

3 December 2019

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Our ref: cornsc

By Email: altmannncarol@gmail.com

Ms Carol Altmann
Registrant and Operator
THE-TERRIER.COM.AU

Dear Ms Altmann

**CONCERNS NOTICE - DEFAMATION ACT 2005 (VIC)
DEFAMATION OF DOREEN POWER**

This is a Concerns Notice for the purposes of the *Defamation Act 2005* (Vic) (the **Act**) and for the purposes of the uniform defamation legislation in each of the other Australian States and Territories. This is an important notice and we respectfully suggest that you promptly obtain legal advice in connection with it.

We act for Doreen Power who is the CEO of Lyndoch Living Limited (**Lyndoch**), a not-for-profit entity.

We note that you are the registrant and operator of the website <https://www.the-terrier.com.au/> (the **Website**) which is accessible to the world at large.

Our client is disturbed by a series of recent articles, written and published by you on the Website, attacking our client's reputation and character.

The articles of concern include, but are not limited to those entitled:

1. "Staff morale slipping to rock bottom at Lyndoch Living", dated 12 November 2019 (**Article 1**);
2. "Lyndoch: champagne at the races, but no sheets and towels", dated 17 November 2019 (**Article 2**);
3. "Inside Lyndoch Living and why we need to be worried", dated 19 November 2019 (**Article 3**); and
4. "Lyndoch board: Seymour sounds a warning on staying silent", dated 22 November 2019 (**Article 4**),

(together the **Publications**).

Among other things, the Publications contain allegations that:

- *"...since CEO Doreen Power took over in 2015, there has been a complete change in workplace culture that has brought upheaval way beyond what you expect with a new chief ... the Lyndoch Culture appears to be one infused with bullying, intimidation, gaslighting and a poisonous game of divide-and-rule where some people are looked after at the expense of others" [Article 1];*
- *"...the Lyndoch board and CEO Doreen Power are pressing on with a \$100 million masterplan, including borrowing money to build a multi-million dollar medical clinic on site for GPs, dental services and a chemist that nobody has proven is wanted or needed ... the culture is turning toxic and staff morale is sliding to rock bottom ... Do any board members or Ms Power even wander down to chat with nursing staff and ask how they are managing?" [Article 2];*
- *"I have spent many hours researching and talking to people about Ms Power's time at Seymour and Plenty in particular and a disturbing pattern has emerged, one which I believe is being replicated at Lyndoch:*
 - a culture of bullying and dismissal*
 - extremely low staff morale*
 - a compliant board or attempts to create one*
 - an impact on residential care and services*
 - a culture of secrecy and a lack of transparency" [Article 3].*
- *"Ms Power's back story is absolutely relevant and it is why I am committed to writing all that I know – based on a huge amount of research and dozens of interviews – because you need to know. We need to know because Seymour Health and Plenty Valley Community Health, in particular, are the red flags. Both took years to recover" [Article 3].*
- *"Into this crisis came Doreen Power, who was appointed CEO of Seymour Health in 2007 and left in 2012, during which time the hospital saw many changes and the small town of 7000 people virtually imploded. Ms Power, who is now CEO of Lyndoch Living, was hired by the Seymour hospital to get things done and she did: birthing services were resumed, the doctors came back to work, and the hard-working staff at the hospital continued to provide the best services that they could. But behind the scenes of all this "success" was a human train wreck of broken, dis-spirited people, many of whom were allegedly treated so appallingly that they are only just starting to recover and some say they never will" [Article 4].*

IMPUTATIONS OF CONCERN

In their natural and ordinary meaning, the Publications contain at least the following injurious and grossly defamatory imputations of and concerning our client:

1. That in carrying out her functions as CEO of Lyndoch our client bullies and intimidates staff and other third parties;

2. That in carrying out her functions as CEO of Lyndoch our client manipulates staff by psychological means into doubting their own sanity;
3. That in carrying out her functions as CEO of Lyndoch our client unfairly favours some people over others;
4. That in carrying out her functions as CEO of Lyndoch our client has caused a detrimental impact on the care of Lyndoch's residents;
5. That in carrying out her functions as CEO of Lyndoch our client lacks transparency and endorses secrecy;
6. That in carrying out leadership roles as CEO of Seymour Health and Plenty Valley Community Health, our client destroyed the culture and workplace environment of those places, and caused irreparable physical and/or psychological harm to their staff;
7. That our client is a disinterested CEO who does not care about her staff or the residents of Lyndoch; and
8. That our client is unfit to be the CEO of Lyndoch or of any other organisation.

These grave allegations and imputations are strenuously denied. They have caused our client significant humiliation, hurt and distress. The Publications also have the capacity to cause significant economic loss to our client. The Publications are baseless and cannot be tolerated. They appear to be part of a deliberate campaign by you to wilfully discredit and damage our client.

Our client well understands that as CEO of Lyndoch she is open to reasonable community scrutiny. However, the Publications go well beyond what is reasonable. They represent a very personal attack, which is completely unwarranted and must now stop.

IMMEDIATE REDRESS

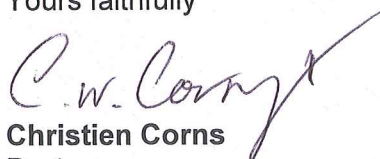
Our client requires that by 10:00 am on 4 December 2019:

1. you permanently remove the Publications from the internet and confirm that you have done so; and
2. you undertake in writing not to repeat the Publications (or any similar publications) again.

In addition, our client seeks an Offer to Make Amends pursuant to the Act.

All of our client's rights remain reserved in the meantime.

Yours faithfully


Christien Corns
Partner