

U.S. expert in Diab case chides French colleague

Says analysis sets the tone for bias

BY CHRIS COBB, OTTAWA CITIZEN DECEMBER 21, 2010

A leading U.S. handwriting expert told Hassan Diab's extradition hearing Monday that pivotal French handwriting analysis being used against the alleged terrorist is biased and fatally flawed.

In a stinging rebuke, U.S. forensic document examiner John Osborn said French evidence comparing Diab's handwriting with the writing of a man who signed a Paris hotel register in the fall of 1980 is "confusing and convoluted."

Former University of Ottawa professor Diab is wanted by France to stand trial for the murder of four passersby who died in a terrorist bomb blast outside a Paris synagogue in October 1980.

Diab says he is the victim of mistaken identity.

Evidence from witnesses questioned shortly after the bombing suggests that the man who signed the hotel registration card using the false name Alexander Panadriyu was also the person who planted the bomb in a motorcycle saddlebag outside the synagogue.

Osborn, a former FBI adviser, criticized the mandate French handwriting analyst Ann Bisotti got from prosecuting judge Marc Trevidic, which, he said, unacceptably limited her options.

He also criticized Bisotti for accepting the assignment as it was written. Trevidic's instruction basically asked Bisotti to say whether the writer in the hotel register "is or may be" Diab.

"Limiting any forensic scientist to specific conclusions, as these instructions clearly do, defeats the purpose of the objective observation and analysis," said Osborn in a report for defence lawyer Donald Bayne. "... Bisotti clearly accepts the instruction and thereby sets a fatal tone of subjectivity and bias."

Osborn blasted Bisotti for rejecting seven differences in the handwriting samples as "natural variation" - an analysis, he said, that was "absurd."

Former forensic document examiner Brian Lindblom was similarly critical of the Bisotti report last week and, like Osborn, said the French expert exhibited an apparent lack of understanding of accepted international standards of handwriting analysis.

Crown prosecutors Claude LeFrancois and Jeffrey Johnston suggested Lindblom's lack of knowledge of France and French methods severely dented his credibility. Johnston gave notice before Osborn's testimony that the American's lack of French qualifications would also be a target.

Bayne said it was a "startling proposition" that exclusive French methodology exists.

Bayne and the prosecutors are fighting a crucial battle over the handwriting that is key to the Diab case.

After hearing Osborn and a British expert scheduled to appear in January, Ontario Superior Court Justice Robert Maranger will decide whether to exclude the Bisotti evidence.

The hearing continues today.

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