

No country has 'mystical powers' in handwriting analysis

French expert lacks experience, Diab hearing told

BY CHRIS COBB, OTTAWA CITIZEN DECEMBER 22, 2010

Forensic document examiners work by international standards and if French experts operate by different rules they are doing it wrong, a U. S handwriting expert told Hassan Diab's extradition hearing Tuesday.

"A specific country doesn't have mystical powers that supersede the accepted processes," he said.

During cross-examination by Crown lawyer Claude LeFrancois, New Jerseybased John Paul Osborn admitted he knew little about French forensics, but doubted they differ from international standards.

France wants Diab, a former University of Ottawa professor, extradited to stand trial for the murder of four passersby who were killed in a terrorist bomb blast 30 years ago outside the Rue Copernic synagogue in central Paris.

Diab says he is the victim of mistaken identity.

Osborn told the hearing on Monday that French handwriting analysis that allegedly ties Diab to the bombing contained "flaws so critical as to render the determinations wholly unreliable."

In a line of attack he used against former RCMP forensic document examiner Brian Lindblom last week, LeFrancois listed French expert Anne Bisotti's qualifications and experience and pointed out to Osborn that she has a degree in forensics.

"You don't hold a degree in forensics, do you?" he said.

"No," replied the former FBI adviser, who added that nothing in Bisotti's C.V. suggested she had the appropriate qualifications of a competent document examiner.

"Based on my reading of (Bisotti C.V.)," said Osborn, "there is a lack of peer testing and a lack of experience in courts.

"These don't represent qualifications that would result in a competent examination.

"Forensics is a very broad field. Having a degree in forensics doesn't qualify you as a forensic document examiner."

The prosecutor also suggested that the 28-year forensic expert Osborn's limited knowledge of France

made it impossible for him to know whether Trevidic's instructions were normal in the French legal context.

"I wouldn't know whether it is unusual," he said, "but I do know if it's right and it isn't."

Under Canadian extradition law, the defence is not allowed to produce competing experts, but can attempt to convince the extradition judge that evidence from the requesting country is "manifestly unreliable."

If Bayne is successful, the handwriting evidence -- crucial to the prosecution case -- will likely be withdrawn.

The hearing continues today.

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