

Intersubjectivity of Forensic Handwriting Analysis

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Abstract : In each of the legal proceedings, in which expert evidence is carried out, a major concern is the assessment of the evidential value of expert reports. Judicial institutions, while making decisions, rely heavily on the expert reports, because they usually do not possess 'special knowledge' from a certain fields of science which makes it impossible for them to verify the results presented in the processes. In handwriting studies, the standards of analysis are developed. They unify procedures used by experts in comparing signs and in constructing expert reports. However, the methods used by experts are usually of a qualitative nature. They rely on the application of knowledge and experience of expert and in effect give significant range of margin in the assessment. Moreover, the standards used by experts are still not very precise and the process of reaching the conclusions is poorly understood. The above-mentioned circumstances indicate that expert opinions in the field of handwriting analysis, for many reasons, may not be sufficiently reliable. It is assumed that this state of affairs has its source in a very low level of intersubjectivity of measuring scales and analysis procedures, which consist elements of this kind of analysis. Intersubjectivity is a feature of cognition which (in relation to methods) indicates the degree of consistency of results that different people receive using the same method. The higher the level of intersubjectivity is, the more reliable and credible the method can be considered. The aim of the conducted research was to determine the degree of intersubjectivity of the methods used by the experts from the scope of handwriting analysis. 30 experts took part in the study and each of them received two signatures, with varying degrees of readability, for analysis. Their task was to distinguish graphic characteristics in the signature, estimate the evidential value of the found characteristics and estimate the evidential value of the signature. The obtained results were compared with each other using the Alpha Krippendorff's statistic, which numerically determines the degree of compatibility of the results (assessments) that different people receive under the same conditions using the same method. The estimation of the degree of compatibility of the experts' results for each of these tasks allowed to determine the degree of intersubjectivity of the studied method. The study showed that during the analysis, the experts identified different signature characteristics and attributed different evidential value to them. In this scope, intersubjectivity turned out to be low. In addition, it turned out that experts in various ways called and described the same characteristics, and the language used was often inconsistent and imprecise. Thus, significant differences have been noted on the basis of language and applied nomenclature. On the other hand, experts attributed a similar evidential value to the entire signature (set of characteristics), which indicates that in this range, they were relatively consistent.

Keywords : forensic sciences experts, handwriting analysis, inter-rater reliability, reliability of methods

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