

MEMORANDUM OF UNDERSTANDING**Tasmania Legal Aid****And****Your Say Advocacy Tasmania Inc.****The Parties**

Tasmania Legal Aid ('Legal Aid') is a statutory body set up under the *Legal Aid Commission Act 1990* (Tas).

Legal Aid provides legal advice and assistance, representation, dispute resolution services, legal education and duty lawyer services to the Tasmanian community. Legal Aid's focus is on economically and socially disadvantaged Tasmanians.

Legal Aid's objectives are to:

- Ensure Tasmanians are safe, respected and have their voices heard;
- Provide legal services to help clients understand their rights, navigate the system to resolve their legal issues and get the assistance they need;
- Support and navigate for marginalised and vulnerable Tasmanians;
- Work with our clients, staff, partners and the community to improve the legal system.

Your Say Advocacy Tasmania Inc ('Your Say') is an incorporated association under the *Associations Incorporation Act 1964* (Tas).

Your Say is an independent community organisation that provides advocacy services across Tasmania. Your Say's role is to help its clients speak up for themselves and to make sure that their own views and opinions are heard and understood.

Your Say's objectives are to:

- Provide an equitable, high quality service to all people who use the service across the State;
- Assist clients to exercise their rights and responsibilities by providing information and support to self advocate and individual representation;
- To protect and enhance the interests of Advocacy Tasmania's client group through promotion, education and community development;
- Identify systemic issues affecting our client group and to take effective action;
- Manage the human and financial resources of the organisation efficiently and effectively, overseen by good governance.

Legal Aid and Your Say enter into this agreement as a significant social and justice initiative to assist older Tasmanians, families, service providers and the wider community affected by elder abuse, and, also to prevent elder abuse.

Background

- Tasmania has the oldest population and the fastest ageing population in Australia.
- Research in Australia indicates that about 4.6% of people over 65 will experience elder abuse each year.
- Elder abuse is action or lack of appropriate action occurring within a relationship where there is an expectation of trust, that causes harm or distress to an older person.
- People affected by or at risk of elder abuse may be in need of information, support, referral, advocacy, and legal assistance.
- Your Say operates the Tasmanian Elder Abuse Helpline. The helpline exists to assist older people, families, service providers and the wider community to respond to and prevent elder abuse and better access existing supports and services.
- Legal Aid is funded by the Commonwealth until 30 June 2022 to provide an integrated elder abuse prevention service called Senior Assist. Our Senior Assist lawyers and social workers provide support to Tasmanians experiencing or at risk of elder abuse.
- Legal Aid and Your Say are members of the State-wide Elder Abuse Prevention Advisory Committee.

The purpose of this agreement

The parties signed a similar agreement to this on 15 May 2017. This agreement replaces and updates that agreement and reflects the ongoing joint commitment of the parties, to the provision of effective, responsive, and seamless advocacy and legal services to older Tasmanians who experience, or are at risk of experiencing, physical, psychological, financial, or sexual harm within a relationship where there is an expectation of trust.

Research indicates that around 5,000 older Tasmanians are estimated to suffer some form of elder abuse each year.

The purpose of this agreement is to guide a partnership that strives to:

- Protect the rights of older Tasmanians and empower people affected by, or at risk of, elder abuse;
- Provide 'joined up' assistance to better help the community respond to, and prevent, elder abuse;
- Enhance the Tasmanian Elder Abuse Helpline service by providing accessible legal assistance where required;
- Improve legal and social assistance services available to older Tasmanians.

Objectives

- To work together to improve the range of services available to people affected by elder abuse in Tasmania;
- To identify and maintain opportunities for collaboration to deliver services to people affected by elder abuse in pursuit of the objectives of the respective parties;
- To share knowledge and skills by setting up networks within each party and participating in joint training opportunities;

- To foster professional cooperation through personal contact points and regular stakeholder meetings;
- To continue to assist, cooperate and consult with each other so far as reasonably practicable in meeting these objectives;
- To continue to regularly discuss how to maximize effective assistance to people affected by elder abuse.

Agreement

The following clauses set out ways in which Legal Aid and Your Say intend to work towards meeting the objectives of this agreement by:

1. Providing contacts and a referral pathway for the Tasmanian Elder Abuse Helpline to refer clients quickly to Senior Assist for legal assistance and case management.
2. Promoting the Tasmanian Elder Abuse Helpline as the States entry point for general queries from clients in relation to elder abuse.
3. Developing and implementing relevant referral and service protocols and processes that respect the service delivery criteria of both parties and meet the needs of older Tasmanians and their families.
4. Sharing professional knowledge, expertise, and resources in relation to elder abuse.
5. Setting up a framework for easy and effective communications with key individuals within each organisation to act as central contact points for information exchange.
6. Maintaining an open dialogue about the needs of older Tasmanians exposed to elder abuse through regular meetings with each other and with any other identified stakeholders.
7. Sharing statistical information that may identify risks and trends to better target elder abuse response and prevention services.
8. Promoting the services of each organisation and the role of each organisation within the elder abuse network and within government and the community.
9. Providing support for law reform submissions and research on elder abuse where appropriate.
10. Maintaining an effective professional relationship between Legal Aid and Your Say.
11. Legal Aid and Your Say agree to meet to discuss and review this agreement quarterly.
12. Either organisation may end this Memorandum of Understanding and the obligations it entails by providing 21 days written notice.

This agreement starts on the 19th day of November 2021.



Patrick Lunn

Chair of the board of Legal Aid



Leanne Groombridge

Chief Executive Officer, Your Say