

**Submission to Parliamentary Joint Committee on Law Enforcement: Inquiry into the
impact of illicit drugs being traded online**

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Dear Parliamentary Joint Committee on Law Enforcement,

We appreciate the opportunity to provide a written submission to the Parliamentary Joint Committee on Law Enforcement's inquiry into the impact of illicit drugs being traded online. This submission will primarily focus on reference points A (*trends and changes in relation to online drug availability*) and B (*the impact of technologies, including online communications, cryptocurrency, and encryption and anonymising technologies on law enforcement responses to the online illicit drug trade*). This submission is informed by our research on various aspects of the online distribution of illicit drugs, including: the sale of illicit drugs via social media and the 'surface web' (Childs et al., 2021; Moyle et al., 2019), innovation in dark web drug buying practices (Childs, Coomber, Bull, et al., 2020), and how digital traces shape cybercrime activity (Childs & Bernot, forthcoming).

A. Trends and changes in relation to online drug availability

- The online illicit drug market ecosystem is comprised of various online intermediaries, platforms, and spaces where illicit drug exchanges. Increasingly, over recent years the online illicit drug markets have taken shape via the dark web, the surface web, and through various applications on smartphones (social media and encrypted messaging applications). While dark web drug cryptomarkets (Barratt & Aldridge, 2016) have taken up considerable academic attention in understanding the role of the Internet in facilitating illicit drug supply, these markets only constitute a fraction of the overall online trade of illicit drugs.
- Illicit drug supply via social media has emerged as a popular sourcing option among young adults. Existing research has shown the influence of several popular social media applications (e.g. Facebook/Facebook Groups, Snapchat, and Instagram) across Australia, United Kingdom, Spain, the United States of America, and Nordic countries (Demant et al., 2019; Moyle et al., 2019; Oksanen et al., 2021). These accessible platforms appeal to many young adults because of the familiarity of using 'apps', the ease of organising exchanges over social media, and the speed at which sales can be organised. Although social media drug supply does not offer the same security features of dark web cryptomarkets (e.g. escrow payment services, market administrators), there are various technological affordances that provide information to guide exchanges and enhance feelings of trust and safety in supply (e.g. seeing the number of 'likes' on posts, photos/videos of products to ascertain product quality) (Bakken, 2020; Childs, Coomber, & Bull, 2020; Moyle et al., 2019).
 - As social media platforms continue to evolve there will also be increasing opportunities for sellers to advertise products and organise sales in unique ways. For example, although no empirical research exists, there is growing media evidence that the popular app Tik Tok is being used to advertise illicit drugs for sellers (Sharma, 2021).
- The 'surface' web (i.e. the regular portion of the Internet accessible via Google) can also be used to purchase a variety of substances including performance and image-enhancing drugs (van de Ven & Koenraadt, 2017), new psychoactive substances, and various pharmaceuticals (e.g. Phenibut, see Childs & Bull (2018)). Our recent study (Childs et al., 2021) also explored the role of the surface web in facilitating the local distribution of cannabis in several Australian cities. We found that the surface web

platform was appreciated for providing ease of access and supply at the local level. In addition, the perceived risks of using this platform were minimal because of the normalisation of cannabis and from appropriate safeguarding practices that were implemented when purchasing/selling through this method (e.g. transitioning to an encrypted messaging application, trust building practices).

- Online illicit drug markets are increasingly characterised by hybridity. That is, multiple online platforms and/or technologies may be harnessed throughout drug exchanges. Some dark web actors may transition across to an encrypted messaging application to ‘direct deal’, social media supply may progress from Instagram to WhatsApp, and surface web supply may shift to Wickr (an encrypted messaging application) to cover digital traces. Buyers and sellers may also be simultaneously operating across several forms of ‘online’ markets. There is therefore a need to move beyond “silo-thinking” in focussing exclusively on single pieces of technology in the wake of this clear interconnection of online illicit drug markets.

B. The impact of technologies, including online communications, cryptocurrency, and encryption and anonymising technologies on law enforcement responses to the online illicit drug trade

- Law enforcement attempts to curb supply practices on online markets (e.g. closing markets, intense postal delivery scrutiny) are typically only short lived as new markets and actors fill in the empty spaces and vendors are rewarded for innovative shipping (Decary-Hetu & Giommoni, 2017; Van Buskirk et al., 2017).
- Intense law enforcement ‘crackdowns’ on online markets can also lead to unintended consequences. In our recent study of ‘direct dealing’ (Childs, Coomber, Bull, et al., 2020), we found that one of the more common reasons for shifting across to an encrypted messaging application (e.g. Wickr, Signal, Telegram, etc.) was to keep the points of contact alive between buyers and sellers during market shutdowns (or when a closure of a market was imminent or perceived to be forthcoming). This fragmentation of online supply and displacement across to another digital location minimised the impacts of law enforcement efforts on online drug market activity.
- Interactions with digital spaces can produce a variety of digital ‘traces’ to be used in the investigation of cybercrimes (Kavrestad, 2017; Rogers, 2020). However, while digital traces (and associated methods, for example the use of ‘Big Data’) can offer voluminous information about people’s activity in digital spaces, data-driven approaches will typically ignore some of the spatial and temporal aspects of cybercrime activity. The Internet is comprised of many unique digital spaces that actors shift between via instances of crime (e.g. online drug buying), and actors will actively disrupt digital data flows to circumvent the collection of surveillance dossiers about their digital activity (Childs & Bernot, forthcoming).

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