

# TRANSCRIPT

## STANDING COMMITTEE ON LEGAL AND SOCIAL ISSUES

### Inquiry into the retirement housing sector

Melbourne — 26 October 2016

#### Members

Mr Edward O'Donohue — Chair

Ms Nina Springle — Deputy Chair

Ms Margaret Fitzherbert

Mr Daniel Mulino

Ms Fiona Patten

Mrs Inga Peulich

Mr Adem Somyurek

Ms Jaclyn Symes

#### Participating Members

Ms Colleen Hartland

Mr Gordon Rich-Phillips

#### Staff

Acting secretary: Mr Patrick O'Brien

#### Witness

Ms Daisy Ellery.

**The CHAIR** — Thank you very much for taking part in this open microphone component of the evening. Before I invite you to make your contribution, I will just caution that all evidence taken at this hearing is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege. If you could keep your statement to 2 minutes or less, that would be much appreciated. Thank you.

**Ms ELLERY** — I will try very hard to keep it to 2 minutes. I live in a Lendlease village, a well-managed village, where the management staff are well trained and are supported by the Lendlease organisation. There is a feeling of wellbeing, companionship and a proactive social committee. I feel very supported, safe and secure at Waverley Country Club.

There are issues around the maintenance of the common areas; generally after some time these issues are addressed and resolved. There is a feeling, however, that the refurbishing of units, DMF and exit fees obviously have not been clearly understood by residents when signing their contracts. However, this experience is far removed from my experience of living in a not-for-profit retirement village.

In 2012 I went to live at Gardiner Lodge, owned and operated by UnitingCare Harrison for the Uniting Church, a non-profit. I chose this village to be close to Cabrini Hospital. I have a terminal illness, and I have been treated there, and I needed to be close to the hospital. For me, I felt that I had gone to live in maybe a fairy castle, but it became a house of horrors. The second day I was there the on-site manager visited me, and she informed me that residents there treated her like she was their daughter and they were her mothers and her children's grandmothers. She told me she had been there for 27 years and that nothing in the village happened that she did not know about, and that if she missed anything, there were other residents who would let her know. She told me that she would take care of me — a shoulder to cry on — and if I died, she would be there for my family, and they could cry on her shoulder too. I guess that she thought I might die while I was in her village, very quickly. She also warned me that there were two or three residents in the village that I should not talk to because they were troublemakers.

After a while I was aware of indoctrination and control by the on-site manager. I spoke to the UnitingCare manager — the housing manager at the time, which was not Simon Fee at that time — and the CEO of the Uniting Church. They told me that they were aware of and were putting in steps to address the problem of the on-site manager and the indoctrination and dependence of the older residents on her.

**The CHAIR** — I do not want to interrupt your flow, Ms Ellery, but I am just conscious of the time.

**Ms ELLERY** — Okay. I became marginalised there, and under the pressure I eventually left there. What I did to try and resolve the issues while I was there was I went to consumer affairs, which told me that they could advise me but I would have to get legal help. The next step I took to the synod of the Uniting Church, where they shut me down, because in 2013 they had a lot of media around selling their churches, and they did not want what I was about to say coming out into the media.

I left this village after 12 months and I went to see a solicitor to go to VCAT. I was going to take my case to VCAT. He told me that I would have to wait six or eight months maybe to get into VCAT and it would probably cost me, if I lose, \$50 000. So I considered my health and wellbeing more important than going to VCAT and decided not to go, and left very emotionally and financially disadvantaged. But I must say that I lived, and I am still alive, to tell the story. I am glad to have had the opportunity to talk and tell my story.

**The CHAIR** — Thank you so much.

**Ms ELLERY** — There is much more to that, but thank you.

**The CHAIR** — Thank you very much.

**Witness withdrew.**