

**AFFIDAVIT IN TERMS OF SUBSECTIONS 212(4)(a) & 212(8)(a) OF THE
CRIMINAL PROCEDURE ACT, 1977 (ACT 51 OF 1977)**

**[AS AMENDED BY SECTION 6 OF THE AMENDMENT ACT ON
JUDICIAL MATTERS, 1998 ACT 34 OF 1998]**

MARCO CHRISTOPHER VAN DER HAMMEN declares under oath in terms of Subsections 212(4)(a)(vi) & 212(8)(a) of the Criminal Procedure Act, 1977 (Act 51 of 1977), as amended by Section 6 of the Amendment Act on Judicial Matters, 1998 (Act 34 of 1998) as follows:-

1.

I am a **COLONEL** with number 0432425-1 in the South African Police Service attached to the Forensic Science Laboratory, KwaZulu-Natal at the South African Police Service facility, Galleria Shopping Centre, Arbour Town, corner of Moss Kolnik Drive and Arbour Road, Amanzimtoti and I am in service of the State.

2.

I have been attached to the Questioned Document Unit of the Forensic Science Laboratory since 1991 where I am permanently employed as a specialist examiner of questioned documents:

- 2.1 From 1991-01-02 to 1997-05-31, I was based at the Questioned Document Unit, Pretoria as a senior forensic analyst;
- 2.2 From 1997-06-01 to 2011-10-30, I was the Section Commander and Control Forensic Analyst of the Questioned Document Unit, Forensic Science Laboratory, Western Cape;
- 2.3 From 2011-11-01 to present, I am the Section Commander and Control Forensic Analyst of the Questioned Document Unit, Forensic Science Laboratory, KwaZulu-Natal.

3.

I was awarded the following academic qualifications:

- 3.1 A *Baccalaureus Artium* (BA) degree (Criminology and Psychology) from the University of Pretoria (1991);
- 3.2 A *Baccalaureus Artium Honores* (BA Hons) degree with specialization in Criminology from the University of Pretoria (1994);
- 3.3 A certificate in the “*Advanced Program in Forensic Criminalistics*”, which is specifically directed to the examination of questioned documents, from the University of South Africa (1997);
- 3.4 A post-graduate diploma in Public Management from the Technikon SA (2001).

4.

From 1991 to 1994 I received theoretical and practical in-service training in the examination of questioned documents.

5.

In addition to my training in forensic document examination, I have attended the following seminars, workshops and short courses:

- 5.1 A seminar at the South African Banknote Company, Pretoria regarding the security features and manufacture of genuine South African banknotes (1995);
- 5.2 A short course in *light microscopy*, which is specifically directed at the fundamental principles of microscopy, at the Electron Microscope Unit of the University of Cape Town (1997);
- 5.3 A course in printing processes at the South African Printing College, Johannesburg (1999);
- 5.4 A workshop regarding the security features, printing and manufacture of Credit Cards (2005);
- 5.5 A seminar at a credit card producing company in Johannesburg regarding the security features, printing and manufacture of credit cards (2006);
- 5.6 A workshop regarding the security features, printing and manufacture of US Dollar notes presented by the United States Secret Service (2006).

6.

I have attended the following international conferences:

- 6.1 The **4th International Congress of the “Gesellschaft für Forensische Schriftuntersuchung (GFS)”** [“Association for Forensic Handwriting Examination”], in Hamburg, Germany (June 1999);
- 6.2 The **1st African Forensic Science Conference 2003** during which I also presented two (2) papers regarding the examination of handwriting and signatures in Pretoria, South Africa (March 2003);
- 6.3 The **6th International Congress of the “Gesellschaft für Forensische Schriftuntersuchung (GFS)”** [“Association for Forensic Handwriting Examination”], in Heidelberg, Germany (June 2004);
- 6.4 The **7th International Congress of the “Gesellschaft für Forensische Schriftuntersuchung (GFS)”** [“Association for Forensic Handwriting Examination”], in Salzburg, Austria (June 2007);
- 6.5 The **1st International Workshop on Automated Forensic Handwriting Analysis (AFHA)**, dealing with research in the field of automated handwriting analysis and signature verification from both the computer science and forensic document and handwriting examination perspective, in Beijing, China (September 2011);
- 6.6 The **11th International Conference on Document Analysis and Recognition (ICDAR)**, an international forum for researchers and practitioners focussing on state-of-the-art document analysis, understanding, retrieval and performance evaluation including various forms of multimedia documents, in Beijing, China (September 2011);

- 6.7 The **6th Security Document World/DocEx 2012 Conference** during which I also presented a paper on the forensic examination of identity, travel and related documents in London, England (May 2012);
- 6.8 The **1st National Forensic Services Conference 2013** at which I presented a paper entitled "*Towards the Standardization of Forensic Handwriting Examination Reports in South Africa*" in Pretoria, South Africa (July 2013).

7.

I have been an associate member of the "*Gesellschaft für Forensische Schriftuntersuchung (GFS)*" ["Association for Forensic Handwriting Examination"] since June 2004.

8.

During 1996, I was a co-worker on the "*Questioned Document Manual*" for the "Advanced Programme in Forensic Criminalistics" for the Institute for Criminological Sciences, University of South Africa (Pretoria).

9.

Since 2000, I have been instrumental in introducing peer-reviewed **scientific method** and **principles** as applied to the practice of Forensic Document Examination and developed an extensive training program in forensic handwriting and signature examination for the Forensic Science Laboratory, South African Police Service.

10.

I currently have twenty two (22) years experience in the examination of questioned documents which includes:

- 10.1 Identification and individualization of handwriting and signatures;
- 10.2 Identification and individualization of typescript, printed matter and stamped impressions;
- 10.3 Identification of forgeries, erasures and additions;
- 10.4 Deciphering of obscured writing and indentations;
- 10.5 Examination of South African and foreign identity documents, passports and drivers licences;
- 10.6 Examination of South African and foreign banknotes;
- 10.7 Any other examination concerning questioned documents.

The abovementioned examinations require proficiency in the examination of questioned documents.

11.

Since January 1991 to date, I have examined approximately **3800** cases in which questioned documents are involved and I have presented *viva voce* testimony regarding my conclusions in **220** cases in both High and Lower courts in South Africa, Swaziland and Namibia.

12.

On 2013-06-28, during the course of my official duties, I received the following exhibits pertaining to **YEOVILLE CAS 442/04/2012** by hand from Lieutenant M Govindsamy, attached to the Questioned Document Section, Forensic Science Laboratory, Pretoria:

12.1 In an envelope marked "Disputed":

12.1.1 One (1) "typewritten" document consisting of three (3) A4 size pages dated "30 September 1999", respectively marked as "A1" to "A3";

12.1.2 One (1) A5 page bearing pencil writing on both sides (undated), marked as "C";

12.1.3 One (1) "Polaroid" photo bearing writing on the reverse and one (1) torn envelope (undated), both laminated, marked as "J";

12.1.4 Two (2) pages bearing photocopied writing (undated) respectively marked as "K1" and "K2";

12.2 In an envelope marked "Specimen":

12.2.1 One (1) original completed SAPS 3M(m) ["STATEMENT REGARDING INTERVIEW WITH SUSPECT"] in respect to one "*Carrington Laughton*" consisting of twelve (12) pages and dated "09 May 2012", marked as "B";

12.2.2 One (1) envelope bearing original writing (undated), marked as "D";

12.2.3 One (1) "Delivery Note" number 015509 bearing writing and signature (carbon copy), dated "2003-09-20" marked as "E";

12.2.4 One (1) facsimile copy of an "opposing affidavit" pertaining to one "*Carrington Laughton*" dated "12 January 2007", marked as "F";

12.2.5 Request specimen writing, purported to be of one "*Conway Brown*" on three (3) brown envelopes bearing pencil and ink writing, respectively marked as "G1" to "G3";

12.2.6 Request specimen writing, purported to be of one "*Conway Brown*" on five (5) A4 size pages bearing pencil and ink writing, respectively marked as "H1" to "H5";

12.2.7 Request specimen writing, purported to be of one "*Conway Brown*" on twenty eight (28) slips of paper bearing pencil and ink writing (purportedly requested specimen writing), respectively marked as "I1" to "I28";

12.2.8 One (1) South African passport number 476060210 in the name of one "*Carrington Roger Laughton*" (issue date 2008-04-14), marked as "L";

12.2.9 One (1) copy of an "Affidavit in Support of Bail Application" pertaining to one "*Carrington Roger Laughton*" dated "11 June 2012", marked as "M";

12.2.10 One (1) copy of a "Supplementary Affidavit in Support of Bail Application" pertaining to one "*Carrington Roger Laughton*" dated "21 June 2012", marked as "N";

12.2.11 One (1) copy of a "CK2" form ("Amended Founding Statement") dated "1999-07-07" and one (1) copy of a "CK1" form ("Founding Statement") dated "1998-03-23" accompanied by high quality digital photographs of the signatures on respective documents, respectively marked as "O1" and "O2";

12.2.12 One (1) copy of a "Power of Attorney" dated "27 July 2012", marked as "P".

Abovementioned exhibits were collectively sealed in an official South African Police Service evidence bag with serial number PA3000670624 which was undamaged at receipt.

13.

On 2013-08-27, during the course of my official duties, I received the following additional exhibits pertaining to **YEOVILLE CAS 442/04/2012** by hand from Capt G S van Wyk of the Directorate of Priority Crime Investigations: Organised Crime, Johannesburg:

13.1 One (1) A4 size page bearing writing ("RE: MEETING REQUEST"), purportedly written by one "Carrington Laughton", dated "28 May 2013", marked by me as "R1";

13.2 One (1) A4 size page bearing writing ("RE: APPLICATION FOR MP3 PLAYER"), purportedly written by one "Carrington Laughton", dated "2 June 2013", marked by me as "R2";

13.3 One (1) A4 size page bearing writing ("RE: APPLICATION TO RECEIVE ITEMS"), purportedly written by one "Carrington Laughton", dated "2 June 2013", marked by me as "R3";

13.4 One (1) A4 size page bearing writing ("RE: AUTHORITY REGARDING PERSONAL EFFECTS"), purportedly written by one "Carrington Laughton", dated "4 June 2013", marked by me as "R4";

13.5 Two (2) A4 size pages bearing writing ("RE: REQUEST FOR SPECIAL VISIT"), purportedly written by one "Carrington Laughton", dated "4 August 2013", marked by me as "R5";

13.6 One (1) A4 size page bearing writing ("RE: MEETING REQUEST"), purportedly written by one "Carrington Laughton", dated "4 August 2013", marked by me as "R6";

13.7 Three (3) A4 size pages bearing writing ("RE: SPECIAL VISITATION ARRANGEMENTS"), purportedly written by one "Carrington Laughton", dated "2 June 2013", marked by me as "R7".

Abovementioned exhibits were collectively sealed in an official South African Police Service evidence bag with serial number PA6001239002 which was undamaged at receipt.

14.

In accordance to the original request from the Directorate of Priority Crime Investigations: Organised Crime, Johannesburg, I conducted the following examinations:

14.1 An analysis of the **signatures in question** on the documents marked "A1" to "A3" (hereinafter referred to as the "signatures in question") and effect a comparison thereof with the specimen signatures purported to be of one "Carrington Roger Laughton" on the documents

marked “B”, “E”, “F”, “L”, “M”, “N”, “O”, “P” and “R” (hereinafter referred to as the “specimen signatures”) in order to identify or eliminate common authorship;

- 14.2 An analysis of the **writing in question** on the document marked “A3” (hereafter referred to as the “writing in question”) and effect a comparison thereof with the specimen writing purported to be of one “Carrington Roger Laughton” on the documents marked “D” and “E” and the (request) specimen writing of a writer on the documents marked “G”, “H”, “I” and “R” (hereinafter referred to as the “specimen writing”) in order to identify or eliminate common authorship.

15.

Handwriting identification is based on the premise that writing is unique to an individual. People are primarily creatures of habit and writing is a collection of those habits. Individuality lies in the habits that are developed and which manifests itself in writing performance as discriminating elements¹.

16.

The examination of handwriting and signatures is a qualitative process which involves human perceptual and cognitive processes which play the principal role in the interpretation of the evidence. Subsequently, the evidence which such examinations produce must be **empirical** or empirically based, that is, dependent on evidence or consequences. Central to this process is scientific method which entails the process of formulating propositions (hypotheses) and conducting research and experiments to prove or falsify said propositions².

17.

In this regard, I formulated the following **propositions** in respect of the matter at hand which will be tested against the observations made during the examination:

- 17.1 The evidence supports the proposition that the **signatures in question** were written by the writer of the specimen signatures; alternatively, the evidence supports the proposition that the **signatures in question** were not written by the writer of the specimen signatures.
- 17.2 The evidence supports the proposition that the **writing in question** was written by the writer of the specimen writing; alternatively, the evidence supports the proposition that the **writing in question** was not written by the writer of the specimen writing;

18.

Empirical testing requires the application of relevant universally-accepted principles. The fundamental principle underlying forensic handwriting and signature examination is the Principle of Analysis,

¹ Kelly & Lindblom, 2006: 48.

² Huber & Headrick, 1999: 355.

Comparison and Evaluation (also referred to as the Law of ACE)³:

18.1 Analysis

The questioned or disputed (“unknown”) and the specimen or sample (“known”) material is, by analysis, examination or study, involving the application of microscopy and various illumination methods, reduced to a matter of their **discriminating elements**. A “discriminating element” is a relatively discrete element of writing or lettering that varies observably or measurably with its writer and may, thereby, contribute reliably to distinguishing between the writing of different writers⁴.

18.1.1 The elements considered to identify or discriminate between **writings** are classified into two (2) principle categories, namely (i) *elements of style* and (ii) *elements of execution* and two (2) categories which are attributes of all writing habits, namely (i) *natural variation* and (ii) *lateral expansion* and *word proportions*:

18.1.1.1 **Elements of style**⁵ (consisting of writing style, design and construction of letters, arrangement, connections, dimensions, slant and spacing) are those aspects of writing that play a significant role in creating a pictorial or overall effect. Differences in construction do not necessarily alter the overall effects of the writing.

18.1.1.2 **Elements of execution**⁶ (consisting of abbreviations, alignment, commencements and terminations, diacritics and punctuation, embellishments, line continuity, line quality or fluency, pen control, writing movement and writing quality) are the less obvious, more subtle elements of writing (personal idiosyncracies).

18.1.1.3 **Natural variation**⁷ is the imprecision with which the habits of a writer are executed on repeated occasions and is, thus, an integral part of natural writing.

18.1.1.4 **Lateral expansion**⁸ is the horizontal dimension of a group of successive letters, words, strokes or loops.

18.1.1.5 **Word proportion**⁹ refers to the vertical versus horizontal dimensions of words, strokes or loops as a result of size and spacing.

18.1.2 The elements considered to identify or discriminate between **signatures** are classified into two (2) primary aspects of writing namely, (i) *rhythm* and (ii) *form* and two (2) categories which are, as in the case of writing, attributes of all writing habits, namely (iii) *natural variation* and (iv)

³ Ibid, 34.

⁴ Ibid, 90.

⁵ Ibid, 91.

⁶ Ibid, 91.

⁷ Ibid, 132.

⁸ Ibid, 134.

⁹ Ibid, 135.

lateral expansion and word proportions.

- 18.1.2.1 **Rhythm**¹⁰ refers to the elements of writing encompassing the discriminating elements speed, proportions and pressure, which are generally considered as the more subtle features of signatures and the more difficult aspect to imitate. Rhythm in a signature lends to it integrated flow and individuality.
- 18.1.2.2 **Form**¹¹ refers to the elements of writing encompassing the discriminating elements of design and construction comprising sets of allographs (letters) and/or strokes and loops, which are generally considered to be those elements that represent a signature's graphic design.

18.2 Comparison

The discriminating elements of the questioned or disputed ("unknown") material, which are determined through analysis, examination or study are compared with those of the specimen or sample ("known") material.

18.3 Evaluation

Similarities and/or dissimilarities in the discriminating elements will each have certain significance for discrimination purposes, determined by their cause, independence or likelihood of occurrence. The probability of the evidence given each of the stated propositions (*"the writer of the specimen writing wrote or did not write the questioned writing"*) is considered and the extent to which one of them is supported by the evidence is evaluated¹².

19.

In the case at hand, I applied the examination methodology (referred to in paragraph 17 *supra*) as follows:

19.1 In respect of the **signatures** in question and specimen signatures:

- 19.1.1 An analysis of the signatures in **question** in order to identify its elements of rhythm and form;
- 19.1.2 An analysis of the **specimen signatures** in order to identify its elements of rhythm and form;
- 19.1.3 A comparison of the integrated elements identified in the signatures in question with that of the specimen signatures;
- 19.1.4 An interpretation of observations drawn during the analysis and comparison phases in the form of a factual finding in terms of one of the stated propositions

19.2 In respect of the **writing** in question and specimen writing:

- 19.2.1 An analysis of the writing in **question** in order to identify their elements of style and execution;

¹⁰ Slyter, 1995: 10-23.

¹¹ Ibid. 23-25.

¹² Found, Rogers & Bird, 2012: 58.

- 19.2.2 An analysis of the **specimen writing** in order to identify their elements of style and execution;
- 19.2.3 A comparison of the elements identified in the writing in question with the elements identified in the specimen writing;
- 19.2.4 An interpretation of observations drawn during the analysis and comparison phases in the form of a factual finding in terms of one of the stated propositions.

20.

An analysis of the **signatures** presented me with the following facts:

20.1 In respect of the signatures in question:

- 20.1.1 The signatures purport to have been written in 1999. Said signatures are large, stylized (form-based) signatures comprising two complex graphic sets containing a series of strokes and loops, no discernible allographs (letters) and written with a forward slant.
- 20.1.2 The signatures on pages "1" and "2" are smaller in relation to the signature on page "3". A plausible explanation for this difference is that the former probably represents initialling and the latter represents a "full" or "formal" signature (similar to that found in formal statements, affidavits or contracts). All three (3) signatures are, however, mutually consistent in respect of signature design, line sequence and continuity.
- 20.1.3 The signatures appear to have been written at a relatively fast writing speed which is evident by the varying pen pressure patterns displayed.

20.2 In respect of the specimen signatures:

- 20.2.1 The signatures are contained on documents ranging from 1998 to 2012. However, only two (2) documents bear signatures which are contemporaneous to the signatures in question, namely the documents marked "O1" (1999-07-07) and "O2" (purportedly 1998). Said signatures occur on "registration" documents which can be regarded as a "formal", "official" or "business" type document.

The signatures on both documents are large, stylized (form-based) signatures comprising complex graphic sets containing a series of strokes and loops, no discernible allographs (letters) and written with a forward slant.

The signatures appear to have been executed at a relatively fast writing speed which is exhibited by varying pen pressure patterns and displays an overall good line quality.

- 20.2.2 The document marked "E" (dated "20/9/2003") bears carbon writing and a large stylized signature. The signature and writing appears to have been hastily written with some unusual forms being introduced, which is not uncommon with a document of this nature (*"Delivery Note"*). The signature design (line sequence, size and placement) and complexity is similar to

that of the signatures on the documents marked "O1" and "O2".

- 20.2.3 The document marked "F" purports to be an "Opposing Affidavit" signed in 2007. However, the document is a poor quality copy and appears to be a copy of a facsimile document. Subsequently, the signatures contained thereon are also of a poor quality.

Due to the nature of this document, a microscopic examination of the indicated (specimen) signature fails to reveal important discriminating elements such as varying pen pressure, line quality, line continuity and other subtle features which, in combination, assist in determining its overall discriminating features. Possible shrinkage caused by the facsimile process may also affect the quality and size of the signature. As a result, a limited analysis merely regarding form of the specimen signature could be conducted.

Although the line sequence cannot be determined with a great deal of certainty, the signature appears to comprise the same complex movements and sequence as that of the signatures on the documents marked "O1" and "O2".

- 20.2.4 The signature on page 38 in the passport marked "L" is an original-inked signature but the date when the signature was written cannot be determined. Assuming that the signature was signed by the passport holder on or after the issue date, the signature may have originated in 2008.

Said signature is also a large, stylized (form-based) signature comprising two fairly complex graphic sets containing a series of strokes and loops, no discernible allographs (letters) and written with a forward slant.

The signature appears to have been written at a relatively fast writing speed which is evident by the varying pen pressure patterns displayed.

The bottom portion of the final curved stroke is, however, absent which can be ascribed to an interruption in the writing movement caused by the limited writing space.

The signature design (line sequence, size and placement) and complexity is similar to that of the signatures on the documents marked "O1" and "O2".

- 20.2.5 The document marked "B" (dated "09 May 2012) contains eight (8) original-inked signatures. Said signatures are large, stylized (form-based) signatures comprising complex graphic sets containing a series of strokes and loops, no discernible allographs (letters) and written with a forward slant.

The signature appears to have been written at a relatively fast writing speed which is evident by the varying pen pressure patterns displayed.

In some of the signatures (“B2”, “B3”, “B4”, “B5” and “B7”), the bottom portion of the final curved stroke is absent which can be ascribed to the limited writing space at the bottom of the pages, resulting in interrupted or incomplete signatures.

Mutually, the signatures display a relatively wide range of variation even though it purports that they were written in the same time frame. Taking into consideration the nature of the document at hand (“Statement regarding interview with suspect”), the abnormal writing conditions and/or circumstances may have contributed to the variations present in the signatures. It is not unusual for factors such as nervousness, anxiety, fatigue or medical conditions to affect the writing act.

Despite the above observations, the signature design (line sequence, size and placement) and complexity of said signatures are similar to that of the signatures on the documents marked “O1” and “O2”.

- 20.2.6 The documents marked “M” (dated “11 June 2012”), “N” (dated “21 June 2012”) and “P” (dated “27 July 2012”) are photocopies. Due to the nature of these documents, a microscopic examination of the indicated (specimen) signatures fail to reveal important discriminating elements such as varying pen pressure, line quality, line continuity and other subtle features which, in combination, assist in determining its overall discriminating features. Light pen strokes may not be reproduced during the photocopying process introducing hiatuses (gaps) in the lines which could be misinterpreted as pen lifts. As a result, a limited analysis merely regarding form of said signatures could be conducted.

Subsequently, on 2013-08-27, I conducted an examination of and photographed the original documents of the copies marked “M” (court exhibit “A”) and “N” (court exhibit “A1”) *in loco* at the Office of the Director of Public Prosecutions, Inner Court Building, Johannesburg.

Said signatures appear as large, stylized signatures similar in design and size to the signatures on the documents marked “O1” and “O2” and the other signatures *supra*.

The signatures marked “M” (court exhibit “A”) and “N” (court exhibit “A1”) displays a weaker quality in respect of line sequence and execution whereas the signature marked “P” displays a stronger line quality but an apparent “break” or interruption in the final curved stroke. As in the case of the documents marked “B”, the nature of the documents at hand (“bail” related documents), abnormal writing conditions and/or circumstances may contribute to these or similar divergences in the writing act.

- 20.2.7 The signatures on the documents marked “R1” to “R7” are written in a different style to that of the signatures on the aforementioned documents. It is not uncommon for a writer to

consciously alter or change his/her signature over a period time due to changing circumstances or conditions. In this regard, said signatures are laterally expanded, containing "threaded" writing and little or no discernible allographs. The stroke representing the initial "C" is smaller in relation to the "former" signatures, but the forward slant is still present.

21.

Taking the observations in paragraph 20 *supra* into consideration, I found there to be some limiting factors within the **specimen signatures** in respect of time difference, quality of copies, writing circumstances and conditions and apparent changes in signature style.

With the exception of the signatures on the documents marked "**R(1-7)**", I found the evidence to provide strong support for the proposition that the writer's signature has remained fairly consistent over a fourteen (14) year time period and no significant changes are observable in the available material.

The current "different looking" signatures ("**R1**"-"**R7**") can most probably be ascribed to a deliberate change in form and execution by the writer and cannot, thus, be used as a reliable sample.

The signature design (line sequence, size and placement) and complexity of the signatures in question ("**A1**" to "**A3**") displays strong correspondences with that of the specimen signatures ("**B**", "**E**", "**F**", "**L**", "**M**", "**N**" and "**O**") and no significant differences were identified.

I, thus, found the evidence to provide strong support for the proposition that the signatures in question were, in all probability, written by the writer of said specimen signatures (purported to be one "*Carrington Laughton*")¹³.

22.

An analysis of the **writing** presented me with the following facts:

22.1 In respect of the questioned writing on the document marked "**A3**":

The writing comprises combinations of primarily disconnected and some connected capital printscript allographs (letters), two (2) numerals ("2" and "3") and one (1) ampersand ("&").

The writing contains some strong individual characteristics in respect of elements of style and execution which, in combination, can be regarded as its discriminating elements.

The writing displays a natural writing style and no evidence of deliberate disguise or attempt to disguise was identified.

22.2 In respect of the specimen writing marked "**D**", "**E**" and "**R(1-7)**" (purported to be of one "*Carrington Laughton*):

22.2.1 The writing on the document marked "**D**" is a fast-written product, evidenced by combinations of connected and disconnected capital printscript allographs (letters) and varying pressure

¹³ See Annexure A (Glossary of Opinion Terminology)

patterns.

The writing is characteristic of a naturally written product and no evidence of deliberate disguise or attempt to disguise was identified.

Although the amount of writing is limited, it contains numerous strong individual characteristics in respect of elements of style and execution which, in combination, can be regarded as its discriminating elements.

22.2.2 The document marked “E” is a carbon copy and the writing thereon is also a carbon copy.

The writing appears to have been hastily written, comprising combinations of connected and disconnected capital printscript allographs (letters) and numerals. The written date appears to be the writing of a different writer and is, therefore, excluded from here from the specimen writing.

The writing is characteristic of a naturally written product and no evidence of deliberate disguise or attempt to disguise was identified.

Although the amount of writing is limited, it contains some strong individual characteristics in respect of elements of style and execution which, in combination, can be regarded as its discriminating elements.

22.2.3 The writing on the documents marked “R1” to “R7” is a fast-written product, evidenced by combinations of connected and disconnected capital printscript allographs (letters) and varying pressure patterns.

The writing is characteristic of a naturally written product and no evidence of deliberate disguise or attempt to disguise was identified.

The writing contains numerous strong individual characteristics in respect of elements of style and execution which, in combination, can be regarded as its discriminating elements.

22.2.4 The writing on the documents *supra* was mutually compared and I am satisfied that said writing is the product of one and the same author. Furthermore, I consider said writing to contain sufficient individuality to provide the basis for a proper comparative examination.

22.3 In respect of the specimen writing marked “G”, “H” and “I” (purported to be of one “Conway Brown”):

22.3.1 The writing on said documents is *request specimen writing* (that is, writing obtained from an individual for the sole purpose of a writing examination and comparison).

22.3.2 The writing comprises both ink and graphite (pencil) writing, consisting of sentences and paragraphs written in cursive and printscript form.

- 22.3.3 The writing displays a wide range of variation in respect of letter design, construction and lateral expansion (spacing).
- 22.3.4 Despite these variations, the writing contains numerous strong individual characteristics in respect of elements of style and execution which, in combination, can be regarded as its discriminating elements.
- 22.3.5 The writing on the documents *supra* was mutually compared and I am satisfied that said writing is the product of one and the same author. Furthermore, I consider said writing to contain sufficient individuality to provide the basis for a proper comparative examination.

23.

After a comparison of the **writing** on the respective documents *supra*, I made the following observations and conclusions¹⁴:

- 23.1 A number of significant correspondences in respect of elements of style and execution were identified between the writing in question (“**A3**”) and the specimen writing on the documents marked “**D**”, “**E**” and “**R(1-7)**” (purported to be of one “*Carrington Laughton*”). The writing in question is, however, limited in that it does not contain a sufficient amount of corresponding allographs (letters) and letter combinations (words and names) and, thus, does not address all of the features identified in the specimen writing.
- 23.2 Significant differences in respect of elements of style and execution were identified between the writing in question (“**A3**”) and the specimen writing on the documents marked “**G**”, “**H**” and “**I**” (purported to be of one “*Conway Brown*”).
- 23.3 In light of the above observations, I found the evidence to provide strong support for the proposition that the writing in question (“A3”) was, in all probability, written by the writer of the specimen material marked “D”, “E” and “R(1-7)” (one “Carrington Laughton”). The writer of the specimen writing marked “G”, “H” and “I” (one “Conway Brown”) is, thus, eliminated as a possible writer of the writing in question.**

24.

In addition to the above examinations, I conducted an analysis of the documents in question (“**A1**” to “**A3**”) and made the following observations:

- 24.1 The documents are original documents (i.e. not photocopied documents);
- 24.2 The type font of the printing in question is **Times New Roman** and font size is “**12 points**”. The left and right margins of the printing on all three (3) pages are the same with variations in respect of the top and bottom margins. The printing on all three (3) pages was produced by a

¹⁴ See Annexure A (Glossary of Opinion Terminology)

laser printer;

24.3 All three (3) pages of the document are discoloured and contain various incidental marks, including the following:

24.3.1 Horizontal folds across the middle of all the pages;

24.3.2 Horizontal folds approximately one quarter down the left-hand side of pages "1" and "2" and a distinct horizontal tear on page "3";

24.3.3 Horizontal folds approximately three-quarters down the right-hand side of all the pages;

24.3.4 Short vertical folds in the middle, at the top of the pages;

24.3.5 Staple marks are present in the top, left corner of pages "1" and "2". No staple or staples are present on any of the pages. The top, left corner of page "3" is missing, apparently torn away;

24.3.6 Reddish-brown residue marks, characteristic of metal rust, is present in the areas of the staple marks on pages "1" and "2". Similar residue marks are present at the bottom, left area of said pages;

24.3.7 No indented writing is present on any of the pages. There is, however, illegible latent writing present on page "1".

24.4 In light of the above observations, I found the evidence to provide strong support for the proposition that the document is a genuine (authentic) document. However, I cannot determine the approximate date of production.

25.

Above conclusions were reached by using processes which require proficiency in the examination of questioned documents.

26.

Abovementioned exhibits were under my exclusive control for the duration of the examination until I personally sealed it in an official South African Police Service evidence bag number PA3000670524 on 2013-11-21 for returning purposes.

27.

I know and understand the contents of this declaration.

I have no objection to taking the prescribed oath.

I consider the prescribed oath to be binding on my conscience.

.....
MARCO CHRISTOPHER VAN DER HAMMEN

I certify that the deponent has acknowledged that he knows and understands the contents of this declaration which was sworn before me and the deponent's signature was placed thereon in my presence at **AMANZIMTOTI** on **21 NOVEMBER 2013**.

.....: 7027472-0

ELWYN ROLAND CLAYTON

COMMISSIONER OF OATHS

Forensic Science Laboratory, KwaZulu-Natal

South African Police Facility Galleria Shopping Centre

c/o Moss Kolnik Drive & Arbour Road, Arbour Town

4126 **AMANZIMTOTI**

WARRANT OFFICER: SOUTH AFRICAN POLICE SERVICE