

# **MEDIA RELEASE**

**May 16, 2003**

## **JUSTICE PREVAILS**

Today, at Toronto's Old City Hall courthouse, there will be dramatic developments in the preliminary inquiry into the charges of criminal negligence causing death against two nurses from The Hospital for Sick Children. Criminal proceedings against nurses Ruth Doerksen and Anagaile Soriano will come to an abrupt end only four weeks into a preliminary inquiry which had been scheduled to last at least three months. Both nurses will be discharged on all criminal charges arising from the death of Lisa SHORE which occurred at the hospital in 1998.

It is anticipated that Crown counsel, Hank Goody, will advise the court that he has concluded that, on the basis of the evidence heard to date and the other evidence available to him, that there is no reasonable prospect of making a case for conviction against the two nurses. He will indicate that he will be calling no further evidence and invite Mr. Justice Khawly to end the proceedings .

Marlys Edwardh, counsel for Nurse Doerksen says, "This is a case where criminal charges should never had been laid. The prosecution laid the charges based only on the record of the Inquest and without any independent investigation. It is apparent that this record was incomplete, inadequate and unreliable. At the time these charges were laid, there was some public speculation that the Police had found more evidence which implicated Nurses Doerksen and Soriano. Nothing could be further from the truth. It is utterly apparent that no case of criminal wrongdoing could have ever been made as none existed. Ruth and Anagaile, who have asserted their innocence throughout, are vindicated by the result of today's proceedings.

Elizabeth McIntyre, counsel for Nurse Soriano, says, "This prosecution was without merit and ill advised from the outset. These nurses suffered almost two long years of personal

trauma before the Crown finally conceded that it could not make a case against them and ended these criminal proceedings. Ruth Doerksen and Anagaile Soriano now join the growing list of nurses including Susan Nelles and Gita Proudman, who have been exonerated after being criminally charged for deaths that have occurred in Ontario Hospitals. Repeatedly, nurses have been traumatized by criminal charges such as these that have proven to have no merit and do not proceed beyond a preliminary inquiry. Inadequate and overly simplistic investigations, coupled with a lack of understanding of the complexities of providing patient care in hospitals, have resulted in the authorities taking the unjustified but all too convenient step of pointing the finger of blame at nurses, simply because they are always there, working on the front lines of our health care system."

Ruth Doerksen, who had been a nurse for nineteen years, says "I am deeply relieved by today's developments and am looking forward to spending time with my family without the burden of living with criminal charges".

Anagaile Soriano, a recent graduate of nursing at the time, says "I am thrilled to have this ordeal over and hope to get my chosen career back on track as soon as possible. I just hope that no other nurse has to go through what I have".

The prosecution has had a devastating effect on both the nurses and their families and the nurses are grateful for the support they received throughout from the nursing community and particularly their colleagues at The Hospital for Sick Children.

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