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Trans architecture and the prison as archive: “don’t be a queen and you won’t be arrested”

Tait Sanders¹, Jessica Gildersleeve², Sherree Halliwell³, Carol du Plessis⁴, Kirsty A Clark⁵, Jaclyn MW Hughto⁶, Amy B Mullens⁷, Tania M Phillips⁸, Kirstie Daken⁹, Annette Brömdal¹⁰

¹School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

²School of Humanities and Communication, Faculty of Business, Education, Law and Arts, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

³School of Humanities and Communication, Faculty of Business, Education, Law and Arts, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

⁴School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

⁵Department of Medicine, Health & Society, Vanderbilt University, Tennessee, USA

⁶Departments of Behavioral and Social Sciences and Epidemiology, Brown School of Public Health, Centre for Health Equity Research, Brown University, Rhode Island, USA

⁷School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

⁸School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

⁹School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

¹⁰School of Education, Faculty of Business, Education, Law and Arts, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Australia

Abstract

Most incarceration settings around the world are governed by strong cisnormative policies, architectures, and social expectations that segregate according to a person’s legal gender (i.e. male or female). This paper draws on the lived experiences of 24 formerly incarcerated trans women in Australia and the U.S. to elucidate the way in which the prison functions according to Lucas Crawford’s theory of trans architecture, alongside Jacques Derrida’s notion of archive fever. The paper displays how the cisnormative archive of the justice system and its architectural constructs

Corresponding author(s): Tait Sanders, School of Psychology and Wellbeing, Faculty of Health, Engineering and Sciences, Centre for Health Research, Institute for Resilient Regions, University of Southern Queensland, Ipswich, Queensland, 4305, Australia. tait.sanders@usq.edu.au.

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impact trans women in men's incarceration settings, including how trans women entering the incarceration setting are able to embody gender in a way that is not reified by the insistences of those normative structures. In light of this, this paper advances a theoretical understanding of the prison as an archive and as an architectural construct, providing a new means of understanding how incarcerated trans persons may use and perform gender to survive carceral violence.

Keywords

trans women; incarceration; prison; archive fever; trans architecture

Introduction

Incarceration settings around the world are generally segregated by sex assigned at birth (i.e. male or female). This setting often prioritizes notions of safety and security over supporting the overall health and rights of incarcerated trans persons, resulting in trans women who have not legally affirmed gender being housed in men's settings (Brömdal et al., 2019a; Brömdal et al., 2019b; Hughto et al., 2022; Redcay et al., 2020; Van Hout et al., 2020; White Hughto et al., 2018).¹ The limited research exploring the lived experiences of incarcerated trans women has been predominantly conducted within the North American context (Brömdal et al., 2019a; Brömdal et al., 2019b; Van Hout et al., 2020), including two recent studies exploring how heteronormative policies and hypermasculine culture and practices in men's incarceration settings disrupt trans women's embodiment and lived experiences of their trans-ness while incarcerated (Rosenberg and Oswin, 2015; Rosenberg, 2017). Notably, Rosenberg and Oswin (2015) propose a trans geographical view focused on trans women's experiences of embodiment in hypermasculine incarceration settings. Rosenberg (2017) has since observed that carceral policies that limit or deny access to transition (e.g. gender-affirming hormones and/or surgeries) produce potentially traumatic disruptions to a coherent temporality predicated on the notion of a heteronormative progression of time. This paper extends these explorations of trans women's embodiment in men's incarceration settings to show how physical carceral spaces and supporting cisnormative rules, or expectations, also disrupt trans embodiment and temporality. Paradoxically, however, they are simultaneously used by incarcerated trans women to expose and destabilize these institutional structures.

The authors of this paper are trans rights and health scholars including trans people with lived experience of incarceration from Australia and the U.S. focused on alleviating injustices, and acknowledge the scholarship of other trans scholars, activists/advocates, and prison abolitionists that have similarly sought to campaign to effect social change (Stanley *et al.*, 2012; Stanley and Smith, 2015). This perspective guides the authors' understanding and framing of trans women's incarceration and embodiment experiences. From this position, this paper draws on the lived experiences of 24 formerly incarcerated trans women housed in men's settings in Australia and the U.S. This cross-national analysis

¹By "legally affirmed gender" we refer to changing the gender marker on legal documents such that it matches a person's current gender. In most U.S. and Australian states genital-based gender-affirming surgery (GAS) are required in order to legally recognize a person's gender. Similarly, many carceral policies across these Nations align with this broader cisnormative mandate by locating trans women who have not legally affirmed their gender in prisons for men.

elucidates the ways the prison functions according to Lucas Crawford's (2010) theory of *trans architecture* and Jacques Derrida's notion of *archive fever* (1995), highlighting the similarities of experience, policy, and management of incarcerated trans women across the two continents.² More specifically, this paper seeks to critically analyze the manner in which a strong cisnormative prison archive and its accompanying architecture affect trans women's embodiment, experiences and enactment of their (trans)gender while incarcerated in men's settings. By the same token, this paper elucidates how trans women's presence in men's carceral settings disturbs and disrupts the demands of those cisnormative structures. The term "architecture" articulates the tangible elements of the prison as an archive or keeping place, such as cells, yards, blocks, showers, walls, substances and items used to express identity (e.g. makeup, clothing), human bodies; its intangible aspects, including laws and archons that inscribe spaces, and produce both affect and the manipulation of inscribed spaces; and trans architecture (Crawford, 2010) as a framework to discuss inhabitation of the trans body.

This paper thus considers the ways in which the incarceration setting works as an archive of public memory, cultural memory, and legal memory, and the damaging implications these cisnormative memories have on trans women. Because the nature of an archive is to be static, inflexible, and immovable, the prison archive is reluctant to change or to accommodate anything outside its strict cisnormative rules (Derrida and Prenowitz, 1995). As such, this analysis offers insights into how trans women entering the incarceration setting embody (trans)gender in a way that is not reified by the insurances of such structures. Theoretically, trans architecture offers a new frame to understand how incarcerated trans persons may use and enact gender within the considerable limitations of carceral settings, including how it may offer innovative ways of recognizing and affirming the trans incarcerated person. Combined, these concepts provide an original contribution to the theoretical trans and incarceration studies landscape and shed new light on the detrimental nature of the cisnormative frame underpinning similar Western incarceration settings.

We begin this paper with a brief review of the current literature, contextualizing some of the contemporary lived carceral experiences of trans persons, especially in relation to settings that customarily segregate by sex assigned at birth rather than by so-called gender identity (Crawford, 2010). We then outline the paper's theoretical frameworks and methods, followed by a thematic analysis of 24 formerly incarcerated trans women's lived experiences of navigating (trans)gender while housed and governed by cisnormative systems in Australia and the U.S. We end the paper with potential paths forward to understanding how incarceration settings and their discourses affect incarcerated trans embodiment, experiences, and expressions.

²-Derrida's notion of archive fever describes the desire to store objects of individual or cultural memory in order to guard against their erasure, while simultaneously experiencing the fear that such a collection is at risk of destruction. This paper thus adopts the concept of the archive to describe the way in which conceptualizations of 'trans' (individual, social, cultural, legal and so on, whether true or false) are coded or stored as static expectations or rules of identity and behavior.

Lived experiences of trans incarceration

Biased policies effecting human rights abuses

Trans people incarcerated in Australia and the U.S. experience varying degrees of human rights abuses primarily incurred due to discriminatory cisnormative incarceration policies (Brömdal et al., 2019a; Clark et al., 2022; Rosenberg and Oswin, 2015: 8; Van Hout and Crowley, 2021). In practice, policies dictate that trans women who have not had genital-based gender-affirmation surgery (e.g. vaginoplasty, orchiectomy) be incarcerated in a men's prison, typically accommodated in a single occupancy cell or protected areas such as administrative segregation or solitary confinement (Federal Bureau of Prisons, 2018; Queensland Corrective Services, 2021). These housing policies commonly result in experiences of psychological distress and verbal, physical, and sexual abuse (Brömdal et al., 2019a; Brömdal et al., 2019b; Ledesma and Ford, 2020; Lydon *et al.*, 2015; Malkin and DeJong, 2018; Markshamer and Harper, 2014; National Center for Transgender Equality, 2018; Phillips *et al.*, 2020; Redcay et al., 2020; Tadros et al., 2020; Van Hout et al., 2020; White Hughto *et al.*, 2018). Furthermore, incarcerated trans women frequently report a lack of access to gender-affirming health care (e.g. hormones and surgeries) and personal items (e.g. hair products, cosmetics, clothing) (Brömdal et al., 2019b; Clark et al., 2017; Lynch and Bartels, 2017; Ricciardelli et al., 2020; Rosenberg and Oswin, 2015; Rosenberg, 2017; Tadros et al., 2020; White Hughto *et al.*, 2018; Wilson et al., 2017). In addition, some trans women have disclosed they were “forced to cut their nails ... [and] hair,” and were not permitted to shave (Rosenberg and Oswin, 2015: 8). These policies enforce attitudes and practices of discrimination, and bias and have been shown to negatively impact trans women's mental health and wellbeing, as well as increase the risk of self-harm and attempted suicide (Bartels and Lynch, 2017; Ledesma and Ford, 2020; Phillips *et al.*, 2020; Roffee, 2018; Vitulli, 2016).

Understanding incarcerated trans bodies

In addition to cisnormative policies, incarcerated trans women are commonly denied gender-recognition by corrections officers and other incarcerated individuals, enacted through misgendering (e.g. incorrect use of pronouns) and misnaming (e.g. use of a person's birth name as opposed to chosen name) (Brömdal et al., 2019b; Clark et al., 2017; Halliwell *et al.*, 2022; Lydon *et al.*, 2015; National Center for Transgender Equality, 2018; Tadros et al., 2020; Van Hout et al., 2020; White Hughto *et al.*, 2018). Cisnormative policies, practices and a hypermasculine carceral culture constrain incarcerated trans persons' embodiment of gender, constructing particular and normative ways of knowing trans (Jenness and Fenstermaker, 2014; Jenness and Gerlinger, 2020; Musto, 2019; Oparah, 2012; Pemberton, 2013; Robinson, 2011; Rodgers et al., 2017; Rosenberg and Oswin, 2015; Rosenberg, 2017; Smith, 2014; White Hughto *et al.*, 2018; Wilson et al., 2017).

Aside from cisnormative binaries such as “male” and “female,” other exaggerated versions of gender including “hypermasculinity” (Rosenberg and Oswin, 2015: 1; Rosenberg, 2017: 80; Sumner and Sexton, 2015: 16) and “hyperfeminin[ity]” (Jenness and Gerlinger, 2020: 199) are enacted in the incarceration setting. Within a binary gendered system, trans women are allotted a hyperfeminized gendered space – a feminized form of normative gender

construct. Here, Jenness and Fenstermaker (2014) found that feminine appearances and being perceived as female or the “real deal” (2014: 13) is the only acceptable form of gender expression for trans women in men’s carceral settings. Concurrently, incarcerated trans women are also identified, recognized, and temporalized by their sex assigned at birth, a process referred to by incarcerated trans women as being “clocked” (Jenness and Fenstermaker, 2014: 14; Rosenberg, 2017). It follows that trans as a feminine, and arguably heterosexual construct, is normalized and privileged in men’s incarceration setting and at the same time accompanied by unwanted attention including sexual assault/harassment and myriad forms of physiological and psychological violence (Hughto et al., 2022; Jenness and Gerlinger, 2020; Rosenberg and Oswin, 2015; Sexton and Jenness, 2016). Rosenberg and Oswin found that even the many resourceful ways that trans women managed to embody “feminine agency and gender expression” (2015: 11), they did not topple the hegemonic hypermasculine carceral system. From this precarious place, incarcerated trans women must navigate their trans embodiment and the reach of hyperfemininity, and sex assigned at birth. For some trans women this means choosing not to take hormones and instead present as masculine and male (Brömdal *et al.*, 2022; White Hughto *et al.*, 2018). This choice may appear to be self-limiting of trans women’s expression of trans-ness but can also be considered to be agentic as a way to avoid conflict, harm, and disruption (Rosenberg and Oswin, 2015). Bolstering these subversive efforts and developing bonds with other incarcerated trans women have also been found to play a key role in trans women affirming their transfeminine embodiment. Considering that restricted access to techniques of transition (e.g. gender-affirming hormones, surgeries) are an “effective tool to punish, control, homogenize and normalize bodies” (Rosenberg, 2017: 79) within incarceration settings, the ability to imagine a present and future trans embodiment is crucial for trans women’s survival in these settings (Rosenberg, 2017). Situated within this complex cisnormative incarceration landscape, there is a need to contextualize the architectural components of the prison archive that frame the inscription and embodiment of trans women’s gender, including the ways trans women subvert these archival spaces, and their instruments.

Theoretical framework

Regarding positionality (see further in Authors’ positionality section), our authorship includes both trans and cis people with lived experiences of being incarcerated and we are engaged in academic advocacy about trans incarceration to effect social change. Collectively, these contributed to the use of a trans paradigm that positions the embodied experiences of the subject (e.g. trans person) as being required to gain knowledge of the subject (e.g. incarceration) (Stryker, 2006). Similar to that of other trans scholars, activist/advocates, and prison abolitionists campaigning for social change in the trans carceral space (Stanley *et al.*, 2012; Stanley and Smith, 2015), the centering of this embodied and local knowledge, we suggest, are key to the critical conceptualization of the architecture of the prison and its impacts upon the figuration, and freedoms of the trans body. Collectively, this informs our understanding of the ways the built monument functions as an archive of heteronormative and cisnormative values. Further, these centered knowledges combined with the theoretical frameworks used within this paper, extend the existing conversation

about trans incarceration by highlighting the epistemic justification used in the current carceral landscape and enacted by its archons – that cisgender is the only one, true, real, and valuable way to be gendered. Further justified, cisgender is believed to be the *origin* and any deviation or departure from this point is assumed to be false, abnormal, must be reshaped, constrained, and even punished. This analysis pokes holes in the logic and beliefs of the carceral system creating spaces for change to the ways we think about trans and enact carceral policies and practices.

Since the archive is “the house of law,” (Baker, 2016: 1) describing simultaneously an architectural space, the documents it houses, and those within it who monitor and uphold the values and systems of the archive, the prison archive consists of several architectural components (Derrida and Prenowitz, 1995). The incarceration setting, as a building, or a series of buildings, or as a global and historical concept, is both an expression and a symbol of the enactment of the law – of punishment and justice. Its function is to house those who transgress the law, to separate them – archive them – from the orderliness of civilization and its citizens. In this way, the law hopes to quarantine the spread of the fevered disease of crime while simultaneously upholding the archive, the grand narrative of the law.

One might assume, then, that the carceral setting would become a site of lawlessness, of people operating outside the law. However, the incarceration setting as archive is also upheld by its documentation (as the sign of the rule of law) and what Derrida calls its “archons” (Derrida and Prenowitz, 1995), in the form of both correctional officers/staff and incarcerated persons themselves. This applies not just to the internalization of the surveillance and expectations of the prison but to the strict enforcement of gendered expectations according to cisnormative policies and paradigms (Pemberton, 2013). As such, the carceral setting comes to function as a hyperexpression of conservatism – that is, not necessarily the law as it actually stands, and which functions to protect the rights and privileges of individual bodies, but what we might term a ‘shadow law’ primarily concerned with upholding a conservative value system built around a cisnormative paradigm. That is, “policies of sex segregation in ... prison systems ... contribute to the construction and naturalization of these categories, with negative consequences for transgender ... people” (Pemberton, 2013: 152).

Just as Jean-François Lyotard’s grand narratives constitute an archive of hegemonic discourse (Arvatu, 2011), and social memory is “forcefully and publicly enshrined ... in the built monument” (Kleinman, 2001: 321), so too the carceral setting comes to stand as an archive of assumed or performed authority, rather than a legitimate mirror and symbol of the law. As H.A. Baker Jr. (2016: 1) makes clear, the archive exists because of “the inadequacy of memory”: it is “the masquerade and buttress of a putatively reliable memory.” Yet it is precisely because it functions to stand in for memory that the archive is called upon to “feig[n] truth and proclai[m] past events as documented when they are frequently no more than shadowy subjunctives and floating counterfactuals” (Baker, 2016: 1).

Derrida begins *Archive Fever* with an examination of the etymology, the archive of the term itself.

Ark, we recall, names at once the *commencement* and the *commandment* ... *there* where things *commence* ... *there* where men and gods *command*, *there* where authority, social order are exercised, *in this place* from which *order* is given – nomological principle ... [T]he meaning of “archive,” its only meaning, comes to it from the Greek *arkheion*: initially a house, a domicile, an address, the residence of the superior magistrates, the *archons*, those who commanded. The citizens who thus held and signified political power were considered to possess the right to make or to represent the law ... They have the power to interpret the archives ... they recall the law and call on or impose the law.

(Derrida and Prenowitz 1995: 9–10)

The archive, therefore, is the site at which the rule of law commences, where the word of law begins. The archive and its guardians, the archons, constitute both the source and the enactment of “authority, social order” (1995: 24). In the architecture of the incarceration setting as archive, both tangible and intangible, the “notion” or “impression” of the archive comes into being, moves beyond the shadow, “the shifting figure” or “schema”, and takes full effect (1995: 24). Those who disrupt the security work of the archive bear the brunt of its disapproval at best, its punishment and expulsion at worst (1995: 24).

Within the prison, the trans person disrupts, operates outside of, operates in spite of, the cisheteronormative rule of law upheld by the prison archive. Because of this, trans people “are inherently [setup and perceived to be] a threat to the prison as an institution, which is historically predicated on cisheteronormative forces” (Zurn, 2019: 671). In one sense, the trans person literally has no place, since the carceral setting itself is built upon cisheteronormative gendered systems, with one prison for men who meet the legal requirements to be deemed men, and another for women who do not. In another sense, the architecture of the prison archive reifies trans by demanding an origin (Derrida and Prenowitz, 1995: 57) – the sex assigned at birth, or the root of cisheteronormative rule of law. This reification produces a stable trans identity, a fixed abode upon which the *archons* exercise their law (Crawford, 2010). “Clocking,” a term used to describe when a trans person is proclaimed to be the gender indicated by the sex assigned at birth (Jenness and Fenstermaker, 2014: 14; Rosenberg, 2017), is a key architectural component, a panacea of punishment and a display of the full discursive might of cisheteronormative law. Being “clocked” produces this stable trans identity through disclosing the root of law (male); trans women are terminally and dangerously relegated as Other (not male) and at the same time definitively trans (but not women) in a men’s carceral setting.

The feverish, disruptive potential of the trans body can also be harnessed as a means of combatting those systems of the prison as an archive of a shadow or false law upheld, and instead work to restore the “real” enactment of a law based on ethical consideration of the Other.³ This type of “archival intervention” can be equated with “reading darkness” (Baker, 2016: 2) – with recognizing the experiences of those cast aside or forgotten by

³By ‘shadow or false law’ we mean ‘assumed laws’; that is, the social rules, expectations, misinterpretations, or enactments which trail laws as they are written. For instance, as this article makes clear, although trans people are (in some but not all instances) to be treated equitably in the incarceration system according to the letter of the law, this does not necessarily translate to equitable treatment in practice.

false laws enacted within the incarceration system. Crawford's (2010; 2020) concept of trans architecture is one such intervention. Trans architecture destabilizes trans-ness by envisioning gendered embodiment without ownership, and outside false laws. Rather than the root, beginning, or start of the trans body located in a gendered point (e.g. girl, woman, boy or man), Crawford's trans architecture positions trans within myriad gendered presents and futures undefined by cisnormative gendered constructions. Built on an aesthetic/ethic/action defined as *transing*, Crawford's framework provides an unhinged gendered realm to which the trans body belongs:

Transing [as] an aesthetic operation does not entail a move from one gender or materiality to another (or one gender to ambiguity) but instead to the very ubiquity of constant transformation for all. In this sense, the figure of "transing" (like queering) does not "add" trans to something non-trans, but instead draws out the always-already trans quality of materiality.

(2020: 14)

The trans body in this sense is fluidly temporal, not held captive interior to the subject and within a cisnormative concept of home. This is not to say that the lived experience of trans persons incarcerated in prisons for men is a comfortable abode, but rather provides a tool to conceptualize how gender is embodied and inscribed by the carceral archive and highlights "ways of short-circuiting the spatial systems [carceral policies] that would exclude us" (Crawford, 2020: 2). As such, this analysis builds on Rosenberg's (2017) work on trans temporality in relation to carceral policy that refuses access to transition and "invites several gendered pasts into a body's present, and places these temporalities in conversation with varying futures as the body's potential" (2017: 74). More specifically, drawing on Crawford's notion of trans *architecture* and Derrida's notion of the *archive* combined, disrupts the very realist ontology of gender underpinning carceral frameworks used to define an incarcerated trans normativity, and in doing so seeks to empower incarcerated trans women albeit within carceral constraints.

Methods

Authors' positionality

This paper forms part of a larger body of scholarship (Brömdal *et al.*, 2022; Clark *et al.*, 2022; Halliwell *et al.*, 2022; Hughto *et al.*, 2022) focusing on the discriminatory and often inhumane policies and practices governing incarcerated trans persons in Australia and the U.S. The data selection and theoretical framing for this particular paper were developed by the lead author, a trans person with experience of incarceration, conjointly with cis scholars from various scholarly disciplines, racial and ethnic identities (North African, White European descent, and White Australian descent), sexual orientations, and diverse class backgrounds. As a White trans researcher, the lead author was cognizant of how their Whiteness and academic position privileged their knowledge and both enabled and guided the research processes. Adjointly, having been previously incarcerated, the lead author had an intimate understanding of how carceral systems effectively corrode a sense of self by devaluing, disregarding and even penalizing local subjectivity. This lived experience of incarceration also made clear the very importance of acknowledging and

need to celebrate the ways incarcerated trans people, against monumentally destructive and intrinsically transphobic forces, manage to survive the everyday while incarcerated, and beyond.

Recruitment, participants, and method of analysis

In Australia and the U.S. housing policies differ by state and carceral setting ranging from trans women being housed in their own cell, in protective or administrative custody, in cells with trans women and/or gay men, or in cells with cis gender men among other configurations. Regarding this critical analysis, two sets of interviews with formerly incarcerated, self-identified trans women who had been incarcerated in prisons for men from various states within the U.S and Queensland, Australia are featured: 1) a study with four trans women conducted in Australia in 2018–2019 as part of a research project funded by the HIV Foundation Queensland; and 2) a study with 20 trans women conducted in the U.S. in 2015 as part of the Yale Fund for Gay and Lesbian Studies.

Both cohorts of trans women engaged in semi-structured interviews (interview questions were developed in consultation with trans, sexual health and corrective services stakeholders) and were recruited through multiple purposive sampling strategies, including posting paper and electronic recruitment flyers at community organizations and trans-specific websites and list-servs. Participants were aged 18 years and older; self-identified as a trans woman, or female, or on the transfeminine or male-to-female spectrum; were assigned a male gender at birth; had not legally affirmed gender; had been incarcerated at least once in Queensland, Australia or in a New England state (Massachusetts, Rhode Island, Connecticut, and Maine – US) men’s watch house, jail, or prison (henceforth referred to as incarceration / carceral setting); and had been incarcerated within the past five years for three days or more. Of the U.S. participants, 70% were trans women of color including Black/African American, Latinx, or mixed race, whereas 75% of participants in Australia were Australian First Nations peoples.

Prior to the interviews, the interviewers declared their positionality including the research project’s aims. After providing informed consent, participants engaged in deeply humanizing conversation with the interviewers, retrospectively exploring their experiences of being trans women incarcerated in men’s carceral settings with a particular focus on the effects and affects of policies and their enforcement. These authors were offered access to immensely rich, deeply sensitive, and varied stories of incarceration by the individual participants. The one-on-one, in-depth interviews lasted between 45 and 120 min and were conducted by AB and TP in Australia, and by JWH in the U.S (ciswomen of varying sexualities and ethnic backgrounds). The interviews were audio-recorded and transcribed verbatim. To protect anonymity, participant names were anonymized, and participants received a gift card as compensation for their time. Both research projects were approved by their respective university’s ethics boards – University of Southern Queensland’s Human Research Ethics Committee (H17REA147), and by the Fenway Health (Institutional Review Board of record) and the Yale University Institutional Review Board (Project ID 734437–1).

To make meaning of these trans women’s incarceration experiences, the data was analyzed as one large set of data due to the similar aim of both nations’ research projects seeking to

better understand the lived experiences of trans women incarcerated in men's settings, and comparable interview questions, including similar sexual abstinence-enforcing policies, and cis and gender normative carceral policies (when seeking to house trans women who have not undergone legal processes to gender affirm) used in both geographical settings. Had a larger sample of Australian participants been available, a comparative analysis of the two cross-National populations, highlighting similarities and differences, could have been undertaken, including an increased presence of their voices, and lived experiences across the analysis and discussion. In light of this limitation, this paper uses Braun and Clarke's thematic analysis in "generating" and "defining" themes (2019: 593), who encourage scholars to do so according to their revised six-step guide.⁴ The six phases were related flexibly and informed by Derrida's *archive fever* and Crawford's *trans architecture*, and chronologically applied with the end goal of capturing the "uniting idea" of a theme (Braun and Clarke, 2019: 593). As a result, the thematic analysis yielded three major themes concerned with the occupation of the incarceration space: 1) Rules of law/the archive and those who uphold them (*archons*); 2) Spaces and affect – how spaces influence trans women, mood, and responses; and 3) Manipulation of spaces – how trans women reinscribe spaces as survivable.

Analysis and discussion

An architecture of the cisnormative prison and its archive is articulated by three major themes identified from the interviews. These describe trans women's experiences of men's incarceration settings and the enactment of the cisnormative rule of law through its archons and its spaces, and how both can be manipulated by trans women to protect and value their own identity structures, and personal and emotional safety.

Rules of law/the archive and those who uphold them (archons)

The binary structures of the prison archive and its documentation demand an origin for each incarcerated person's gender (i.e. sex assigned at birth). However, a trans architecture allows the trans body to begin without cisnormativity, to begin again or to never begin, and recognizes the insistence of an origin to be a function of the archive itself (Crawford, 2010). The pursuit of an origin in the prison archive is supported by rules detailing the storage and availability of items (particularly medication, or items of personal care), and who has access to them. Such rules of law are interpreted and enforced by a variety of *archons* both internal and external to the carceral setting. Internal *archons* are employed within the incarceration setting to function in the capacity of "the state people who decide this stuff" (Taylor; U.S.), that is: wardens or Chief Executive Officers; correctional officers or guards; and nursing and other medical and mental health and wellbeing staff such as doctors, counselors, and psychologists. However, this also extends in an *ad hoc* manner to other incarcerated persons who take it upon themselves to police the behavior of others. External *archons*, such as police and medical policy enforcers (e.g. psychiatrists), extend the archive beyond the incarceration setting to a transcarceral plane. Imbued with the authority of the law, *archons* exercise their might by "consigning through gathering together signs" (Derrida

⁴Consisting of familiarizing yourself with your data; generating initial codes; generating (initial) themes; reviewing themes; defining and naming themes; and producing the report (Braun and Clarke 2019: 593).

and Prenowitz, 1995: 10) that reiterate a legitimized incarcerated gender configuration. As Elle (U.S.) describes her experience of prison guards, “I-I can’t say they’re neither good nor bad. They’re very by the book.” To work “by the book” or, we might say, according to an archival user manual, means that *archons* are instructed how to gather specific signs and organize them so that they formulate recognizable gender structures.

Policies such as those dictating that trans women be incarcerated in men’s settings are another example of the archive’s cisnormative paradigm, asserting that trans individuals have a “true” origin determined by their genitalia and associated legal gender records. Sandra (U.S.) explains how this cisnormative policy is put into practice: “as far as administration’s concerned, regardless of how you come lookin’ in here, you’re still a guy, because you have a penis.” Here, *archons* confronted by the trans person’s somatic challenge to cisnormativity (e.g. penis) attempt to restore order by locating trans individuals within recognizable normative gender forms (e.g. male genital anatomy). Flummoxed by the pervasiveness of trans agitating the cisnormative archive, *ad hoc* or shadow rules of law are then implemented to facilitate the separation of trans persons from other incarcerated persons. Cali (U.S.) explains:

I think one of the girls [a cellmate] said, “This ain’t a girl, this is a guy.” Then they [corrections officers] started coming to my cell, asking me, “Are you a guy, or are you a girl?” And ... I started cracking up at first like, I’m a transsexual. And they’re like, “Come here. Did you have the surgery?” ... I’m like honey, yeah ... I still have my stuff down there, and they was just like, oh okay. Then they took me out of that cell and they put me in a cell by myself ... They really took me out of there because I told them I was a tranny, and I still have my penis down there.

Policies of segregation seeking to contain trans persons in physical enclosures such as sole occupancy cells and isolation attempt to keep the whole cisnormative institution safe from being marred or blurred by trans-ness. Since these policies aim to further restrain trans, the trans body itself becomes a site of regulation, quarantine, and containment, demonstrated by Jemma’s (Australia) threat of having her body searched for contraband by correctional officers:

“Don’t get in any trouble because we don’t want to search you because we have to bring a female officer up for the top half of you and a male officer for the bottom half and it’s too much paperwork.” So, I never got searched ... [and] I didn’t do anything wrong in there either.

Jemma’s body is identified as too problematic for the prison’s “paperwork,” the documents of its archive: her body exceeds the capacity of the archive to manage its presence, and as such she is instructed to stay out of the operation of the rule of law (“Don’t get in any trouble”).

Adherence to these cisnormative constructs of the carceral archive occurs even when laws created in extant medicalized spaces outside incarceration settings, such as the World Professional Association of Transgender Health (WPATH) Standard of Care (SOC), prescribe justifiable access to gender-affirming hormone and surgeries (Coleman et al.,

2012). For instance, Brittany (U.S.) describes the counter-interpretation of the WPATH SOC applied in an incarceration setting:

Benjamin.⁵ That you had to make it something where you couldn't be androgynous, that-that-that it was ... a form of gender fascism he came up with, ... when I was going through ... with the ... Benjamin Law ... you had to be wearing a dress. I told ... my therapist, I said, they'll beat me up if I wear a dress. I said, I don't have any boobs yet, I don't have any butt...

For Brittany, the carceral system's interpretation of the clinical guidelines that recommend a trans person has "one year of continuous living in a gender role that is congruent with one's gender identity" (Coleman et al., 2012: 58) prior to permitting access to some gender-affirming surgeries is rigid and constrains trans gender expression to a binary presentation. The application of this particular rule of law in a cisnormative prison archive also highlights how trans persons incarcerated prior to gender-affirming surgery are at risk of violence and harassment from other incarcerated persons should they fulfil the requirements that would permit access to gender-affirming procedures. Similarly, the failure of "paperwork" to proceed through the archival system is cited by Jemma (Australia) as the reason for the lack of provision of hormone therapy to her during incarceration.

In the Australian context, the discrimination faced by First Nations Australian trans incarcerated people is increased as many from remote communities have not accessed gender-affirming hormones and are therefore not recognized as trans. Luna (Australia) explains:

... the other thing that really concerns me about our prisons and is that idea of what's a transgender person as well ... A lot of the time they do it based on how you look ... I think there's a lot of Aboriginal trans women they go into prison and they might not fit the picture of what a trans woman's supposed to look like because they've come from a community where they maybe don't have access to hormones.

Luna highlights the system's inability to provide for trans needs outside of non-Black/Indigenous/People of Color cisnormativity and suggests that First Nations Australian trans persons are further marginalized and punished because of economic disadvantage, the insufficient availability of qualified health professionals in the local area, and a colonized approach to gender, health care and wellbeing (Clark et al., 2022).

Spaces and affect – how spaces influence trans women, mood, and responses

Physical spaces within the incarceration setting, such as cells, showers, yards, medical stations, and chow (food) halls, as well as movement within and between these spaces, are inscribed by rules of law that in turn perpetuate the cisnormative prison archive. Human and non-human bodies of varying materials (concrete, plastic, fabric, metal, plasterboard, water, flesh, blood, and bone) are imprinted by the enactment of these laws, affecting the way gender is embodied, expressed, and experienced. Under the terms of what Zurn (2019: 669)

⁵-WPATH, "formerly the Harry Benjamin International Gender Dysphoria Association" (Coleman et al., 2012, 1), created the initial Standards of Care in 1979.

calls “transgression management,” policies of segregation that locate trans persons in cells on their own are ostensibly designed to protect the trans individual, often subject to physical and sexual assault in shared cells, or forced into unwanted “relationships” as a means of protection against harm. Such acts indicate the way the *archons*, both formal and informal, seek to manage the presence of the trans person and their corporeal disruption of the prison archive. Within the carceral setting, itself a quarantine for supposed criminal behavior, the *archons* busily quarantine the irruptive presence of the trans body. While the function of the prison cell enabled by the single occupancy policy seeks to protect the trans person from harm, the determination towards and reliance upon uncovering the trans person’s gender origin (or “clocking” them) actually puts trans persons further in harm’s way. Ebony (U.S.) shares her experience of the cell in protective custody (PC), a single occupancy policy derivative:

... while you’re in PC, the people that are not in protective custody, they walk by your cell, they make nasty comments, they throw piss into the cell, like, bang on your doors, they say horrible, vulgar things.

The cell functions in Ebony’s case as an archival drawer encapsulating the trans body that dares to deny and seemingly fails to represent her supposed origin. The cell’s physicality, inspired by the rules of law, separates and highlights the trans body’s refusal to align with cishnormative rules, and its abjection consequently incites concomitant hatred and disgust. In response, trans women are further punished and deposited into higher degrees of locked enclosures attempting to remove or hide their disruptive disposition. Evie (U.S.) remarks on the depth of her experience of isolation:

And so I felt like isolated so the best thing for me, um, I don’t know I just started like really getting aggressive. I thought into like committing suicide. I even like tried to wrap a sheet around my neck.

This suicidality and curtailment of incarcerated trans persons is the accomplishment of the prison *archive*. Isolated with, and by their trans-ness, trans incarcerated individuals experience higher levels of emotional distress as they are reminded of their inability or unwillingness to conform to the demands of cishnormativity.

Other relevant places for trans individuals include shared showers and washrooms. While functionally meant for cleansing, these spaces represent and embody memories and practices of fear, violence, of being uncovered, raw, and revealed (Crawford, 2010). Evie (U.S.) explains:

I did feel very uncomfortable when I took a shower and I knew I have like some breasts ... I was like wearing my towels within halfway up my body. And you know so I did feel uncomfortable, ... I did honestly. I always covered my breasts and stuff like that. And you know you get like whistles and hoots and hollers.

Rather than the rule of law repressing trans in this structure, the shared washroom is used as a site of revelation, one in which the corporeal trans body is centralized, and its difference to the cishnormative body of origin is showcased. Recognizing the *archons’* failure to reign in this trans rejection of normativity, other shared spaces such as chow halls are used for sexual violation and to fix the trans body in place. Nadia (U.S.) shares:

I'm talking about me walking through Chow Hall and the people in the back that are serving the food, the boy coming saying, tomorrow when you walk by that door look in it and he would stand there and wait and have his penis out and as I was standing there in the line he would start to ... masturbate.

The chow hall, an open space where incarcerated trans persons mingle in line with passersby, creates an opportunity for their construction as an object of desire, and sexual violation. *Archons* fuse sexuality with the corporeal trans body, reifying it as a hypersexual being. At the same time, however, desire for this non-cisnormative body problematizes the archive, which attributes desire to reside only between cisnormative counterparts. Once again, the solution is isolation of the disruptive trans body rather than punishment of abuse and assault.

Just as the physicality of the *archive* shapes the trans body, language is employed strategically by *archons* to imbibe trans persons with homogeneity (Foucault, 2002). Derogatory words such as “dragoons ... sex degenerate” (Brittany, U.S.), “tranny bitch” (Abby, U.S.), “tranny”, “transvestite” and “slut” (Jemma, Australia), “faggot” (Sabrina, Jasmine, and Sierra, U.S.), “dog and mutt” (Elsa, Australia), “a she-male” (Mandy, Australia), and “thing” (Luna, Australia), demean, belittle, and pressure trans persons toward conformity. Additionally, considering “there could be no archiving without titles (thus without names and without the archontic principle of legitimization)” (Derrida and Prenowitz, 1995:30), *archons* refer to trans persons by their name and sex assigned at birth rather than their present name and gender. Abby (U.S.) explains, “they basically insulted me, called me ‘he,’ called me ‘sir,’ um, not respecting my pronouns and everything”; and Alicia (U.S.) recalls, “one or two COs [correctional officers] that would try me and call me by my boy name.” Language thus functions to forcefully defend the parameters of cisnormativity. Further articulating the boundaries of cisnormativity, the term *queen* is reclaimed by *archons* to represent an inevitable fate for those who do not reject their trans-ness:

She says “why do you always arrest the queens,” right ... the cop says ... “because you’re always prostitutes.” And the queen says “but we have no way of making a living” ... then the cop says “then we’re gonna continue arresting you.” So, the thing is, do not be a-a queen and you will not be arrested.

(Brittany, U.S.)

Whereas ‘queen’ is a common and usually affectionate colloquial term to describe a homosexual man or a trans woman, here queen becomes a marker of difference and of criminal threat, predicting arrest, stasis, and incarceration. Arrested used in this sense also more broadly refers to being held stationary/constituted by a system in an archive. Actively working against such expectations and demands of the prison’s architecture and its archive, both within and beyond its physical walls, is critical to the maintenance of self-worth and personal authenticity in incarcerated trans women.

Manipulation of spaces – how trans women reinscribe spaces as survivable

Policies that enforce sole occupation of cells by incarcerated trans individuals and that affect fear and loathing of the trans body inadvertently create a stage for spectacle and a space for trans sexuality. Four-cell walls enclose the trans body while the open slot (window)

sanctifies their gender and facilitates an exchange, a peep show of sorts. Jasmine (U.S.) explains how her use of this cellular enclosure directs the gaze of the spectator in return for reward:

you can hustle any way you got it. If you're gonna survive, you're gonna do what you gotta do to survive... I – may have flashed the boys through the window, I have 'em come to my cell, throw me 30 dollars' worth of canteen under my door, and clearly, they can get a peek at my ass and my sweeties.

Jasmine and incarcerated others (“the boys”) subvert the function of the incumbent cell, Jasmine by using her body and the structure of the cell, contrary to its purpose, to do sex work as the best possible option to meet her needs for survival. For others, like Rosa (U.S.), the idea of and attempts to inhabit a sole occupation cell provided sense of escape and stability:

If I ... had my own cell, had my own 20-minute shower real quick by myself, eat in the cell ... Um, just isolate me. I feel like that would be the best thing for me ... I just use my phone calls and that's it. I call my people and that's it, and I write. Keep it that way ... just give me a pad or notebook, give me my pencil... Keep me in my cell, let me know when it's my 20-minute shower and let me know when I can eat. And bring it to me. Perfect. I'll be fine ... I'll talk to myself.

Rather than feeling distressed by the thought of being alone in an enclosed space, Rosa describes her efforts to remain in her cell where permitted, separated from others and removed from threats of sexual violence and harassment, despite losing weight due to not eating. Rosa's unattained but ideal housing situation even provides her trans-ness with agency, for example through ownership (“my pencil,” “my phone calls,” “my ... shower,” “my cell,” “myself,” “my people”). Importantly, Rosa's attempts and desire to be the sole occupant of a cell and to remain in it separate from others for the duration of her sentence, exemplifies how Rosa both enacts and uses her imagination to survive carceral violence.

Despite their capacity for unwanted display and extreme physical and sexual violence, showers and washrooms are also sites coveted by incarcerated trans people. These spaces of bodies in view, of wetness and lather, are used to articulate their trans-ness by exercising resistance, albeit limited. Sabrina (U.S.) remarks on this conflict:

The showers were all individual, but it was all together. And, the CO's desk was right in front ... The COs used to tell me and Abby ... “oh, jump up and down.” ... So, if you jumped you could see the titties ... I'm like, “You guys are pigs.” But Abby used to be doing it. I'm “Go ahead girl, you jump. I'm staying right the fuck here.”

Where Sabrina's denial of the request to jump, to show her body to the Other, is a refusal of sexual harassment; Abby, by Sabrina's account “knows how to get what she needs and what she wants from them.” Both use the structure of the washroom to enact their trans-ness in relation to gender-based and sexual violence. While imagining agency in this scenario is difficult given the numerous accounts of harm, violence, and injustice experienced by trans women in these particular settings, the manipulation of spaces to the trans women's

advantage does work to support trans women's survival, and additionally disturbs and disrupts the cisnormative system.

Likewise, language, a mechanism used by *archons* to contain aberrations, can also be used to support the trans person's relationship to gender and kinship. Martha (U.S.) speaks of the way her relative uses language to recognize her gender – “Uncle Martha, they call me.” Teetering between a cisnormative origin of kinship including a pronoun signifying male relation (Uncle) and the present name of Martha, a space for trans and relationships outside cisnormativity are crafted according to Crawford's (2010) model of *trans architecture*. And although the term *queen* had been used as an insult by *archons*, it is also reclaimed by incarcerated trans persons as a term of endearment and belonging. Elsa (Australia) remarks, “that's what all of the men in there called me, Queenie. That's a nickname ... That's a nickname for all of us.” In the U.S. context the reclaimed term also appears to signify privilege and an affirmation of trans as explained by Sandra:

Welcome to your castle. You're a queen, and as a queen in prison, you reign. And that's all to it. You reign as a queen in prison, trust me. You'll get whatever you want because, everyone's vying for your attention, even if it's not for sex. People are curious they wanna sit down and they wanna talk to you. You're literally a star.

The curiosity of the Other denotes a marked departure from a space where trans are at risk, where trans women “engage in unwanted sex as a way of bargaining in the ‘survival economy’ in prison” (Jenness, Sexton and Sumner, 2019: 621) and use their body as a commodity with other incarcerated persons or prison officers to survive their prison sentence, to gain protection, to be free from various forms of punishment and victimization, for food, canteen and other commissary items (Jenness, Sexton and Sumner, 2019; Mogul, Ritchie and Whitlock, 2011; Oparah, 2012). Here, Sandra negotiates an alternative carceral space where the term *queen* and its embodiment in this incarcerated trans space, ultimately subverts the rule of law, which dictates “queen” as criminal.

Concluding remarks

Drawing upon the lived experiences of formerly incarcerated trans women in men's settings in Australia and the U.S., and employing Crawford's theory of *trans architecture*, alongside Derrida's notion of *archive fever*, this paper has offered an original contribution to the theoretical trans and incarceration studies landscape, and sheds new light on the detrimental nature of the cisnormative frame underpinning these carceral settings. More specifically, this analysis has elucidated how the cisnormative prison archive and the archons upholding it, and its architectural constructs, effect and affect trans women's embodiment, experiences, and enactment of their (trans)gender while incarcerated in men's settings in both nations. In the words of Yarbrough (2021: 2), incarcerated trans women “become vulnerable at the intersection of laws, enforcement practices, and bureaucratic regulations that... mean that... [trans] women break the rules by virtue of their gender identities.” Because the prison archive fails to accommodate anything outside its strict cisnormative rules (Derrida and Prenowitz, 1995), this paper has showcased the multitude of ways in which the incarceration setting works as an archive of cisnormative memories (public, cultural, and legal), and the punishing implications these memories have on trans women incarcerated in men's settings

through “clocking”; genital driven policies; shared/isolated physical spaces; non-affirming language; colonized approaches to gender/gender expression; hyper-sexualization/sexual violence; and lack of recognition of health needs, and failure to implement suitable health practices and qualified professionals.

Similarly, because trans architecture positions trans within a myriad of gendered presents and futures, and relationships undefined by cisnormative gendered constructions (Crawford, 2010), this paper also offers insights into how trans women entering men’s carceral settings, embody and express trans(gender) within the considerable limitations of the space, and in ways that are not reified by the insurances of such cisnormative structures. Instead, by manipulating spaces to work for them, through the means of peep shows in return for monetary rewards; finding sanctuary through imagining spaces of solitude and relative freedom from discrimination, violence and other forms of victimization; resisting sexual harassment; crafting space for trans language (e.g. Uncle Martha) and reclaiming language as a term of endearment and belonging (e.g. queen), collectively subvert the cisnormative rule of law.

This account, in the broadest sense, considers a homogenized incarcerated trans woman body, and does not specifically forefront the relationship and experiences of incarcerated trans women who are Black, Indigenous, and People of Color (BIPOC). The larger research program that this analysis is part of, specifically and explicitly explores from a perspective of intersectionality, the oppression-to-incarceration cycle of Black American and First Nations Australian trans women (Clark et al., 2022). This paper further aligns with Yarbrough’s (2021) findings that trans “poverty results from racialized gender policing... [in] jails and prisons” (2021: 15). To expand this body of scholarship, the authors encourage further research to explore, from the lenses of race and intersectionality, how the cisnormative prison archive may inscribe spaces resulting in the production of both affect and the manipulation of inscribed spaces. Specific attention might also be given to examining how intersectionality relates to trans architecture, and the inhabitation of the incarcerated trans body.

To end, our paper underscores and calls on carceral settings and systems including their archons to critically reflect on how prison archives uphold memories of cisgenderism and cisnormativity that effectively further punish incarcerated trans women. We ask justice systems to enact futures that do not subscribe to false laws that enforce violence and oppression but rather recognize trans women’s survival of pervasive violent cissexist forces.

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Biographies

Tait Sanders (Tait/they/them) is a PhD candidate at the University of Southern Queensland whose research interest includes exploring experiences and knowledges of detransition and (un)becoming trans. As a critical trans theorist, Tait's research is situated within a trans paradigm focused on gendered embodiment and belonging. As a registered counsellor Tait works with adults and young people engaging with their experiences of gender and sexuality.

Jessica Gildersleeve is an Associate Professor of English Literature at the University of Southern Queensland. Her research addresses the relationships between ethics, trauma and the constructions of narrative and her most recent books include *The Routledge Companion to Australian Literature* (2021) and *Elizabeth Bowen: Theory, Thought and Things* (2019).

Sherree Halliwell (she/her/hers) is a social policy and practice researcher at the University of Southern Queensland and Non-executive Board Director of a leading Australian disability, mental health, palliative and aged-care organisation. Her core research interests encompass family relations, disenfranchised youth, and disparities in policies and social care provision directed towards lesbian, gay, bisexual, trans, and queer (LGBTQ+) communities.

Carol du Plessis is a Clinical Psychologist and a Senior Lecturer in the School of Psychology and Wellbeing (Centre for Health Research) at the University of Southern Queensland, Australia. Carol's research specializes in qualitative small sample and narrative methods, and she is passionate about sharing the stories of vulnerable and marginalized communities. Her current research projects include work on the experiences of transgender incarcerated people, lived experiences of suicide attempt survivors, and methods of teaching counselling online.

Kirsty A. Clark (she/her/hers) is a social and psychiatric epidemiologist She serves as an Assistant Professor of Medicine, Health & Society and Public Policy Studies at Vanderbilt University and as a core faculty member in the Vanderbilt LGBTQ Policy Lab. Dr Clark's program of research focuses on examining mental health disparities, especially suicide, impacting lesbian, gay, bisexual, transgender, and queer (LGBTQ+) populations and developing evidence-based interventions to disrupt the course of such disparities.

Jaelyn M.W. Hughto is an Assistant Professor of Behavioral and Social Sciences and Epidemiology at the Brown School of Public Health. She has expertise designing/conducting epidemiological mixed-methods research; and developing/testing behavioral interventions to reduce sexual risk and substance use behaviors, optimize medication adherence (medications for opioid use disorder; antiretrovirals for HIV prevention/treatment), and enhance engagement in care for diverse populations. To date, Dr Hughto has authored 88 peer-reviewed publications and 4 book chapters. As an expert witness, she has utilized her research findings to advance civil rights protections for gender minority populations.

Amy B. Mullens is an Associate Professor at the University of Southern Queensland, School of Psychology and Wellbeing (Centre for Health Research). She is a Clinical/Health Psychologist, working across public, private and community settings for over two decades—including extensively with priority communities (LGBTIQ+, incarcerated persons) and chronic health conditions (prevention, screening management), health behaviors, mental health, substance use, and sexual health/HIV. Amy has co-authored 35+ peer-reviewed journal articles and book chapters (total citations = 867; h-index = 13). Her collaborative projects with industry/academic partners ultimately focus on improving lives and wellbeing, with external funding as Primary/Co-investigator exceeding \$1.4 million in research funding.

Tania M. Phillips is a researcher at the University of Southern Queensland (USQ), currently completing her PhD in psychology and health behavior change. Tania graduated Bachelor of Psychology (Honors) First Class (USQ) in 2018. Her research interests include chronic diseases, HIV, minority and marginalized groups (e.g. LGBTIQ+, culturally and linguistically diverse), and regional and disadvantaged populations. Recent publications include papers in the transgender and incarceration space, most noted lead author of a book chapter on the lived experiences of incarcerated transgender women in US prisons published by Palgrave Macmillan in 2020, and another book chapter fourth coming in 2022.

Kirstie Daken is a PhD candidate in the School of Psychology and Counselling at the University of Southern Queensland, Australia, as well as a research assistant, clinical psychologist registrar, and has extensive research experience working on a range of projects in the areas of health promotion, health psychology, sexual health, and chronic illness as well as an interest in clinical psychology and minority and at-risk populations.

Annette Brömdal (Netta/they/she) is a Senior Lecturer at the University of Southern Queensland, Australia. Annette's research interests fall within the areas of bodies, gender and sexuality in the corrective service system, health/clinical/aged care systems, elite sports, contemporary sexuality education to promote the health and rights of LGBTIQ+ Sistergirl and Brotherboy folk. Dr Brömdal is currently leading a number of funded/non-funded and co-designed research projects in partnership with LGBTIQ+ Sistergirl and Brotherboy communities and government stakeholders within and outside Australia, and presently co-leads an international research team investigating the lived experiences of formerly incarcerated trans persons in Australia and the US.

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