

### **Long Abstract – Monographic Section**

#### **INVESTING IN THE SOCIAL REINTEGRATION CARE FOR DETAINEES: TRENDS AND NEW PERSPECTIVES OF THE ITALIAN WELFARE SYSTEM**

*edited by Alberto Pesce e Veronica Valenti*

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*“Beyond Binary: The Challenges Faced by Transgender Individuals in Italian Correctional Facilities, Present Realities, and Future Prospects”.*

Lluís Francesc Peris Cancio and Francesca Farruggia

The article explores the systemic and structural challenges faced by transgender individuals within the Italian penitentiary system. It critically examines how entrenched binary frameworks of gender and outdated institutional norms lead to widespread marginalization, rights violations, and an exacerbation of vulnerability for transgender inmates. By providing a sociological perspective, the paper contextualizes these issues within both national and international frameworks, highlighting significant gaps in policy and practice while proposing pathways for reform.

The Italian prison system, like many others globally, has historically been organized around binary notions of gender. This structure fails to adequately account for or address the specific needs and experiences of transgender individuals. The rigid categorization of inmates based on sex assigned at birth often clashes with the lived realities of transgender prisoners, resulting in inappropriate placements, heightened risks of abuse, and systemic invisibilities. Despite efforts to modernize the penitentiary system, including the 2018 Orlando Reform - which explicitly prohibits discrimination based on sex, gender identity, and sexual orientation - implementation remains inconsistent and largely superficial. Access to essential healthcare services, such as hormone therapy and psychological support, remains sporadic, and prison staff frequently lack adequate training to understand and address the complexities of gender identity.

The article examines specific measures adopted in Italy, such as the establishment of specialized sections for transgender inmates in facilities like Como, Belluno, and Rebibbia. These sections aim to provide safer environments, offering access to medical care, social activities, and educational opportunities. However, these initiatives often lead to social isolation and reduced participation in broader rehabilitation programs, effectively creating a "prison within a prison" for transgender individuals. The article underscores the double marginalization faced by these inmates: as a gender minority and as a segregated group within the penitentiary system.

Drawing on international comparisons, the article contrasts the Italian approach with practices in other countries. For instance, the UK and Spain have implemented policies that prioritize gender identity in housing decisions and offer comprehensive medical support. The U.S. has also made strides in this area, with policies ensuring case-by-case evaluations, access to gender-

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affirming treatments, and mandatory staff training. These examples highlight the potential

for more inclusive frameworks that align with international human rights standards, such as the Yogyakarta Principles.

The article highlights the urgent need for targeted interventions, including the development of intersectional training programs for prison staff that address gender identity, socioeconomic status, and cultural backgrounds. Such initiatives could foster greater empathy, reduce prejudice, and align practices with constitutional guarantees of dignity and equality.

The paper concludes by advocating for a transformative approach to the treatment of transgender individuals in detention. This includes prioritizing their safety and dignity, ensuring access to necessary medical and psychological care, and promoting their inclusion in rehabilitation and reintegration programs. Addressing these issues requires a shift from reactive, ad-hoc measures to proactive, systemic reforms that embrace the complexity of gender diversity.

By doing so, the Italian penitentiary system could not only improve conditions for transgender inmates but also set an example for inclusive and equitable practices in correctional facilities worldwide.

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