

Dieu faces lawsuit in slaying

Nurse 'didn't have to die,' lawyer says

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Hotel-Dieu Grace Hospital and nine of its senior administrators and doctors face a \$13.5-million lawsuit in the murder of nurse Lori Dupont.

Greg Monforton, the lawyer for Dupont's family, said Friday the hospital should not have allowed anesthetist Dr. Marc Daniel any contact with his former girlfriend.

Daniel stabbed Dupont to death in a hospital OR recovery room Nov. 12. Daniel later died of a drug overdose.

"The hospital was well aware of Dr. Daniel's mental instability," Monforton said at a news conference. "They were aware of the volatile relationship with Lori. They were aware of his unstable behaviour and threats he made toward her. They knew this was a tragedy waiting to happen. So Lori Dupont didn't have to die."

Allegations in the lawsuit have not been proven in court.

In addition to the hospital, the lawsuit names chief of medical staff Dr. Art Kidd, human resources manager Pat Hayward, medical director Dr. Wayne Callaghan, vice-president of nursing Pat Somers and risk manager Anita Harris.

Four other unnamed hospital employees described as being involved in the decisions governing the hospital's conduct leading up to the murder are also targeted in the lawsuit. Psychiatrist Dr. Brian Burke, who had treated Daniel, is also named, as is Daniel's widow, Susan, his estate trustee.

The lawsuit is being filed on behalf of Lori's parents, John and Barbara Dupont, her sister Christine Dupont and grandmother Geraldine Amlin. A brother, Stan Dupont, is not involved.

Lori Dupont's nine-year-old daughter, Taylor, also is not in the suit. A claim on her behalf is being made through the Workplace Safety and Insurance Board, Monforton said.

A statement of claim will be filed and the defendants served in several days, Monforton said.

Daniel had tried to kill himself in February 2005 and was back at work only



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'TRAGEDY WAITING TO HAPPEN:' Barbara Dupont, mother of murdered Hotel-Dieu Grace Hospital nurse Lori Dupont, listens to Windsor lawyer Greg Monforton during a news conference where they announced a \$13.5-million lawsuit Friday.

four months later, Monforton said.

"Would any of us have wanted to undergo anesthesia administered by an anesthetist who only four months previously had tried to take his own life?" he asked. "There are so many questions that need to be answered. Why was Dr. Daniel allowed to return to work? The fact that there was a shortage of physicians -- did that play a role?"

Hotel-Dieu Grace president and chief executive officer Neil McEvoy defended the hospital, saying that when Daniel asked to return to work, the hospital asked for and received an independent assessment of his condition through the Ontario Medical Association's physician health program.

"They provided an assessment and indicated he was ready to come back," McEvoy said.

Daniel also agreed to be mentored by two colleagues and to get counselling, he said.

Dupont asked the hospital in June to discontinue the extra security services it had been providing her, he said.

The shortage of doctors was not a factor in the hospital's decision to allow Daniel to return, he said.

Monforton also criticized the hospital's investigation of the murder and called for a coroner's inquest. The hospital can't credibly investigate its own actions, he said. In addition, the terms of reference of the investigation don't require full disclosure of relevant documents or provide for cross-examination, and the report is to be presented to the board at a closed meeting.

The hospital's board of public trustees, not its managers, are conducting the investigation, said board chairman Bill Marra. They are asking tough questions, he said, including why Daniel and Dupont were working together the day he stabbed her to death.

The board will release the findings to the public, Marra said.

"That has been the intention from day 1. Everyone will have access to this information and can challenge it," he said.

The hospital also supports a coroner's inquest, McEvoy said.

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