

## When harassment turns deadly

**Nurse killed by ex-lover, a doctor, while both on the job**

**Domestic or workplace issue? Inquest is called as hospital is sued**

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HEALTH REPORTER

In the nine months before her death, Lori Dupont had been harassed by Marc Daniel at the Windsor hospital where she was a recovery room nurse, and he an anesthesiologist.

He would follow Dupont into the lunchroom, trying to stare her down. He left pictures of her semi-naked on her car. When Daniel would enter the recovery room, nurses would form a circle around her, protecting her from his glare.

They had been lovers for nearly three years, but she had ended the relationship in February 2005 after Daniel attempted suicide after many threats that he would kill himself if she left him.

Then, last November, Daniel walked into Hôtel-Dieu Grace Hospital with a military-style knife and killed Dupont.

He was found in his car 45 minutes later after taking a drug overdose. He died three days later.

Why did Lori Dupont die?

The simple answer — Marc Daniel killed her — won't do, says the Ontario Nurses Association.

They believe this is a workplace issue and that the hospital failed to do enough to protect the 36-year-old single mother.

The Ontario ministry of labour failed to investigate her death, as it is mandated under the occupational health and safety act, the ONA charges.

"This is a fatality in the workplace," says Linda Haslam-Stroud, president of the ONA. "If a miner dies in a mine, there is a fatality investigation by the ministry of labour. Are nurses less of a priority to the ministry?"

However, the ministry of labour is trying to determine what further actions may be appropriate under the act, says Belinda Sutton, spokesperson for the ministry.

This week, Ontario chief coroner Dr. Barry McLellan announced his office will hold an inquest into the deaths of Dupont and Daniel. The inquest will examine the events surrounding these deaths, including domestic violence issues.

The Hôtel-Dieu Grace Hospital is conducting an internal investigation. But Neil McEvoy, hospital CEO, says that it shouldn't be forgotten that the roots of the tragedy are to be found in Daniel and Dupont's personal relationship.

"People have come to us, right from the very first day, and said, `you know, this could have happened



SIMON WILSON FOR THE TORONTO STAR  
Christine Dupont, above, says her sister Lori had an uneasy romantic relationship with Dr. Marc Daniel, right, who made threats when she spoke of leaving him.

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anywhere and he chose to do this in the hospital," he says. "If it had happened 40 feet to the south, it would be outside of the hospital's walls. It still would have been a tragedy, but it would not have been cast as a workplace tragedy, even though they both worked in the same place. The underlying issue here was a personal domestic relationship played out here."

A few weeks ago, the Dupont family launched a \$13.5-million lawsuit against the hospital, hospital staff who reinstated Daniel, his treating psychiatrist and his estate. The allegations in the statement of claim have not yet been proven in court and statements of defence have not yet been filed.

"At its fundamental level, the key questions are: What did the hospital know about Daniel's conduct?" asks the Dupont family's lawyer, Greg Monforton. "When did they know it and what did they do about it?"

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Christine Dupont, Lori's sister, remembers that the first time she met Marc Daniel, he made her uneasy.

"Marc was talking so much. We kind of all thought, just the subjects he'd talk about, that he was trying to, out of nervousness, impress. He was pretentious. He talked a lot about fine wines. Places he had stayed. You know, things. Possessions. We couldn't really see who Marc was."

Christine says they saw the couple frequently, along with Lori's daughter from her first marriage, Taylor, and often went kayaking or skiing.

Lori never once told her sister she was happy and in love with Daniel. "I knew she wasn't happy," she says. "We weren't quite sure what it was. I'm not sure she knew exactly what it was. It wasn't an easy relationship."

They began living together in the summer of 2004, says Christine, in a house kitty-corner to Dupont's parents' home in Amherstburg, a town of 20,000 near the mouth of the Detroit River. "He spent quite a lot of time at Mom and Dad's house," Christine recalls. She remembers that whenever anyone wanted to talk to Lori, they had to talk to Marc first. "He never let her out of his sight," says Christine. "He was always with her."

The Duponts' lawsuit shows the relationship was anything but stable.

On Feb. 27, 2005, Daniel attempted suicide by overdosing on drugs, carrying through on previous threats. He was in respiratory arrest when Dupont found him.

The ambulance attendants removed two or three vials and syringes from the scene. Dupont recognized the vials as drugs used to administer anesthesia in the operating room at the hospital, the statement of claim says.

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**'There are no remedies in place. No right to refuse unsafe work.'**

***Michelle Schryer, Chatham-Kent Sexual Assault Crisis Centre***

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Daniel was admitted to the hospital and released on March 10. He was required to take a medical leave and enrol in the Ontario Medical Association's physician health program, says Kim Spirou, vice president of communications for the hospital.

Dupont, meanwhile, had had enough. She "immediately terminated" the relationship and she asked him to move out of the house, Christine says.

Dupont, who was on leave, changed the locks at home and got an unlisted phone number. Daniel called her cell phone repeatedly, wanting to reconcile.

During a meeting on April 8, she told hospital officials that Daniel was threatening her, including threats of physical harm, the statement of claim alleges. She was offered a parking spot closer to the hospital entrance and escorts to her car.

Also in April, Daniel, the statement alleges, threatened Dupont's father, John, telling him he would plaster photos of Dupont throughout the city and the hospital. Daniel told Lori's mother Barbara he would distribute the pictures if he wasn't paid \$185,000.

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Marc Daniel returned to work at the end of May 2005. He was on limited clinical practice, not working full-time. He was being monitored by two staff physicians, attended counselling with a psychiatrist and he met regularly with human resources, Spirou says.

"There was no notice given to anyone on the unit he was coming back, no plan in place," says ONA labour relations officer Colin Johnston.

According to the ONA, the hospital didn't investigate where Daniel got the drugs he used in his suicide attempt. "Nobody seemed to ask the question that these narcotics were used by anesthesiologists and the fact that he most likely stole them from the hospital," says Johnston.

If Daniel had been a nurse, says Johnston, and there were allegations of theft, he would have been fired. "I've dealt with Hôtel-Dieu with allegations of theft and the first response is terminate. There is a two-class system here. There is one set of rules for nurses and another for doctors."

The nurses' union believes Daniel was allowed to return to work too soon after a suicide attempt and mental health issues.

They wonder if it is because he was an anesthesiologist and there is a shortage of the specialists.

But Hôtel-Dieu's McEvoy says: "We categorically deny it, that there was any motivation whatsoever to bring Daniel back simply because we needed a living, breathing, anesthesiologist."

Contrary to what some say, it is not that easy to remove privileges from a doctor, he adds.

"You need to go back to April, May, June '05, and say what information was available there that would have caused us to want to withdraw the right to practice of this physician? And that is where it hinges."

This, he says, will all come out in the inquest.

In June, Dupont told the hospital she no longer needed the special security considerations, McEvoy says.

According to the statement of claim, Dupont requested a transfer to another unit. That transfer never came.

McEvoy says she didn't ask for a transfer.

When Daniel first returned to work, he couldn't work evenings and weekends, says Johnston. At some point in October, that was reinstated. "Again, no notice is given to the nurses," he says.

The weekend of Nov. 12 was the first time Daniel and Dupont were scheduled to work together. "Of course it's a skeleton crew, just one other nurse in the back. She's the nurse present when Daniel murdered her," Johnston said.

"Management was certainly being made aware of what was going on. They scheduled the two of them together on the weekend when he's got the perfect opportunity."

Michelle Schryer, of the Chatham-Kent Sexual Assault Crisis Centre, sees parallels between Dupont's death and the murder of Theresa Vince in 1996.

Vince, an employee of Sears for 25 years, was killed while on the job by her supervisor.

After an inquest, "at the end of it all, what no one could deny was Theresa's murder was a direct result of the workplace sexual harassment," she says. There is no recognition under the current Occupational Health and Safety Act legislation that workplace harassment is a dangerous circumstance that can result in death, says Schryer.

"There are no remedies in place. No right to refuse unsafe work."

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