



USE OF FREEDOM OF INFORMATION REQUESTS IN IMMIGRATION STUDIES

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Use of Freedom of Information in Immigration Studies

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About the Authors

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About the CAIJ

The Centre for Access to Information and Justice (CAIJ) at the University of Winnipeg aims to be an international hub for public interest research on matters of freedom of information (FOI) and access to justice in Canada and beyond. Through local and international collaborative projects, the CAIJ promotes a multidisciplinary and critical approach to research and policy engagement. The CAIJ investigates government practices, tracks general trends in FOI and access to justice, as well as charts national and regional variations in these practices. The CAIJ advances theoretical, empirical, and policy-oriented studies of FOI and access to justice in the form of workshops, reports, articles, and books produced by its members.

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- Advancing knowledge of FOI and access to justice practices through multi-disciplinary and critical collaborative research projects;
- Organizing knowledge mobilization and research-driven working groups, workshops, seminars, training, and conferences on FOI and access to justice;
- Providing a welcoming and enabling context for students and visiting scholars working in the areas of FOI and access to justice in Canada and beyond;
- Engaging in outreach with a community and public interest focus.

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Executive Summary

Immigration and migration scholars are increasingly using freedom of information (FOI) requests to produce data for social science research. Immigration and migration research has relied on surveys, policy analysis, media analysis, and other more conventional research approaches. Over the past decade, however, the number of academic research projects using data produced through FOI is on the rise (Mussell et al. 2022; Luscombe et al. 2017; Piché et al. 2017; Luscombe and Walby 2015; Monaghan and Walby 2012a, 2012b). This reflects a growing acknowledgment in the field of immigration and migration studies that FOI and record request processes provide researchers with valuable data and a growing acknowledgment that freedom of information plays an important role in social science research design and methods overall.

The data we can obtain using FOI allows us to ask and answer innovative research questions that shed light on practices of power in the field of immigration and migration studies. In this report, we assess English language scholarly publications appearing over the past two decades. We examine the ways in which scholars and researchers have used FOI to generate data for studies on immigration and migration. We assess these studies by looking at trends in frequency over time, the location of the research, other data sources used along with FOI, and the contributions that researchers have made to our understanding of immigration and migration using FOI laws to produce data.

We have identified 23 publications that fit into our sampling criteria. This number may seem low, but we document an upward trend of the number of publications on immigration and migration using FOI. In the last decade, we found that many of the studies were situated in the United Kingdom. However, some others were in Canada and the United States. We found that the studies also used mixed approaches to collecting data, sometimes using FOI in conjunction with other research techniques. Overall, we can demonstrate that freedom of information has helped scholars in multiple disciplines, in advancing empirical, theoretical, methodological, and policy debates in immigration and migration studies. Our summaries of these articles reveal a number of themes as well, pertaining to the practices of power that immigration and migration entails.

Introduction

Immigration and migration scholars are increasingly turning to use freedom of information (FOI) requests in their research designs to obtain critical data for their publications. This data can take many forms, from figures, spreadsheets, databases or numerical data to more qualitative data such as emails and other textual accounts of immigration and migration processes. While much of past immigration and migration research relied on surveys or expert interviews or official statistics, we suggest that this turn toward FOI is a decidedly more investigative and critical approach. This data allows researchers to compile sometimes more revealing datasets on immigration and migration practices and the aspects of power and governance that immigration and migration regulation entails.

In this report, we examine English language scholarly publications from the past two decades in which some scholars have used FOI requests in part to study immigration and migration. We track the site of the study, the use of other methods in conjunction with FOI, among other characteristics of these studies. First, we provide an overview of our goals. Second, we discuss our methodology. Third, we highlight some of the trends and observations. Fourth, we present the results of our review, and we identify the ways that scholars have used FOI when conducting research in the field of immigration and migration. We also identify key, emerging themes in the papers that we examined. Finally, we conclude with reflections on the implications of this turn toward FOI in immigration and migration studies and what this means for social science research design in the years ahead. In terms of research objectives, this report examines the use of FOI requests by immigration and migration researchers.

We set out to address four questions. *In which countries are immigration and migration scholars conducting the greatest number of FOI requests to generate data for their research? What other kinds of data do immigration and migration scholars using FOI typically collect and combined with the results of their FOI requests? How does data obtained through FOI help researchers advance key empirical, theoretical, methodological, and policy debates in immigration and migration studies? Finally, are there any other trends about immigration and migration research evident in these works?*

Methodology

In terms of methodology, we reviewed major peer-reviewed research articles published in the past two decades on the issue of immigration and migration in the US, UK, Canada, and elsewhere. We limited our sample to papers using FOI requests to some degree to produce empirical data. We searched on Web of Science, the International Bibliography of the Social Sciences, and Google Scholar. We only looked at peer-reviewed journal publications and research reports. We did not include books or policy briefs or book chapters. We did not examine papers that report on unsuccessful attempts to use FOI in immigration and migration research. We do not report on theses or dissertations and we do not report on book chapters. We acknowledge that there may be other important contributions in such venues. We also would note that any gaps in our review stem from our own limits for which we would apologize in advance. We focus on studies in which the researcher submitted the FOI request themselves. This is because we wanted to assess the extent to which researchers are using FOI as a tool in their own research.

We also exclude from our study any papers that appear to be primarily conceptual or theoretical in nature and that may mention the term freedom of information. Of course, these are also important contributions to the field of study. However, we do not consider them here for lack of space and because our focus is simply methodological. Finally, we exclude papers that nominally mention FOI but do not have a significant focus on FOI disclosures in the data analysis. For example, if a paper simply mentioned freedom of information requests in a footnote and did not seriously engage with any FOI disclosures in the analysis, we did not include it in our sample.

Once our sample was assembled, we read the papers and conducted a thematic analysis of the papers. This thematic analysis provides a look at the main themes appearing in this work. We acknowledge that there are barriers to using FOI (Walby and Luscombe 2019, 2017; Piché 2012, 2011) and that it can be difficult to integrate FOI requests within social science research (Luscombe et al. 2017; Piché et al. 2017). We note that in some parts of the world, using FOI is more challenging and this could shape the sort of sample that we have. This could be considered a limit of the report.

Related Literature

There is a growing literature based on research using freedom of information requests (Mussell et al. 2022; Luscombe et al. 2017; Piché et al. 2017; Luscombe and Walby 2015; Monaghan and Walby 2012a, 2012b). In terms of context and related literature, some authors have called for methodological innovation in immigration and migration studies. For instance, Mendoza and Morén-Alegret (2012) argue that research methods need to innovate to robustly address the experience of immigration and migration and the sense of place that emerges during immigration and migration. Kaptani and colleagues (2021) argue that creative and artistic methods can be used to fully examine the experience of displacement and the phenomenology of immigration and migration. These are important contributions to immigration and migration studies that open up the methodological field further. We conceptualize the use of FOI in immigration and migration studies to be along the same lines because FOI allows for greater access to different data sources that have been overlooked in previous studies and therefore may provide different insights.

John Campbell (2019) uses FOI to obtain information on the United Kingdom's border surveillance programs and asylum applicant processes. Campbell (2019) found that using FOI demonstrated that the way asylum seekers were assessed and judged was not consistent with the kinds of policies of the home office. Campbell (2019) also shows that particular groups such as Eritreans were purposely targeted for more scrutiny. Therefore, the asylum policy instructions were out of step with the actual practices of processing asylum applications, having real consequences for people's lives when they were denied for arbitrary reasons. In a parallel article, Aradau and Canzutti (2022) make mention of freedom of information in showing how asylum seekers are subject to hidden abuses and violence. The authors argue that the asylum process is marked by "technologies of cruelty and the deactivation of empathy" (pg. 1; also see Refugee Council 2021).

There are also some important papers on FOI in immigration and migration processes and the issue of immigration detention. For example, David Moffette (2021) used Access to Information and FOI requests in Canada to show how federal immigration and migration regulators collaborated with local police to track and monitor immigrants and migrants throughout Canada, effectively creating a mobile border enforcement regime. Jon Burnett and Fidelis Chebe (2020) look at data obtained through FOI law to examine changing aspects of immigration and migration such as the Visa application process, fees and charges, and various penalties attached to immigration enforcement. Katie Bales and Lucy Mayblin (2018) also use FOI requests to examine practices of forced labour within immigration detention.

Related Literature

Some excellent reports using FOI have been published that are worthy of note. Kerwin and Lin (2009) explore whether the Immigration and Customs Enforcement (ICE) database and case tracking system serves the “agency’s need to adhere to its legal mandates governing bond and parole, to administer its custody review processes for post-removal order detainees, to assess the eligibility of detainees for alternative programs, and to abide by its national detention standards” (1). The authors analyze ICE custody using data reported on by Associate Press reporter Michelle Roberts pursuant to a FOI request. The report concludes with recommendations for ICE information systems so that it can function in a humane and cost-effective manner. Humphris and Sigona (2016) report on data collected through FOI requests submitted to local authorities in England. The requests asked for local authority statistics from March 2012 to March 2015 regarding unaccompanied asylum-seeking children. The FOI requests asked questions about the “numbers, categories, definitions, and policies” for unaccompanied asylum-seeking children and former unaccompanied asylum-seeking children who had turned 18 (4). The research revealed five crucial findings that all point to the regional complexities that exist regarding the care of unaccompanied asylum-seeking children.

FOI requests, therefore, have significant implications for researchers studying immigration of migration, but they may also have implications for people who are being governed by immigration and migration processes, especially when used by critical researchers who are working in a more participatory or community-based manner. We now report on some general trends and observations.

Our Findings

Table 1: Articles by year

Year	Articles	References
2006-2010	2	Fleurantin, L.R., 2008 Fiddian-Qasmiyeh, E., & Qasmiyeh, Y.M., 2010
2011-2015	5	Claire, B., David, M., & Alison, M.W., 2012 Farre, L. & Fasani, F., 2013 Pulitano, E., 2013 Nofferi, M. & Koulis, R., 2014 Vogl, A., & Methven, E., 2015
2016-2020	15	Burnett, J., & Chebe, F. (2020) Fuertes, A., 2016 Hausman, D., 2016 Hedrick, K., 2017 Tazreiter, C., 2017 Bales, K., Mayblin, L., 2018 Hirsch, A.L., & Doig, C., 2018 Maylea, C., & Hirsch, A., 2018 Allsopp, J. & Chase, E., 2019 Fisher, D.X.O., Burridge, A., Gill, N., 2019 Humphris, R., & Sigona, N., 2019 Gladwell, C., 2020 Tazreiter, C., 2020 Thornton, L., 2020 Vogl, A., & Methven, E., 2020
2021-2025	1	Moffette, D., 2021

Our Findings

Table 2: Articles by country

Country	Articles	References
United Kingdom	8	Burnett, J., & Chebe, F. (2020) Fiddian-Qasmiyeh, E., & Qasmiyeh, Y.M., 2010 Claire, B., David, M., & Alison, M.W., 2012 Bales, K., Mayblin, L., 2018 Allsopp, J. & Chase, E., 2019 Fisher, D.X.O., Burrige, A., Gill, N., 2019 Humphris, R., & Sigona, N., 2019 Gladwell, C., 2020
Australia	6	Vogl, A., & Methven, E., 2015 Hedrick, K., 2017 Tazreiter, C., 2017 Maylea, C., & Hirsch, A., 2018 Tazreiter, C., 2020 Vogl, A., & Methven, E., 2020
Canada	1	Moffette, D., 2021
USA	4	Fleurantin, L.R., 2008 Pulitano, E., 2013 Nofferi, M. & Koulis, R., 2014 Hausman, D., 2016
Indonesia	2	Farre, L. & Fasani, F., 2013 Hirsch, A.L., & Doig, C., 2018
Burma	1	Fuertes, A., 2016
Ireland	1	Thornton, L., 2020
Italy	1	Allsopp, J. & Chase, E., 2019

Our Findings

Table 3: Articles by method

Sources	Articles	References
FOI only	6	Fleurantin, L.R., 2008 Nofferi, M. & Koulish, R., 2014 Vogl, A., & Methven, E., 2015 Hausman, D., 2016 Hedrick, K., 2017 Thornton, L., 2020
FOI plus one additional source	4	Burnett, J., & Chebe, F. (2020) Claire, B., David, M., & Alison, M.W., 2012 Humphris, R., & Sigona, N., 2019 Vogl, A., & Methven, E., 2020
FOI plus two sources	4	Hirsch, A.L., & Doig, C., 2018 Fisher, D.X.O., Burridge, A., Gill, N., 2019 Anthea, V., & Elyse, M., 2020 Gladwell, C., 2020
FOI plus three or more sources	4	Bales, K., Mayblin, L., 2018 Maylea, C., & Hirsch, A., 2018 Allsopp, J. & Chase, E., 2019 Moffette, D., 2021
FOI not as a primary source	6	Farre, L. & Fasani, F., 2013 Fiddian-Qasmiyeh, E., & Qasmiyeh, Y.M., 2010 Fuertes, A., 2016 Pulitano, E., 2013 Tazreiter, C., 2017 Tazreiter, C., 2020

Using FOI to uncover systemic discrimination and failures

The first major theme we discovered in these publications is the use of FOI to uncover systemic discrimination and failures in the immigration and migration systems of various countries. Allsopp and Chase (2019) highlight the often-tumultuous journey of children who migrate without a parent as they become adults in Europe. This article analyzes the policies that govern the lives of unaccompanied young migrants and refugees. Particularly, the authors discuss whether these state policies are truly in favour of the best interest of the children or not. The authors conclude that the current policies in place rest on flawed constructions of 'best interests'. Allsopp and Chase (2019) emphasize the eradication of rights in the legal transition to adulthood and its consequences for the secure future of migrant young people. Data obtained from FOI requests was used within this article to support claims of systemic failures made by the authors surrounding the forcible removal of unaccompanied minors in Europe. In this article, the data retrieved through FOI was crucial in evidencing the problematic interaction of precarious migrants with the system.

Bales and Mayblin (2018) focus on forced labour within immigration detention in the United Kingdom. The authors begin by offering a contextual framework on forced labour within the United States and how other countries have also adopted detainee labour within immigration detention. To supplement its conceptual analysis, this paper draws upon a body of empirical material sourced from different avenues to support the argument that immigration detention is an exploitative practice laid upon the foundation of systemic discrimination against precarious persons. This includes documents that detail the nature and extend of paid activities in detention obtained via freedom of information requests. The authors faced many difficulties trying to obtain qualitative data through freedom of information requests as they were told that privately operated centres are not required to release information. The authors argue that labour in immigration detention parallels regular employment and workers should have labour rights.

Burnett and Chebe (2020) discuss immigration enforcement and systemic discrimination from a financial standpoint. The article examines the imposition of exorbitant fees and fines as not only a means to ensure profitability but also an aspect of immigration control within the United Kingdom. The authors make use of FOI to gather information not publicly available from financial accounts and reports involved in the administration of immigration control. This article delves into the role of charging regimes in relation to immigration enforcement, suggesting that charging regimes have detrimental impacts on those unable to meet their costs.

Using FOI to uncover systemic discrimination and failures

Claire et al. (2012) state that there are several countries worldwide with critical shortages of health workers and compare these numbers directly to the United Kingdom. The United Kingdom, along with other developed countries, has continued to actively recruit health workers from overseas to cover for domestic shortages. The authors argue that international recruitment is one of many reasons for the existence of persistent and growing health crises in developing countries. This article identifies and analyzes policies in the United Kingdom that relate to the migration of health workers. The authors obtained data from a multitude of ways, particularly relying on FOI requests. The authors conclude that policy decisions of the United Kingdom have an international impact on the global migration of health workers. Furthermore, the authors discuss the implications of such policies that eventually exacerbate global health inequities and emphasize the failure of ethical guidance as set out by the World Health Organization regarding mass migration of health workers. The authors express the need for legislation that would require ethical recruitment of healthcare workers.

In the United Kingdom, asylum seekers and foreign national offenders must report to either police stations or respective reporting centers which are operated by the UK Visas and Immigration Agency (UKVI). The failure to report can result in a set of grave consequences including threat of detention, loss of accommodation and financial support, a criminal record, etc. Fisher et al. (2019) extensively outline the onerous reporting process and the barriers asylum seekers face when trying to report. The authors' analysis is predicated upon the 'politics of mobility' and the article argues that the purpose of the reporting process is to ultimately control the mobility of asylum seekers within its borders. When discussing reporting centres and the issues that exist, the authors utilize FOI requests to provide empirical material in the analysis. The goal of this article is to contribute to larger discourse about the 'politics of mobility'.

Fleurantin (2008) highlights that there are no discovery rights in immigration proceedings, leaving asylum seekers to utilize the Freedom of Information Act (FOIA) to request information from their files. However, the author outlines the hurdles that prevent asylum seekers from effectively obtaining information provided during the asylum interview. Fleurantin traces how the government deliberately withholds asylum interview notes and how withholding information is justified and legitimized through the law in place, creating a cycle of systemic discrimination for asylum seekers. While critiquing the overall process of seeking asylum status, the author exclaims that it only takes a single inconsistency between the testimony and application for an immigration to abruptly deny asylum status. Ultimately, the author makes the point that the withholding of asylum interview information is unfair and has a detrimental impact to those seeking refuge in the United States of America.

Using FOI to uncover systemic discrimination and failures

Gladwell (2020) discusses the growing number of unaccompanied asylum seeking children arriving in Europe, the highest proportion being young Afghan children. This article highlights the relationship between higher levels of education and improved socioeconomic outcomes. This paper examines various factors that impact socioeconomic wellbeing of young, unaccompanied Afghan asylum seeking children. Gladwell (2020) suggests that an immigration status can have a direct impact on educational progress, and thus impact socioeconomic wellbeing. The quantitative data used in this article has been obtained through FOI requests in England. The data provides insight into the number of unaccompanied Afghan asylum seekers up to the age of 24 in Europe and corresponding educational data as well, supporting the authors' claim about the direct link between immigration status and education.

Hausman (2016) writes that there is no consistency among immigration courts as some immigration judges are up to three times more likely than others to deport immigrants. This article utilizes an internal administrative database, obtained through FOI requests, to analyze the appeals process for immigration courts and substantiate the claim that such systemic discrepancies do not promote uniformity. Ultimately, the author concludes that the failure to promote uniformity to mitigate cross-judge disparities is negatively impacting appellants. This article also puts forward concrete policy recommendations that would directly address the disparities among the courts of appeals, particularly in immigration cases.

Hedrick (2017) discusses the importance of monitoring self-harm among asylum seekers in immigration detention by the Australian government. The author argues that the Australian government's failure to monitor self-harm has significant implications for the overall health of asylum seekers. Furthermore, the author discusses the difficulty in finding minimal self-harm data collected by the Australian government. The dataset used in this article was extracted from a database accessed through FOI requests. This study was conducted to fill in the gaps in the Australian government monitoring self-harm among asylum seekers in Australian immigration detention. The study revealed that for a 20-month period, the rate of self harm was 22% and that this figure is likely to be underreported. The author uses a gender-based analysis to discuss key factors associated with self-harm among asylum seekers.

Using FOI to uncover systemic discrimination and failures

Humphris and Sigona (2019) investigate the governance of unaccompanied asylum-seeking children and former unaccompanied children in the U.K. The authors highlight that the roots of the current system demonstrate that the intended goal of this system was to create a hostile environment for all migrants. This article utilizes data obtained from FOI requests to inform their mixed-methods research methodology. The authors conclude that a push towards the privatization of services restricts the capacity of social workers to act on behalf of the child's best interests.

Maylea and Hirsch (2018) argue that social workers in Australia's asylum system must work to dismantle the systemic abuse that exists if they do not want to be labelled as collaborators. This paper explores the ethical dilemmas faced by social workers within Australia's asylum system. For this research, the authors obtained documents under the Freedom of Information Act, which are supplemented by published information to provide a fulsome analysis. The authors state that their findings can be extrapolated and apply to any social worker working in a system that perpetuates human misery. This article outlines how Australia's asylum system is riddled with systemic abuse, torture, and secrecy. Maylea and Hirsch (2018) argue that the role of social workers must be closely examined and analyzed through an anti-oppressive lens. If social workers remain compliant, they will become an extension of the state rather than actively working towards dismantling Australia's abusive asylum system.

Nofferi and Koulis (2014) detail the examination of Immigration and Customs Enforcement's (ICE) risk assessment initiative based upon information from FOI requests. The authors evaluate ICE's methodology through information received through the Freedom of Information Act. Beginning from the development of the Immigration Custody Risk Classification Assessment, the authors assess the impact of the tool on immigration over-detention. Not much information about this automated risk assessment tool has been made public and the goal of this article was to evaluate this tool and its outcomes. This article argues that the risk assessment tool is not effective in reducing over-detention and the authors actually suggest that human biases are programmed into this risk assessment which discriminates against marginalized peoples.

Using FOI to uncover systemic discrimination and failures

Tazreiter (2020) focuses on national borders and its systems of control, criminalization and exclusion. The author focuses on refugees and asylum seekers through a case study exploration of Australia's policies and practices of offshore detention and processing of asylum seekers who have arrived by boat. In discussing the abuses of the Australian government and the freedom of press, this article briefly mentions documents that obtained under FOI requests. These documents revealed that "eight stories on Australia's immigration policy were referred to the Australian Federal Police for the purpose of identification, and if appropriate, prosecution" (197-198). Through an intersectional lens, the article highlights how value (or lack thereof) is attached to people and how this impacts state practices of exclusion. The article goes further in detail, outlining how racialization constructions the hierarchy of 'value'. The author concludes that the image of the 'migrant' is critical to discourse around belonging and in/visibility.

Thornton (2020) uses Ireland as a case study in analyzing how social assistance for people seeking asylum is evaluated and implemented. The author briefly outlines the history of social assistance in Ireland and the interaction of the welfare system with asylum seekers. The author is trying to answer questions around increases in social assistance for asylum seekers. To understand the rationale and reasoning behind such decisions, the author used FOI.

Vogl and Methven (2015) critically analyze the asylum seeker Code of Behaviour in Australia. This Code applies to all asylum seekers and is essentially a set of contractual obligations outlining how asylum seekers should behave in Australia. Adhering to the Code is imperative to remain in the community. The authors critique this code and discuss the negative impact of this code on those who have signed onto it. The critical analysis of the Code is done through data obtained from a FOI request. The authors argue that the Code leaves asylum seekers vulnerable to unjust surveillance and critique the foundation of the Code which perpetuates the idea that asylum seekers are a threat to the Australian community, and therefore need a Code outlining accepted behaviour.

Vogl and Methven (2020) examine the Code, which is a precondition for any asylum seeker to be released from detention in Australia. The authors argue that the Code of Behaviour is one of many techniques used by the state to control refugees and asylum seekers in Australia. The article begins by explaining the origins of the Code and how it operates. The authors argue that the Code is part of a bigger regime that increases the capacity of the state to punish asylum seekers and refugees. The article focuses on the relationship between the Code and the growing use of broad visa cancellation powers against asylum seeker bridging visa holders. The authors analyze the bridging visa regime through data obtained from FOI requests.

Uncovering in/visibility of asylum seekers

The second major theme we discovered in these publications is the use FOI to uncover the invisibility of asylum-seekers and refugees. Some articles have intersecting themes and may be categorized in multiple thematic segments. Bales and Mayblin (2018) not only speak to systemic discrimination but also tap into the oxymoronic reality of being invisible/visible faced by those within immigration detention in the United Kingdom. As a socially and physically segregated group, detained bodies are cloaked in a veil of invisibility. On the other hand, because of the social segregation, incarcerated people become highly visible as a target of exploitation. This duality is explored by Bales and Mayblin (2018) by analyzing detainee labour within immigration detention, extensively supported from data obtained through FOI requests.

Fiddian-Qasmiyeh and Qasmiyeh (2010) explore the highly politicized identity of an asylum – particularly Middle Eastern Muslim asylum seekers and refugees. Through interviews conducted in the United Kingdom with Middle Eastern Muslim asylum-seekers and refugees, the authors argue that misrepresentations of Islam are highly politicized and thus, impact Muslim asylum-seekers' and refugees' experiences in the United Kingdom. The authors used FOI to obtain statistics from the Home Office but did not receive desegregated statistics about applicants' religion. The authors conclude that Muslim asylum seekers are alienated not only from their home country but also in their journey to seek asylum as they are viewed as a security threat.

In the United Kingdom, asylum seekers and foreign national offenders must report to either police stations or respective reporting centers which are operated by the UK Visas and Immigration Agency (UKVI). The failure to report can result in a set of grave consequences including threat of detention, loss of accommodation and financial support, a criminal record, etc. Fisher et al. (2019) outline the reporting process and the barriers asylum seekers face when trying to report. The authors' analysis is predicated upon the 'politics of mobility' and the article argues that the purpose of the reporting process is to control the mobility of asylum seekers within its borders. When discussing reporting centres and the issues that exist, the authors utilize FOI requests to provide empirical material in the analysis. The goal of this article is to contribute to larger discourse about the 'politics of mobility'.

Uncovering in/visibility of asylum seekers

Gladwell (2020) paints a picture of the struggles faced by unaccompanied Afghan asylum-seeking children. The author emphasizes the causal relationship between higher levels of education and improved socioeconomic outcomes in relation to immigration status. The goal of this paper is to shed light on an issue that is not in the purview of the citizenry. The quantitative data retrieved through FOI is critical in Gladwell's (2020) research about higher levels of education among unaccompanied asylum-seeking children and its causal relationship to improved socioeconomic outcomes.

Hedrick (2017) discusses the hidden and underreported suicide epidemic prevalent in Australian immigration detention centres. This article critiques the failure of the government in monitoring self-harm among asylum seekers. The author emphasized the difficulties faced when attempting to gather substantial data through FOI requests. The dataset utilized by Hedrick (2017) painted a grave picture about the health care crisis existing in immigration detention centres. Hedrick (2017) suggests that a lack of data collection about self-harm points to the fact that migrants are considered among the marginalized population and thus, rendered invisible in the eyes of the public.

Moffette (2021) looks at the role of immigration policing in detention and deportation, contributing to discourse about racial disparities in policing. This article draws from records obtained through Access to Information and FOI (in Canada the former refers to the federal level, FOI to provincial and municipal) requests to analyze collaboration between Canada Border Services Agency and municipal police forces in Toronto, Montreal, and Vancouver. Visibility and invisibility are inextricably connected to power and the nature of invisibility and heightened invisibility is tied to identity. The author's goal is to contribute to discourse regarding community safety and abolishing immigration detention. This article draws from records obtained from FOI and ATI requests and concludes with reflections on police abolition, making a case for limiting municipal police involvement in immigration control.

Pulitano (2013) discusses the work of NGOs on behalf of Haitian refugees and how literature can redefine practices of citizenship and belonging. Ultimately, this article explores connections that can be established when literature, justice, and activism merges to advance human rights. The author extensively discusses critical race theory and argues that complex human stories lie behind illegal immigration and these must be heard to ensure dignity and respect for all people. The global struggle with illegal immigration is a symptom of systemic failure. In particular, the author writes about the NGO AI Justice that used FOI requests to gather evidence of Haiti's connections with potential terrorist networks but their request was denied.

Uncovering in/visibility of asylum seekers

Tazreiter (2017) focuses on the relationship between human rights values and immigration policy. The author utilizes a human rights framework when writing about immigration policy in Australia. The focus of this article is on the interaction of human rights and borders. The article provides a history of immigration policy and refugee arrivals in Australia, concluding that Australia has a punitive approach towards asylum seekers, failing those seeking safe refuge. The conditions of offshore detention are not widely known as federal legislation restricts press freedom, which prohibits the public from knowing the conditions in detention. Documents obtained under FOI revealed grave concerns that essentially criminalized investigative journalism on this topic.

Thornton (2020) utilizes Ireland as a case study in analyzing how social assistance for people seeking asylum is evaluated. The author briefly outlines the history of social assistance in Ireland and the interaction of the welfare system with asylum seekers. The author is trying to answer questions around increases in social assistance for asylum seekers. The progress of Ireland's social welfare system for asylum seekers must be "viewed in light of continuing rejection of equal applicability of social assistance law to persons seeking asylum" (441). To understand the rationale and reasoning behind the eventual advancement and current deficiencies of Ireland's social assistance system, the author utilized FOI documentation.

Vogl and Methven's (2020) article examined Australia's Code of Behaviour which is a systemic tool utilized by the state to control refugees and asylum seekers in Australia. The authors state that the Code does not serve those seeking refuge at Australia's border but rather is a tool to punish asylum seekers and refugees. Vogl and Methven (2020) highlight the State's increasing use of visa cancellation powers against asylum seeker bridging visa holders. The relationship between the Code and the bridging visa regime is analyzed through data obtained from FOI requests.

Democratization and peace

The third major theme we discovered in these publications is discussions of broader attempts at creating peace and democracy. Fuertes (2016) poses the questions “what can displaced populations teach us about peace given their experience of massive displacement?” The article discusses the experience of Karen refugees who are an ethnic minority group in Myanmar. The authors outline the long history of displacement of Karen peoples in Myanmar through a cultural storytelling lens. Briefly, the author mentions the importance of FOI by describing the regime of the Burmese government and its restraints on FOI. The author highlights the importance of international collaboration in addressing conflict but notes that this cannot be done because of the regime’s tight restraints on FOI and expression. To conclude, the author advocates for positive peace through storytelling as an effective way of resolving conflict.

Using FOI to portray trends of targeted migration control and/or surveillance

The fourth major theme we discovered in these publications is a focus on targeted migration controls and surveillance. In the United Kingdom, asylum seekers and foreign national offenders must report to either police stations or respective reporting centers which are operated by the UK Visas and Immigration Agency (UKVI). The failure to report can result in a set of grave consequences including threat of detention, loss of accommodation and financial support, a criminal record, etc. Fisher, Burrige, and Gill (2019) write on the reporting process and the barriers asylum seekers face when trying to report. The authors' analysis is predicated upon the 'politics of mobility' and the article argues that the purpose of the reporting process is to control the mobility of asylum seekers within its borders. When discussing reporting centres and the issues that exist, the authors utilize FOI requests to provide empirical material in the analysis. The goal of this article is to contribute to larger discourse about the 'politics of mobility'.

Hirsch and Doig (2018) discuss the International Organization for Migration (IOM) and the funding it receives for a variety of migration control operations in Indonesia. This article highlights how IOM's migration management aims to control and prevent the arrival of target seekers in Australia. The authors argue that the ways in which IOM functions actually jeopardizes the rights of asylum seekers and refugees in Indonesia. This article utilizes documents and information obtained through FOI requests to supplement their argument about the functions of IOM. The authors conclude that the priority of Australia is not to protect refugees as they continue to fund IOM in Indonesia. By funding IOM, Australia is ensuring that asylum seekers and refugees do not reach Australian shores as IOM's "implementation of its migration management approach involves supporting detention, returning refugees and asylum seekers, increasing Indonesia's border control and capabilities and conducting public information campaigns to dissuade people from seeking asylum in Australia" (699).

Tazreiter (2020) focuses on national borders and its systems of control, criminalization and exclusion. The author focuses on refugees and asylum seekers through a case study exploration of Australia's policies and practices of offshore detention and processing of asylum seekers who have arrived by boat. In discussing the abuses of the Australian government and the freedom of press, this article briefly mentions documents that obtained under FOI requests. These documents revealed that "eight stories on Australia's immigration policy were referred to the Australian Federal Police for the purpose of identification, and if appropriate, prosecution" (197-198). Through an intersectional lens, the article highlights how value (or lack thereof) is attached to people and how this impacts state practices of exclusion. The article goes further in detail, outlining how racialization constructions the hierarchy of 'value'. The author concludes that the image of the 'migrant' is critical to discourse around belonging and in/visibility.

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Vogl and Methven (2015) critically analyze the asylum seeker Code of Behaviour in Australia. The Code restricts the movement of asylum seekers in Australia by outlining a set of rules that have to be followed to remain in the country. The authors discuss the impact of the Code on the freedom of those who have signed on to it. The data obtained from FOI requests reveals pertinent information about the surveillance regime in Australia, supporting the authors' claims about the discriminatory underpinnings of the Code. Vogl and Methven (2015) explore the topic of unjust surveillance in relation to the restricted mobility of asylum seekers as legislated by the Code.

Media influence and information censorship

The final theme we discovered in these publications is a focus on information censorship related to immigration and migration policy and practice. Farré and Fasani (2013) analyze the impacts of television on internal migration patterns in Indonesia. The authors argue media can be a valuable source of information about potential destinations, therefore, an influence on migration decisions. This article mentions government censorship and its impact on the FOI. The author states that censorship limited FOI when outlining the history of the television sector in Indonesia. The author concludes having more media coverage of one's own country does not increase incentives to internally migrate. Furthermore, the author emphasizes that increasing access to information helps citizens make better migration choices and also reduces migratory pressures.

Conclusions

To conclude, more researchers are using freedom of information requests in immigration and migration studies. Our understanding of FOI is that the data and disclosures that researchers can obtain might have higher credibility and value than the data obtained by traditional methods such as surveys or interviews with policy or program leads. This is because state agencies and criminal justice agencies in particular are shot through with layers of secrecy and obfuscation. Interviews with high-ranking personnel (when they can be obtained) often produce very little valuable data. FOI requests provide qualitative and quantitative data on these practices and can allow researchers to take a more investigative approach in studying immigration and migration agencies.

We suggest that the use of FOI requests in immigration and migration studies could be enhanced or extended. We suggest that researchers, journalists, and lawyers currently seem to be using FOI requests although not always together. We would suggest that issues such as immigration and migration backlogs, the arbitrariness of immigration application processing and decision-making means that a more cooperative team-based approach to research is needed to dig into the mountain of files that are part of the backlog. We also suggest that combining other approaches to data collection with FOI could be fruitful in this regard. We encourage researchers to work with immigration and migration solidarity and activist groups, as this can point to important questions that should be asked in research. In turn, research can also make a real community public impact when this kind of work is done with a community-based emphasis in mind. The stakes are high for people who are fleeing oppression, deprivation, violence, and ecological crisis. Researchers who can use FOI should use their privilege not only to investigate the social world but to change it, to ease the suffering that we see so much of on our planet and to temper the kinds of political and economic power that exist and create so much harm. If used in this way, FOI requests could contribute to very positive, humanistic, and justice-oriented work in the future.

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