

# “Snitches get stitches”: Researching both sides of illegal markets

## Abstract

The question of “taking sides” has received a lot of attention within qualitative criminology. Much of this has focused on the moral-philosophical or value-laden aspects of taking sides, following Becker’s 1967 essay ‘whose side are we on’. However, the question of taking sides also has methodological implications, especially for qualitative researchers who wish to study multiple sides of a criminological problem, such as the perspectives of offenders and law enforcement around a particular illegal activity.

This paper considers some of the practical, ethical and analytical challenges of studying illegal markets from opposing sides – the market participants’ perspective on one side, and law enforcement on the other. It outlines the advantages of researching both sides: the improved validity and reliability that comes with exploring and trying to reconcile different perspectives and the potential this has for developing theory and policy. It then explores the challenges researchers may face when trying to engage with opposing sides in qualitative fieldwork. It pays particular attention to some practical and ethical questions researchers may face in this situation: who to research first, whether to be open about researching both sides, and whether researchers should ever share information they have received from one side with their participants from the other side.

We do not offer absolute answers to these questions. Rather, we aim to outline some of the factors researchers may need to consider when juggling qualitative research involving participants on both sides of the law.

## Key words

ethnography, illegal markets, crime and deviance, triangulation, taking sides

## Introduction

Criminologists have engaged with Becker’s (1967) famous question, “whose side are we on”, from various perspectives. Some have focused on the role of bias and whether an objective neutrality can and should be maintained (Hammersley, 2000). Others accept some bias as inevitable – even welcome – and have reflected on the role of taking sides in the production of knowledge about crime and deviance (Cowburn et al, 2013). Following Becker’s original focus, the question is generally taken as one concerning moral values: should researchers be on the side of the law makers or the law breakers, the powerful or the powerless, the repressed or the repressors? But choosing sides can also have methodological implications for the research process. This is particularly true when researchers seek to study a phenomenon from multiple angles and conduct research with populations that are on opposing sides. To put Becker’s question literally, when researchers seek to study multiple perspectives on an illegal activity, “taking sides” poses practical and ethical challenges for the researcher.

This paper engages with the “whose side are we on” debate by considering how the concepts of taking sides and researching opposing sides fit together. It looks at the benefits and challenges of researching “both sides” of crime – that is, conducting research with the participants in illegal activity on one side and law enforcement on the other. It starts by outlining the reasons for and

against researchers engaging with participants from different sides of the law. It describes some of the well-known challenges in researching each side, then discusses some of the extra practical and ethical challenges inherent in researching both sides together. It then considers the dilemma of whether academics should tell each side that they are also researching the other – and whether it might ever be acceptable or necessary to tell either side what the other has said.

The paper focuses on illegal markets as that is where the authors' expertise and experience lies, but the lessons are applicable to researching other areas of crime and deviance – or any area where social scientists might recognise opposing sides. It draws on published research into illegal markets in the UK as well as broader criminological literature, but is informed also by the authors' own research experiences, in particular the first author's experiences as a current PhD student conducting empirical research on the illicit streaming device (ISD) market in a working class area in the north of England. As such, we embed our discussion primarily in the existing literature, but we use some quotes and observations from the ongoing ISD research to illustrate key points.

Like other studies on illegal markets, the ongoing PhD research aims to understand who is involved in the ISD market, their motivations for involvement, and how they operate. These aims are being realised by researching both sides of the market: the law breakers and members of law enforcement agencies policing this market. The study is ethnographic in approach, utilising interviews and participant observation with the law breakers, and interviews with members of different law enforcement agencies. The discussions in this paper are based on debates which arose in the context of planning the PhD study and challenges encountered in the field.

## Researching different sides of illegal markets

It is possible – and often useful – to conceptualise more than two sides to any given area of criminological interest. Offenders and law enforcement are an obvious starting point, being on the opposite sides of the law. Crimes also have victims, who sometimes are at odds with the criminal justice system (e.g., Boateng, 2018; Crawford and Goodey, 2000). Victims, criminals, and law enforcement can represent multiple sides. There may be different sides among offenders, such as rival criminal groups or those with different motivations for committing crimes. There may also be different sides within law enforcement, where there is competition or rivalry between local and national police forces, between standard policing and specialist agencies, or between junior officers and senior ranks (Punch, 1989; 2000). Many of the point raised here will be equally relevant to multi-sided situations, but for simplicity of analysis and clarity of discussion we frame this paper around a two-sided perspective of illegal markets: the market participants (i.e., the buyers and sellers of illegal goods) on the one hand and law enforcement (the police and other enforcement agencies, such as Trading Standards or customs and excise) on the other. To better understand both the markets themselves and policy responses to them, research should consider both sides.

However, as with research in other areas of criminal behaviour, researchers rarely study illegal markets from both sides. They have tended to favour the law enforcement perspective over the criminals' (Ferrell, 1998; Hobbs, 2000). This is for largely understandable reasons: engaging active criminals from these "hard to reach" populations (Hobbs, 2000) for participation in research is fraught with ethical and methodological challenges. As such, criminologists tend to depend on 'official sources and media-focused accounts, thereby providing an often-one-sided account of more complex issues (Rawlinson, 2008)' (Potter p2018:49).

Relying on law enforcement perspectives poses problems. The police have different aims to academics: the latter aim to understand crime while the former construct cases with the aim of

presenting them “in a court of law in order to gain a successful conviction” (Hobbs and Antonopoulos 2014:p99). Official records relating to individual cases are often limited to what is relevant to prosecution. There is a lack of substantive information available within official records about the offender and their crimes as information which is not relevant to prosecution has been removed (Hobbs and Antonopoulos 2014; Ferrell, 1998; Rawlinson, 2008). When interviewing law enforcement in the current ISD study, the researcher was told that officers are restricted to only discussing closed cases. They often cannot discuss active ongoing investigations (nor should they be able to) therefore the cases they do discuss may already be available for analysis as they may have been covered in the media. Subsequently, interviews with law enforcement may not provide much new knowledge or information related to specific cases other than that which is already on record. Otherwise, officers may be restricted to talking in overly generalised terms. Law enforcement representatives may also be under some pressure to stick to an official line or point of view. Where researchers have been able to move significantly beyond these limitations, it has tended to be where they have pre-existing insider status or through dedicated long-term commitment to the field (e.g., Holdaway, 1983; Punch 1989).

A further problem is that law enforcement knowledge about criminal markets comes from what they have gleaned through active policing or, worse, systemic bias (Eastwood, *et al*, 2013). Thus, what they think they know is likely to be a partial, distorted or otherwise inaccurate picture of the market. There may be a tendency to elevate assumptions and prejudices to the state of knowledge, or to make generalisations based on a few known examples. Essentially, law enforcement can only bring their own perspective to a researcher’s understanding of how an illegal market works. Their knowledge is likely to be partial, and their understanding may be further shaped by their own professional and personal goals and ideologies. Engaging with law enforcement agencies may be an obvious way to approach researching illegal markets (or any other type of crime), but it is likely to uncover only a partial picture.

It is important to consider different positions within the study of illegal markets because law enforcement often have different perceptions of how markets are structured to the criminals (Antonopoulos *et al*, 2011). It is here that research with offenders seeks to add something, providing “an important counterpoint to the official picture of crime as painted by criminal justice statistics, media portrayals and popular and political discourses” (Potter, p2017:2). By studying offenders, researchers can better determine whether official claims about illegal traders and illegal markets match reality.

The traditions of critical criminology are to bring a critical eye to official representations and understandings of crime and criminals. As suggested in Becker’s (1967) essay, there is a need to listen to the voices of the other side to get a fuller understanding of crime (or any other social phenomena). Applying the question of taking sides to illegal markets, criminologists have asked whether they should accept the law enforcement view that buyers and sellers of illegal goods are ‘bad’ or whether such representations should be engaged with critically and the views and experiences of market participants be given more weight. Coomber (2006), for example, dispelled a number of myths associated with drug dealing, finding that most dealers are not violent, are not involved in other forms of crime, do not adulterate the drugs they sell with other drugs or dangerous additives, and do not groom new customers through supplying drugs for free or targeting school children. Coomber argues that the idea of the “evil” drug dealer as constructed and reproduced by law enforcement and the media is greatly exaggerated and applicable only to a minority of those involved in drug markets. Potter (2010), similarly, found that the majority of those involved in cannabis cultivation and related distribution do not bear the hallmarks of drug dealing found in

media portrayals or law enforcement assumptions. Many are motivated more by cultural, ideological or even altruistic reasons than any desire to make money and are rarely involved in other types of criminal activity. At the other end of the scale, Adler (1993) heard from upper level drug traffickers how there was a significant change in the market, with more organised crime and more violence, in direct response to increased policing activity, whereas the official view was that increased policing of drug markets was a response to increases in violence. In relation to the pirated DVD trade, law enforcement assumed that sellers of pirated DVDs were part of hierarchical criminal organisations. Potter (2015) and Antonopoulos *et al* (2011) interviewed street sellers of pirated DVDs and found that they were self-employed criminal entrepreneurs, therefore undermining law enforcements assumptions. If researchers just studied law enforcement perspectives, they would run the risk of perpetuating myths.

Offender research brings its own challenges – most obviously, the difficulties of identifying criminals and encouraging them to talk openly about their activities. A common approach is to engage those criminals who have been caught and convicted – such as current or former prisoners. However, this can exacerbate some of the problems of researching the law enforcement side. Criminals who have been caught are *failed* criminals (Copes and Hochstetler, 2010; Polsky, 1985). What is more, if they have served long sentences, they may also only be able to report on criminal activity as it was at some point in the past (Decker and Chapman, 2008; Ruggiero and Khan, 2006). Either way, they do not fill the gap of knowledge about current criminal behaviours unknown to law enforcement. Worse, reliance on this type of research may entrench incomplete knowledge or misplaced beliefs already present in law enforcement through confirmation bias, as the failed criminals report the same partial knowledge and understanding of illegal activities and criminal actors that the police already have.

An alternative approach to relying on incarcerated offenders is research with active criminals (Copes and Hochstetler, 2010). Traditionally, criminologists have seen ethnography as an important method for trying to understand those involved in deviant behaviour (see Hobbs, 2001). However, ethnographic research with active criminals, like participants in illegal markets, is difficult due to methodological, practical, legal, and ethical concerns (Potter, 2018; Potter, 2017). One of the main challenges here is identifying and gaining access to willing participants (Adler, 1993; Bryman, 2016; Hobbs, 2001).

Active criminals can either be recruited through the researcher's existing social networks or the researcher can approach sellers of illegal goods in public places such as street corners, car boot sales or public houses (Hobbs and Antonopoulos, 2014; Potter, 2018). This approach will not suit all researchers. Research with criminal and deviant groups requires ethnographers to have certain personality traits or skills, such as the ability to persuade the participant to trust the researcher (Sandberg and Copes, 2012; Hobbs, 2000). In addition to practical issues some illegal markets may pose risks of harm to the researcher. Pryce (1979) researched hustling culture in Bristol using ethnographic methods but was murdered when he began to research Caribbean organized crime (Hobbs and Antonopoulos, 2014:p107). Jacobs (1998) was robbed at gunpoint while researching crack-cocaine dealers.

Research into any type of illegal market may put a researcher's personal safety at some degree of risk. Buyers and sellers of illegal goods are sometimes unpredictable participants as they might be high, drunk, or violent during interviews or observations (Adler, 1993; Copes and Hochstetler, 2010). A key ethical principle is to avoid harm to the researcher (Economic and Social Research Council, ESRC, 2015). For these reasons some researchers choose not to research the criminals' perspective.

However, it is rare for researchers to be physically injured when researching active criminals (Jacques and Wright, 2010).

As well as access and personal safety issues, ethnographic research with active offenders poses ethical challenges. Researchers will be exposed to “guilty knowledge” – that is, having information about crimes that have happened or might be committed in the future (Adler, 1993). Although there is no legal duty in many jurisdictions to report crimes one comes to know about (with some key exceptions, such as around terrorism) (Elliot and Fleetwood, 2017) there may be moral pressures to do so. Balancing this against the ethical requirements of protecting research participants can prove a difficult dilemma. More generally, active research with criminals can take its toll on the researcher’s personal life, emotional wellbeing and mental health (Fleetwood and Potter, 2017). In short, while researching active offenders may help offset some of the flaws in conducting research from the side of law enforcement, it is not without significant challenges of its own.

## Researching *both* sides

There are clear advantages to engaging with the criminals’ perspective in criminological research, both to address the question of power imbalances set out by Becker (1967) and to offset some of the epistemological problems of relying on law enforcement perspectives. It is also clear that research from the law enforcement perspective should continue, both because it often remains the most viable option and because relying only on the voice of the offenders will also generate biases and incomplete knowledge. The questions we wish to pose now are whether researchers can engage with both sides – and whether they should.

Across the field of illegal markets there exists a large volume of research conducted from the law enforcement side or other ‘official’ perspectives. There is also a large volume of research that does engage with offenders, including a sizeable amount of active-offender ethnography (the works we cite in this chapter represent only the tip of that iceberg). Research from both sides exists, and our understanding of illegal markets is all the richer for that, as demonstrated by some of the examples discussed earlier. However, research that explores both sides of a specific market (e.g., by geographical location, or product, or point in time) is rare. But we argue that researching both sides within the same project should be encouraged, with such combined research providing greater insights than separate, uncoordinated efforts.

Researching illegal markets using multiple perspectives can be advantageous because the perspectives complement each other to create a more complete picture of the phenomenon. Each perspective can reveal findings which have not been identified by the other and create opportunities for theory or policy development. Researching solely the law enforcement perspective or the criminal’s perspective would only provide limited understanding of an illegal market. While in contrast, researching multiple perspectives can provide a holistic understanding of that market. Researching both sides enables us to identify, explore and offset biases, assumptions and stereotypes. It allows for competing explanations and understandings to be explored and tested promptly, for example by asking each side why they seem to see things differently to the other. Researching both sides within the same project minimises the likelihood that different perspectives or different findings are explained by the fact that different projects, even looking at ostensibly the same market, are run by different researchers using different methods at different times. In experimental terms, we are able to control for more variables. In social science terms, we introduce another layer of triangulation.

Triangulation in social science research is when the researcher approaches a topic from multiple perspectives in order to extend, validate or challenge existing knowledge. Originally conceived of primarily as a validation strategy (Denzin, 1978), triangulation is now understood to do more than that, being “a strategy that adds rigor, breadth, complexity, richness, and depth to any inquiry” (Denzin and Lincoln, p2003:8).

Denzin (1978) identified four types of triangulation. Data triangulation involves combining data from multiple sources, or at different settings or different times or with different people. Investigatory triangulation involves using several different researchers or evaluators. Theory triangulation involves using multiple theoretical frameworks to interpret data. Methodological triangulation involves using more than one method to study a single problem.

Researching both sides of illegal markets is a type of triangulation which involves researching opposing sides' views and experiences of the same phenomenon at a similar time. Potter (2010) and Hall and Antonopoulos (2016) took this approach to the study of illegal drugs markets, respectively researching markets in home-grown cannabis and fake pharmaceuticals from the perspectives of both law enforcement and market participants. Taking such a triangulation approach ‘can enhance understandings and interpretations of behaviours, ideas and interactions encountered in the other context’ (Potter, 2017:p2).

Qualitative research projects are often critiqued due to a lack of validity and reliability of findings (Bryman, 2016). The main drawbacks of ethnographic research with active and incarcerated criminals are validity and reliability. As Hobbs (2000) states “criminals do lie”; they may withhold information to keep their activities hidden or glorify their acts to impress the researcher (Hobbs, 2000; Sandberg and Copes, 2012). Ethnographic research is often criticised for focusing on a single population (Bryman, 2016). When researching criminal and deviant groups the researcher is not able to identify all members of a target population and the individuals that do agree to participate in research may be further unrepresentative in some way (Potter, 2017). Additionally, as researching active offenders often involves using snowball sampling this results in findings not being generalisable (Hobbs and Antonopoulos, 2014). To improve the representativeness of a sample researchers could study multiple populations. However, “ethnographic studies focusing on multiple [criminal or deviant] populations for triangulation purposes are rare” (Potter, 2017:3). They are rare due to the difficulties discussed earlier, multiplied by the desire to actively research multiple populations. An alternative approach is to understand multiple perspectives within an illegal market.

## Challenges of researching both sides

Although there are many good reasons for trying to research both sides, it is rare for researchers to do this. Criminological ethnography is difficult and while researching both sides of an illegal market may address some of the weaknesses in one-sided research, it may also increase some of the other difficulties. What is more, identifying or engaging with one side can increase the challenges to accessing and researching the other. Although researching both sides does not mean the researcher has to take sides, the question of allegiance may come up. To be seen to be too close to one side may impact on the ability to access the other.

When researching opposing sides, it is likely that the researcher may take sides due to their positionality. Adler and Adler (1987) suggested that ethnographers should take a ‘membership role’, meaning that they should assume an insider’s position in the group they are studying. They suggested that three type of membership role are possible: peripheral, active and complete. The difference between the peripheral membership role and the active membership role is that the

former involves marginal commitment to the group under study whereas active members occupy a central position in the setting. Another difference is peripheral members do not assume functional roles within the group whereas active members do. The complete membership role involves researchers going beyond participating by becoming the phenomenon under study and this often involves the researcher taking an overt role. An alternative situation is where a member of a group becomes a researcher, exploiting their biography.

Ethnographers researching market participants are often peripheral members, such as in Adler's (1993) study of drug dealers. Rarely, researchers take more active roles, such as Potter's (2010, 2017) study of cannabis growers. In contrast, ethnographers researching the police are more likely to obtain complete membership status, especially if they are current or former officers, such as Holdaway's (1983) study of the British police. Taking any kind of membership role with both sides may be neither possible nor desirable, and we are not advocating that researchers try this. It is clearly going to be challenging, and maybe even impossible, to take anything more than a peripheral role with one side while maintaining an active or complete role with the other.

If researchers occupy a membership role for one side, it is questionable whether they can accurately and objectively portray the views of the other. In relation to the study of illegal markets, if researchers share law enforcements views and consider sellers of illegal goods as "bad" and as criminals this is likely to affect how the sellers of illegal goods perceive the researcher. Alternatively, if researchers occupy a membership role with sellers of illegal goods they may "go native" and may adopt their participants view that law enforcement are 'the enemy'.

Finally, if researchers study both sides the integrity of their research may be questioned by academia and research funding bodies (Hobbs, 1993; cf. *Ross et al.*, forthcoming). Subsequently, this may result in researchers studying one side at the expense of the other. Researchers may avoid studying both sides because their funding may only cover research with one group, most likely law enforcement. For example, Hobbs (1988) was in contact with both the police and the policed in his ethnography of policing in London's East End. This was regarded as problematic by his academic colleagues because being in contact with criminals was 'potentially damaging to the integrity of the police research that paid [Hobbs's] salary' (Hobbs, p1993:56).

## Juggling both sides

An important question for researchers to consider is whether to tell each side that they are also researching the other. Ethically we may prefer to be open with all respondents: lying, even by omission, seems dishonest and can undermine the principle of informed consent. There may be legal implications as well, particularly when the researcher has "guilty knowledge" (Adler, 1993) from interviews or engaged in crime themselves as part of participant observation. Practically, maintaining a deceit can be difficult and stressful. On the other hand, there are ethical and epistemological justifications for not being fully open with respondents just as there are for the well-established practice of covert research in criminology (Calvey, 2017). Being open about engaging with the other side poses its own ethical and practical challenges.

## Telling the cops

Telling law enforcement that the researcher is also talking to individuals engaged in illegal activity presents two main areas of risk. The first is harm to the researcher. In some ethnographic studies researchers have admitted to participating in (mostly) minor criminal activities with their participants (Adler, 1993; Sandberg and Copes, 2012; see *Ross et al.*, forthcoming, for a discussion on the role of drug researchers' drug use). One reason ethnographers such as Adler (1993) do not

research multiple perspectives (e.g., drug dealers and the police) is the concern that they may face legal proceedings for engaging in crimes. Several researchers have been arrested (Armstrong, 1993; Humphreys, 1975) and some have been prosecuted for committing crimes. For example, while conducting a study on urban exploration Bradley Garrett (2014) engaged in trespass, including breaking into London Underground property. Garrett was arrested and prosecuted (Fleetwood and Potter, 2017).

The second set of risks is harm to participants. Knowingly or otherwise, telling law enforcement that researchers are also talking to criminals may lead to an increased chance of informants being subject to law enforcement activity. Telling law enforcement may increase the risk that the researcher might be asked, or even forced, to hand over their data (such as, in the UK, under the Investigatory Powers Act 2016). Another reason Adler (1993) did not research multiple perspectives was due to the concern that her field notes would be seized by the police which could result in her participants arrest. When interviewing active criminals, researchers sometimes acquire guilty knowledge which raises moral dilemmas for the researcher. ESRC (ESRC) guidelines state that the researcher has a legal obligation to break confidentiality and inform authorities about criminal behaviour if there is a risk of harm to children, other people or the interviewees (ESRC, p2015:24). Subsequently if researchers did not disclose such information to the authorities, it could put them in a precarious position. In this scenario, the researcher can choose to protect the participants from harm in the form of criminal prosecution or they can protect others from potential physical harm.

It is worth noting that, under British law, researchers are not legally obliged to report crimes to the police except for in certain specified circumstances, such as acts of terrorism (Elliot and Fleetwood, 2017). However, unlike other professionals such as lawyers or doctors, researchers do not have researcher-participant confidentiality. Therefore, if researchers are summoned or ordered to give evidence in legal proceedings, they cannot safeguard their participants from potential criminal prosecution (Adler, 1993). The researcher could receive a court order and be forced to hand over their research notes to law enforcement. Refusing to hand over their data may even result in the researcher receiving a prison sentence.

American academic Rik Scarce (1994) was sent to prison for refusing to disclose the identity of his respondents to law enforcement. However, the likelihood of researcher's data being seized is rare as it requires quite specific circumstances (Elliot and Fleetwood, 2017).

Whether because of criminal acts committed with respondents or refusing to reveal incriminating data about research participants, arrest and prosecution will cause the researcher difficulties. As well as the obvious problem of having to go through the process of arrest with the risk of prosecution and even imprisonment, and the potential ongoing stigma of receiving a criminal record, arrest can undermine an active research project. On a practical level, time spent in custody is time not spent in the field. Being seen to have been arrested may also arouse suspicion among informants about what the researcher may have said to the police, thus reducing access and rapport. On the other hand, being seen to be arrested and *not* 'snitch' to the police may increase the researcher's standing with their criminal contacts.

### Telling the criminals

If researchers tell individuals engaging in illegal activity that they are also talking to law enforcement this could pose problems. Criminal and deviant groups are already difficult to gain access to because of the fear of being identified and subject to arrest and prosecution (Adler, 1993; Potter, 2017). Being seen to try to access the other side may lead to a loss of trust and reduction of access. Worse, being seen to try to access law enforcement when already situated as a member of a group of

offenders can potentially compromise the personal safety of the researcher. It is here that we draw on direct experience from the ISD research.

In the early stages of the project, the researcher was interested in how participants in the ISD market would view her attempts to also conduct research with the police. She had an open discussion with a few key contacts who were buyers of ISDs. These contacts were carefully selected as research participants that she felt she had high levels of rapport and trust with through pre-existing social networks. She asked their views on whether she should talk to law enforcement to get their understanding of the ISD market in addition to getting the market participants' perspective.

The buyers consulted all provided similar views. They said if the researcher did speak to or was in contact with police or other officials for any reason, they would refuse to speak to the researcher ever again, either socially or in a research capacity. They would refuse to participate further in the study. Some of them also pointed out that to be seen to talk to law enforcement could lead to more serious consequences.

“If you did that [talked to law enforcement], you would be known as a grass! People would be scared to talk to you or say anything to you. Which is why you can't talk to [them] if you are talking to us [market participants]. I won't be happy with you talking to cops that could prosecute my friends.

“See the thing is, if you talked to the cops, you don't know they could be getting information from you without you knowing. What if you slip up? What if they are questioning you without you knowing it? [Be]cause they could ask how many people are involved in selling and buying [ISDs] or DVDs, which pub is it, how do you know these people. They could go on your Facebook see who your mates are. So that is why me personally I wouldn't be happy talking to you if you are talking to the cops. I wouldn't be happy with you and I wouldn't talk to you again. And I don't think you would be talking to the cops anyways, I know you, you're one of us. Bottom line is, you can't talk to the cops, I know you wouldn't snitch but if people heard you were talking to the cops even just about your study that is bad news for you.”

As the extended quote from 'Peter' (ISD consumer in his 40s) shows, it is not just concern that the researcher would deliberately share information about active criminals that is a barrier here. Rather, the assumption is that police or other law enforcement agencies would be using the researcher to pursue criminals. But other ISD users put it in less nuanced terms, adding allusions to potentially serious repercussions for the researcher:

“If you talk to the cops you are a snitch, bad things happen to snitches.” (Mr. Parker, 60s.)

“Ever since I was a kid, I was told snitches get stitches.” (Jessica, 30s.)

Regardless of whether the researcher was actively informing the police or not, just to be seen to work with the police could lead to the label “snitch” or “grass”, an identity that carried clearly defined baggage within the cultural milieu of the respondents. As Peter went on to explain:

“If people think you are a snitch, it affects the way you live”.

Researcher: “What do you mean?”

Peter: “Good things don't happen to people who grass. you would be scared to leave the house. You would be attacked; people would shout stuff at you. They would attack your house, they would go after you, your family, friends, you would not be safe. That is what happens with grasses.”

To tell or not to tell?

Given the threats – to the researcher, to informants and to the research project itself – outlined above, it may seem preferable to not tell each side about engaging with the other or to avoid publishing research on market participants until after the study is finished (Adler, 1993). And where researchers feel they can maintain this secrecy for the duration of their research this may be the recommended approach. However, to have either side find out that the other side was also being researched when the researcher was trying to keep that hidden may lead to a worse reaction than if the researcher was open from the start – the suggestion of deception may enhance the criminal's belief that the researcher is actually working with the police, or law enforcement's perception that the researcher is actually in cahoots with the criminal.

The decision is likely to depend on lots of factors. The police may be less likely to apply pressure, for example, to find out details of offenders engaged in relatively minor crimes than those involved in serious offences. Likewise, petty criminals may be less concerned with researchers working with the police than serious or organised offenders. It may also relate to the decision about who to research first. For example, research with the police first means the researcher has no information about the offenders to give to the police should such pressure be applied. On the other hand, being known to have already worked with the police may increase the barriers to accessing the criminal population in the first place. We return to the question of which side to research first below.

To snitch or not to snitch?

There is a difference between talking to both sides and telling one side what the other has said. The researcher could help law enforcement apprehend criminals or prevent crime by voluntarily identifying them or explaining how they operate. Alternatively, the researcher could tell the criminals what they have learnt from law enforcement to teach them how to get away with crimes. When researching multiple perspectives within an illegal market or opposing sides within criminological or sociological research an important question to raise is should researchers ever pass on information from one side to the other? To do so – without the permission of the original information source – is a clear breach of trust and confidentiality. There are likely to be other ethical and possible legal questions as well – such as around data protection.

If the researcher informed one side what the other side had said it would be likely that the group would refuse to continue to participate in the current or any future research. This could have impacts beyond the individual researcher or their research project – groups that have been cheated by one researcher may be reluctant to engage with other researchers in the future as well.

There is also the risk that the researcher will become the target of retribution if they are found to have passed on information. Criminals who believe the researcher has snitched may respond by targeting them with violence or other criminal activity: 'snitches get stitches'. Law enforcement may be less likely to employ illegal activity in retribution, but they may seek to prosecute the researcher for passing on restricted information or for aiding and abetting criminal activity.

It seems clear that the default should be to not inform either side about what has been learnt from the other. However, there may be justifications for doing so under certain circumstances. If 'guilty knowledge' is of particularly serious activity, the researcher may feel a moral duty to help law enforcement prosecute previous offences or prevent future ones. As mentioned previously, in some circumstances there may be a legal duty to report criminal activities. Researchers may feel morally obliged to inform even when there is no legal duty to do so. At the same time, there may be some circumstances where the researcher feels that a moral duty to protect their respondents trumps a legal duty to report them.

History has shown that groups that were once labelled villains have come to be seen as heroes. Examples include the Suffragette movement in the UK, the Civil Rights movement in the US or anti-apartheid campaigners in South Africa. There are other examples where activities once labelled as crimes have later come to be recognised as morally acceptable – and the punishment of those crimes as morally wrong. Examples here include the criminalisation of homosexuality, blasphemy, or particular religious beliefs. Where a researcher feels that the ‘criminals’ are actually in the right, they may feel a duty to help them by providing insights from law enforcement. Here, we come back to Becker’s original point when asking ‘whose side are we on?’ – again, personal moral values may come to outweigh duties found in ethical and legal codes.

Which side to research first?

When designing a project which involves studying both sides of an illegal market researchers need to consider which side to engage with first (Rawlinson, 2008). The choice here can help mitigate some of the potential difficulties outlined above. However, there will be challenges researching either side first and researchers must weigh up the advantages and disadvantages of starting with one side or the other.

Researchers could study both sides at the same time. This, arguably, can maximise some of the triangulation benefits as it allows the researcher to go back and forth between the different groups to clarify understanding as the picture emerges from both sides. For example, as the researcher finds out more about what the police think of a particular illegal market or criminal culture they can develop questions to put to the criminals to test and verify the police perspective and to elicit an alternative understanding. They can then go back to the police with new questions developed from the findings from talking to the criminals, and so on.

However, engaging both sides simultaneously may raise particular practical issues around time and resource management (especially for a lone researcher) – and may enhance some of the potential problems discussed earlier. For example, if one side knows that the researcher is also talking to the other side at the same time (as opposed to knowing that they have talked to law enforcement or that they plan to at some point in the future) this could increase the sense that the researcher is reporting back to the other side. Talking to one side first, with some clear delineation between two different phases of research, protects the researchers from accusations of informing or of actually being on the ‘other’ side.

Choosing which side to research first may not remove concerns so much as change their nature and timing. For example, if the research talked to the buyers and sellers of illegal goods first (the criminal’s perspective) this could mitigate the concern that those engaged in the illegal market would refuse to talk to the researcher because they were also talking to law enforcement. However, this group may be all the more upset to find the researcher engaging with law enforcement later. And the risk to the criminal group may indeed be greater: by the time the researcher moves on to the law enforcement phase of the fieldwork, the researcher would already have information on the criminals that could be of interest to the police. Subsequently, talking to law enforcement first then the criminals may mitigate this concern. However, it would raise a different one. Law enforcement may be concerned the researcher was feeding information from law enforcement to those engaged in illegal activity. Due to the messiness of qualitative research sometimes researchers are not able to choose which side to study first, the practicalities of research decide this for the researcher (Rawlinson, 2008).

## Considerations for future researchers

As discussed, there are few empirical ethnographic studies on illegal markets in the UK that research both the criminal's perspective and the law enforcement perspective. Those that do (e.g., Dorn *et al.*, 1992; Hall and Antonopoulos, 2016; Potter, 2010; Rawlinson, 2008), do not provide much reflection on how to manage the practical and ethical challenges of researching both sides. Antonopoulos *et al.*'s (2018) study of the counterfeit goods trade involved research with both the sellers of counterfeit goods and the enforcement agency Trading Standards. A member of Trading Standards was a co-author on this project, therefore clearly law enforcement was aware the researchers were in contact with the criminals. However, the authors do not discuss this in their methods. This is a shame – there are clear merits to researching both sides and future researchers should be encouraged to do this where possible, but there is little guidance in the existing literature on how to conduct research in this way.

We recommend that future researchers involved in empirical studies on illegal markets that engage with both sides should reflect on how they have managed this arrangement, including whether and when they have told both sides that they are researching the other, whether they have conducted research with both sides simultaneously or sequentially, and whether they have ever shared information gleaned from one side with the other or been put under pressure to do so.

However, we recognise that some of the challenges of ethnographic research with criminals may be safe to discuss in the confines of public houses or conferences but may not be considered suitable for publication (Fleetwood and Potter, 2017). This may explain why researchers have omitted a discussion on whether they have told both sides they are researching the other side. There are several reasons why researchers are likely to withhold information regarding the practicalities of ethnographic research from their methods discussion, such as word limits or considerations around sensitivity of information (Sandberg and Copes, 2012:p179; cf. Ross *et al.*, forthcoming).

## Conclusions

This paper engages with Becker's (1967) "whose side are we on" article by considering how the concepts of taking sides and researching both sides fit together. This paper has presented the arguments for and against researching opposing sides of an illegal market and the methodological and practical challenges researchers may encounter when researching both sides. It has outlined the ethical challenges researchers may encounter if they tell either side they are also researching the other. It has also presented the arguments for and against the researcher telling one side what the other has said. How future researchers answer the questions posed in this paper will depend on what topic they are researching, when they are researching it and what the social, economic, political context is, who the different sides of a topic are, and the positionality and personal traits of the individual researcher.

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