

ANALYSIS OF RESEARCH AND COMMISSION FORENSIC EXPERTISES CONDUCTED ON LIVING PERSONS

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Abstract: Re-forensic examination is not only of great importance for forensic investigation bodies, but also for forensic examination is important in improving the quality of work. Appointment of re-examination is appointed only when a suspicion arises from the conclusion (examination) of the primary forensic expert during the investigative investigation. However, the suspicion is not always well-founded, in later times it is customary to appoint a re-examination by the investigation and inquiry authorities unilaterally, that is, when the victim or the suspect is dissatisfied with the initial conclusion.

Key words: forensic examination, re-examination, victim, suspect, criminal responsibility, administrative responsibility, criminal code.

Relevance of the problem: in recent years, there have been many injuries, car accidents, violent deaths, violent situations, and sexual crimes among the population. Therefore, the role of not only forensic experts, but also investigative bodies is important in improving the quality of work in the forensic examination process, which is why suspicion is not always justified during the investigative investigation process.

When the expert's level of knowledge is insufficient in the process of re-examinations and commissions, it is becoming common for suspect or victimized citizens to protest against many primary conclusions, or to bring criminal or administrative responsibility based on the same primary expert opinion of the court investigation body, and many complaints are received from citizens.

Therefore, any wrong conclusion and prosecution would have been avoided if experts and investigative body staff were trained in their field.

The purpose of the work: as the purpose of the work, the last 6 months of data of the review and commission expertise department of the Khorezm Regional Forensic Expertise Bureau for the years 2022-2023 were used, that is, the conclusion of the review and commission expertise department, the medical histories of medical associations.

Inspection method and materials: in the course of the inspection, the injured persons visited the medical association based on the decision of a higher authority, i.e. the internal affairs or the prosecutor's office, in the examination department of the commission, or in the case of citizens who applied to the medical association, and in cases of unknown etiology, the corpses were examined in the examination department of the commission.

Results of the investigation: when analyzing the re-examinations conducted in 2022-2023, it was determined that 86 re-forensic examinations were conducted. In examinations of living persons, re-forensic examinations were appointed in most cases on the grounds that the victim or suspect was dissatisfied with the conclusion of the primary forensic examination (examination), without thorough investigation and without objective confirmation of the state of dissatisfaction. Expertises were assigned to determine only one question, that is, to determine the severity of the injury.

Out of the 74 mentioned above, 72% were conducted to determine the severity of the injury, 8% to determine the sexual situation, 2.7% to determine the sexual crime, 8.1% to determine the traffic incident, and 5.4% to determine the mechanism of injury. Reassigned examinations make up 0.3% of all examinations (examinations) of living persons. The rejection rate of re-examinations is 16.2%. The highest rate of transmission of body injuries was observed in 5 cases.

In 3 of these cases, the victims were diagnosed with concussion by neuropathologists, but the diagnosis was made based on nonspecific symptoms, objective symptoms were not shown, and the medical reports did not even show any injuries to the head and neck, so the forensic experts did not consider concussion to be due to the severity of the injuries. were not taken into account in the determination. Re-examinations of closed brain injuries make up 13.5% of all re-examinations.

There were 2 expert examinations on the origin of the injury, in which the victims had diseases in their eyes, and it was not possible to connect these diseases with the injuries. In two cases where the primary conclusion was rejected, radiologists mistakenly diagnosed fractures in the paw and wrist bones, causing experts to make a mistake in assessing the severity. During the re-examination, the X-ray did not reveal a cyst, and the primary conclusion was rejected.

In another case, based on the conclusion of the ENT doctors, the forensic expert gave the degree of severity of the injury, in the re-examination examination, the diagnosis of the ENT doctors in the conclusion of the primary expert was not confirmed, and the primary conclusion was rejected. The analysis shows that in 70% of cases, re-examinations are not appointed unilaterally based on the objection of one of the two parties, which is the result of the lack of knowledge of the laws and regulations on which the re-examinations are based.

Conclusion: 1. When appointing forensic examinations, the law enforcement authorities approach one-sidedly without knowing well the rules for appointing re-examinations.
2. The conclusions given by the medical specialists of different fields participating in the expert examination process without a good study of the situation cause the experts to make mistakes in determining the level of severity of body injuries and to appoint new expert examinations.
3. It is expedient to hold seminars and training sessions together with the law enforcement agencies on the rules for appointing re-examinations.
4. The discussion of identified deficiencies in the process of re-expertise serves to improve the qualifications of doctors and experts, and to improve the quality of expertise.

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