correspondence expertise, but I considered it permissible to mention this situation because there are many similar situations when appointing an expert and putting questions to the expert.

Here it is important to understand that the expert does not have the right to answer the fact that a certain document or the details contained in it are fake or not in his conclusion, so asking such questions to the expert is a mistake, and I believe that the employee

who asked such a question is not qualified to appoint an expert. It would be appropriate to give such employees a clear understanding of the assignment of expertise.

If a correct, exactly necessary object is put before the expert correspondence as a question, it will not be without benefits for both the expert and the body that appointed the expertise. Because the expert tries to give a clear answer to a specific question. It is appropriate to ask questions to the expert in the following order regarding the situation indicated above. "Whether the signature on the document with conditional name "A" under verification (if there are several, it should be indicated which one) was executed by a certain person or by another person." because the correspondence expert clarifies the fact that the object to be checked in the document (signature, writing, number, etc.) has been executed by a certain person or not.

The existence or non-existence of the state of forgery of this signature will be assessed and qualified depending on the conclusion of the expert opinion obtained by the body that appointed the expert (investigator, court, etc.). In some cases, as a result of the lack of knowledge of the experts of correspondence, in order to answer the question put before the expert, there are such errors, i.e. the conclusion that the signature or seal on the document with the conditional name "A" is forged or not is forged. There is a lot of reason for this type of conclusion, because we experts are aware of our obligation to answer the question posed by the body that appointed the expertise, not to answer questions that do not fall within our competence, and to solve the issue of making changes to the body that appointed the expertise without affecting the content

of the question through an oral or written appeal. we must not forget that we have the right to do so.

If the questions put to the expert do not fall within the scope of the expert's authority, the expert draws up a justified document on the impossibility of giving a conclusion by the expert and sends it to the body (person) that appointed the expert¹. Let us cite the following situation as an example of such a situation. If it is indicated that the signature and seal on a document should be checked by the body that appointed the expert, the following question was put before the expert to solve: Was it done by "(conditional name) or by someone else?"

It is not surprising that the above situation is often encountered in practice, but it is a situation related to the lack of knowledge and skills of the representatives of the body that appointed the expert. The reasons for my opinion are as follows:

-First of all: Mukhr is not considered an object of Xatology expertise.

-Secondly: For both of these objects, only one Correspondence expert is appointed.

-Thirdly: If it is necessary to appoint only one expertise for both of them, this situation is regulated in the Code of Criminal Procedure of the Republic of Uzbekistan. Comprehensive expertise is appointed in cases where it is possible to determine important cases for the case by conducting several expert examinations using different fields of science.

-Fourth: It is impossible to determine by whom the stamp was made (printed). After all, this form does not change regardless of who puts the seal on the paper.

REFERENCES

1. Handwriting and handwriting expertise lecture course Volgograd 2002
2. Koshmanov M.P., Koshmanov P.M. Signs of handwriting forensic investigation.
3. Vinberg A.I. Forensic examination of the letter.
4. Criminal Procedure Code of the Republic of Uzbekistan

¹ жпк