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## Plan Overview

*A Data Management Plan created using DMPonline*

**Title:** DE STAAT EN HET DELINQUENTE KIND - Een politiek-filosofische hervertelling van de wetgevingsgeschiedenis en praktijk van het jeugdstrafrecht

**Creator:** Jaap van der Spek

**Principal Investigator:** J.H. van der Spek

**Project Administrator:** J.H. van der Spek

**Affiliation:** Erasmus University Rotterdam

**Template:** Data Management Plan v4.6

**ORCID ID:** 0009-0005-7063-6711

### Project abstract:

The aim is to understand juvenile criminal law as a phenomenon of power. The research focuses on identifying the political-philosophical principles underlying (the exercise of power within) juvenile criminal law and how these principles are translated into practice.

The first part of the study involves a discourse analysis of the legislative history of juvenile criminal law. It examines how the delinquent child is understood, classified and how this has shaped the structure and expectations of juvenile criminal law, constituting a power relationship between the delinquent child and the state.

The second part explores how these structures and expectations influence the work of professionals within juvenile criminal law, with a specific focus on the sentencing process (straf-toemeting). These findings are then compared with how young people themselves have experienced, navigated, and exercised power while undergoing the sentencing process.

**ID:** 170646

**Start date:** 01-09-2023

**End date:** 31-12-2025

**Last modified:** 19-03-2025

### Copyright information:

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# DE STAAT EN HET DELINQUENTE KIND - Een politiek-filosofische hervertelling van de wetgevingsgeschiedenis en praktijk van het jeugdstrafrecht

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## General

Please tick the following boxes if you agree to act according to the following terms:

- I will check and, if necessary, update my data management plan a minimum of once a year
- I will discuss the data management plan with my research team
- I will answer all questions truthfully and to the best of my knowledge

Support in writing a data management plan is available through the [faculty Data Stewards](#). Which research support professional is available for you?

- Data Steward of my own faculty - ESSB

Scientific research must be conducted in line with existing guidelines on good research practices and integrity. Please tick the boxes if you have read and understand these guidelines and will act accordingly.

- The Netherlands Code of Conduct for Research Integrity (VSNU, 2018)
- The European Code of Conduct for Research Integrity (ALLEA, 2023)

## Administration and Project Description

### 1. Provide the details of your project

#### Project title

DE STAAT EN HET DELINQUENTE KIND - Een politiek-filosofische hervertelling van de wetgevingsgeschiedenis en praktijk van het jeugdstrafrecht

#### Project start date as intended

2023-09-01

#### Project duration in months as intended

The intention is to complete the PhD manuscript by the end of 2025.

#### Funding body (if applicable)

I do not receive separate funding. My employer, Stichting Halt, has granted me one day per week to conduct this research. My research does not overlap with the field of work of Stichting Halt. Halt is a diversional intervention and, as such, not part of juvenile criminal law but rather a preliminary stage.

#### Grant number (if applicable)

**Date of DMP Version 1**

2025-02-13

**Current DMP - Version [if other than version 1]**

V1

**Current DMP - Date [if other than version 1]**

2025-02-13

**2. List the name and affiliation of all members of the research team.****List the researcher responsible for research data management first.****For PhD projects, please indicate the Promotor(s) and/or Daily Supervisor(s) with a (!)**

	<b>Name</b>	<b>Email</b>	<b>ORCID</b>	<b>Research Institution</b>
1	Drs. J.H. van der Spek	vanderspek@essb.eur.nl	0009-0005-7063-6711	EUR (ESSB)
2	Prof. dr. M. van der Steen (!)	vandersteen@essb.eur.nl		EUR (ESSB) / NSOB
3	Prof. dr. P. Frissen (!)	frissen@nsob.nl		UVT/NSOB

**3. Briefly summarize the project background and research question(s) to help others understand the purpose for which the data are being collected or created**

Main question: *Welke politiek-filosofische uitgangspunten liggen ten grondslag aan de politieke programmering van het jeugdstrafrecht en welke betekenis krijgen deze in de praktijk van het jeugdstrafrecht ?*

Five sub-questions; data collection for the last two.

1. Hoe wordt het delinquente kind begrensd, begrepen en geclassificeerd binnen de politieke programmering van het jeugdstrafrecht en op welke wijze wordt hiermee bestraffing door de staat gelegitimeerd?
2. Welke discursieve praktijken karakteriseren de politieke programmering van het jeugdstrafrecht en op hoe structureren zij de machtsrelatie tussen de staat en de jeugdige delinquenten?
3. Welke politiek-filosofische uitgangspunten liggen ten grondslag aan de geïdentificeerde discursieve praktijken?
4. Hoe begrijpen en vertalen professionals uit het jeugdstrafrecht de politiek-filosofische uitgangspunten van het jeugdstrafrecht in hun dagelijkse praktijk?
5. Hoe begrijpen en vertalen delinquente jongeren de politiek-filosofische uitgangspunten van het jeugdstrafrecht wanneer zij in aanraking komen met de jeugdstrafrechtpleging?

Research methods per subquestion:

1. Discourse Analysis > Narrative & cultural analysis
2. Discourse Analysis > Identifying & collecting Discursive practices
3. Discourse Analysis > Interpretative analysis
4. Semi-structured interviews > thematic analysis
5. Semi-structured interviews > thematic analysis

**4. Specify the research type and briefly describe the methodology, how the data will be collected, and the tools used for data collection, processing and analysis:**

For subquestions 1–3, only public data (parliamentary documents) is used. I focus on subquestions 4–5.

Data collection will be conducted through semi-structured interviews. Interviews with professionals in juvenile law will take place

online (via TEAMS). These interviews will be recorded, transcribed (with names replaced by pseudonyms), and, after approval and/or revisions by the respondent, coded and analyzed.

For respondents with experiences in the juvenile justice system, the same procedure will be followed, except that these interviews will be conducted in person.

**5. Are additional (financial or time) resources required for data management in this project?**

- No, I will use the services and resources provided by the EUR

**Preparation: Legal Arrangements and Policy**

**6. With whom will you need to make legal arrangements?**

- With research participants

**7. List the agreements that you will initiate and with whom will you make them.**

Who	Type of agreement
All respondents (+/- 36)	Informed Consent

**8. List the agreements or other data management policies that you need to uphold but did not initiate. If you are reusing existing data, list the terms of use under which you may re-use them.**

Who	Type	Version and Date
EUR	RDM policy EUR	Version 1.0 [August, 2020]
EUR	EUR IT Policy	Version 1.0 [13th July 2021]

**9. Do you need to obtain ethical approval for your research project?**

- Yes, I am preparing to submit my application

**10. If you have obtained ethical approval, list the reference number**

In preparation-phase

**During research: Collecting and analyzing**

**11. Specify what data you will be collecting and indicate format, estimated size, and whether this is data that you will be generating or existing data that you will be re-using.**

Type	Data Classification	Format	Estimated size	Generate or Re-use
Audio/Video-recorded interviews	Internal (back-up for transcript)	.mp4	app. 500MB	Generate

N.B. The .mp4 file of the youth's interview will be deleted after the supervisors have checked, based on the transcript, that the interview took place as intended.

**12. Will you be collecting or re-using (sensitive) personal data?**

- Yes - Personal data that is sensitive --> Consult your faculty's Privacy Officer

**13. If you collect or re-use (sensitive) personal data, how will you protect the privacy of participants?**

- I will pseudonymize the data

**14. Please elaborate on your anonymization/ pseudonymization plans. If you are working with multiple datasets, please specify which datasets will be anonymized and which will be pseudonymized.**

Data can be sensitive, as there is a possibility that both target groups may share personally identifiable information when illustrating their experiences with examples. To mitigate this risk:

- Data will be pseudonymized—each respondent will be assigned a unique code replacing direct identifiers (e.g., name, function, etc.). This code will be documented in a key-code log, which will be securely stored separately from the research data and encrypted.
- In the report, quotes will only be linked to participant categories (e.g., "a lawyer" or "a public prosecutor").
- A key-file will be maintained separately, linking participant identities to their assigned codes. This file will be securely stored and accessible only to the researcher and supervisors, and, if necessary, to authorized university staff. This allows for data verification and accuracy checks, while ensuring that the research data itself remains pseudonymized before publication.

**15. Will you be collecting or re-using non-personal sensitive data?**

- No

**16. Where will you store your data during the project? You can select multiple options.**

- EUR SURFdrive
- EUR SURF Yoda (preferred storage solution for research data)

All data will be stored on SURF Yoda, except for the key file (see Q14), which will be stored on SURFdrive

**18. What hardware and software do you use? Select all applicable options.**

- Private hardware [e.g. personal laptop, private external hard-drive]

**19. If you use private hardware, software, or freeware, please specify what and for what reason:**

I do not have an EUR laptop, so I am using my own device. This laptop is provided by **Halt** and meets a high security standard. I make use of the EUR applications that have been made available to me.

**20. Are regular backups made of your data?**

- Yes, I use only EUR supported tools (as listed in Q18), thus to a limited extent backups are made automatically

**21. Who manages access to the data?**

- Researcher responsible for research data management

Promoters also have access to the data folder.

**22. Who will have access to the data (during the project)?**

- Only researchers as indicated under 'Administration & Project description'

Me + supervisors

**23. How are you going to make sure your data will be accessible in case of staff changes, illness, etc?**

- Other (please specify in the additional information box).

I am the sole researcher utilizing the data. In the event of illness, the project will be delayed. For unforeseen circumstances, supervisors have been granted access to SURF-Yoda and SURF-Drive.

**24. Have you and your research team agreed on a way to name and order project folders and files?**

- Yes - I am working on the documentation

**25. Have you and your research team agreed on how to handle versioning of files?**

- Yes - I am working on the documentation

## **Research Publication: Data sharing and re-use**

**26. What data (and code) will be shared in a research data repository?**

- I cannot share the data (and code); I will share only the metadata and research materials

**27. Please specify why you are unable to share (all) data (and code)**

The interview-data is collected solely for this PhD project and will not be available for others.

**28. List the data (and code) that you plan to share in a research data repository. Also list the information / documentation / metadata that you will include to make the data package self-explanatory and re-usable in the future (for other researchers and yourself)**

The PhD manuscript will be placed in EDR, including a selected portion of the interviews, the questionnaires, and the codes used for

the thematic analysis.

**29. In which repository will you place the metadata, data, and/or code that are associated with your paper?**

- EUR Data Repository (EDR)

PhD-manuscript will be placed in EDR

**30. What metadata standard will you use to document your research?**

- DCMI [Dublin Core Metadata Initiative] (Note: Default within the EUR Data Repository)

**31. Will you place any restrictions on re-using the data you plan to share?**

- No

**34. Under what license will you make your data available for re-use?**

- Creative commons (e.g. CC0 or CC-BY, please specify in Q.29)

**35. Please specify which license**

CC-BY 4.0

## **After research: Archiving**

**36. You may be obliged to destroy some data before archiving. Do any of such obligations apply to you?**

- Yes - Other (please specify in the additional information box).

Personal data, such as contact details, will be deleted, while all personal data that form part of the research data shall be archived. I will follow the recommendation to retain raw data (audio recordings).

The standard retention period of 10 years, including for personal data, will be applied. This ensures that the raw data remains available for potential future reference if needed

**37. List the data and all documentation you will be archiving. These data constitute your archival package.**

<b>Data</b>	<b>Format</b>	<b>Size</b>
key file, to contact pseudonymized contacts	.ods	< 1MB
Raw data (recorded interviews)	.mp4	< 500MB per file
Transcripts	.odt	< 10MB per file
Coded fragments + Analysis	.ods	< 50MB
Informed consent Forms (signed)	.pdf	< 10MB
DMP	.pdf	< 10MB
Ethical review application & approval document	.pdf	< 10MB
Questionnaires	.pdf	< 10MB
Processed data (for PhD-manuscript)	.odt	< 1GB

### 38. Where will you be archiving your data?

- EUR Yoda Vault (EUR Archive) [retention period min. 10 years] --> You have reached the end of the DMP