

Police detectives on the TOR-network – a study on tensions between privacy and crime fighting

TOR – short for 'The Onion Routing' – is an open source privacy network that enables anonymous web browsing. This project will explore how this level of privacy impacts the ability of detectives to identify and investigate crime.

Key details

Lead institution	Northumbria University
Principal researcher(s)	Professor Tim J Wilson FCSFS tim.wilson@northumbria.ac.uk
Police region	North East
Collaboration and partnership	An international research councils funded consortium with the Dutch Open University, The Politihøgskolen (Norwegian Police University College) & Stockholm University.
Level of research	Professional/work based
Project start date	June 2017
Date due for completion	May 2024

Research context

The study will examine how society can properly deal with the tension between privacy and other fundamental rights of citizens (TOR-users) and the exercise of state power (police officers conducting investigations on the TOR-network), when this power is exercised for the purpose of preventing and investigating crime.

The research will analyse the demands that are imposed on detective work by principles of forensic validity (ensuring that digital evidence is admissible) and legal fairness (due process and human rights). The published research will be based on the study of investigative methodology and ethics in three jurisdictions – England and Wales, the Netherlands and Norway – together with comparative law analyses of evidence, due process, human rights, and the rules governing international police and judicial cooperation.

Research methodology

The research methodology will combine legal analysis, scientific/technical IT laboratory research (by Stockholm University) and empirical fieldwork in England and Wales, the Netherlands and Norway.

The project will include workshops (including two in the UK) that will bring together investigators, lawyers and academics.

Interim reports or publications

This project will build on earlier work within Northumbria University Law School on international police cooperation, comparative law and scientific/technical evidence. This can be accessed in academic publications, contributions to UK government reports and Parliamentary publications.

Brants D, Johnson D and Wilson TJ. '[Editorial 'New Wine in Old Bottles: Alternative Narratives of Cybercrime and Criminal Justice?'](#)', The Journal of Criminal Law 2020, Vol. 84(5) 403–406.

Davies G. '[Shining a Light on Policing of the Dark Web: An Analysis of UK Investigatory Powers](#)', The Journal of Criminal Law 2020, Vol. 84(5) 407–426.

Johnson D, Faulkner E, Meredith G and Wilson TJ. 'Police [Functional Adaptation to the Digital or Post Digital Age: Discussions with Cybercrime Experts](#)', The Journal of Criminal Law 2020, Vol. 84(5) 427–450

Brants C, Jackson A and Wilson TJ. '[A Comparative Analysis of Anglo-Dutch Approaches to 'Cyber Policing': Checks and Balances Fit for Purpose?](#)' The Journal of Criminal Law 2020, Vol. 84(5) 451–473

Wilson TJ. '[Collaborative Justice and Harm Reduction in Cyberspace: Policing Indecent Child Images](#)', The Journal of Criminal Law 2020, Vol. 84(5) 474–496

Wilson TJ. '[The impact of Brexit on the future of UK forensic science and technology](#)', Forensic Science International Vol. 302 109870 on-line 02.07.19

Davies G and Jackson A. 'Evaluating the European Criminal Record Information System (ECRIS) for the Exchange of Criminal Records Information between Member States: Establishing the Need for Post "Brexit" Sharing of Criminal Records Information'. International Journal of Evidence and Proof (in press).

Wilson TJ. 'Criminal Justice and Global Public Goods: The Prüm Forensic Biometric Cooperation Model', The Journal of Criminal Law 2016, Vol. 80 (5) 303-326.

Brants C, Jackson A and Koenraadt F. Culpability compared: Mental capacity, criminal offences and the role of the expert in common law and civil law jurisdictions. (2016) Journal of International and Comparative Law, Vol. 3:2. pp. 411-440.

Wilson T. 'The Global Perspective' in M. Peplow (ed.), Annual Report of the Government Chief Scientific Adviser 2015: Forensic Science and Beyond: Authenticity, Provenance and Assurance: Evidence and Case Studies (Government Office for Science: London, 2015) 82-93. 11

The House of Commons Justice Committee report, Implications of Brexit for the justice system (HC 2016-17 750).