

Obituary

Vale **Anne McDonald** - 11/01/1961 – 22/10/2010

Where does one start to write a synopsis of a woman who led an extraordinary life? Anne McDonald was born in rural Victoria on 11 January 1961. A birth injury led to athetoid cerebral palsy. At the age of three years Anne was admitted to St. Nicholas's Hospital, a state government institution in Carlton. There until the age of 18 she existed in a state of malnourishment, sensorial deprivation and significantly without access to education or assistive communication. After convincing staff member Rosemary Crossley of her capacity to communicate, she let people know that she wished to leave the institution. Both Anne's parents and the Health Commission refused Anne's request for discharge from the facility. In an interesting and novel use of law, Anne McDonald utilised an ancient common law prerogative writ, *Habeas Corpus*, which at its essence proclaims the bodily integrity of a person and enables courts to enquire into whether an individual has been unlawfully detained. The use of the *habeas corpus* writ required the health authority to explain why Anne was being detained in an institution against her will. Anne's case was successful and she opened the door to recognition of different forms of communication. Aged 18 years, Anne left the hospital in May 1979 to live with Rosemary Crossley and Chris Borthwick, her "new" family. After leaving the institution Anne stated "*Within our lifetime, children were starved to death in a building a short walk from Parliament House.*" I met Anne in 1984 as part of our struggle to introduce an attendant care scheme so that we could remain out of nursing homes in Victoria. We were successful in getting a consumer managed service off the ground. Anne went on to obtain a Humanities degree at Deakin University. Until her death in October 2010 Anne was a tireless advocate for people with communication disability and was a regular speaker in Australia and overseas about the tyranny of institutional life.

Fiona Kumari Campbell

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