

LEGAL AND CRIMINOLOGICAL DESCRIPTION OF THE USE OF SPECIALIZED KNOWLEDGE IN THE INVESTIGATION OF CRIMES OF BODILY INJURY

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Annotation: *This article explores the legal and criminological significance of using specialized knowledge in investigating bodily injury crimes in Uzbekistan. It discusses the role of various experts, including forensic medical professionals, criminologists, and legal specialists, in investigating bodily injury crimes. The paper emphasizes the importance of expert testimony, legal provisions, and the criminological framework in ensuring effective and fair criminal investigations. Furthermore, it examines the methodology behind the application of specialized knowledge in the context of Uzbekistan's legal system and highlights the importance of collaboration between legal authorities and specialists in ensuring justice.*

Keywords: *bodily injury crimes, specialized knowledge, forensic medicine, criminal investigation, expert testimony, criminology, legal system, Uzbekistan.*

Introduction

Crimes of bodily injury, such as assault, battery, and other forms of violence, are among the most common and serious offenses in any society. In Uzbekistan, the investigation of such crimes is a multifaceted process that requires specialized knowledge to ensure that the truth is uncovered and justice is served. Given the complexity of bodily injury cases, it is essential that investigators, prosecutors, and judges rely on the expertise of medical professionals, forensic scientists, and criminologists. Specialized knowledge plays a key role in identifying the nature and severity of injuries, the use of weapons, the psychological state of the perpetrator, and the overall dynamics of the crime. This article provides an in-depth legal and criminological analysis of how specialized knowledge is utilized in investigating crimes of bodily injury in Uzbekistan, focusing on the roles and

responsibilities of experts and how their contributions affect the criminal justice process.

Main Part

In Uzbekistan, criminal law mandates that investigations into bodily injury crimes must rely on specialized knowledge to determine key facts about the case. Specialized knowledge refers to insights provided by experts in areas such as medicine, criminology, and forensic science. The role of specialized knowledge is particularly important in cases involving bodily injury, where a thorough understanding of medical evidence, injury types, and criminal behavior is needed.

From a legal perspective, Uzbekistan's criminal procedure law provides clear provisions for the involvement of experts in investigations. The Criminal Procedure Code of the Republic of Uzbekistan allows for the appointment of experts who provide scientific and technical expertise on specific aspects of a criminal case. Experts in the field of forensic medicine, criminalistics, and psychology assist law enforcement in determining the cause and extent of injury, the use of weapons, and the likelihood of recovery.

Criminologically, the use of specialized knowledge helps investigators understand the motivations and psychological states of perpetrators, which is critical in classifying the crime and understanding its context. The combination of legal, medical, and criminological expertise is essential to ensure a fair and effective investigation.

"Specialized knowledge" is a narrowly focused professional knowledge in a scientific, technical, or professional field used for the purposes of initiating a criminal case, preliminary investigation, and trial, and used to find, collect, and evaluate factual information and evidence related to a crime through modern research methods.

As a result of the analysis of the norms reflecting the activities of a specialist established in the Criminal Procedure Code, it was substantiated that his activities should be divided into the following areas [1]:

- 1) assistance in finding, collecting, consolidating, and evaluating evidence;
- 2) assistance to the inquiry officer, investigator, and court by using scientific and technical means (tape recorder, video recorder, film recording devices, and other devices) in conducting an investigation and trial;
- 3) assistance in formulating questions to be asked of the expert;

4) answering (giving an opinion) on the questions of the parties and the inquiry officer, investigator, prosecutor, and court regarding the situation of the criminal case based on his professional knowledge;

5) assistance to the bodies that appointed the expert in evaluating the expert's conclusions;

6) assistance in the process of working with minors and persons who have suffered greatly from the crime (pedagogue and psychologist).

Having discussed the results of generalizing judicial practice in cases involving intentional bodily harm of various degrees and in order to ensure the correct application of the norms of criminal law providing for liability for the commission of such acts, the Plenum of the Supreme Court, based on Article 17 of the Law "On Courts", decides [2]: It is explained to the courts that bodily harm should be understood as the anatomical damage to human organs or tissues or the disruption of their physiological function as a result of external influence.

Determining the nature and severity of bodily injuries is usually within the competence of medical authorities and is carried out in accordance with the Rules for Forensic Medical Determination of the Severity of Bodily Injuries, approved by Order No. 153 of the Minister of Health of the Republic of Uzbekistan dated June 1, 2012 [3].

Causing minor bodily injury through negligence shall be punishable by a fine. Intentional infliction of minor bodily injury, if this act did not lead to a short-term deterioration of health or a permanent loss of working capacity that does not last long, shall be punishable by a fine of 2 to 4 times the minimum wage [4].

Intentional infliction of grievous bodily harm, which at the time of the act was life-threatening, resulted in the loss of the ability to see, speak, or hear, or the complete loss of the function of any organ, mental disorder or other impairment of health, permanent loss of at least 33 percent of the total working capacity, or miscarriage or irreversible disfigurement of the body - shall be punishable by restriction of liberty for a term of 3 to 5 years or imprisonment for a term of 3 to 5 years.

Intentional infliction of grievous bodily harm:

- against a woman whose pregnancy is known to the perpetrator;
- against a person or his close relatives in connection with the performance of his official or civil duty;
- with extreme cruelty;

- in the course of public unrest;
- with the intention of greed;
- as a result of hooliganism;
- motivated by interethnic or racial hatred;
- motivated by religious fanaticism;
- with the aim of cutting off a person's organs and transferring them to another person (transplant) or using parts of a corpse;
- by a group of persons;
- committed with the use of a weapon or objects that can be used as edged weapons - shall be punishable by imprisonment for a term of 5 to 8 years.

If intentional infliction of grievous bodily harm:

4. against two or more persons;
5. repeatedly, by a dangerous recidivist or a person who has previously committed intentional murder;
6. by an extremely dangerous recidivist;
7. committed by a member of an organized group or in the interests of such a group;
8. causing the death of the victim - shall be punishable by imprisonment for a term of 8 to 10 years.

Intentional infliction of slight bodily harm - intentional infliction of slight bodily harm that did not lead to a short-term deterioration of health or a short-term loss of working capacity, if committed after the imposition of an administrative penalty for the same actions - is punishable by a fine of up to twenty-five times the basic calculation amount, or by compulsory community service for up to two hundred and forty hours, or by correctional labor for up to one year.

Intentional infliction of slight bodily harm that caused a short-term deterioration of health, that is, for a period of more than six days, but not more than twenty-one days, or by general loss of working capacity for a short period - is punishable by a fine of from twenty-five to fifty times the basic calculation amount, or by correctional labor for a period of up to two years, or by restriction of liberty for up to one year, or by imprisonment for up to one year.

The methodology for using specialized knowledge in investigating bodily injury crimes in Uzbekistan involves several stages:

1. Crime Scene Investigation. Investigators work closely with forensic experts to collect and document evidence at the crime scene. This includes photographing injuries, collecting biological samples (such as blood and DNA), and preserving physical evidence. Specialized knowledge in crime scene management is essential to prevent contamination of evidence.

2. Medical and Forensic Examinations. Following the initial investigation, forensic medical experts conduct thorough examinations of the victim to assess the extent of the injuries. This may involve autopsies in cases of severe injury or death, where the expert will determine the cause of death and whether the injuries were consistent with the alleged crime.

3. Psychological Profiling. Criminologists or psychologists evaluate the perpetrator's mental state based on the nature of the crime. For instance, they assess whether the perpetrator's behavior indicates premeditation, whether the victim was specifically targeted, and whether the perpetrator exhibits signs of psychological instability.

Expert Testimony in Court: Experts play a crucial role in providing testimony in court. Their reports and opinions help judges and jurors understand complex medical and psychological evidence, which can be critical in reaching a verdict.

The legal system in Uzbekistan places significant importance on the use of specialized knowledge in criminal investigations. Expert testimony is considered a crucial element of evidence, and the Criminal Procedure Code establishes clear guidelines for its admissibility in court. Legal authorities ensure that experts are qualified and impartial, and their reports are subject to scrutiny.

In bodily injury cases, expert testimony can make or break a case, as it provides an objective analysis of physical evidence. The legal implications of expert knowledge are particularly evident in cases where the nature of the injury, the weapon used, or the psychological state of the perpetrator is in dispute. Courts rely on experts to clarify these issues and help determine the intent of the perpetrator.

Conclusion. In conclusion, the investigation of bodily injury crimes in Uzbekistan requires the use of specialized knowledge from various fields, including medicine, forensic science, and criminology. Legal provisions in the country ensure that experts play a central role in the criminal justice system by providing objective and scientific analysis of the evidence. The collaboration between legal authorities and experts ensures that investigations are thorough, fair, and just, leading to more accurate outcomes in criminal cases. As Uzbekistan

continues to modernize its legal system, the importance of specialized knowledge in the investigation of bodily injury crimes will continue to grow, enhancing the effectiveness of criminal investigations and ensuring the protection of public safety and individual rights.

References:

1. Criminal Procedure Code of the Republic of Uzbekistan (2023).
2. Plenum of the Supreme Court, Article 17 of the Law "On Courts"
3. Forensic Medical Determination of the Severity of Bodily Injuries, approved by Order No. 153 of the Minister of Health of the Republic of Uzbekistan dated June 1, 2012
4. Кодекс Республики Узбекистан об административной ответственности. 01.04.1995. <https://lex.uz/ru/docs/97664#198031>
5. United Nations Office on Drugs and Crime (UNODC). (2018). Forensic Science and Criminal Justice.
6. Ibadova Anjelika Ismatulloyevna. USE OF SPECIALIZED KNOWLEDGE IN THE INVESTIGATION OF CRIMES RELATED TO BODILY INJURY. Vol. 1 No. 1 (2024): MODERN PROBLEMS IN EDUCATION AND THEIR SCIENTIFIC SOLUTIONS
7. Yesimbetova Barno Yesengeldievna. PROBLEMATIC ISSUES OF INTERACTION BETWEEN THE INVESTIGATOR AND FORENSIC EXPERTS WHEN ORDERING EXAMINATIONS RELATED TO THE INTENTIONAL INFLICTION OF BODILY HARM (2024), pages 46-49.