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## Plan Overview

*A Data Management Plan created using DMPonline*

**Title:** Overcriminalisation and the Theory of Criminalisation in China: Theoretical and Socio-Legal Analyses

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**Template:** Dissertation template for UG and PGT projects

### Project abstract:

This study aims to develop a framework for understanding and explaining criminalisation in the Chinese context. To that end, the study is founded upon normative theories grounded in Anglo-American and Chinese jurisprudence and scholarship. It incorporates a socio-historical exploration of the role and function of criminalisation in the evolution of Chinese criminal law.

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### Copyright information:

The above plan creator(s) have agreed that others may use as much of the text of this plan as they would like in their own plans, and customise it as necessary. You do not need to credit the creator(s) as the source of the language used, but using any of the plan's text does not imply that the creator(s) endorse, or have any relationship to, your project or proposal

# Overcriminalisation and the Theory of Criminalisation in China: Theoretical and Socio-Legal Analyses

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## Dissertation DMP

### **In this project what, if any, data will be used from other sources?**

This study will use existing data, including a range of publicly available data reflecting the phenomenon of overcriminalisation in China, such as the rate of criminal offending, specific cases of suspected unjust or disproportionate punishment, the incarcerated population, the number of criminal offences in China and the scale of their growth. In order to obtain these data, this study relies on publicly available, highly reliable and highly cited data from the Chinese government and international organisations. Therefore, this study does not require a special application to use these data and allows for reuse and redistribution of these data.

### **What types of data will be collected or created? What formats will these be in, and what is the estimated volume of data?**

This study is not an empirical study and therefore does not generate or create data.

### **Where will the data be stored and backed up? Who will need access?**

This study will use Zerto to store and back up existing data for access by the researcher himself and reviewers.

### **Describe the procedures for quality assurance that will be carried out on the data collected at the time of data collection, data entry, digitisation and data checking.**

There is no procedures for quality assurance throughout the research. This is because this study does not involve data generation and creation, as well as procedural requirements such as measuring instruments, duplicate sample measurements, or data entry validation techniques.

### **Outline your plans for preparing, organising and documenting data. What file/folder structure will be used to keep the data organised? What documentation and metadata will be needed to understand the data as you work on it, and in the future?**

In this study, the existing data will be documented using Zerto and categorised in the 'Chinese Criminal Law Literature and Data' section.

### **What are the ethical considerations for handling the data? Outline how any ethical**

**considerations will factor into your plan to manage the data, in both the short and long term.**

In the early days of the People's Republic of China (before 1979), the criminal law and its enforcement were in an era of great confusion. Citing some of the cases from this period may reveal the privacy of the convicted person's name, job, offence, and address of residence at that time. Given the presence of such information in official judgements, this study will be cautious about citing cases at that stage and will respect the privacy of the parties to the case, such as their names and places of residence, where it is really necessary to cite them.

**State who will own the copyright and IPR of any new data that you will generate, and the terms of use for the data you are re-using.**

Given that the data used in this study are publicly available, the study does not have any copyright rights in the data themselves. The researcher, as well as the China Scholarship Council (if follow-up funding is provided), owns the copyright to the way the data are used, described and expounded upon.

**What will happen to the data at the end of the project?**

The data will be documented in the doctoral thesis.