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Review: Access in the academy: Bringing ATI and FOI to academic research

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Larsen, M. (2013). [*Access in the academy: Bringing ATI and FOI to academic research*](#). Vancouver, British Columbia Freedom of Information and Privacy Association.

On the horizon is a momentous anniversary for the freedom of access to information. December 2nd, 2016 will mark the 250th anniversary of the Swedish Parliament's successful passage of the world's first law allowing people to access information held by their government (Manninen, 2006, p.18).

Since accessing information held by governments is crucial for participation in democratic processes, it is important that freedom of information laws be user-friendly. In anticipation of the 250th anniversary, this article reviews *Access in the academy: Bringing ATI and FOI to academic research*, a guidebook for Canadian academic researchers on how to use their access rights¹.

Written by Mike Larsen, faculty member in the Department of Criminology at Kwantlen Polytechnic University, British Columbia, *Access in the academy* describes accessing materials through the federal *Access to Information Act* and BC's *Freedom of Information and Protection of Privacy Act*. The insights and guidance Larsen provides, however, are relevant to researchers seeking documents in many other jurisdictions.

The guidebook is divided into five chapters. The first provides an introduction to FOI laws and how they fit into academic research. The second and third guide the reader through the process of ordering documents. The fourth chapter describes the complaint process and the fifth chapter offers a conclusion.

In the first chapter, Larsen introduces some core ideas about FOI laws. For example, he makes a distinction between access laws and access regimes. The former is the letter of the FOI law, while the latter are the institutional procedures governments create to comply with the law. Drawing attention to the access regime is important, because it has a significant effect on what users experience.

Larsen describes four phases of FOI-based research: a preliminary phase, request preparation, brokering access, and records analysis. Each step is described in detail. I appreciate his acknowledgment that steps can be reordered or skipped, as it avoids framing access in an overly rigid fashion.

A strength of *Access in the academy* is Larsen's explanation of the internal operations of the access regime in the federal government. For example, he describes the role of the "FOI analyst," the government official who receives letters from the public seeking access to documents and coordinates the official access procedure. Larsen explains how the FOI

¹ For full disclosure, the author of this review was one of the seven reviewers of an earlier draft of the guidebook.

analyst will identify “Offices of Primary Interest” (OPIs), which are departments or units thought to be in custody of the documents to be sent to the applicant.

Access in the academy shines when Larsen describes some tricks of the trade he has learned through “trial-and-error” (p.2). He explains how documents acquired through access laws can reference other documents, which researchers can subsequently order through the same access laws. It is much easier for government officials to locate these subsequent documents because they are clearly identified in existing government documents. This sort of repeated use of access laws can lead a researcher to “steadily build up a knowledge base” (p.10). This strategy will be familiar to librarians as it is akin to the technique known as ‘pearl growing,’ where cited references in books or articles are used to identify and retrieve other relevant works. Larsen also offers other practical advice like keeping a research journal to track what has been ordered, which aligns with the advice of other FOI researchers (Brooke, 2007, p.42; Cuiller & Davis, 2010, p.30).

A major strength of *Access in the academy* is all the bonuses beyond the core explanatory text. Larsen provides examples of how Canadian academic researchers have used access laws, a list of the specialized terminology used within government to describe types of documents many readers might not be familiar with (e.g., decks), interview excerpts with journalists who have benefitted from using FOI laws, examples of correspondence with FOI analysts, and helpful advice about how to cite documents acquired through access laws.

While his act of sharing so much, I would argue, is a form of critical action, Larsen also focuses his critical gaze at times. For example, he observes that open data initiatives are not a replacement for robust FOI regimes because “the proactive release of data by governments is always partial and selective” (p.12).

Larsen advances a number of arguments about FOI-based research. The most developed one is a “brokering” thesis. Boiled down, this means current access regimes often require researchers to negotiate details of access with FOI analysts. In some ways, this is like a historian’s relationship with an archivist (Duff & Johnson, 2002, p.483). However, I think Larsen may be expanding on what is essentially one style of doing FOI-based research. In my experience as a FOI-user, access laws can work remarkably well even with far less interaction with FOI analysts than Larsen suggests.

Larsen also assumes the only material of interest to academics is research data. However, access laws can help academics acquire grant applications that have received federal funding, documents to facilitate academic governance, and materials that can be used in teaching. For example, Hingson (2008) describes how materials acquired by George Washington University’s National Security Archives through freedom of information legislation have been used in teaching Latin American studies college courses.

Larsen does seem to lose critical steam at times. For example, early on he explains that “the term *request* is not synonymous with the term *ask*, as it is often understood in common parlance. An ATI/FOI request is an invocation of information rights, and

government bodies covered by ATI/FOI legislation are legally obligated to respond” (p.4). This insight notwithstanding, Larsen peppers each page with the word “request.” It seems odd that a guidebook written to teach readers how to use their information rights would use language the author effectively acknowledges may confuse them about those rights.

Access in the academy is an important guidebook and one I would recommend to researchers or librarians involved in social research. It is well suited for research methodology courses in the social sciences or humanities.

As a final point worth noting, I was struck by how much of Larsen’s advice brings to mind core ideas in library and information science. For example, Larsen’s description of the “follow-up request” strategy (p.20) reflects the value of resource description in information discovery. His advice to be as specific as possible suggests that FOI regimes tend to create information systems suited for precision-based retrieval (rather than recall). What Larsen calls a “live archives” (p.6) is what archivists refer to as the active stage of the records life cycle.

I certainly do not fault Larsen for not making these connections. Rather, I make this observation to encourage librarians and information specialists to recognize how our professional body of knowledge can contribute insights into transforming the current trial-and-error process for learning to use FOI legislation into something of a more user-friendly experience.

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