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HEALTH SYSTEMS, POLICY, AND EQUITY | REVIEW ARTICLE

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Governing access: Freedom of information, knowledge politics, and the limits of transparency in public health research

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ABSTRACT

Introduction: Freedom of Information (FOI) laws are presented as mechanisms of transparency and democratic accountability, yet their operation as tools of public health research remains under-examined. This study examines how FOI regimes shape, rather than simply enable, researchers' access to institutional knowledge across Nigeria, the United Kingdom (UK), and the United States (US).

Theory: Drawing on governmentality and epistemic injustice, FOI is conceptualized as a site of knowledge governance through which legal exclusions, commercial secrecy, bureaucratic discretion, and institutional practices determine what can become knowable, by whom, and under what conditions.

Method: The study uses reflexive comparative analysis of more than 250 FOI requests submitted by the author and collaborators across three public health research projects concerning violence interventions. Patterns of disclosure, non-response, delay, exemption, and institutional fragmentation were examined across jurisdictions.

Results: Formal rights to information frequently diverged from practical access. In Nigeria, institutional non-compliance and infrastructural dysfunction substantially restricted disclosure. In the UK, privatized service delivery placed important information beyond effective FOI scrutiny. In the US, procedural delays and fragmented institutional responsibility impeded timely and systematic access. These mechanisms differently constrained the evidence available for evaluating public health interventions.

Discussion: FOI is therefore not a neutral research instrument but part of the institutional architecture governing knowledge production. Comparative differences nevertheless produced a common effect: epistemic inequalities in researchers' capacity to scrutinize public institutions. Public health research should treat transparency regimes as methodological conditions requiring critical evaluation, while reforms should address enforcement, outsourcing, delay, and fragmentation.

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Introduction

Transparency has long been framed as a cornerstone of democratic governance, understood to support accountability, citizen empowerment, and evidence-informed policymaking. Central to achieving this ideal are Freedom of Information (FOI) laws, which grant citizens, researchers, and civil society access to state-held records and mechanisms to scrutinize public institutions. In theory, such frameworks enable greater oversight and participation in governance. Yet in practice, FOI regimes often fall short of these democratic promises. Rather than functioning as straightforward tools of openness, they are frequently shaped by bureaucratic inertia, administrative discretion, and political sensitivities that complicate or obstruct access (Birkinshaw, 2010; Hawkins et al., 2023; Kwoka, 2016). These tensions are particularly acute in public health research, where transparency demands intersect with politically sensitive domains such as violence prevention. As governments increasingly adopt data-driven approaches to designing, implementing, and evaluating interventions, understanding how FOI operates in these contexts has become critically important.

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FOI regimes are often conceptualized in legal or technocratic terms, portrayed as neutral mechanisms supporting citizen oversight and democratic accountability (Mendel, 2008; Michener, 2011). However, this normative framing obscures the political economy of knowledge production. Access to information is not evenly distributed; it is mediated by institutional discretion, bureaucratic cultures, and structural asymmetries between state and citizen (Roberts, 2006; Worthy, 2021). Scholars of transparency argue that FOI is less a static right than a negotiated practice: an arena in which institutional imperatives, risk management strategies, and public claims to knowledge collide (Birchall, 2011; Fox, 2007). Delays, denials, exemptions, and redactions do not simply reflect administrative inefficiency but reveal deeper institutional logics of control over what becomes visible and to whom (Kwoka, 2016). These dynamics are especially pronounced in public health, where transparency often intersects with politically sensitive governance fields, commercial interests, and security concerns (Hawkins et al., 2023).

Despite widespread global adoption of FOI laws, meaningful access to information relevant to health research is far from guaranteed. Scholars have shown that legal provisions alone are insufficient to ensure transparency (Hawkins et al., 2023; Rosenbaum & Berger, 2011). Outsourcing, contractual restrictions, and privatized service delivery, each create operational blind spots where health-relevant data are excluded from FOI coverage (de Maria, 2001; McGarity & Wagner, 2008). Even when disclosures occur, they may lack the context, evaluative content, or granularity necessary for meaningful analysis (Corderoy 2022). These challenges are compounded, as our experience reflects, when researchers seek data on violence prevention interventions, as requests often encounter overlapping sensitivities around public safety and reputational risk. Limited transparency in this area undermines researchers' capacity to evaluate interventions, assess equity, and hold institutions accountable.

While several experimental studies examine FOI responsiveness, they differ fundamentally from the focus of our research. Worthy et al. (2017) and Grimmelikhuijsen et al. (2019), for instance, show that explicitly framing requests as FOI can increase response rates in English parish councils and Dutch municipalities, respectively, while Cicatiello et al. (2025) analyzes drivers of FOI demand in Italian municipalities. These studies are valuable for understanding request mechanics but remain largely silent on the broader politics of knowledge production in public health contexts, where data access is deeply entangled with institutional priorities, commercial secrecy, and state security practices. Crucially, these studies focus on single jurisdictions and narrowly defined administrative outcomes. In contrast, the challenges explored here are cross-jurisdictional, comparative, and situated within the specific epistemic and ethical stakes of health research.

This article addresses this gap by examining how FOI regimes across Nigeria, the United Kingdom (UK), and the United States (US) shape access to health-relevant data on violence prevention and what this reveals about the governance of public knowledge. These countries provide contrasting legal frameworks, political systems, and institutional capacities, enabling a comparative analysis of how FOI operates within diverse contexts of health governance. Nigeria's FOI Act, introduced in 2011, exists alongside infrastructural dysfunction and limited enforcement mechanisms. In contrast, the UK FOI Act (2000) operates within a neoliberalized public sector that is increasingly reliant on private contractors. The US FOIA (1966) applies across a highly fragmented federal system, where proceduralism often substitutes for substantive transparency. Examining these contexts together allows us to explore both shared structural patterns and jurisdiction-specific dynamics shaping the availability of public health information.

The study draws on direct participation in research, involving the submission of over 250 FOI requests across three public health projects conducted between 2021 and 2024. Rather than treating FOI as a fixed legal entitlement or purely technical procedure, the analysis adopts a reflexive, practice-oriented approach that understands FOI requests as situated interactions shaped by institutional logics, bureaucratic cultures, and wider political-economic conditions. Requests targeted a range of institutions, including national health agencies, military bodies, and contracted service providers, seeking access to policies, training materials, evaluation reports, and related documentation on violence prevention interventions. Procedural documentation, such as request texts, agency responses, cited exemptions, timelines, and appeal outcomes, was combined with reflective fieldnotes capturing interactions with officials, discretionary refusals, and procedural delays. This integrated dataset enables a close analysis of how transparency regimes function not only through law but through interpretive and relational practices on the ground.

By adopting this approach, the study departs from traditional compliance-focused FOI research. Rather than coding requests as granted or refused, we examine the interpretive processes through which access is negotiated, withheld, or delayed, situating these dynamics within broader political and institutional contexts. This methodology responds to calls within critical public health and transparency scholarship to treat FOI not as a neutral administrative tool but as a diagnostic site for understanding how knowledge about health interventions is governed (Fox, 2015; Hawkins et al., 2023). In doing so, we move beyond evaluating legal frameworks in isolation to examine how they operate in practice, highlighting where statutory promises of transparency collide with institutional realities of secrecy, discretion, and commercialization.

This article makes three contributions. First, it brings a public health lens to FOI scholarship, showing how institutional priorities, legal exemptions, and outsourcing arrangements mediate access to health-related data. Second, it offers a comparative, multi-jurisdictional analysis that identifies both common mechanisms of obstruction, such as delays, denials, and appeals to commercial confidentiality, and distinctive patterns arising from jurisdiction-specific governance structures and political economies. Third, it integrates theories of epistemic injustice and feminist and postcolonial epistemologies (England, 1994; Fricker, 2007; Harding, 1991) to reconceptualize FOI as a terrain of knowledge governance. From this perspective, FOI regimes do more than enable or restrict access to information; they actively shape who can produce, validate, and act upon health knowledge, reproducing inequities in visibility, accountability, and institutional power.

Understanding these dynamics is particularly urgent in the context of violence prevention, where interventions sit at the intersection of health, policing, and security infrastructures. Access to information on policies, training, and program evaluations is essential for assessing effectiveness, equity, and legitimacy, yet the findings presented here show that such information is frequently fragmented, sanitized, or inaccessible. By comparing Nigeria, the UK, and the US, the article illustrates how transparency regimes, while legally codified, are operationalized in ways that reflect institutional priorities, commercial imperatives, and political sensitivities, often reproducing the very epistemic inequalities they claim to overcome.

Rather than evaluating FOI legislation on doctrinal or compliance-based grounds, this study examines how FOI laws are applied, interpreted, and resisted in practice, and how these dynamics shape the evidentiary landscape of public health research. In doing so, it contributes to emerging scholarship that treats transparency not as a technocratic fix but as a site of ideological and institutional struggle over what should be knowable, and by whom (Pratt & de Vries, 2023; Žuffová, 2023). The sections that follow review relevant literature on FOI and knowledge politics in health, outline the study's reflexive methodology, and present empirical findings from three national case studies. The article concludes by exploring the implications for public health research and accountability in regimes of constrained transparency.

Methods: Reflective inquiry and situated knowledge in FOI research

This study is based on a reflexive analysis of engagement with FOI laws carried out as part of three independent public health research projects focused on violence prevention. The projects were conducted between 2021 and 2024 and were not designed as a single comparative study. Each project involved submitting FOI requests to relevant institutions to obtain information necessary for the project's specific research objectives. Rather than pursuing generalizability or statistical benchmarking, the study is grounded in a critical epistemology that treats FOI interaction as situated, embodied knowledge production (England, 1994; Haraway, 1988). This perspective foregrounds the political, procedural, and institutional dynamics encountered when seeking access to state-held data and allows the analysis to consider both the content of responses and the processes through which access was facilitated or obstructed.

Across the three projects, research teams submitted over 250 FOI requests to a range of institutions in the three countries, including health departments, government agencies, military branches, and contracted service providers. Requests focused on accessing public health-related policies, training materials, and evaluations of violence prevention interventions. Each request arose from project-specific data needs and was tailored to reflect the local legal frameworks and institutional structures in each jurisdiction. The FOI requests examined in this study were not standardized across projects and were not designed as compliance tests.

Indeed, as this study adopts a critical epistemological stance, recognising that knowledge production is situated, partial, and embedded within broader systems of power (Haraway, 1988; Harding, 1991), rather than approaching FOI data as neutral evidence to be quantified or benchmarked, we understand FOI interactions as social and political encounters shaped by institutional logics, legal frameworks, and resource asymmetries. From this perspective, the meaning of a disclosure, delay, or denial cannot be reduced to simple numerical trends but must be interpreted within its relational and contextual setting (England, 1994; Topp et al., 2021). A quantitative 'stress-test' design was therefore neither appropriate nor ethical, as submitting large volumes of requests solely for statistical comparison would have risked burdening administrative systems, particularly in resource-limited contexts, and would have conflicted with principles of responsible, needs-driven research. Instead, the study privileges a reflexive, qualitative approach that examines FOI processes as windows into how transparency regimes are enacted, negotiated, and constrained across diverse governance settings (Fox, 2015; Hawkins et al., 2023). Consequently, requests were submitted only where they directly addressed a defined research question with clear relevance to public health, social justice, or democratic accountability. The purpose was to respond to real, situated informational needs tied to ongoing research activities. At the same time, the projects recognize that FOI interactions are generative sites of knowledge, revealing not only the data requested but also the institutional, legal, and cultural factors shaping transparency in practice.

Procedural documentation relied upon in this analysis included request texts, agency replies, cited exemptions, timelines, appeal outcomes, and method of delivery. Reflective fieldnotes and project memos supplemented these records, capturing experiences of delay, discretionary refusals, and interactions with FOI officers and administrators. These qualitative materials provide insight into how transparency regimes operate not only through statutory rights but also through interpretive and relational practices. The analysis does not code FOI responses as simple binary outcomes (granted/refused) but instead examines how transparency was operationalized across different institutional and jurisdictional contexts. While the three projects were conducted independently, considering the FOI requests together offers an opportunity to reflect on recurring patterns and challenges. The aim is not to compare or rank FOI systems across countries but to better understand how institutional design, political culture, and legal structures can shape access to data relevant to violence prevention research. This reflexive, practice-oriented methodological approach aligns with calls within critical public health scholarship to treat FOI not simply as a neutral mechanism for data extraction but as a political and relational encounter (Fals-Borda & Rahman, 1991; Fox, 2015).

Results: Navigating FOI systems in practice

This section presents findings from three national case studies, showing how FOI laws, while nominally transparent, are shaped by governance structures that regulate visibility and access, reflecting deeper institutional logics of exclusion and bureaucratic control (Birkinshaw, 2010; Fox, 2015).

Nigeria: Legal rights, systemic non-compliance, and epistemic marginalization

Despite the 2011 enactment of Nigeria's FOI Act, a policy-focused FOI study conducted across 2022–2023 illustrated that access to violence prevention policy data in Nigeria remains severely constrained. The research involved submitting 37 FOI requests to federal ministries, state-level agencies, and public health institutions as part of an investigation into how national violence prevention frameworks were being operationalized across the subnational context in Nigeria. The focus was on implementation data related to prevention interventions, budget allocations, training protocols, and program evaluations.

Quantitatively, the results reveal a troubling pattern: over 70% of the FOI requests received no response at all. Of those that were acknowledged, only a handful resulted in partial or full disclosure, and even these were typically delayed well beyond the legally mandated seven-day response window. Agencies frequently invoked vague rationales, such as 'security concerns,' or claimed the data were 'not available' or 'not centrally collated,' terms not defined in the Act, but which were routinely mobilized to avoid compliance. In several instances, state agencies lacked the necessary infrastructure for submitting FOI requests, as websites were defunct, email contacts were unavailable, and physical offices were unresponsive.

Procedurally, the implementation of the FOI Act revealed glaring inconsistencies. While the law clearly permits the electronic submission of requests (Federal Republic of Nigeria, 2011), many agencies insisted on physical, in-person delivery, creating geographic and logistical barriers for researchers operating across multiple jurisdictions, and who were not on the ground in Nigeria for most of the research project. Moreover, requests were often bounced between departments with no clear indication of who held responsibility for the data, suggesting either disorganization or an intentional obfuscation strategy. In some cases, researchers were asked to explain their interest or 'justify' the request. This is an illegal pre-requisite that reflects broader bureaucratic cultures of control rather than openness.

Institutionally, the Nigerian FOI regime is characterized by what Darch and Underwood (2010) termed 'symbolic transparency': the appearance of democratic accountability through legislation, without corresponding structural commitment to enforcement or accessibility. Oversight mechanisms are nearly non-existent. Unlike countries with independent FOI commissioners or robust appeal pathways, Nigeria lacks a centralized authority empowered to monitor or enforce compliance. Legal appeals are theoretically available but are often prohibitively slow, costly, and rarely pursued, particularly by academic or civil society actors lacking access to legal resources.

This case reflects not just administrative inertia but a broader epistemic marginalization: a condition in which certain types of knowledge, especially those relating to state performance on violence and rights, are withheld from public and scholarly scrutiny. As Fox (2007) argues, FOI systems can function as mechanisms of 'opaque transparency,' wherein laws exist formally but are neutralized through informal bureaucratic resistance. In this study, the data denial was not random but patterned, especially acute in requests concerning gender-based violence programs and health-sector partnerships with security services. Such selective silence reveals the political sensitivity of knowledge in contexts where information flows are seen as threats to institutional legitimacy or political patronage.

From a methodological perspective, the research design aimed to test the operational boundaries of Nigeria's FOI regime, not through courtroom litigation, but by deploying standardized, well-scoped, and legally compliant information requests, mirroring the types of queries that researchers and civil society organizations routinely depend on. The overwhelming non-compliance not only hindered the study's ability to build a comprehensive policy implementation map but also illuminated the structural limitations of relying on FOI as a research tool in weak-governance settings.

Overall, Nigeria's FOI experience illustrates that legal provisions are insufficient without institutional power and cultural change. The law's existence does little to guarantee transparency in practice unless it is accompanied by enforceable sanctions, adequate administrative capacity, and a shift in norms toward openness. In the absence of these supports, FOI risks becoming a performative exercise, enacted in statute but denied in substance. For public health researchers investigating violence, the consequences are more than inconvenience: they are exclusion from the knowledge necessary to assess, critique, or improve public sector performance.

United Kingdom: Neoliberalism and the limits of institutional access

Introduced with promises of open government and democratic accountability, the UK's Freedom of Information Act 2000 has since faced mounting scrutiny over its limitations in practice (Hawkins et al., 2023). To assess how this framework operates in practice for public health research, particularly in the context of violence prevention, a cross-sectional FOI-based study was conducted targeting 213 NHS Trusts across England. Requests focused on the provision and content of Active Bystander Training (ABT), an intervention promoted to address harassment, bullying, and workplace misconduct, including sexual harassment, and that was widely suggested to be desirable to support the prevention element in the Sexual Safety in Healthcare Organizational Charter, which came into force in late 2023.

Empirical findings from this research indicate a high level of procedural engagement, as 199 of the 213 Trusts had responded. Among these, only 35 Trusts confirmed they provided ABT. Just one Trust reported offering a standalone ABT module specifically addressing sexual harassment. Procedurally, while Trusts complied with the statutory FOI process in terms of acknowledgment and timelines, disclosure of training content was limited. Many Trusts that commissioned external providers cited contractual restrictions and commercial confidentiality clauses that prohibited them from sharing training materials. This

obstructed both independent evaluation and deeper content analysis. Thus, while FOI law permits access to institutional data, outsourced service delivery created opaque zones where proprietary interests overruled public accountability.

Methodologically, FOI requests were standardized and sent electronically to each Trust. Responses were catalogued and coded based on training provision status, level of detail provided, legal exemptions cited, and barriers to content disclosure. Supplementary contact with FOI officers at several Trusts confirmed that training contracts explicitly barred material sharing, aligning with broader concerns about the use of Section 43 (commercial interests) of the FOI Act to restrict scrutiny over public-private partnerships.

Institutionally, this situation reflects a broader structural trend. As public services in the UK increasingly rely on external suppliers, the knowledge generated by those services becomes fragmented and is often legally protected. The inability of Trusts to share training curricula or evaluation reports, despite public funding, illustrates how neoliberal governance regimes shield significant dimensions of public service delivery from open scrutiny. This issue has been previously raised in public administration research (de Maria, 2001), but the current study provides empirical confirmation of its manifestation in everyday research practice.

United States: Proceduralism as disempowerment

The U.S. FOIA, enacted in 1966, is often cited as a benchmark for institutional transparency. However, when deployed to obtain public health-relevant information on sexual assault prevention and response interventions from military institutions, it reveals a regime shaped less by open disclosure than by procedural stratification and selective responsiveness. In this study, FOIA requests were submitted to all five U.S. military branches that have active bases in foreign jurisdictions—Army, Navy, Air Force, Marine Corps, and Space Force—seeking documentation related to violence prevention training content and implementation practices, with a focus on programs for those personnel deployed in foreign jurisdictions. Notably, the sixth branch, the Coast Guard, was excluded from the study because it lacked such bases and therefore did not meet the inclusion criteria for the research.

Empirical results were mixed. The Air Force responded substantively within a reasonable period (e.g. beyond the statutory period, but within a reasonably brief delay commensurate with gathering data from installations abroad) and provided training documents that also covered the Space Force, including content and policies. The Marine Corps also issued a disclosure containing training outlines and programmatic content. By contrast, the Army acknowledged the request, estimating that processing would take over a year—a timeline incompatible with timely research and potentially in breach of the 20-day statutory requirement under 5 U.S.C. § 552(a)(6)(A)(i). The Navy replied that it did not hold the specific information requested, asserting that training was globally standardized and content was not stored at any bases abroad.

Administratively, the experience illustrates how FOIA responses in the U.S. security sector are fragmented and subject to inter-branch variation. While two branches (the Air Force and Marines) demonstrated procedural and substantive engagement, others employed bureaucratic mechanisms, such as delays, redirection, or silent dismissal, to frustrate access. In multiple instances, agencies requested clarification or proposed routing the request to sub-agencies, noting that if no reply were received from the requester, the request would be administratively closed. This practice is highly questionable, lacking a clear statutory basis, and arguably undermining the requester's rights.

Institutionally, agencies frequently justified delays or partial disclosures by citing the complexity of the request, internal coordination requirements, or the need for a national security review. Nevertheless, some branches, particularly the Air Force and the Marine Corps, provided attached PDFs containing training materials, policy statements, and summaries of violence-prevention frameworks. These documents included references to intervention strategies, leadership responsibilities, and core prevention messaging. While the materials were analyzable and offered valuable insight into formal policy commitments, they generally lacked operational depth, including facilitation guidance, scenario content, implementation variation across units, and evidence of program evaluation. Other branches either redirected the request or stated they did not hold the requested data. The result was a patchwork of partial access: legally

framed disclosures that offered surface-level visibility but limited the granular analysis needed to assess how violence prevention is implemented across varied institutional and geographic contexts.

Methodologically, the research design involved standardized FOIA submissions tailored to each agency's filing system. Responses were tracked, classified by branch, and coded according to the following outcomes: full disclosure, partial disclosure, referral, denial, or no reply. Follow-up emails, clarification exchanges, and timeframes were recorded to construct a procedural map of inter-agency behavior. Where materials were disclosed, they were archived and analyzed for thematic content, scope, and relevance to violence prevention frameworks.

Discussion: Governing opacity in the name of health

The comparative findings presented in this study suggest that FOI laws, while formally present across diverse governance regimes, are operationalized in ways that often reproduce and sustain structural inequalities in access to knowledge. In all three cases examined, FOI regimes exist in statutory terms. While some denials to requests could reflect lawful protections—for instance, exemptions relating to personal safety or operational security, especially relevant to violence prevention interventions—our responses suggest systemic constraints that limit substantive transparency, even when disclosure would otherwise be legally permissible. None of the failures to respond or refusals stemmed from public safety or security exemptions. Rather, we confirm that the practical implementation of FOI is shaped by deeper institutional logics, political priorities, and economic infrastructures that often undermine its emancipatory promise. These constraints should not be misread as technical barriers to be addressed through improved bureaucratic training or legislative fine-tuning. Instead, they are expressions of institutional rationalities, techniques through which states and state-like entities govern what becomes visible, to whom, and under what conditions.

From a critical public health perspective, these findings are significant. Transparency is not simply a procedural good; it is a precondition for equity, accountability, and epistemic justice. The field of violence prevention is particularly revealing in this regard, as it intersects with health, policing, military governance, and social policy. Research into violence prevention necessitates engaging with sensitive political terrain, including challenging dominant narratives, scrutinizing institutional practices, and exposing the often-invisible operations of power within policing, workplace, and health infrastructures. FOI should facilitate such engagement. Instead, the comparative results suggest that transparency is pre-emptively regulated, not through overt censorship, but via a combination of bureaucratic delay, legal exemptions, commercial opacity, and institutional evasion.

This resonates with the growing body of scholarship on epistemic injustice in global health (Topp et al., 2021; Pratt & de Vries, 2023). Epistemic injustice refers to the structural conditions under which certain actors, institutions, or populations are systematically excluded from knowledge production and validation. As applied here, it highlights how state and market actors control not only what information is disclosed, but also who is authorized to ask questions, conduct analysis, and shape the evidentiary terrain of public policy. FOI regimes, rather than correcting these imbalances, frequently mirror and reinforce them. In Nigeria, fragile institutions and under-resourced oversight mechanisms mean that FOI exists more as a symbolic commitment to governance norms than as an enforceable right (Asogwa & Ezema, 2017). In the U.K., a marketized public sector enables legally permissible secrecy by outsourcing service provision to private entities whose commercial contracts are shielded from scrutiny (Worthy, 2021). In the U.S., procedural excess, including the proliferation of steps, queues, referrals, and exemptions, operates as a governance technology of deferral (Kwoka, 2016), making information technically accessible but practically elusive.

The result is a layered and differentiated transparency regime in which access to health-relevant data is selectively permitted and institutionally curated. While some disclosures are granted, they often exclude critical content, such as training materials, evaluations, or operational policies, that would enable researchers to evaluate effectiveness, equity, and legitimacy. Even when training protocols were provided, they were typically high-level, sanitized, or stripped of context. These are not accidental limitations; they exemplify what Pozen (2010) describes as deep secrecy, a mode of governance in which selective transparency coexists with entrenched patterns of concealment, enabling the appearance of openness while systematically limiting access to politically sensitive information.

The implications for public health research are far-reaching. As governments increasingly adopt data-driven approaches to violence prevention, incorporating predictive analytics, behavioral surveillance, and algorithmic risk profiling, the underlying data infrastructure becomes both more critical and more obscured. Without access to training content, contractual arrangements, internal evaluations, or program design rationales, researchers are unable to ask even foundational questions: What kinds of violence are being targeted? How are interventions framed? Who is excluded? What assumptions guide the design and delivery of these programs? Denial of this information forecloses not only scientific scrutiny but democratic accountability.

This concern aligns with broader critiques of neoliberal governance, including in public health (Navarro, 2007). Under neoliberalism, transparency is simultaneously idealized and strategically constrained. The rhetoric of open data and evidence-based policymaking sits uneasily alongside privatization, managerialism, and risk-averse legalism. FOI is caught in this contradiction. It is celebrated as a democratic right yet operationalized in ways that protect institutional interests and maintain power asymmetries. This is particularly evident in the UK, where NHS Trusts routinely invoked commercial confidentiality to deny access to violence-prevention training materials, even when the content was publicly funded. As Birchall (2011) argues, transparency becomes an exercise in symbolic compliance rather than substantive accountability.

Moreover, the study's findings challenge the idea that FOI can be 'fixed' through legal reform alone. While legislative improvements, such as stricter enforcement, better appeals mechanisms, or reduced exemptions, are important, they do not address the institutional culture of opacity that characterizes many public bodies. FOI, as currently structured, tends to privilege actors who have access to time, resources, legal literacy, and institutional support (Hawkins et al., 2023). This creates an epistemic stratification within public health research: those affiliated with well-resourced organizations may eventually obtain partial access, while independent researchers, journalists, and affected communities remain shut out.

This raises the broader point that FOI should be reconceptualized not as a neutral tool but as a terrain of political contestation. Access to information is a site through which states perform accountability, but also regulate the visibility of dissent, failure, and institutional harm (Birchall, 2011). As such, FOI law does not merely open governance; it produces and disciplines the public sphere. This perspective aligns with Foucault's (1991) understanding of knowledge-power relations: information access is never outside politics but is embedded within broader systems of governmentality that shape what can be known, by whom, and to what end.

In postcolonial contexts, such as Nigeria, this dynamic assumes additional dimensions. As Darch and Underwood (2010) argue, the implementation of FOI in African states often reflects donor-driven conditionalities and global governance optics, rather than locally embedded demands for public scrutiny. The result is a form of 'decorative legislation', where laws symbolize alignment with international norms but lack the material and political conditions for enforcement. This creates a fragile information ecology in which researchers must navigate informal networks, personal appeals, and discretionary gatekeeping in the absence of reliable institutional pathways.

By contrast, in the U.S., the institutional capacity exists, but the FOI system is designed to filter, defer, and exhaust. The logic here is not institutional fragility but procedural containment. Agencies comply with the letter of the law, acknowledging requests, estimating delays, and referring queries, but in ways that fracture responsibility and dilute access. As Lipsky (1980) noted, this form of 'street-level bureaucracy' turns discretion into policy, allowing front-line officials to shape the contours of public engagement effectively. In practice, this means that transparency is delivered selectively, and often too late to support policy critique or research timelines.

This fragmentation across jurisdictions, agencies, and denial modalities complicates the role of FOI in public health governance. Rather than imagining it as a tool for achieving idealized transparency, it may be more productive to view FOI as a diagnostic instrument, specifically one that reveals the fault lines, priorities, and anxieties of the state. Requests are denied not because the data does not exist, but because its collation and circulation are perceived as a threat to institutional legitimacy or operational autonomy. What is withheld, redacted, or delayed is as telling as what is disclosed.

In sum, the findings here suggest that FOI regimes should be critically re-evaluated within broader frameworks of epistemic justice (Fricker, 2007; Pratt & de Vries, 2023; Topp et al., 2021), governance theory (Birchall, 2011; Foucault, 1991), and institutional sociology (Lipsky, 1980; Roberts, 2006). Transparency

is not a static right, but a contested practice, shaped by law, bureaucracy, ideology, and the allocation of resources (Birchall, 2011; Pozen, 2010). Understanding how these elements interact is essential for advancing FOI use in public health research that is not only empirically robust but also ensures governance that is democratically accountable.

While this study offers comparative insights into the institutional logics shaping FOI regimes in three countries, several limitations should be noted. First, the analysis is grounded in a specific research context, namely FOI requests related to violence prevention. As such, findings may not extend to other domains, such as environmental policy or infrastructure data, which may elicit different patterns of response (Calland & Bentley, 2013; Žuffová, 2023). Second, although request formats and documentation practices were standardized, the qualitative nature of FOI engagement introduces interpretive variability. Agency responses differed across jurisdictions, limiting direct comparability. This study prioritized contextual analysis over statistical generalization (Kwoka, 2016). Third, the absence of interviews with FOI officers or institutional actors restricts insight into the internal dynamics of information governance. Future ethnographic work could shed light on the bureaucratic discretion and normative pressures that influence disclosure (Bertot et al., 2010; Lipsky, 1980; Worthy, 2021). Finally, this study focuses on formal institutional practices and does not capture the influence of civil society actors, journalists, or informal access strategies like whistleblowing (Corderoy, 2022; Goldacre et al., 2025). These extra-institutional forces merit further research better to understand FOI as a contested site of accountability.

Taken together, these limitations do not detract from the core argument—that FOI, far from being a neutral administrative tool, is a politically saturated site of knowledge regulation. However, they underscore the importance of continued, multi-method research that engages both with the formal architecture of transparency regimes and the informal practices that determine how they function in everyday governance contexts.

Conclusion

This article offers a comparative reflection for global health researchers, practitioners, and policymakers who use FOI in their critical public health research. Drawing on three independent public health projects conducted in Nigeria, the UK, and the US, we examine how FOI laws operate in practice, using violence prevention within health systems as an empirical lens. Despite formal legal provisions, access to government-held data was frequently limited, shaped by factors such as institutional capacity, commercial confidentiality, and procedural complexity. Rather than viewing FOI as a guaranteed right, the findings highlight its character as a structurally contingent mechanism for accessing data, mediated by broader governance logics and political priorities.

For those working in public health, these dynamics restrict the ability to evaluate policies, scrutinize institutional practices, and ensure accountability, reinforcing epistemic asymmetries in who can know, research, and critique. Strengthening FOI's role in public health requires more than legislative reform; it demands recognition that transparency is inherently political, involving attention to enforcement mechanisms, the role of private actors, and the needs of researchers and communities who rely on access for the public good. Without such shifts, FOI risks functioning more as a symbolic right than as an effective tool, at a time when health-related accountability is increasingly urgent.

Ethical statement

This study did not require ethical approval as it did not involve human participants, human data, or human tissue; instead, it involved using Freedom of Information requests placed outside the remit of institutional ethics review.

Author contributions

CRediT: **Sarah Steele**: Conceptualization, Data curation, Formal analysis, Investigation, Methodology, Project administration, Supervision, Writing – original draft, Writing – review & editing; **Kehinde Abereoje**: Data curation, Formal analysis, Investigation, Methodology, Writing – original draft, Writing – review & editing.

Authorship statement

SS was responsible for the conceptualization of the study. Both SS and KA contributed to the methodology and conducted the data collection. They also collaborated on drafting the original manuscript and were jointly involved in reviewing and editing the final version.

Disclosure statement

In accordance with Taylor & Francis policy and our ethical obligations as researchers, we disclose the following potential conflicts of interest: SS provides training on sexual misconduct for the NHS, universities, and other institutions, for which she receives payment. KA is a founding member of the Nigerian charity, Purple Pact, which supports women on issues relevant to this study. These affiliations have been fully disclosed to Taylor & Francis, and appropriate measures are in place to manage any potential conflicts arising from these involvements.

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Data availability statement

The data used in this study were obtained through Freedom of Information requests submitted public bodies in three countries. Some of these responses are publicly available on the respective bodies' websites, typically in their disclosure logs in the UK. No new or proprietary data were generated for this study. A compiled and anonymised version of the responses used in the analysis for the US and Nigeria are available from the authors upon reasonable request.

References

Asogwa, B. E., & Ezema, I. J. (2017). Freedom of access to government information in Africa: trends, status and challenges. *Records Management Journal*, *27*(3), 318–338. https://doi.org/10.1108/RMJ-08-2015-0029

Bertot, J. C., Jaeger, P. T., & Grimes, J. M. (2010). Using ICTs to create a culture of transparency: E-government and social media as openness and anti-corruption tools. *Government Information Quarterly*, *27*(3), 264–271. https://doi.org/10.1016/j.giq.2010.03.001

Birchall, C. (2011). The politics of opacity and openness: Transparency as a rhetorical device. *Theory, Culture & Society*, *28*(7–8), 60–84. https://doi.org/10.1177/0263276411423040

Birkinshaw, P. (2010). *Freedom of Information: The Law, the Practice and the Ideal*. Cambridge University Press.

Calland, R., & Bentley, K. (2013). The impact and effectiveness of transparency and accountability initiatives: Freedom of information. *Development Policy Review*, *31*(S1), s69–s87. https://doi.org/10.1111/dpr.12020

Cicatiello, L., De Simone, E., Gaeta, G. L., Ruberto, S., & Natalini, A. (2025). Transparency quest determinants unveiled: Evidence from Italian local FOI requests. *The American Review of Public Administration*, *55*(6), 543–557. https://doi.org/10.1177/02750740251355222

Corderoy, J. (2022). 'Government's "Orwellian" unit to be disbanded after openDemocracy revelations', *openDemocracy*, 25 August. Available at: https://www.opendemocracy.net/en/freedom-of-information/clearing-house-disbanded-overhaul-freedom-of-information/

Darch, C., & Underwood, P. G. (2010). *Freedom of Information and the Developing World: The Citizen, the State and Models of Openness*. Chandos Publishing.

de Maria, W. (2001). Commercial-in-confidence: An obituary to transparency? *Australian Journal of Public Administration*, *60*(4), 92–109. https://doi.org/10.1111/1467-8500.00252

England, K. V. L. (1994). Getting personal: Reflexivity, positionality, and feminist research. *The Professional Geographer*, *46*(1), 80–89. https://doi.org/10.1111/j.0033-0124.1994.00080.x

Fals-Borda, O., & Rahman, M. A. (1991). *Action and Knowledge: Breaking the Monopoly with Participatory Action Research*. Apex Press.

Federal Republic of Nigeria. (2011). *Freedom of Information Act, 2011* (No. 4). Abuja: Government of Nigeria. https://foia.justice.gov.ng/resources/downloader.php?filename=Freedom_Of_Information_Act.pdf

Foucault, M. (1991). Governmentality. In Burchell, G., Gordon, C. and Miller, P. (eds.), *The Foucault effect: Studies in governmentality* (pp. 87–104). University of Chicago Press.

Fox, J. (2007). The uncertain relationship between transparency and accountability. *Development in Practice*, *17*(4-5), 663–671. https://doi.org/10.1080/09614520701469955

Fox, J. (2015). Social accountability: What does the evidence really say? *World Development*, *72*, 346–361. https://doi.org/10.1016/j.worlddev.2015.03.011

Fricker, M. (2007). *Epistemic injustice: Power and the ethics of knowing*. Oxford University Press.
Goldacre, B., et al. (2025). A national data library: The modular approach. *Zenodo* 16 January. https://doi.org/10.5281/zenodo.14671714
Government Accountability Office (GAO). (2023). ' FOIA backlogs hinder government transparency and accountability', GAO *Blog*, 14 March. https://www.gao.gov/blog/foia-backlogs-hinder-government-transparency-and-accountability
Grimmelikhuijsen, S., John, P., Meijer, A., & Worthy, B. (2019). Do Freedom of Informationlaws increase transparency of government? A replication of a field experiment. *Journalof Behavioral Public Administration*, *2*(1), 1–10.
Haraway, D. (1988). Situated knowledges: The science question in feminism and the privilege of partial perspective. *Feminist Studies*, *14*(3), 575–599. https://doi.org/10.2307/3178066
Harding, S. (1991). *Whose Science? Whose Knowledge? Thinking from Women's Lives*. Cornell University Press.
Hawkins, B., Brooks, E., Ralston, R., Lauber, K., Karreman, N., & Steele, S. (2023). The law of diminishing returns? The challenge of using freedom of information legislation for health policy research. *Critical Public Health*, *33*(4), 383–386. https://doi.org/10.1080/09581596.2023.2220134
Kwoka, M. B. (2016). FOIA, Inc. *Duke Law Journal*, *65*(7), 1361–1437.
Lipsky, M. (1980). *Street-level bureaucracy: Dilemmas of the individual in public services*. Russell Sage Foundation.
McGarity, T. O., & Wagner, W. E. (2008). *Bending science: How special interests corrupt public health research*. Harvard University Press.
Mendel, T. (2008). *Freedom of Information: A Comparative Legal Survey*. Paris: UNESCO. http://www.foia.it/docs/foia-it_doc006.pdf
Michener, G. (2011). FOI laws around the world: A comparative analysis. *Journal of Democracy*, *22*(2), 145–159. https://doi.org/10.1353/jod.2011.0021
Navarro, V. (2007). Neoliberalism as a class ideology; or, the political causes of the growth of inequalities. *International Journal of Health Services: planning, Administration, Evaluation*, *37*(1), 47–62. https://doi.org/10.2190/AP65-X154-4513-R520
Pozen, D. E. (2010). Deep secrecy. *Stanford Law Review*, *62*(2), 257–339.
Pratt, B., & de Vries, J. (2023). Where is knowledge from the global South? An account of epistemic justice for a global bioethics. *Journal of Medical Ethics*, *49*(5), 325–334. https://doi.org/10.1136/jme-2022-108291
Roberts, A. (2006). *BlackedOut: Government Secrecy in the Information Age*. Cambridge University Press.
Rosenbaum, S., & Berger, M. (2011). The freedom of information act: Implications for public health policy and practice. *Public Health Reports®*, *126*(3), 428–432. https://doi.org/10.1177/003335491112600317
Topp, S. M., Schaaf, M., Sriram, V., Scott, K., Dalglish, S. L., Nelson, E. M., Sr, R., Mishra, A., Asthana, S., Parashar, R., Marten, R., Costa, J. G. Q., Sacks, E., Br, R., Reyes, K. A. V., & Singh, S. (2021). Power analysis in health policy and systems research: A guide to research conceptualisation. *BMJ Global Health*, *6*(11), e007268. https://doi.org/10.1136/bmjgh-2021-007268
United States Congress. (1966). *Freedom of Information Act*, 5 U.S.C. § 552, as amended. Washington, D.C.: U.S. Government Publishing Office. https://www.justice.gov/oip/freedom-information-act-5-usc-552
Worthy, B., John, P., & Vannoni, M. (2017). Transparency at the parish pump: Afield experiment to measure the effectiveness of Freedom of Informationrequests in England. *Journal of Public Administration Research and Theory*, *27*(3), 485–500.
Worthy, B. (2021). Freedom of information: A state of the art. In A. S. Duff (Ed.) *Research Handbook on information policy* (pp. 220–237). Edward Elgar Publishing.
Žuffová, M. (2023). Fit for purpose? Exploring the role of freedom of information laws and their application for watchdog journalism. *The International Journal of Press/Politics*, *28*(1), 300–322. https://doi.org/10.1177/19401612211006700