



FORENSIC DESCRIPTION OF CRIMES COMMITTED BY WOMEN

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| Article history: | Abstract: |
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| Received: January 20 th 2023 Accepted: February 22 th 2023 Published: March 26 th 2023 | In this article, women's crime differs from men's crime in terms of quantity and quality, the nature of the crime and its consequences, the weapon used, the motive and purpose, participation in the crime, and other objective and subjective aspects. The existence of these differences also highlights the need to study the specific criminalistic description of crimes committed by women and to radically separate it from the general description of crimes, ie the criminalistic description of crimes committed by men. |

Keywords: crimes committed by women, forensic description of crimes, social, biological, motive and purpose, victim.

One of the main tasks of the large-scale reforms in various fields implemented in our country is to ensure the priority of human rights, including to further strengthen the role of women in society, which is equally respected by all of us, and to create various privileges and guarantees for them in all spheres of social life. For example, in the Presidential Decree "On the Development Strategy of New Uzbekistan for 2022-2026" it is necessary to increase the activity of women in all aspects of the social, economic, political, cultural and spiritual life of our society, to ensure their education and professional skills and employment, and entrepreneurship. It is envisaged to help further support the initiative, early prevention of crimes committed by them or against them, systematic study of the problems of women included in the "Women's Register", their needs and interests, and implementation of large-scale work on targeted solutions.

Both our prosperous life today and our bright future depend on women. If we want our people to be satisfied with us, first of all we need to create decent living conditions for our respectable mothers and sisters. If the mother agrees, the family agrees, if the family agrees, the society agrees, - says our president Shavkat Miromonovich Mirziyoev [4].

It is known that within the framework of the 7 priority directions of the development of our country in the Development Strategy and the "roadmap" for its implementation in 2022, early prevention of crimes committed by women, studying and eliminating the factors that cause such situations to occur, it is important to continue the systematic work started in this regard consistently in the future.

The concept of "women's crime" appeared in the XX century, it is considered as a part of general crimes and psychologically, biologically and physiologically different from crimes committed by

men. It is known that women are physiologically and psychologically weaker than men, but in turn, they have the ability to quickly get used to any situation and get out of situations that men could not get out of. Women's crimes differ from men's crimes in quantity and quality, according to the nature of the crime and its consequences, the used crime weapon, motive and purpose, participation in the commission of the crime, and other objective and subjective aspects. The existence of these differences indicates that it is necessary to study the separate criminalistic description of crimes committed by women and to fundamentally separate it from the description of general crimes, that is, the criminalistic description of crimes committed by men.

The science of criminology offers investigators to carefully study the criminalistic description of the crimes they have previously accepted for their work in order to determine the objective truth in solving all types of crimes. Description in the science of criminology is understood as "a generalized set of criminalistically significant information about the system of interrelated elements that allows to create an image of a crime trace, to solve the tasks of detection, investigation and prevention of crimes".

While each committed crime acquires its own uniqueness, the similar and repetitive features found in the crime constitute the elements of criminalistic description. It is worth mentioning that after studying the investigative practice based on national and foreign experiences, we will give suggestions and recommendations regarding the general criminalistic description of crimes committed by women and their study as a separate chapter in the textbooks on criminalistics.

To date, crimes committed by women have been studied as a subject of the field of criminology, and within this topic, many criminological scientists



have made their own opinions in their research. For example, the study of women's criminality as an independent structural element of criminality was founded in the second half of the XIX century, among the criminological scientists who initially paid attention to this issue was Lambert Adolphe Jacques Kettle (1796-1874). Belgian sociologist and criminologist A. Kettle, in his 1965 work known as "The Development of Man and His Abilities", tried to explain the laws of crime development and said that "the propensity to commit crime depends on a person's age, sex, profession, level of education, season of the year, etc" came to a conclusion. He not only explained the differences in men's and women's criminality with the difference in the physical development of the sexes, but also explained the deviant behavior of women by being cut off from social life and trapped in the framework of family obligations.

Ch. Lombroso explained that the intensity of women's crime is lower than men's due to the uniqueness of the female organism, female nature and its "biological deficiency" to a certain extent [1].

In our substantive law, crimes are not directly divided into types such as crimes committed by men and crimes committed by women, according to the sex of the perpetrators. For this reason, crimes committed by women are criminologically studied as part of general crime, since crimes are not categorized in this way. Only crimes committed by minors from the structure of general crimes are studied both in criminal law and within the subject of criminology and even criminology.

In our opinion, if we find it necessary to study this topic within the framework of the subject of criminology, we must first of all develop a criminological description of women's criminality. While studying the criminological description of women's crime, we pay attention to the method of committing crimes committed by women and the peculiarities of their implementation, the circumstances of the crime, their identity as a criminal, the object and means of criminal aggression and the circumstances related to their use, we need to summarize the special aspects of the investigation that differ from the crime of men.

E. V. Vologina in her scientific work entitled "Methodology of investigation of crimes committed by women" emphasized the need to include the following in the criminalistic description of crimes committed by women: characteristics specific to the personality of the woman who committed the crime; the method of committing the crime by the female criminal; the way a woman criminal hides her crime; information about

the crime; we can understand the specifics of the place, time and subject of the crime and so on.

In order to study this criminological description more thoroughly, taking into account its specific aspects in the investigation of crimes committed by women, we propose to include the following elements in it: the selection of victims in women's crimes and who are more likely to participate as victims; reasons and circumstances of women's crimes.

Below, we have detailed the elements of the criminalistic description of crimes in this category and described their specific aspects.

According to O. N. Makarenko, in the criminalistic description of crimes committed by women, special attention should be paid to the circumstances related to the identity of the criminal woman. In doing so, he includes the following elements specific to the personality of a female criminal: age, education, social status and characteristics of the female criminal's psychology [7-8].

Agreeing with O. N. Makarenko's opinion, it is worth saying that although from the point of view of criminology, the differentiation of crimes according to sexual characteristics is not given much importance, investigation and judicial practice show that as a result of the investigation of crimes committed by women and men, crimes committed by representatives of these two sexes are psychological, physiological, social in addition to the differences, they are also different from each other tactically [9-10].

We suggest that the following elements should be studied within the framework of the above considerations:

- ✓ General and personal characteristics of the woman who committed the crime;
- ✓ The method of committing a crime by a female criminal;
- ✓ Peculiarities in the place, time and subject of the crime;
- ✓ The selection of victims in women's crimes and who is more likely to be victimized;
- ✓ Reasons and circumstances that influenced the occurrence of women's crime;
- ✓ The motive and purpose of committing the crime.

A woman suspected (or accused) of committing a crime is socially distinguished from a male criminal by the following general characteristics: her role in society and family, age, profession, specialization, education, and financial situation.

In the process of investigating crimes, it is also necessary to take into account the fact that female



criminals are biologically different from men. E. V. Vologina said that the biological characteristics of a criminal woman's personality are directly related to her period of menstruation, pregnancy, childbirth and the postpartum period. That is, biological conditions of this type have a great influence on the psyche of women to commit crimes.

P.N.Tarnovskaya believes that criminal behavior in a person is caused by his biological tendency to commit a crime, but he also draws attention to the negative influence of unhealthy living conditions, upbringing and example. For example, crimes such as killing a woman's own baby and defamation are committed directly as a result of psychological disturbances in the biological condition and psyche of a woman.

The typical situations that arise in the investigation of crimes committed by women, the versions to be investigated and the tactical methods chosen by the investigator during the investigation depend to a large extent on the psychological state of the criminal woman.

According to T.V. Papova, during the investigation of crimes, he mentions studying the psychology of the criminal woman, taking into account her worldview, emotional state, psychological maturity.

When determining whether the crime was committed by a woman or a man, the investigator must pay attention to these differences, plan preliminary and subsequent investigative actions, make versions and define all investigative actions that should be carried out.

D.N. Lozovsky evaluates the method of committing crimes as one of the main characteristics that distinguish crimes committed by men from crimes committed by women [2].

It is known from history that some of the most brutal and complicated crimes were committed by women. According to the data, new ways of committing crimes against human life and health have emerged due to the strong imagination and fantasy of women. For example, killing by poisoning or causing harm to health is more often committed by women. Mary Ann Cotton was one of the most brutal murderers alive in 1832, when she poisoned a total of 20 people using the poisonous substance "mishwak". Among them were her 3 husbands, children and close relatives.

Ya.R. Kurp, who was the head of the factory that produced the first wall-papers with pictures of beautiful decorations in Europe, made these wall-papers by adding Mishwak and other poisonous substances.

As a result, the people who bought it and pasted it on the walls of their houses gradually got sick from the smell of the poisonous substances in this paper and finally died [3].

According to E.V. Vologina, women's crime differs from men's crime not only quantitatively, but also qualitatively and aggressively. For example, the crime of intentional killing of a mother, who is only a woman, is committed in a special way. The most common methods in practice include: suffocation, drowning, exposure to cold or heat, starvation, poisoning, injury with a sharp or pointed object, and leaving the umbilical cord open before birth, and the most common of these is leaving the baby alone in garbage dumps.

As time has changed, violent crimes against women have become more widespread. Among the main reasons for this are the unemployment rate of women, gaps in their legal consciousness and legal culture. It is noted that by 2022, more than 630,000 women will be registered in the "Women's Register", 200,000 of them are considered unemployed. In 2021, the crime among unemployed women increased by 1.7 times, and the crimes committed by women aged 18-30 increased by 2 times. In addition, there are still cases of humiliation, violence and oppression of women in the family. In 2021, about 39,000 women contacted prevention inspectors about domestic violence by their husbands, mothers-in-law, and daughters-in-law. This number has increased by 2.5 times in comparison with 2020 [4].

Misunderstanding and failure in families often lead to family breakdown. In our opinion, the breakdown of the family, first of all, has a negative effect on the psyche of the members of this family, and in the last, most serious consequence, it encourages the formation of the criminal personality. On the one hand, single women, who are responsible for all the worries of the family, sometimes go to the level of committing many crimes, and on the other hand, children growing up in an unhealthy environment, who are not satisfied with the love of their parents, are allowed to approach the world of crime.

"Unfortunately, the role and influence of neighborhood activists, our community and our intellectuals in solving these problems is not felt. We need to understand one thing clearly. It takes a lot of perseverance to study, work or do business while dealing with family and child upbringing" says the President [4].

Jurisprudence shows that the world's most common crimes against women include theft, fraud,



embezzlement or embezzlement, drug trafficking, prostitution and conspiracy, murder, and terrorism. There is a common feature of women criminals who commit the crimes listed above, and the tendency to commit many of these types of crimes is related to the fact that the crime is carried out subjectively by women. For example, committing crimes such as theft, fraud, embezzlement, and embezzlement requires more mental activity than physical labor. Instead, the psyche of female criminals encourages them to invent various tricks to achieve an easy life, to look for new ways to evade the law and to use their own methods of committing crimes. Also, the emotional state of a female criminal makes it possible to differentiate the crime committed by them from the crime committed by a male criminal both subjectively and objectively.

Objectively, female criminals do not differ from male criminals in terms of the place, time, crime weapon or means of committing a particular crime, but the method of committing the crime is unique for every female criminal. For example, as a result of the study of female criminals by scientists in science, there are two opinions. According to one group of scholars, female criminals try to commit the crime they want to commit with a taste characteristic of particular women; another group of scientists came to the opinion that because women are weaker physiologically, they commit crimes that require less physical labor directly, and crimes that require more effort, using their appearance, that is, their wits and intelligence, with the help of external help. Also, crimes committed by women are more likely to be committed during the day in crowded places. The main reason for this is that women commit crimes in more risky situations, and this is due to the fact that it is easier to hide the crime track and escape from the crime scene, and they take into account their physical strength.

Crimes committed by women tend to target women, the elderly, minors and other vulnerable persons. Historical practice shows that women are more likely to choose their children or spouses as victims. Because these victims sometimes do not even imagine the possible aggression from a woman against them. For example, Bell Gannes, who was recognized as the most brutal woman in the history of the United States, was born in 1859, and she killed 30 people during her lifetime. Among them, he killed her parents, 2 husbands, daughters, cousins and people who were interested in her. Also, one of the most brutal criminal women, Queen Mary I, the daughter of King Henry VIII of England, was known in history as "Bloody Mary". He shed the blood of many civilians, many of

whom were children and women, in order to establish the rule of the Catholic Church in the country [5].

Investigative and judicial practice shows that women choose their victims, focusing on the following: Physical and mental condition of themselves and the victims. In this case, women commit crimes by gaining the trust of persons who are physically weaker than themselves, in need of help, and in a depressed mood. Sometimes, women make victims of persons who are both physically and emotionally mature, but unable to repel aggression due to the circumstances, for example, sleeping persons, or use their charm and close relationship with the victim to commit crimes.

According to the degree of closeness of the victim of the crime, women are more likely to choose the persons they know well as the victims. In such cases, the victims of crimes against women are their relatives or close associates, and women commit their crimes by gathering specific information about the victim in advance that helps them commit the crime. Sometimes, complete strangers are chosen as the victims of their crimes, and the victims themselves become victims of crimes committed by women for reasons beyond the will of the perpetrator [6].

If we divide crimes according to the level of seriousness of the thought and practice into crimes that are difficult to commit and those that are somewhat easy to commit, then we observe that women are more likely to participate in crimes that can be directly committed. In such crimes, women are more likely to act as organizers and commit crimes. For example, in the process of investigating crimes such as assault, robbery, and aggravated murder, and sometimes intentional grievous bodily harm, which are often committed by women, the investigator must directly understand that a female individual cannot commit these crimes alone, and the nature of the assault in this case and it should be taken into account that the possibility of using the weapons and tools used in it is physically limited (except if the woman has been engaged in sports regularly).

The fact that women are physically weaker than men does not mean that they cannot always commit crimes that are difficult to commit. In this case, the investigator must take into account the nature of the crime and assign investigative experiments and other types of forensic expertise. These investigative actions allow to determine that the crime was actually committed by a person belonging to the female gender. Because through many investigative actions, whether the female criminal actually committed the accused or suspected crime, whether her physical condition is capable of



committing the crime, if not, whose help she used, whether the chosen weapon of crime and the method and procedure of its use are characteristic of women, the damage caused to the object as a result of the assault, damage or the extent of the injury that can be inflicted by a woman can answer a number of questions related to the field of forensics.

From a subjective point of view, female criminals differ from male criminals in their motives and goals. For example, it is permissible to note the cases of crimes committed by women out of jealousy, lack of material, jealousy, and excessive satiation. In addition, in most of the female criminals, the goal of economic gain motivates them to commit crimes. Why exactly economic crimes? Maybe women consider the lack of material in the family as a great tragedy? But it can be said that all the women who committed the crime have financial shortages in their families. In many cases, the desire for excessive jewelry and wealth leads women to the path of crime.

In many cases, a woman's criminality is influenced by the environment that surrounds her. For example, the lack of a permanent job, low monthly salary, financial situation that does not allow for various cultural activities, and constant shortages are the conditions that lead women to crime. Among the main causes are continuous trauma, alcohol abuse and personal enmity.

When studying the identity of female criminals, scientists put forward two different theories: according to A. Kettle, women's entry into the world of crime is caused by the social environment they lived in, lifestyle, chosen profession, age, education, and other general circumstances. Ch. Lombroso denied this opinion, saying that "criminal women are born criminals by nature". Crime will be in his blood. "The external environment that surrounds him only acts as a trigger for committing a crime", he says [1].

In our opinion, criminality is a natural condition born in women, and due to the influence of the social environment, this condition either remains under the consciousness of the individual and does not manifest itself (positive factors such as proper education, family strength, stability of health, achieving good achievements cause this feeling to be fully or partially transmitted), or as a result of hard blows of life, hard lifestyle, wrong upbringing, negative memories, the feeling of criminality increases and encourages a person to commit a crime.

Taking into account the nature, physiological, biological, emotional and social characteristics of women, each investigator should approach them individually and use special investigative tactics in the

process of carrying out investigative actions. Also, a special psychological approach to the behavior of women in solving crimes committed by women will bring positive results.

So, concluding our opinion, we come to the conclusion that a general criminological description of crimes committed by women should be developed and included as a separate chapter in the science of criminology.

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