



Getting at the Live Archive: On Access to Information Research in Canada*

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Introduction

Most of the draft documents, memoranda, communications, and other textual materials amassed by government agencies do not become public record unless efforts are taken to obtain their release. One mechanism for doing so is “access to information” (ATI) or “freedom of information” (FOI) law.¹ Individuals and organizations in Canada have a quasi-constitutional right to request information from federal, provincial, and municipal levels of government. A layer of bureaucracy has been created to handle these requests and manage the disclosure of information, with many organizations having special divisions, coordinators, and associated personnel for this purpose. The vast majority of public organizations are subject to the federal Access to Information Act (ATIA) or the provincial and municipal equivalents.

We have been using ATI requests to get at spectrum of internal government texts. At one end of the spectrum, we are seeking what Gary Marx² calls “dirty data” produced by policing, national security, and intelligence agencies.³ Dirty data represent “information which [are] kept secret and whose revelation would be discrediting or costly in terms of various types of sanctioning.”⁴ This material can take the form of the quintessential

* Thanks to Justin Piché and James Brownlee for comments.

¹ We use the term “ATI” to encompass both ATI and FOI law. ATI places the issue of access up front, which reflects the negotiated and contingent nature of the process. One of the flaws with the Canadian federal access to information regime is that government agencies can only be brought under its authority by adding them to Schedule I of the Act. This must be done either at the time that an agency’s own enabling legislation is created or amended, or in an omnibus fashion, as occurred following the passage of the Federal Accountability Act (2006). There is no presumption of inclusion, which means that some government agencies and crown corporations “fly under the radar” of the Act.

² Gary Marx, “Notes on the Discovery, Collection, and Assessment of Hidden and Dirty Data,” in *Studies in the Sociology of Social Problems*, ed. J. Schneider and J. Kitsuse (Norwood, NJ: Ablex, 1984).

³ See Kevin Walby and Jeff Monaghan, “Policing Proliferation: on the Militarization of Police and Atomic Energy Canada Limited’s Nuclear Response Forces,” *Canadian Journal of Criminology and Criminal Justice* 52 (2010): 117–45; Mike Larsen and Justin Piché, “Exceptional State, Pragmatic Bureaucracy, and Indefinite Detention: The Case of the Kingston Immigration Holding Centre,” *Canadian Journal of Law and Society* 24 (2009): 203–29; Justin Piché and Kevin Walby, “Problematizing Carceral Tours,” *British Journal of Criminology* 50 (2010): 570–81.

⁴ Marx, “Notes on the Discovery,” 79.

“smoking gun” document, or, more often, a seemingly innocuous trail of records that, upon analysis, can be illuminating. Dirty data are often kept from the public record. At the other end of the disclosure spectrum are those front-stage texts that represent “official discourse,” which are carefully crafted and released to the public according to government messaging campaigns. Most of the information that we obtain through ATI falls in between, being neither subject to extraordinary concealment efforts nor deliberately released. However, we are particularly interested in the “dirty data” texts we can get at and what these tell us about security, policing, and government practices, precisely because scholars have a tendency to focus more on front-stage texts. The texts we get at with ATI are artefacts that offer a window through which researchers can partially view the backstage⁵ of government. Backstage texts take many forms, including memorandums of understanding⁶ between organizations, emails between government employees, prepared scripts for spokespersons, and every other electronic file or bit of paper imaginable. The results of ATI requests can also help reveal the processes behind the creation of texts, allowing researchers to develop an understanding of the networks of agencies and chains of decisions that underlie official discourse. Yet, as we explain below, the right to request records does not guarantee access to information.

The outdated nature of the federal ATIA and the limitations of the ombudsman Office of the Information Commissioner contribute to the near-unanimous impression that Canada’s ATI regime is deteriorating and has “fallen behind” that of other parliamentary democracies.⁷ Barriers to ATI abound. Some barriers are endemic to the information management practices of bureaucracies, while others are reflections of an overburdened ATI regime, and still others are the result of political interference. Civil servants sometimes destroy texts before they can be requested, or simply do not produce proper documentation.⁸ ATI coordinators may impose steep fees, significant delays, or disclose heavily redacted documents.⁹ Therefore,

⁵ Piché and Walby, “Problematizing Carceral Tours.”

⁶ A memorandum of understanding (MOU) establishes the terms and conditions of a partnership between two government organizations, and establishes standing orders and parameters that govern that relationship. An MOU can also detail what operations and resources will be shared. For a discussion of a governing MOU, see Larsen and Piché, “Exceptional States.”

⁷ Stanley Tromp, “Fallen Behind: Canada’s Access to Information Act in the World Context,” 2008, <http://www3.telus.net/index100/report>.

⁸ See Alasdair Roberts, *Blacked Out: Government Secrecy in the Information Age*, (Cambridge: Cambridge University Press, 2006); K. Badgley, M. Dixon, and P. Dozois, “In Search of the Chill: Access to Information and Record-Keeping in the Government of Canada,” *Archivaria* 55 (2003): 1–19; J. Gilbert, “Access Denied: the Access to Information Act and its Effect on Public Records Creators,” *Archivaria* 49 (2009): 84–123.

⁹ G. Kinsman and P. Gentile, *The Canadian War on Queers: National Security as Sexual Regulation* (Vancouver: UBC Press, 2010); A. Roberts, “Administrative Discretion and the Access to Information Act: An ‘Internal Law’ on Open Government?” *Canadian Public Administration* 45 (2002): 175–94; P. Birkinshaw, “Proposals for Freedom of Information in the United Kingdom,” *Government Information Quarterly* 16:2 (1999).

access must be skillfully brokered.¹⁰ This brokering process can also become an object of analysis, insofar as the textual trail produced in response to one ATI request can subsequently be located and analysed using ATI. This reflexive approach is necessary to understand how government agencies manage information; reflexive use of ATI is also indispensable to becoming better at the brokering process.

In the remainder of this article, we elaborate on the lessons learned in brokering access to government records. We begin by conceptualizing the ongoing production of texts inside government agencies as a dynamic field of organization and contestation, which we refer to as the live archive. We then discuss access brokering as an interactive process that is influenced by a number of factors associated with law, politics, and information management practices. We conclude with remarks on ATI as a methodological resource for socio-legal research, drawing on our experiences studying policing and security in Canada.

Getting at the Live Archive

The historical sociologist Philip Abrams¹¹ argues that the state “has proved a remarkably elusive object of analysis.” A scroll down the list of departments to which one can submit an ATI request at the federal level of government alone suggests there are a multitude of networked government agencies rather than a monolithic “state.” Theorizing the state in general can obscure otherwise knowable internal and external practices of governmental agencies at multiple levels. Using ATI can allow the relationships between multiple federal, provincial, and municipal level government agencies—as well as between these agencies and the private and non-governmental sectors—to come to light. Thus, it is not only historical documents that allow the practices of governmental agencies to become knowable. There is also what we call the live archive, mounds of text detailing how government agencies at federal, provincial, and municipal levels do what they do, added to each day by civil servants, which we access using ATI. In contrast with notions of archives and archiving that focus on the preservation and organization of a “documentary heritage,” the idea of the live archive highlights the dynamic systems of textual production and communication unfolding in government agencies today.¹² We break down the live archive into three parts: texts, work, and organizations.

¹⁰ See M. Larsen and K. Walby, eds., *Brokering Access: Power, Politics and Freedom of Information Process in Canada* (Vancouver: UBC Press, 2012); Willem de Lint, “Keeping Open Windows: Police as Access Brokers,” *British Journal of Criminology* 43 (2003): 379–97.

¹¹ P. Abrams, “Notes on the Difficulty of Studying the State,” *Journal of Historical Sociology* 1 (1998), 61. Like Abrams, we want to avoid conflating the “state” and “government.”

¹² Conventional archives are also dynamic and evolving projects, but the texts that exist in these spaces are not subject to the same potential for revision and activation that characterizes texts in the live archive. See Library and Archives Canada, *Modernization within LAC: Evolving Approaches to Canada’s Documentary Heritage* (Ottawa: Library and Archives Canada, 2010), <http://www.collectionscanada.gc.ca/modernization/012004-900-e.html>.

Texts do something in organizations.¹³ A deportation order enacts the removal of a person from the country, a threat assessment constructs an individual as a security risk, and a memorandum of understanding engenders particular forms of collaboration between government agencies. Our use of ATI to produce data about government agencies is motivated by the following premise: scholars of government have focused too much on rhetoric and official discourse in the news media and have not paid enough attention to texts that are active in government organizations. This does not mean that we oppose research that makes official discourse its object of analysis. We acknowledge that studies examining the interactions and contradictions between official discourse, non-government texts, and ATI data can be illuminating. But the statements that are often studied as examples of official discourse are the products of processes that begin with the exchange of emails and the production of successive drafts of media lines and briefing notes—texts that can be accessed using ATI.

The live archive comprises several kinds of active texts. First, there are the texts involved in governance of individuals or relations between organizations, such as a deportation order or a memorandum of understanding. There are also texts about those governing texts, the background texts, the groundwork that workers in organizations do to produce policy and protocol, much of which is recorded and filed. Almost all the work of civil servants is (or should be) inscribed in texts, from emails to briefing notes to draft reports and PowerPoint presentations.¹⁴ There are also texts prepared for government officials to read in public that outline what to say and what not to say. All the iterations of speeches are written down somewhere, so instead of (or in addition to) focusing on rhetoric in the news media we propose that social scientists investigate how that rhetoric is textually organized. This goes for other kinds of official discourse as well, such as bulletins posted on Web sites. The point of using ATI is to get at the texts behind the rhetoric, as well as the texts used in coordinating governance practices. This live archive is a dynamic system, always changing as more texts are produced, modified, or incorporated from outside sources. Submitting an ATI request also generates numerous texts inside government agencies. The information

¹³ D. Smith, *Writing the Social: Critique, Theory and Investigations* (Toronto: University of Toronto Press, 1999); D. Smith, *Institutional Ethnography: A Sociology for People* (Lanham, MD: AltaMira, 2005); Kevin Walby, "Institutional Ethnography and Surveillance Studies: An Outline for Inquiry," *Surveillance and Society* 3 (2005): 158–72. Our use of "texts" is informed by the literature on institutional ethnography. Texts can be understood as active, translocal, replicable, and implicated in processes of generalization and social organization.

¹⁴ Sometimes researchers can gather texts concerning third parties and businesses who have relations to government agencies, although this is difficult as one commonly invoked section of the Access to Information Act for redaction and exemption is s. 20 concerning third parties. Other sections commonly invoked by ATI coordinators for redaction and exemption are s. 16 concerning ongoing investigations, and s. 19 concerning personal information. ATI coordinators can use s. 19 to exempt whole portions of documents instead of simply redacting the specific personal information on each page, leaving the researcher to guess exactly what types of documents and correspondence exist.

packages that result from ATI are “snapshots” of aspects of the live archive. Once completed, ATI releases become accessible to other requesters, who ask for them by file name. This makes it possible for savvy researchers to quickly build upon previous forays into the live archive, and also underscores the importance of collaborative research and information sharing, which we return to below.

Texts are active, but they need to be “activated” by government officials and civil servants to have this quality.¹⁵ A deportation order does not extradite someone by itself, and a memorandum of understanding does not govern relations between organizations on its own. The focus in ATI research is not only the texts, but what the texts indicate about the work of government officials and civil servants. Without ATI, the backstage work of government officials and civil servants would remain blackboxed or accessible only with the consent of the agencies in question or through the actions of whistle-blowers. In many instances, it is not in the vested interests of policing and security or intelligence agencies to voluntarily open their files to researchers.¹⁶ With ATI, we get at the work that these civil servants do in writing and activating texts as part of governance processes. Because the live archive is a dynamic system, our inquiry can loop back on itself as the work of ATI coordinators and our textual interaction with them can become an object of analysis. The processing of an ATI request in an organization results in the creation of records that describe agency–requester communications, information search processes, discussions about the potential sensitivity of the information being disclosed, and the ways in which ATI law is applied to exempt or redact records. We have been inquiring into ATI processes as a form of information management, of which a crucial part is reflexively investigating how one’s own request has been managed.

Following the textual trail with ATI also means investigating connections between organizations, and locating texts that flow between government agencies as much as they move within them. Organizations are always changing. The work that civil servants do is persistently subject to new protocol as well as protocol from other organizations. Texts are continuously being edited, revised, shared, forgotten, and sent here and there for revision and approval. Using ATI to follow these textual trails has thus changed the way in which we conceptualize public organizations and government agencies. We see that the live archive is composed of multiple and always shifting inter-agency networks. Government happens in networks of agencies coordinated through texts.

¹⁵ See Smith, *Writing the Social*. That the text is “activated” requires a reader to interpret the text and put it to use in particular ways that reflect their practical consciousness but also the institutional conditions in which they are at work. See D. Smith, *Texts, Facts, and Femininity: Exploring the Relations of Ruling* (New York: Routledge, 1990).

¹⁶ We cannot expect to be able to sit down and have a candid and on-the-record chat with agents from the Canadian Security Intelligence Service or the intelligence branches of the Royal Canadian Mounted Police, much less the senior bureaucrats or communications managers at these agencies.

The archive is not a dusty, old place. Foucault¹⁷ uses the term “archive” to refer to the general system of the formation and transformation of statements about governing (how these statements are made, organized, translated, and conveyed). This definition suggests that the archive is continually reorganized through social and political processes. Most Foucaultians spend their careers at work on particular archives, poring over the details of what texts say about how governance processes are enacted. The archives that concern us are full of active texts. Our goal is to provide a detailed empirical account of how governance processes happen. However, getting access is not as simple as submitting a request and signing a five dollar cheque.

Access Brokering

We use the term “access brokering” to describe the range of tasks and interactions that are part of the filing and processing of ATI requests. This brokering process involves negotiation, contestation, and technological mediation. From a methodological perspective, access brokering involves two crucial issues. The first is dealing with ATI coordinators. The second involves familiarizing ourselves with the specialized vernacular of the government agencies in question.

First, every ATI request involves negotiation with an ATI analyst, who may try to get the requester to clarify—or narrow—his or her request. The outcome of any given ATI process hinges on the wording of a short request statement that must clearly describe the subject matter and types of records being sought, as well as the date range of interest. Subtle refinements to request wording resulting from interaction between the requester and the ATI analyst can have a huge impact on processing time and the shape of the final release package.¹⁸ We conceive of this negotiation as a key site of contestation in the ATI process, which means that we approach it with an awareness of government information management practices and the broader politics of secrecy. Different offices at each level of government have different techniques for handling this interaction. Part of the brokering process involves getting to know how ATI offices operate, how and when ATI coordinators are able to exercise discretion, the techniques that coordinators use to narrow or delay requests, and how ATI coordinators organize their offices and correspondence with the branches of the agency in question. Effective brokering also requires an understanding of the broader access environment in which a given agency operates. Access brokering is affected

¹⁷ Michel Foucault, *The Archaeology of Knowledge* (New York: Pantheon, 1972), 130.

¹⁸ For example, the December 2008 table outlining “ATIP Roles and Responsibilities” within Public Safety Canada—obtained through ATI request no. A-2009-00142—notes that an ATIP analyst “[w]herever possible, negotiates changes to the scope of requests directly with the requester in order to minimize the amount of search fees imposed on the requester” and “[n]egotiates directly with [the] applicant in order to minimize the impact of processing the records (i.e., drafts, ministerial correspondence and records documenting minimal changes to a document.” These negotiation duties, even when undertaken with pragmatic intentions, have the potential to alter the outcome of the brokering process.

by factors such as the presence of chronic delays, the rate of personnel turnover, the cultural disposition towards openness or secrecy¹⁹ within upper management, and the relative level of automation in the ATI process. Many Canadian ATI coordinators use AccesPro Case Management software or its predecessor ATIPFlow (both developed by the Ottawa-based software company Privasoft) to allow for the real-time management and tracking of all aspects of ATI process, from filing, to the tasking of requests, to standardized correspondence, to redaction.²⁰ This software also facilitates the stonewalling of requests through amber lighting and red filing practices.²¹ Second, every ATI request is tasked, by the analyst in charge of the file, to an office of primary interest (OPI, in access parlance) deemed most likely to have control over the records being sought. This branch of the government agency will have their own lexicon for referring to various practices and documents. For instance, Canadian Security Intelligence Service (CSIS) uses the keyword “multi-issue extremism”—not exactly everyday vernacular—for reference to social and environmental justice activists. There are also committees inside the branch not listed on any government website. Without prior knowledge of the lexicon and organizational structure of the OPI, it is difficult to hone in on a particular textual trail. The researcher must also be wary of overspecialization in wording, lest the request be interpreted according to a narrow technical reading. Part of brokering is developing a familiarity with these idiosyncratic vocabularies and organizational maps. Occasionally, informal discussion with the ATI coordinator can reveal keywords and committee names. Sometimes a researcher comes across this information in reports or newspaper stories, or through interaction with informants. Other times it is necessary to use ATI in an exploratory fashion, to find clues before investigating further. ATI is a complicated way of producing textual data, but these data are also different in kind from the official discourse and rhetoric on which many criminologists and socio-legal scholars settle.

We have described the live archive as a complex, networked and constantly evolving field of contemporary government texts, and discussed how this kind of information can be obtained, albeit with some difficulty, through the use of ATI mechanisms. Brokering access to government

¹⁹ Roberts, *Blacked Out*. On this note, the Harper Conservatives have a general contempt for public transparency. They cancelled the scrum after the question period. They cut funding to critical arm’s-length agencies such as the Law Commission of Canada. And many users of ATI such as journalists speculate that the Prime Minister’s Office has recently played a more active role in making decisions about ATI requests at the federal level.

²⁰ ATI software suites subtly alter the form of records. Most records begin as digital files (word processing, spreadsheet, and so on) that can be searched and manipulated. After processing through AccesPro Case Management, they become image-based PDF files that are “flattened” and unsearchable—a source of much frustration for ATI researchers. In addition, AccesPro does not “black out” text in accordance with the classical image of the redacted document; instead, it shows redacted text as white space that is indistinguishable from the document background. This can make it unclear where and whether a given record has been redacted.

²¹ *Amber lighting* refers to the tagging of a request/requester as politically contentious. *Red filing* refers to requests that are stonewalled by the minister or by the Prime Minister’s Office, who receive a weekly inventory of tagged requests.

information is a process that is shaped by competing interests, administrative systems, laws, technologies, and regimes of knowledge. From the requester's perspective, access brokering often seems like a contest between two parties that is characterized by a considerable power imbalance²²—the government agency already has the information being sought, knowledge about how and where it fits into broader practices, and a variety of techniques that can be used to maintain or entrench secrecy, or to manipulate delays into de facto denials of access.

It would be a mistake, however, to limit our conceptualization of access brokering to a one-way process of uneven negotiation between the haves and have-nots of public information. From the perspective of government agencies subject to access laws, the potential of disclosure through ATI has come to govern many aspects of information production, retention, and management practices. Although civil servants receive training on ATI and record retention protocols, they tend to create and work on texts with an awareness of the potential of disclosure, which has a significant impact on the content and organization of the live archive.²³ For example, CSIS employees must “pre-code” every record that they produce, including communications, according to security classifications.²⁴

In addition, government agencies have increasingly engaged in “message discipline” and resource-intensive management of public relations.²⁵ ATI processes threaten to open up aspects of the live archive that complicate or contradict official discourse. As a result, the daily work of ATI offices is a matter of interest for the upper echelons of government, where communications personnel prepare strategic responses to the disclosure of information while ATI requests are being processed. For example, Public Safety Canada's “Notification Procedures” document instructs the ATIP office to distribute “advance copies” of ATI release packages, together with a “Notification of ATI Release” form, to the offices of the Minister, Deputy Minister, Director General for ATIP and “Communications contact [...] at least five working

²² Laura Huey, “Subverting Surveillance Systems: Access to Information Mechanisms as Tools of Counter-Surveillance,” in *Surveillance: Power, Problems and Politics*, ed. S. Hier and J. Greenberg (Vancouver: UBC Press, 2009).

²³ Paul Kelly discusses his work as an employee under the Mike Harris government in Ontario. His superiors would encourage employees not to keep any records. Kelly also discusses a few systematic methods of obstructing requests, such as the way cabinet briefing notes are covered under “Advice to Minister” or “closed meeting” clauses under various ATI legislations. Orders were also given to destroy information. Twice, Kelly was advised to destroy all documents concerning Ipperwash and the murder of Dudley George by the Ontario Provincial Police. See Paul Kelly, “Information Is Power,” *Open Government: a Journal of Freedom of Information* 2, 1 (2006).

²⁴ Records obtained through CSIS ATI request 117-2010-15 document the exchanges between CSIS employees and employees of the Office of the Information Commissioner of Canada (OIC) that took place during the preparation of the 2008-2009 OIC Report Card for CSIS. The OIC notes that, although the pre-coding of records facilitates easy document retrieval, “CSIS's strong information management structure is not reflected in [ATI] compliance level.” CSIS received a “deemed refusal rate” of 20.9% and an overall “D” grade in the public report card. Interestingly, the OIC revised its position in the public version of the report to read “CSIS has a strong information management structure.” See OIC 2010, http://www.oic-ci.gc.ca/eng/rp-pr_spe-rep_rap-spe_rep-car_fic-ren-2008-2009_25.aspx.

²⁵ Roberts, *Blacked Out*.

days before release wherever possible.”²⁶ Far from an unobtrusive process, access brokering emerges as part of a dynamic cycle of information management that alters the shape of the live archive. This dynamism demands reflexivity on the part of the researcher and, we argue, invites us to situate our understanding of texts in relation to the processes through which they are produced as well as the mechanisms that govern their disclosure.

ATI Research in Socio-Legal Studies and Beyond

In order for ATI research to be reflexive, researchers need to engage with the live archive, using ATI to investigate the textual trail produced by initial requests. Using ATI reflexively also helps the researcher to understand how governments manage information and keep secrets, and how civil servants can bury textual traces of their work. If the researcher comes to know the correct keywords and committee names, they can begin to produce textual data that are as yet unknown, which can broaden our understanding of power, politics, and governing practices.

Our collaborative and independent research on security and policing has made extensive use of ATI requests. We have found that gaining access to texts in the live archive is invaluable as a means of mapping the organization of the increasingly networked and integrated security field. Interdepartmental memos, faxes, minutes from working groups, letters and memoranda of understanding, emails, budget breakdowns for joint projects, temporary organizational flow charts, cross-organization training materials, and a wide range of other texts offer clues into the governance of collaborative security efforts, and can reveal competing interests and tensions or unforeseen configurations of power and authority.²⁷ The activities carried out under the banner of “security” are seldom the province of a single agency—even when official organizational charts and procedures suggest that this is the case. Instead, we find textual trails that detail exchanges of services and expertise, consultations between partners, and practices of interweaving²⁸ that functionally blur the boundaries that separate legal and jurisdictional mandates. ATI can also be used to study the ephemeral organizational practices that characterize special security operations like the 2010 Winter Olympics or G8 and G20 summits. The meta-organizations that govern these operations, such as the G20 “Integrated Security Unit”, exist briefly, and then dissolve, leaving behind textual traces in the live archive. Getting at the organization of interagency policing and security practices through ATI can be challenging. As Larsen notes,

The Act functions best when the records being sought are produced by and under the control of a single respondent. Where multiple entities

²⁶ “NOTIFICATION PROCEDURES” (Public Safety Canada, 2009), obtained through ATI request no. A-2009-00142.

²⁷ Larsen and Piché, “Exceptional State.”

²⁸ Hoogenboom, B. *The Governance of Policing and Security: Ironies, Myths and Paradoxes* (Basingstoke, UK: Palgrave Macmillan, 2010).

are involved in a given activity, the responding agency can consult with each of them with regards to the vetting of records, adding to the total request processing time.²⁹

Requests for information about multi-agency activities are routinely subject to lengthy consultation-related delays that are impervious to even the most careful access brokering efforts.³⁰ However, perseverance can be rewarding, producing both dirty data and textual trails that expand our knowledge of how security is “done,” and in whose interests.

Because the textual trails we are after are voluminous, and the networks of texts extend between multiple agencies,³¹ ATI research is best conducted collaboratively. By splitting complex research questions into a series of separate requests that can be brokered independently, a research team can often operate with more flexibility than a single requester. Using ATI in this manner requires a commitment to team research and working with other scholars, which goes against the individualization of social scientific research occurring in North America.³² As we use ATI to explore the texts produced by policing, national security, and intelligence agencies, many activists, lawyers, and journalists who are also interested in learning more about these organizations should be part of the team.³³ Although the way we use ATI is geared towards research that falls under the headings “critical criminology” and “socio-legal studies,” the ramifications of ATI research for social science are greater. Any researcher in any discipline whose research concerns public organizations can work with ATI requests to arrive at a more complete picture of the governance and information management processes involved. As more government agencies engage in furtive information management³⁴

²⁹ Mike Larsen, “National Security Accountability and the Right to Know,” *PRISM Magazine* (April 2, 2010), <http://prism-magazine.com/2010/04/national-security-accountability-and-the-right-to-know/>.

³⁰ Complex requests that follow a textual trail between agencies are also subject to an additional layer of brokering that arises from concern for the maintenance of relationships between organizations and levels of government. Complex requests also suffer from the absence of the sort of institutional memory and information management framework that gives structure to the texts that are produced and circulate within a given agency. And ATI offices in some agencies simply suffer from a lack of support and resources.

³¹ Kevin Walby and Jeff Monaghan, “Private Eyes and Public Order: Policing and Surveillance in the Suppression of Animal Rights Activists in Canada,” *Social Movement Studies* 10 (2011): 21–37; Jeff Monaghan and Kevin Walby, “Making Up ‘Terror Identities’: Security Intelligence and Canada’s Integrated Threat Assessment Centre,” *Policing and Society* 21 (2011).

³² See M. Burawoy, “For Public Sociology,” *American Sociological Review* 70 (2005): 4–28.

³³ Many of the journalists and researchers that make up Canada’s relatively small ATI community have created Web sites and other resources to share both tips on ATI requests and the actual records that they have obtained.

³⁴ See R. Snell and P. Sebina, “Information Flows: The Real Art of Information Management and Freedom of Information,” *Archives and Management* 35 (2007): 54–81; J. Roy, “Security, Sovereignty and Continental Interoperability: Canada’s Elusive Balance,” *Social Science Computer Review* 23 (2005): 463–79; P. Gentile, “Resisted Access? National Security, the Access to Information Act, and Queer(ing) Archives,” *Archivaria* 68 (2009): 141–58; J. Kirtley, “Transparency and Accountability in a Time of Terror: the Bush Administration’s Assault on Freedom of Information,” *Communication Law and Policy* 11 (2006): 479–509.

we suspect that academics from other disciplines will find much in common with scholars in critical criminology and socio-legal studies who are using ATI requests to get at the live archive.

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