# 8

# PIECING IT TOGETHER, STUDYING PUBLIC–PRIVATE PARTNERSHIPS

## Freedom of Information as oligoptic technologies

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## Introduction

Owing to the difficulty in gathering qualitative and quantitative data about surveillance, security and intelligence, scholars have pioneered new methods and adapted existing ones.[1] In particular, Access to Information (ATI) and Freedom of Information (FOI) mechanisms[2] are progressively being used by social science researchers to supplement traditional data collection practices. By exercising quasi-constitutional rights, these mechanisms enable individuals and organisations to request information from federal, provincial and municipal levels of government, which thereby provides a means of compelling a somewhat limited form of transparency (Epp, 2000). These mechanisms are often useful for addressing internal dynamics, historical contexts, knowledge production and representations of government bodies (Larsen & Walby, 2012). Cast as a form of "smart mixed methods" (Lather, 2010), ATI/FOI can be used to guide exploratory research, highlight longitudinal trends and establish disjunctures between official, experiential and ATI/FOI produced data (Savage & Hyde, 2014; Walby & Larsen, 2011). Furthermore, this access to the "live archive" produces insights into surveillance societies, the interoperability of government agencies, as well as challenges, conceptions or insertions of the "state" (Larsen & Walby, 2012). Government agencies and the records that are produced by them are rarely the domain of a single organisation (Walby & Larsen, 2011). Rather than a monolithic, homogenous entity, these mechanisms lend credence to analysis that shows the multitude of networked agencies enacting "the state." For example, much research has used FOI to explore the role of the corrections (Larsen & Piché, 2009), policing (Luscombe & Walby, 2014; Monaghan & Walby 2012) and national security (Monaghan, 2017).

However, in all of these instances, "the state" and its actions are never wholly "public." Nowhere is this more apparent than with respect to Public–Private Partnerships (PPPs), and in particular public–private policing[3] partnerships. As established by Bayley and Shearing (1996), these policing projects are often made up of a network of public and private actors. Noting intensification and variegated corporate structures, recent work on networked policing has primarily focused on private contract firms (Huey & Rosenberg, 2004; Lippert & O'Connor, 2006; Lippert & Walby, 2012) as well as community-based methods models (Johnson & Shearing, 2003). Entangled with broader trends of neoliberalisation, outsourcing/agentification, entrepreneurialism, privatisation and austerity, this work depicts a shift from direct and public state control to private and quasi-entities. Referred to as New Public Management (NPM), since the 1980s, many democratic nations have dramatically restructured their private sector in these ways (Roberts, 2000). However, as noted by Roberts in 2000 – while this shift to NPM has been criticised for undermining democratic control, putting public interest at odds with entrepreneurialism and weakening chains of responsibility – little attention has been paid to how NPM restructuring and the rise of these quasi-entities has weakened FOI mechanisms.

In this chapter, I review methods for studying private policing and offer critical reflections on methods and methodology. This chapter is guided by the following key question: What does it mean to do FOI research on public–private information? Heeding calls for more empirical cases detailing networked policing, this chapter focuses on the use of ATI and FOI mechanisms in the context of public–private partnerships and policing, specifically focusing on the surveillance and security initiatives of Business Improvement Areas (BIAs). Through a review of normative and sustained methods for inquiry, I argue that when studying these public yet private enterprises, FOI mechanisms can be an effective tool for exploring these contingent and continuously enacted processes. Grounded in a case of the creation of a public–private information sharing network, I trace entry points into this surveillance network and offer a reflexive account of the multiple ways in which these mechanisms can help provide insights into surveillance societies. Specifically, by presenting a case of an actor network, I argue that the enactment of FOI mechanisms are oligoptic technologies, that, when pieced together with documents, interviews and participant observation, are a valuable means of *gathering* insights into the creation and nature of public–private partnerships and interoperability of para-governmental agencies. Continuing in the vein of emerging research that has studied FOI as an actor network (Luscombe & Walby, 2017), I suggest that the promise of data triangulation needs to be tempered with notions of object fragments, the "problem of multiplicity" and the process of gathering. Too often as researchers we sanitise accounts in attempting to declutter and make sense of mess (Law, 2004). Reflecting on the quantity and quality of objects and representations that I have gathered in this tracing exercise, I suggest that by thinking about the FOI collection and request process as oligoptic, we can wade our way through these

fragmented objects and better account for the constitutive influence of our gathering practices.

## Privately policing the urban

Private policing across North America has rapidly expanded over the past three decades (Cunningham, Strauchs, & Van Meter, 1990; Leclair & Long, 1996). In Canada, the growth of private security has consistently outpaced public forces 3-to-1 (Easton & Furness, 2012; Rigakos & Greener, 2000). This expansion has further blurred the distinction between public police and private security. However, these leaky containers (Lyon, 2001) of public and private security infrastructures are increasingly coming into contact with one another. Cooley (2005) notes that while privatisation characterises the shift in the nature of policing, it is a simultaneously limiting concept, as the broader tasks of policing are increasingly performed by a network of private and public police. Normatively, discussed as a nodal governance, Johnston and Shearing (2003) argue that while this multiscalar and context-based approach may advance democratic outcomes, it may also reproduce power inequalities. The production of security is an inherently plural and unstable process comprised of internal and environmental forces (Dupont, 2014). This security regime, while not only sharing many institutional, technological and practical characteristics (Kempa, 2011), also shares in the production and exchange of data and information. Boyle (2011) argues that "these diffuse alliances seek to insinuate themselves within state and non-state networks, by monopolizing capital, or context specific resources" (p. 176).

BIAs, as the further neoliberalisation of public–private partnerships, represent a "new" and contentious form of privatised local governance, and in many instances policing. Often established in consultation with other BIAs, local law enforcement and security experts, BIAs have increasingly added crime control policies and practices to their organisational mandates. While primarily concerned with varying levels of broken windows policing – the promotion of beautification projects, street cleaning, façade regeneration and graffiti removal – some BIAs have also opted for CCTV and private security personnel. Attempting to maintain safety and security in these areas, BIAs have become integral actors responsible for privately policing cities.

In Canada, those studying BIAs and private policing have challenged traditional conceptions of BIAs as simply forms of entrepreneurial urbanism, friendly commercial spaces or grass-roots business communities. Instead, they have been conceptualised as vehicular ideas spreading and mutating across the globe (McCann & Ward, 2012; Ward, 2005, 2006), purveyors of private policing (Huey, Ericson, & Haggerty, 2005), agents of urban pacification (Kempa, 2011; Rigakos, 2015), brandscapes of control and consumption (Bookman & Woolford, 2013; Lippert & Sleiman, 2012) and producers of "clean and safe rationalities" (Lippert, 2012, 2014; Sleiman & Lippert, 2010). These studies have primarily relied on a range of mixed methods, including

interviews, surveys, ethnographies, work shadowing and reviews of planning and BIA-produced documents. While yielding in-depth and instructive cases, which temper a lot of the hype and normative discourses surrounding BIAs, following the other recommendations of this volume, I suggest work in this area could be further supplemented through the use of FOI and ATI mechanisms. However, to do so when studying PPPs, service providers and third parties, requires navigating practical questions of custody and control. Are BIAs public or private entities, and what is the reach of FOI mechanisms into their inner workings?

## Public or private partnerships? Custody and control

Usually established in areas with high levels of existing commercial space, businesses in a district may petition their municipal government to create an autonomous authority for the marketing and management of local issues. BIAs are formed and maintained through both provincial and municipal legislation. In British Columbia, the British Columbia Local Government *Act* outlines a BIA's incorporation, governance and organisation; however, its business plan, financial requirements and budget must be approved at the municipal level (City of Vancouver, 2014). With a traditional board governance structure, businesses determine the BIA's budget and request that the funds be collected as a levy against its property taxes. Depending on the needs of the area, this budget may include activities such as promotion, place-making, community safety and governance and administration (City of Vancouver, 2018). The levy, recoverable grant structure, as well as their relationships to local government and various liaison points, challenge their quasi-corporate structure, imbricating them in various FOI processes – but only in part. As Walby and Larsen (2011) note,

> It is difficult to inquire into the texts that one government agency produces or the work that is done with texts in one government agency without understanding how that work and those texts are organized in a network with other agencies within the government sphere – and often with private sector and nongovernmental interests.
>
> *(p. 34)*

Under the *Freedom of Information and Protection of Privacy Act* (FIPPA) and other analogous acts,[4] individuals and organisations have the right to access any record in the "custody" or under the "control" of a public body. Since these terms are not defined in the *Act*, there are various orders that consider whether a record is in the custody and control of a public body, and this includes records created by service providers and third parties. While precedence and guidance is mixed in terms of outcomes (2002 BCIPC; 2010 BCIPC 5; 2015 BCIPC 71), directive policy suggests that:

> custody (of a record) means having physical possession of a record, even though the public body does not necessarily have responsibility for the

record. Physical possession normally includes responsibility for access, managing, maintaining, preserving, disposing, and providing security.

*(Government of British Columbia)*

However, possession of a record is not enough to establish custody. As determined in Ontario Order P-239, rather than physical possession, custody concerns a public body having "some right to deal with the records and some responsibility for their care and protection" (1991 OIPC 33). In other words, the public body must have some legal right or obligation to the record in order to establish custody over it (2013 BCIPC 30). Beyond custody of a record, a public body must also have authority over that record. Since control is not a defined term in the *Act*, plain meaning definitions as well as various legal tests have been used to determine its meaning. Guidance suggests that "control [of a record] means the power or authority to manage the record throughout its life cycle, including restricting, regulating and administering its use or disclosure" (Government of British Columbia, 2018).

Control, Commonly understood as having power over, courts have also considered and distinguished between "ultimate," "immediate," "partial," "full," "transient," "lasting," "de jure" and "de facto" control (2015 BCIPC 71). In other words, rather than a persistent feature, control is contextual, situational and often session based. In order to establish if a public body has control over a record, various factors are considered including: who created the record and was it in the course of their duties; was the record created by a consultant; does a contract specify, control or permit the public body to inspect, review, possess or copy the record; could a public body reasonably expect to maintain a copy of the record; does the content of the record pertain to the mandate and functions of the public body; does the public body have authority to regulate the use and disposition of the record; does the public body rely on the record to a substantial extent; and is the record integrated with other records held by the public body (Government of British Columbia 2015 BCIPC 71).

While not an exhaustive list (see Larsen, 2013 for further discussions of exemptions), factors like these are considered by an institution when determining whether to release or redact records. As with the use of ATI and FOI mechanisms more generally, success in acquiring records can be a complicated and ineffective task and some of these questions may only arise through a challenge or decision. Third-party processes are common when dealing with issues of custody and control. This would likely involve the public body contacting the service provider or partner to determine how the release of a record might impact them. In a negotiation process that could result in delays and extensions, files would be sent off to the third party for review, at which point they can request that a record be redacted or omitted. While many governments are turning towards open data practices, especially for matters concerning taxation and public spending (see Savage & Hyde, 2014), generally, FOI requests concerning PPPs result in fractured views determined not only by the parameters of the request, but also by relations of custody and control.

## Piecing it together: tracing a BIA information communication network

To illuminate this discussion of navigating FOI mechanisms and PPP, I will recount an exploratory research project; specifically, tracing and following the involvement of one Downtown Vancouver BIA through major Vancouver events – The Stanley Cup Riot and Occupy Vancouver (OV). As two events in the contemporary Vancouver imaginary, they are frequently drawn upon and recontextualised in order to justify and legitimise the increase in surveillance and neoliberal governance. By viewing methods as a bricolage, I highlight various vantage points or keyholes into studying this PPP policing network. These additive and cascading methods, when overlaid, help make sense of the mess, multiplicity and practice of FOI data production and gathering.

On October 15, 2011, the Vancouver, British Columbia branch of the Occupy Movement assembled in front of the downtown art gallery (VAG). Initially bringing together people from "all walks of life" (Doc11, November 6, 2011),[5] the tent city in the heart of Vancouver's art and entertainment district challenged the spatial boundaries of the Downtown Eastside; within two weeks of its construction, the City, backed by local business, called for its closure. By November 21, the courts imposed steep sanctions, and the Vancouver Police Department (VPD), with the help of other agencies, forcibly removed Occupiers from the art gallery lands.

Several FOI requests and many months later, I found myself sifting through hundreds of emails between Vancouver City Hall, the VPD and various stakeholders, including the Downtown Vancouver Business Improvement Association (DVBIA). Piecing together participant observation, interviews and various documents including police board minutes, presentation docks from City Hall, numerous BIA publications and newspaper articles, I was able to explicate the role of the DVBIA in the policing of OV and other events, and uncover the activities of the public–private surveillance networks.

As extensively documented (see Wolf, December 29, 2012), multiscalar interoperability was a key factor in the criminalisation of OV, as well as the Occupy Movement as a whole. Multiscalar interoperability refers to non-linear correspondence, intelligence gathering and coordinated administrative decisions between and within governing bodies, as well as similar practices with those outside of the governing bodies. The VPD, on behalf of the City of Vancouver, sought additional resources from the provincial government, namely the Royal Canadian Mounted Police (RCMP) Tactical Troop and the Provincial Police force (Doc4, October 14, 2011). In his request, Vancouver Chief Constable Chu listed the DVBIA, the Canadian Bankers Association and various property owners as key stakeholders in the management of this protest event (Doc4, October 14, 2011). Cited as potential targets of OV, the relationship between these organisations, as city partners, was detailed in further correspondence.

In particular, one heavily redacted chain between the City and the VPD concerning the estimated costs of OV caught my attention. A November 1, 2011

Council Briefing stated that the DVBIA was working closely with the business community, adjacent hotels and the Vancouver Art gallery to mitigate the impacts of OV (Doc 14). The nature of this mitigation was further elaborated upon in a December 19, 2011, internal correspondence from City Manager's Office to Council. The then Vancouver City Manager Ballem stated,

> During the occupation, the local business community was extremely supportive of [the City's] efforts to manage the occupation. As an example, local hotels provided [the City] with access to their business centre to enable access to computers and printers for some of the legal and regulatory work involved in the Occupy issue. They also provided intermittently through the situation access to a hotel room to allow us to monitor events and deploy staff when required. Both VPD and VFRS used these facilities intermittently for their 24/7 oversight of the situation.
>
> *(Doc15)*

But the role of the DVBIA was not limited to the lending of printers, or free hotel rooms for the 24/7 surveillance of the tent city. As detailed in a presentation dock, the cooperation of businesses surrounding the VAG lands was key to the City's statutory and regulatory framework for managing OV. The gradual creation of this framework was set forth throughout internal correspondence. In an October 24 internal memorandum, which was officialised at the October 27 meeting, the DVBIA along with Vancouver Coastal Health, VAG, TransLink, the Government of BC, BC Ambulance Service and E-COMM were named as key external partners of the City Large Events Oversight Committee (CLEOC)[6] (Doc7, October 24, 2011; Doc13, October 27, 2011). On a recommendation from the June 2011 Stanley Cup riots inquiry, the CLEOC was created as the body overseeing the regulation and enforcement of bylaws. Based on this briefing, as well as DVBIA publications, the Business Improvement Association assumed a prominent leadership role in liaising with the CLEOC and local business.

Initially presented as part of the guiding principles of managing OV, the creation and administration of this framework involved various members of the CLEOC, the external partners of the CLEOC and consultations with other jurisdictions. For instance, the City of Vancouver drew on discourses and strategies previously deployed in Victoria, Calgary, Ottawa, Edmonton, Toronto and Montreal[7] (Doc13, October 27, 2011). The City and Department of Justice legitimised the use of surveillance in its framework by constructing the strategies of other jurisdictions as "monitor and wait" approaches (Doc13, October 27, 2011; Doc17, n.d.). Specifically, this framework included the *Public Health Act*, the *Fire By-law*, the *Street and Traffic By-law*, the *Criminal Code*, the *City Land Regulation By-law* and the *Trespass Act*.

While the City primarily managed OV, the creation and utilisation of the CLEOC blur the roles and responsibilities of administration and enforcement. The social control of protest is not limited to the actions of municipal or state officers, but instead it

is an organisational means of maintaining security that is increasingly reliant on the interoperability of security and surveillance networks, as well as the connections between the "public" and "private" network (Earl, Soule, & McCarthy, 2003; Monaghan & Walby, 2012). As OV challenged representations of space, various levels and forms of governance established reciprocal information sharing relationships (as well as free hotel rooms; Doc15, December 19, 2011). Charles Gauthier, executive director of the DVBIA, claimed that OV necessitated the creation of a "robust network for disseminating information about critical incident matters" (DVBIA, 2012, p. 1). In order to help members manage the protest,

> [the] DVBIA gathered its own intelligence and obtained tips from the VPD, such as names of businesses that were at risk of being targeted, and protest march routes. Updates were sent out around the clock. Throughout Occupy Vancouver, the DVBIA solicited advice and perspectives from fellow BIAs in Canada and the United States. Going forward, the Vancouver Police Department and the City Large Event Oversight Committee have both agreed to share information about the future of public gathering with the DVBIA.
>
> *(DVBIA, 2012, p. 1)*

By viewing "public gatherings" as potential riots and revenue losses for the downtown core, the DVBIA further legitimised its administrative role. The DVBIA "leveraged relationships with the police, security experts and hotel operators" to gather information on strategies employed by police officers and other business owners (DVBIA, 2012, p. 1). While sharing information about "future public gatherings," none of the organisations clearly defined what constituted a "public gathering."

The VPD in its *Public Demonstrations Guidelines* (2012) states, "[it] manages approximately 250–300 public gatherings a year. These range from large planned congregations such as the [Honda, HBSC] Celebration of Light to gatherings which ultimately become demonstrations, such as Occupy Vancouver…" (p. 2). This differentiation between public gatherings and public demonstrations was recontextualised by the DVBIA. In *Downtown Matters* (2012), the DVBIA noted that OV's "tent city" forced the relocation of the "Coast Capital Christmas Square" and shortened the "Rogers Santa Claus Parade." It is evident that "public gatherings" for the DVBIA are not those attended by the public, but rather those that are not organised by private business. Private interests bring with them insurance, economic sponsorship and the promise of profit.

In this early illustrative instance, the creation of this information sharing network highlights the actors involved in the increasing interoperability and alignment of public and private bodies responsible for urban governance and policing. Five years later, I found myself sitting across the table from a DVBIA representative following up on their crime and security initiatives. Drawing on this insider knowledge and playing the acronym game, I asked about the CLEOC and the companion programme Operation Cooperation. I disclosed my familiarity with the programme and asked how it had changed. Unfazed, the Safety Manager responded:

Operation Cooperation. We're going to close it down and we're going to start fresh. We have our main people, but we want to see as I mentioned, the different level of access…. We are at the stage where we had a meeting with VPD yesterday to get their input and what they think. They can't directly advise us, and we can't be an agent to the VPD, or however you want to phrase it, but for it to be successful, we need their support behind it. Or for it to be useful to them.

Noting the blurred, yet clearly distinguishable boundaries between the DVBIA and the municipal police, the coordinator stressed the importance of functionality and buy-in:

We are gathering ideas and trying to do something different. We want to find a more effective network, it's more about the communications of working together. For example, I talked about a push-alert system for businesses. Say there is a protest Downtown, a road closure, a riot, or a natural disaster – you want something that is going to be able to reach out to a huge membership and area.

Once again, drawing upon these shared histories of protests and riots, the manager explicated an intended use case. He compared and critiqued a local high-end retail group's information system, stating:

They receive information on protests or road closures [from the City and VPD], but that's not all that specific to them, and how much of that information is then given down for the retailers and business owners? That information should be available to everyone if needed. So, if you have a system that sends people notifications whether it be by email, or thinking big, text messages – it will be pretty effective. I go back to the Vancouver Riots and ask what could we have had then technology-wise that would have helped us? I think they did a great job, especially with the clean up after. But should we ever have anything like that again, this will make it easier, and that's where I see the need for more information sharing.

By piecing together ATI and FOI releases, public documents and interviews, the role of the DVBIA in policing the downtown area was highlighted. The recurring involvement of city officials and private organisations over the course of three key events – the installation of CCTV with the 2010 Olympics, the creation of anti-masking legislation days after the 2011 Stanley Cup Riots and Occupy Vancouver – helped formalise an information communication network between these and other public and private agencies (Mackinnon, 2018). A network that continues to be made and remade. However, only by approaching this network via different institutional nodes and forms of information I was able to trace these relations altogether gather a picture. A cascading and complicating process, without initial

FOI mechanisms, I would not have had insights into the nature of these relation-ships or the basic organisational structure of the PPP. Similarly, without overlaying this information with BIA-produced documents, I may not have been able to broker interviews or draw upon insider knowledge in order to ask for additional information. So, while offering a particular vantage point, like any method, using FOIs when studying PPPs serves to produce compelling narratives that may not otherwise be traced through conventional means.

## Oligopticism and looking through keyholes: partiality, multiplicity and gathering

Much research has noted the power as well as the problems of FOI as either the "live archive," "obfuscation" or an "actor network" (Luscombe & Walby, 2017). Recent work on the latter has theorised FOI as an actor network, full of hetero-geneous actors and actants, contingency, obligatory passage points, messiness and black boxes. Interested in questions of how, rather than why (Savage & Hyde, 2014), studying FOI actor networks focuses on the processes of the making, production, collection and gathering of objects and representations. While not dis-missing contending and often co-existing views, theorising in this vein challenges preconceived understandings of the state, citizens, compliance, users, records and power (Luscombe & Walby, 2017). Rather, these relations are enacted. In order to extend this discussion, I temper these conceptions of FOI and complicate the above polished case with a reflexive account of FOI mechanisms as oligoptic technologies by examining notions of partiality, multiplicity and gathering.

FOI mechanisms offer researchers a particular means of exploring what PPPs are doing, that a researcher might not have been able to access (Savage & Hyde, 2014). Although these tools may provide access to the "live archive," researchers must remember that actor networks and methods assemblages – as well as the records and objects that are collected – are co-constructed. Notions of spins, stalls and shutdowns endemic to policing and security research can be juxtaposed with brokering access, law in the wild and feral law (Lippert, Walby, & Wilkinson, 2015; Luscombe, Walby, & Lippert, 2017).

Collection processes and the mechanisms used to access them are oligoptic in nature, in that they afford partial and selected views – what I have referred to throughout as vantage points, or keyholes. As nodes of calculation, through which arithmetic control is fractured and contested, multiple spaces and subjec-tivities are co-constructed. These nodes "see too little to feed the megalomania of the inspector or the paranoia of the inspected, but what they see, they see it well" (Latour, 2005, p. 181). While the clarity offered by these mechanisms may be contested, through creative brokering practices and varied and cascading channels, they enable actors to gaze in some directions and not others (Amin & Thrift, 2002). However, rather than see the multiple rays that these oligoptic tools may trace as flaws, the multiplicity they enact is powerful.

Those using FOI mechanisms have stressed their power, but also their limitations in terms of data triangulation (Lippert et al., 2015; Savage & Hyde, 2014). The integration, or triangulation, of different methods is a common and highly productive practice that often requires critical reflection on the research questions and the methodological foundations of the project. In studies that pursue a multifaceted understanding of social phenomena, data triangulation adds "rigor, breadth, complexity, richness and depth to any inquiry" (Denzin, 2012, p. 82). While Denzin's conception of triangulation has positivist and modernist overtones that assume a fixed, singular reality, others have borrowed and expanded his term to consider multiplicity and complexity. As argued by Cook and Crang (1996),

> the power of a text which deals with these knowledges comes not from smoothing them out, but through juxtaposing and montaging them… so that audiences can work their way through them and, along the way, inject and make their own critical knowledges out of them.
>
> *(as cited in Cook 2004, p. 642)*

In this sense, the bricolage of competing representations and antagonisms enables a richer, more nuanced tracing (see also Pich, this volume). In the above case, method and mechanism were path-dependent. However, layering them and tracing convergence and divergence created almost an additive effect. For instance, combining the city hall presentation with internal communications sheds light on the CLEOC. And by attempting to trace it through FOI mechanisms and the various records of stakeholders, parts of its organisational structure were enacted. These partial records, or fractional objects, overlap and interfere with each other, highlighting the messiness and multiplicity, as they enact different perspectives and realities (Law, 2004). Framed by Mol (2002) as the "problem of multiplicity," social science, rather than trying to seek truth out of these partial sightlines and multiple realities, should try to know realities that are vague, as "much of the world is enacted in that way" (Law, 2004, p. 14).

Understanding FOI as an actor network emphasises processes and enactments. Beyond accentuating FOI users' proficiency in knowing, enrolling and navigating (Luscombe & Walby, 2017), these methods assemblages highlight the active role of the researcher in the "gathering" process (see Bracken-Roche, this collection). Rather than understanding these oligoptic mechanisms as revealing a particular truth, gathering is the active role of the researcher in bringing together, relating, picking, meeting, building up or flowing together. This case highlights brokering strategies used throughout the FOI and research process as well as my role in the process as a gatherer, and how I navigated and made sense of the mess – or how records can be used to understand these oligoptic processes. By making knowledge public through the FOI process, researchers not only enact particular realities through "data production" (Walby & Larsen, 2011), but also afford the ability to place readers and others in the thick of it.

The publicness of FOI data is powerful in that it allows and even fosters multiplicity. In doing so, it is a useful tool in the methods assemblage that allows us to enact and depict multiple realities, amplifying and detecting resonance. However, as warned by Roberts (2000), this "publicness" has long been under fire. As once public services continue to be transferred or contracted to private and quasi-public entities, accountability and transparency have been devalued and/or lost. In other words, what was once entailed by the "public" in previous incarnations of NPM organisations and PPPs, has been eclipsed by the "new" and the "private," and so too have mechanisms for public resource. Recognising the shift to NPM, why haven't we seen a shift in legislation to account for the new nature of governance? Notions of competitive advantage and trade secrets need to be tempered with accountability, transparency and the protection of public interests. Law is malleable, and FOI mechanisms should reflect the changing nature how public services are being distributed. Under NPM, accountability and transparency are paramount; broader, nuanced understandings of the nature of these quasi-public entities need to be reflected in the law. Given precedent in other jurisdictions to include quasi-public and para-governmental entities in FOI mechanisms (Moe, 2001; Savage & Hyde, 2014), efforts to expand the scope of policy and legislation should be taken to the Office of the Information Commissioner. Otherwise, as we continue to see neoliberalisation take hold, the keyholes and partial views we currently have may continue to be narrowed and obscured, further limiting transparency and democratic principles.

When studying PPPs, FOI mechanisms act as oligoptic technologies, and, when overlaid rather than triangulated, help trace actor networks. While researchers need to be critical of how much one can trace with these fragmented objects and representations, their power to reveal complex networked relationships is an underutilised method (see Warren, this collection). As both oligoptic collection and production technologies, researchers can reveal these networks through gathering processes, thereby creating multiple subjectivities, spaces and truths. Although traditional FOI research has been primarily concerned with how truth claims are made and shed light on the surveillance state, I argue that the study of PPPs through FOI and the partiality and mess of it is something we need to embrace.

## Notes

1 For example, Marx (1984) explores archival analysis as an institutionalised discovery method in order to access hidden official records. Larsen, Walby, Monaghan, and others have furthered this search for dirty data using Access to Information and Freedom of Information releases (Brownlee & Walby, 2015; Walby & Larsen, 2011, 2013). Similarly, Savage and Hyde (2014) note the power of FOI to amass large data sets that a single researcher would not normally be able to collect. As well, Walby (2005) has argued that institutional ethnography is a useful method for studying circuits of human surveillance agents, texts and human surveillance subjects.
2 Hereafter referred to as FOI mechanisms, or mechanisms more simply.
3 Policing is hereon understood as "any activity that is expressly designed and intended to establish and maintain (or enforce) a defined order within a community" (Hermer et al., 2005, p. 23).

4  See Walby and Larsen (2012) for a detailed list of federal, provincial and municipal ATI and FOI mechanisms.

5  For consistency across work drawing upon these ATI and FOI documents, I have employed the following codes: Doc6-15= File number 04-1000-20-2013-312 City of Vancouver and Doc16-17=File number A-2013-01302 Department of Justice; Doc18-19=File Number 1–3 2947A Vancouver Police Department.

6  A recommendation of the Stanley Cup Riot Review; the CLEOC is chaired by the deputy City Manager, and is made up of key City of Vancouver departments as well external partners including Vancouver Coastal Health, DVBIA, TransLink, Government of BC, Solicitor General, BC Ambulance Service, E-COMM and other partners as necessary (Doc 16, Oct 14, 2011).

7  Based on the October 27, 2011 Council Briefing, internal members of the CLEOC included the City Manager, Deputy General Manager, Community Services Group, Chief Building Official, City Homeless Advocate, City Engineer, Director of Transportation, Special Events Office Manager, Director/AD Communications, Directors Facilities Manager, Directors OEM, Fire Chief/Deputy and Chief Constable/Deputy Chief (Doc13).

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