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Title of presentation: Upholding Respect and Dignity? A Comparative Critical Analysis of Transgender Inmate Policy

Abstract

Progression has been made towards transgender inclusivity in social spaces; however, criminalized transgender folk have not reaped the benefits. Since the 2017 enactment of Bill C-16, adding “gender identity or expression” as a protected ground in the Canadian Human Rights Act (1985), the Correctional Service of Canada has lacked solidarity in transgender inmate policy. This study employs a comparative analysis, drawing upon transgender inmate policies in the UK and Australia to inform CSC’s policy. This is done through a Queer criminological and critical legal scope to go beyond critical assessment to promoting substantive equality. Expected themes include a “respect and dignity” principle targeting the unique care transgender offenders require, the medical model the policies employ, and mentions of potential security risks. Likely policy recommendations include further assessment of violence transgender inmates face to uphold “respect and dignity,” criticisms of the medical model, and balancing security of all incarcerated people.