

Include Me In Disability, Rights and the Law in Queensland

by Jennifer Fitzgerald; published
by Queensland Advocacy
Incorporated, 1994; pp.i-v, 1-321.

This book has been several years in the making, and its publication is welcome in the world of disability rights in Queensland. Largely written by Jennifer Fitzgerald, the book's 'Acknowledgments' indicate that a number of people have taken part in the researching and writing. This collaboration has resulted in a valuable reference and resource.

The title indicates what the book is all about. It is intended to be a guide – not too technical but not too general – to those areas of the law that specially impact on people with disabilities. The book has 16 chapters, each dealing with a particular area of the law: such as housing; employment; access to places, services and information; the rights of people in institutions; the ramifications of the *Mental Health Act* (Qld); consumer protection; income support and the criminal law. A useful feature is that each chapter concludes with a 'Contact' section of names, addresses and phone numbers of useful organisations.

A book of this nature will, perhaps inevitably, approach its subject from a particular point of view. The point of view is stated in the 'Introduction':

Inclusive living is the vision behind the words on the pages of this book. Inclusive living is not a new theory, but a natural way to live. It is unnatural to exclude those who differ from the majority . . . Nature itself consists of diversity. [p.4]

The title of the book immediately becomes clear. How this vision is relevant to people with disabilities also becomes clear, when one considers the years of marginalisation, neglect and ignorance that have, until recently, characterised society's and governmental approaches to disability. As the 'Introduction' says, at p.3, the printed words of this book really reflect the untold stories of many people. In many cases these people have been 'hidden behind locked doors and walls in the vain hope that they will be forgotten'.

You should not read this book expecting a dry, academic or legalistic account of the rights and liabilities of people with disability, or of people working in the disability industry. The law and the technical details of rights and liabilities are there, but a second, major theme illuminates and complements what could have been rather boring. This second theme is spelled out starkly in Chapter 2, 'Rights', that knowing about the law also means knowing about the limitations of the law. Laws and the legal system do not always provide adequate solutions to problems. Often, the non-legal issues associated with disability may be more important than the purely technical legal questions. As the author comments at p.10, the hurt feelings, the anger, the humiliation arising from a particular conflict, may be more important to a complainant than the strict legal issues. In other words, it is necessary to know in any situation, the limitations of the law and to realise that sometimes only limited gains will result from a formal resort to the legal system.

The publishers have tried to achieve the right mixture of ideological passion with enough technical legal detail to guide the inquisitive reader, and the book succeeds remarkably well. Although I have been involved in the legal profession for over 20 years, I learnt new things from a number of chapters, such as those on Housing, Institutions and Income Support. Perhaps nowhere is this book's mixture of passion and information more tellingly demonstrated than in the (to me) rather chilling chapter on the Queensland *Mental Health Act*. In simple, spare language, the writer describes the disturbingly

simple processes that can lead to becoming an inmate of Queensland's mental health institutions, as well as the sometimes great difficulties in legally getting out of them. Anyone who is concerned about civil liberty may find this of concern.

The book is very easy to read. The style of writing is direct and simple. Most sentences are reasonably short as are paragraphs – a rare achievement in legal literature. While the book will be useful for lawyers and allied professionals working in the field of disability, this book can be pleasurable and easily read and understood by the average, intelligent lay person. In physical terms as well, the book is easy to come to grips with – being a paperback with generous sized print.

Inevitably, time and new legislation will affect the currency of the book's information. Already amendments to the federal *Industrial Relations Act* have introduced reforms to industrial law that may benefit workers with disability. Future changes in the law will undoubtedly make a second edition of this book a 'must' for anyone working in the disability industry.

For now, this first edition of *Include Me In* is a valuable reference not only for lawyers, but for all those who have anything to do with disability.

CHRISTOPHER GILBERT

Christopher Gilbert teaches law at Queensland University of Technology.

Australian Income Taxation A Concise Casebook

by A. Greenbaum and R. Krever;
Law Book Company, 1994; 412pp;
\$42.00; softcover.

I weighed the 1994 taxation legislation, the version produced by Butterworths in three volumes. It weighs 3.3 kilograms. That is 100 grams more than our son weighed at birth. At the most basic physical level, the legislation is weighty.

When you add the 1.7 kg weight of the prescribed text for Taxation 530 at the Faculty of Law, Monash University (the casebook by Cooper, Krever and Vann), it is easy to understand that taxation students' most common complaint

TO SUBSCRIBE

Alternative Law Journal (Includes Aboriginal Law Bulletin)

Concession (full-time students, unemployed)	\$33	<input type="checkbox"/>
Individual	\$48	<input type="checkbox"/>
Institutions (offices, schools, libraries etc.)	\$63	<input type="checkbox"/>

Cheque enclosed \$
or please charge my
Bankcard/Mastercard/Visa

No
Signature

Expiry date

Return to: LSB Co-op., C/- Law Faculty,
Monash University, Clayton 3168
Tel. (03) 544 0974 Fax (03) 905 5305

Name

Address

..... Pcode.....

Occupation