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## SOME QUESTIONS ABOUT THE ROLE OF A FORENSIC EXPERT IN INVESTIGATING COMPUTER-RELATED CRIMES

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### ABSTRACT

*A special feature of the content of this article is the investigation of computer crimes. The lack of special training with the functioning of computers and computer systems to detect and most importantly prove the crime committed, by law enforcement officers. Computer-technology and its carriers can be considered as information and their sources, respectively, in the structure of criminal procedural evidence, but only in such forms as physical evidence and other documents. Indeed, lawyers who have received only a liberal arts education find it difficult to acquire special computer security knowledge at the present level and to operate freely with the most complex technical concepts. Despite the large number of publications that have emerged recently, the common flaw in most of these works can be considered, as adopted in them, the coverage of the issues of the use of special knowledge.*

**KEYWORDS:** *Computerization, Computer-Technologies, Information, Computer-Crimes, Traditional, Nano-Technologies, Expert Research.*

### INTRODUCTION

Nowadays stage in the development strategy of Uzbekistan, the priority is to create an information society based on the widespread introduction of modern Internet technologies. One of the defining tasks in this direction is the formation of an integrated infrastructure, the improvement of the “Electronic Government” system, the improvement of efficiency, the quality of provision and the availability of public services for the population and business entities.<sup>1</sup>

The problem is relevant, has a scientific and practical interest, since today modern computer-technology affects almost all areas of human activity. Computerization marked the modern era of scientific and technological progress. But, along with the indisputable positive aspects of

computerization, it also has negative sides, in particular, the emergence of a new type of unlawful acts, such as crimes in the field of computer technology. According to their mechanism, methods of making and hiding traces, these crimes have their own characteristics and are characterized by high latency and low detect ability. In addition, following the constant introduction of new technology, there is a change in the ways and mechanisms of committing crimes in the field of computer technology. New methods are being introduced to disguise both the illegal acts themselves and the traces pointing to the persons who prepared them and committed them.

These circumstances require constant scientific attention to the problem of detecting and investigating crimes in the field of computer technology, as well as deep knowledge in the field of information technology in persons associated with this activity.

In relation to the heightened danger of computer crime and its increasing negative impact on the global community, work is regularly carried out within the framework of the UN, the purpose of which is to find adequate ways to counter this type of crime. In many developed countries, a fairly real legal framework has already been created to combat criminal acts involving the unlawful use of computer equipment.

In recent years, information, becoming one of the determining factors in the development of modern society, has been actively introduced into all social spheres and is becoming increasingly important. It is natural that with the expansion of the sphere of using information technologies, the number of offenses related to computer technologies also increases. Thus, in recent years, with the development of computer technology, the number of computer crimes in the Republic has been significantly increasing. However, the domestic practice of investigating such crimes is still small. At the stage of initiating a criminal case, a computer-technology can serve as an information basis for decision-making, a pretext for initiating a criminal case and a basis for the emergence of criminal procedure relations in general. Computer-technology and its carriers can be considered as information and their sources, respectively, in the structure of criminal procedural evidence, but only in such forms as physical evidence and other documents. The investigation of computer crimes is significantly different from the investigation of other "traditional" crimes. Since there is a traceable intensity of computer attacks on the critical infrastructure of the Republic, and according to the data of criminal cases, mistakes are often made, often due to the lack of an adequate level of theoretical and practical training of operatives and investigators. Indeed, lawyers who have received only a liberal arts education find it difficult to acquire special computer security knowledge at the present level and to operate freely with the most complex technical concepts. The study of criminal cases in this category suggests that one of the main reasons for the poor quality of the investigation is the lack of systematized and tested methods for investigating computer crimes, as well as mistakes made during investigative actions regarding computer technology or computers themselves.

Possessing special knowledge in the field of computer technology, experts (experts) are able to make an invaluable contribution to the investigator's work on establishing truth in the investigation of crimes. Moreover, special knowledge can be used not only in the investigation of "computer crimes", because when committing "traditional" crimes, a computer can be used to design and manufacture falsified documents, bank notes, to create and store a database containing information about the crime and for other purposes. Under these circumstances, the

investigator cannot work effectively alone, relying only on his own knowledge and skills of the personal computer user. Sometimes it may not even be enough knowledge of an expert or specialist involved, because, depending on the circumstances of the case, knowledge in various areas of computer technology may be required. Despite the fact that the responsibility for searching and securing evidence lies with the investigator, the effectiveness of investigative actions such as inspecting the scene of an incident (crime scene), search, seizure, etc., is increasingly becoming dependent on organizing the interaction of the investigator and the specialists involved in these activities. Constant updating and modification of software, the emergence of new technical means and a variety of ways to use them, makes it impossible to create a universal recommendation for the study of computer technology and computer information, which could be effectively used in all cases where the investigator has a need for such research in the process. criminal investigation. This circumstance entails the need to actively develop and apply general organizational and tactical methods of using the assistance of persons with special knowledge in the field of computer information to conduct research on these objects, as well as organizing the interaction of the investigator and specialists in the field of nanotechnology in the production of operational search activities and investigative actions on the tactics of conducting individual investigative actions, such as examining the scene of an incident, examining computer technologies, interrogating witnesses, victims, suspects, setting and conducting forensic examinations, recommendations on the protection of computer devices and software: analysis of the operation of software protection tools; control of their integrity; use of secure login, password, anti-virus tools; restriction of physical access to programs and equipment, preventing the spread of file viruses; periodic technical support and control of the presence of viruses; control of running programs, operation of computer devices, after-sales service by specialists in this area, etc.<sup>2</sup>

In the literature devoted to the investigation of computer crimes, various authors have formed a forensic characterization of unauthorized access to computer information, classifying traces of unauthorized access to computer information, classifying methods of committing this crime, present data on methods of its concealment, tools and means of committing, developed a method of research and search computer equipment. Problems of rational use of special knowledge in the detection and investigation of crimes have long attracted the attention of scientists and practitioners. However, they are of a general theoretical nature or are devoted to more traditional forensic objects of applying special knowledge; in the context of computer technology, this problem has hardly been covered. In connection with the novelty of computer technology and computer technology as objects of study in the detection and investigation of crimes, research into the characteristics of the use of special knowledge in the field of computer information is fragmentary, fragmented, and most often boils down to individual, private recommendations. Almost in all the works devoted to the investigation of crimes in the sphere of computer information, it is indicated that it is advisable to involve specialists, in one way or another, the content of their assistance is disclosed. But the organization and tactics of using knowledgeable persons in investigating crimes involving the use of computer equipment, if analyzed, rarely, fragmentary.

In this regard, it is relevant to study the problems of procedural and other relations between the investigator and the subjects, the application of special knowledge in the field of computer technology in the investigation of crimes. The use of special knowledge in the detection and

investigation of crimes has always been given much attention in the legal literature. Forensic investigations of the problems of using special knowledge, the interaction of a specialist and expert with an investigator in investigating a crime were conducted by P.C. Belkin, A.M. Zinin, Yu.G. Korukhov, etc.

The issues of the production of expert studies of computer-technical means and computer information are considered in the works of TV. Averyanova, A.A. Vasilyeva, E.R. Russian, and others. Despite the large number of publications that have emerged recently, the common flaw in most of these works can be considered, as adopted in them, the coverage of the issues of the use of special knowledge. Almost in all the works a lot of attention is paid to the appointment and production of computer equipment and information expertise, however, most of the proposed recommendations are difficult for independent use by investigators. In this regard, many authors point out the advisability of attracting specialists. However, the tactics of using specialists are practically not considered, the statement is unfortunately reduced to individual, private recommendations that need to be addressed in the name of the materially calm development of society and our state.

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