

Your Rights, Your Choices

A booklet about legal rights

by Trish Jardine and Ian Parsons;
Villamanta Legal Service, June
1993; no charge.

It is often difficult to choose the appropriate format for community legal education. Villamanta Legal Service has chosen to publish this 47 page booklet on legal rights, targeted at people with intellectual and physical disabilities. The booklet leaves mixed feelings as to whether this is the appropriate format, as it attempts to cover 20 different topics and obviously can only provide limited information in each area.

However, the booklet is written in simple and plain English. It is well set out, with each topic dealt with in a double page spread including a cartoon (except the section on voting – perhaps it was impossible to think of something appropriate?), and a coloured box with a contact number for further information. It is written in short sentences, with most relevant information broken up into point form.

I question the booklet's use of cartoons. Some of the cartoons are obscure or ambiguous – others are inappropriate (how do you render the topic of 'sexual assault and rape' humorous by using a cartoon? – you simply cannot). It may have been more appropriate to use the space to provide more information to users.

Finally, some of the information in the booklet is put in such a simplistic form as to be not entirely correct. The information on 'not having to talk to police' and the discussion on pre-nuptial agreements (in the section on 'Relationships') are both too simple and do not take into account many of the complexities and exceptions in the areas. Some of the general and broad statements made in the booklet should either be tempered with further information or not made at all.

Despite these criticisms, the booklet is generally well-presented and a useful addition to community legal education.

It is a good start for those seeking basic information about their legal position and provides some useful referrals.

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Refugee Manual: A Guide for Advisers

written and produced by Jerry Fox
of the Refugee Advice and
Casework Service and the Law
Foundation of New South Wales,
first published in December 1992
with updates.

Community workers, lawyers and others involved in advising refugees finally have a focused resource. The *Refugee Manual: A Guide for Advisers*, written by Jerry Fox of the New South Wales Refugee Advice and Casework Service, is a loose-leaf A4 publication. Given the fluidity of this area of law and practice, the looseleaf production allows regular updating – and the author encourages suggestions from users. One significant update for the *Manual* is already in the pipeline – new sections on the Refugee Review Tribunal.

The *Manual* is clearly written and well formatted with a scattering of cartoons to lift the spirit. Frequent cross-referencing, brief bibliographies and guides to further information make the *Manual* a true resource without providing the clutter of extensive footnotes, although there are useful endnotes. An adviser can grab the *Manual* and quickly pick up the gist of a particular section before diving into texts, regional documents and practice notes to work out an approach to the client's situation.

The *Manual* is divided into four sections: refugee law and processing; applicants in Australia; overseas applicants; and review and referral.

The law and practice of refugee status as it applies in Australia is well covered without bogging down in technicalities. If you do suspect that there is something unusual in your client's case, the *Manual* does not purport to provide all the

answers. It is a guide and can point the reader to other material.

As the Department of Immigration is so significant for a refugee's future, there is a brief description of its structure and programs. The section on review and referral outlines the ways departmental decisions can be reviewed and the remedies that can be sought against abuse by government officers and improper decision making. Given the usefulness of such procedures and that asylum seekers sometimes qualify for legal aid, or have the funds to apply for administrative review of departmental decisions (or for that matter reviewable decisions of the Refugee Review Tribunal), further references to available resources could have been included.

This criticism also applies to the section on access to government information under the *Freedom of Information Act*. Here, obtaining the applicant's file may reveal inadequate consideration of the applicant's claims. Readers are referred to the very practical guide to freedom of information law, *Documents, Dossiers and the Inside Dope* by Kate Harrison and Anne Cossins (Allen & Unwin 1993).

As an adviser must often be an empowering conduit for a refugee, much of Section 1 is devoted to interviewing and casework skills – drawing on the years of experience of the Refugee Advice and Casework Service. Effective communication and emotional sensitivity are crucial to eliciting important information from the refugee where the person's cultural mindset and personal experience of trauma may inhibit the adviser's empowering role. The *Manual* contains a lot of useful 'how to' advice in the chapter on interviewing – this perceptively ends with a section on 'Avoiding burnout'.

Section 2 of the *Manual* deals with applicants who want to stay in Australia because they fear persecution if they return home. It covers short-term protection, the process of applying for refugee status, the controversial area of detention and humanitarian claims. The chapter on appeals is being amended to include the new review process under the Refugee Review Tribunal. Successful applicants and their advisers will benefit from the chapters dealing with permanent residency, rights and entitlements. As many people who seek advice are often 'ille-