

Whose data is it, anyway?

Qualitative criminology, prisons, and the Open Research agenda

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Abstract Recent years have seen increasing pressure from funders and publishers for researchers to share their data openly. While the underlying aims of reproducibility and transparency are laudable, they create particular challenges for qualitative researchers, whose work emerges from relationships of trust and contains sensitive personal information. This talk examines these tensions through the lens of prison research, where issues of confidentiality, consent, and institutional power are especially sharply drawn. Drawing on examples, the talk develops broader insights about the nature of qualitative data and its relationship to research openness. It describes an alternative framework for conceptualising qualitative data as Dialogic, Emergent, Abundant and Relational (DEAR, see Westbury *et al.* 2022), and suggests that this offers a more productive angle on the underlying question (transparency) than alternatives. A recent debate in US criminology is referenced to illustrate how academic disciplines might engage constructively with this underlying issue. The talk concludes by reflecting on how qualitative researchers might reconcile the demands of the open research agenda with the integrity of their methodological and ethical approach.

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Setting the scene

Setting the scene

- A colleague's dilemma
- Open [Research/Access/Data]: brief definitions
- Prison research as a lens

What do we mean by 'openness'?

Three key concepts:

Open Research

"the idea that scientific knowledge of all kinds should be openly shared as early as it is practical in the discovery process" (Nielsen n.d.)

Open Access

- Simply: make research outputs freely available (\neq paywall)
- Publicly-funded = belongs to/available to the public

Open Data

Claims about the relationship between research data and transparency, involving:

- Norms re publication—of data, analytical procedures, etc.
- Promotion of data curation frameworks (FAIR, CARE, CORE, etc.)

Prison research as analytical lens

...

Three key tensions:

1. Transparency/credibility vs. confidentiality/safeguarding
2. Formal governance vs. informal reality
3. Participant autonomy vs. institutional control

For more depth, see Jarman (2020), Jarman (2021).

Frameworks for understanding 'openness'

FAIR

Data should be curated, published, and managed so as to be:

- Findable
- Accessible
- Interoperable
- Reusable

See Wilkinson *et al.* (2016). Alternatives to FAIR exist for the humanities (CORE¹, see Gilby *et al.*, 2022) and data derived from indigenous knowledge (CARE², see UNESCO, 2021). I am not aware of alternatives for the qualitative social sciences.

DEAR

Dialogic

- Knowledge through interaction
- Trust and relationship-dependent
- Implications for consent

Emergent

- Non-linear development
- Context-dependent insights
- Implications for interpretation

Abundant

- Rich, detailed data
- Complex anonymisation needs
- Resource implications

Relational

- Web of relationships
- Meaning in context
- Stewardship not ownership

Cambridge working group report: Westbury *et al.* (2022).

Example of a current debate

Recent developments in US criminology:

- *Criminology* journal – following policy changes (White House Office of Science and Technology Policy (OSTP) 2022)
- Debate over qualitative data sharing
- Emerging constructive responses

Key contributions described in this section: Bucerius & Copes (2024), Greene-Colozzi & Freilich (2024), Young (2024), La Vigne (2025), Jacques & Wheeler (2024), Dickinson (2024)

Ways forward?

‘Re-renderability’

An alternative framing to reproducibility, used alongside (or, as appropriate, in place of) data publication:

- More transparent analytical processes
- Better documented interpretive approaches
- Rich contextual documentation

¹Collected, Organised, Recontextualised and Explained

²Collective benefit, Authority to control, Responsibility and Ethics

Sheffield report: Hanchard & San Roman Pineda (2023).

Support for implementation

What do we need from research institutions?

- Technical infrastructure
- Resource allocation
- Time recognition
- Disciplinary development space

NB: These have implications for funders, research organisations, learned societies, etc.

Key messages

1. Underlying shifts are already underway
2. Constructive engagement or...?
3. From ownership to stewardship
4. Value of practical, grounded intradisciplinary debate

NB: UKRI (2024) is developing new policies on data management, which may adopt recommendations by Allanson *et al.* (2024), commissioned by ESRC. Some of the latter recognise some of the issues raised today.

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