

PSYCHIATRIC-FORENSIC CONFINEMENT REFORM DISCOURSE AND PRACTICE ON THE OPG OVERCOMING

The 17th of February 2012 the law that provides for the final overcoming of the OPGs was approved. On May 11th 2017 the last psychiatric-forensic asylum has been closed.

A part of the scientific literature read this reform as the plain fulfillment of the law n. 180/1978, in spite of the fact that this new reform establishes only the medicalization of the psychiatric-forensic institution and doesn't modify the "double binary" penal system and the structure of the set of rules on "security measures" for the people not guilty by reason of insanity, strictly based on the link between madness, inability and social dangerousness.

The main effect of the reform isn't a deinstitutionalization but the replacement of old big penitentiary structures with new ones, smaller, more decent, with a medical management.

The paper starts with an essential chronology, a list of laws, theories, facts, events, judgements, thought to introduce to the subject.

The first chapter analyses the acts of the Parliamentary Committee on the Efficacy and Efficiency of the National Sanitary System, which play a key role in the reform process. We show how the reformers' discourses have developed as a complaint about the indecorous conditions of the structures and not a critique of the psychiatric-forensic institution in itself.

The second chapter examines the key-concept of social dangerousness and its role in the contemporary society of control.

The third chapter describes the laws before and after the reform.

The fourth chapter studies the new institutions for mentally ill criminals, through the exam of the regional programs, of the architectural characteristic of the new structures, of the internal rules.