

Sharon Shore  
3 Richview Court  
Thornhill, ON L3T 7S9  
Tel (w): (905) 764-8388 x18  
Tel (h): (905) 764-6202  
Fax: (905) 764-8640

March 21, 2002

Ms. Nancy J. Spies  
Stockwood Spies  
2512 – 150 King Street West  
The Sun Life Tower  
Toronto, ON  
M5H 1J9

Re: Ruth Doerksen and Anagaile Soriano, and the College of Nurses of Ontario

Dear Ms. Spies,

Enclosed please find my reply to Ms. McIntyre's response of March 8, 2002 regarding my motion for access to exhibits.

Yours truly,



Sharon Shore

cc: (by fax)	Karen Jones (416) 646-4333	Paliare Roland Rosenberg Rothstein
(by fax)	Prudence Morton (416) 928-6507	College of Nurses of Ontario
(by fax)	Elizabeth McIntyre (416) 964-5895	Cavalluzzo Hayes Shilton McIntyre & Cornish

IN THE MATTER OF A HEARING BEFORE  
THE DISCIPLINE COMMITTEE  
OF THE COLLEGE OF NURSES OF ONTARIO

BETWEEN:

COLLEGE OF NURSES OF ONTARIO

- and -

RUTH DOERKSEN, RN, and ANAGAILE SORIANO, RN

RESPONSE TO MATERIALS SUBMITTED BY ELIZABETH MCINTYRE  
OPPOSING MY MOTION FOR ACCESS TO EXHIBITS

The comments below correspond to each of Ms. McIntyre's sections in her response of March 8, 2002.

Overview, paragraphs 1-5

If the Panel feels that there is a good and sufficient reason to request an undertaking of non-disclosure, I would be willing to provide one.

Background, paragraphs 6-9

My opinions directly relate to the substance of the complaints I filed against the members, which were investigated and found to have sufficient merit as to have led to the present disciplinary hearing. All public statements I have made have been entirely consistent with the allegations included in my complaints.

My honestly held and reasonable opinions should not disentitle me to access to exhibits.

Affidavit of Dr. Alan Goldbloom, paragraphs 10-12

My request for standing at the inquest into the death of Sanchia Bulgin is irrelevant to this hearing, as is my correspondence or my actions in connection with that inquest.

Ms. McIntyre's allegations that I have participated in an "on-going campaign against the Hospital and its staff" or that my position has been "immoderate and aggressive" are merely her opinions and not statements of fact. It is my corresponding belief that I have been moderate, logical, and fair in all my statements and all my actions.

Regardless, Ms. McIntyre's and Dr. Goldbloom's opinions of me are irrelevant to this hearing or my motion for access to exhibits.

The Lisa Shore Web Site, paragraphs 13-15

This website was online for two and one half years, from April 1999 to October 2001. If the members believed anything in it to be libellous and defamatory, there were legal and other recourses available to them which they did not at any time avail themselves of. The mere fact that they do not like or agree with its contents is irrelevant to my motion for access to exhibits.

All documents posted to the website were either in the public domain, i.e. newspaper articles, inquest testimony, and publicly broadcast television shows, or were written by me or given to me unrestricted by any confidentiality requirements. In order to be completely fair, I posted every single newspaper article written about my daughter's death, regardless of content. The fact that the many documents available in the public domain are almost uniformly negative toward the members may be upsetting to them, but that is outside of my control and in any event is irrelevant to my motion for access to exhibits.

I voluntarily dismantled the website on October 24, 2001, the day before criminal charges were laid against the members. I did this specifically so that there could be no suggestion that its contents or opinions might interfere with or impede the legal process in any way. I would voluntarily continue to keep it offline prior to and/or during the disciplinary hearing if the College of Nurses of Ontario feels that its contents could interfere with or impede its disciplinary process in any way.

Submissions, paragraphs 16-21

I have no control over the media and cannot "use them" in any way, nor do I have any "well-publicized campaign against the Hospital for Sick Children's nursing staff". This allegation is unsubstantiated and has no relevancy to my motion for access to exhibits.

Since criminal charges were laid against the members on October 25, 2001, I have made no public comments of any sort. I will do nothing that might interfere with or jeopardize the legal process in any way. Similarly, it is in my own best interest, as Complainant, to not interfere with or jeopardize the College's disciplinary process in any way.

I have done nothing to "bring disrepute" to this Committee's processes, and have no intention of doing so in the future. Ms. McIntyre's allegations are spurious and entirely without merit.

If the disciplinary hearing is open to the public, exhibits and related documents should also be publicly available. However, if the College of Nurses disciplinary panel believes it appropriate to restrict access to exhibits, I will abide by its decision and maintain all material in confidence.

Guidelines of the Discipline Committee, paragraphs 22-30

I have a deep personal interest in this hearing as the Complainant and as the mother of a child who died while receiving nursing care from the members, where the nursing care is the subject of the disciplinary hearing in question.

This was set out in my letter to the College of Nurses of December 5, 2001, where I wrote that “My interest in this matter is as a party with a strong personal interest and as the official complainant.” This is my only “purpose”, and appropriately conforms to Section 20 of the Discipline Committee’s guidelines. I have no other purpose and no intended use for the exhibits.

The hearing on December 4, 2001, at which time Ms. McIntyre made her Motion for Adjournment, was open to the public. I attended the hearing, as did a reporter. Ms. McIntyre made no request at that time to close the hearing of the motion.

Had Ms. McIntyre been concerned with publicity, or that my presence or that of a reporter’s would jeopardize the members’ ability to defend against the criminal charges, I would have expected her to have submitted a motion that the hearing be closed to the public. No such request or submission has been made.

Following the hearing of the motion, I did not publish anything about it, nor did I make any public comments about it or any other matter related to the members.

Conclusion, paragraphs 31-35

My interest in obtaining access to exhibits is wholly personal, and I have no other use or purpose. I am willing to agree to any confidentiality agreements the disciplinary panel of the College of Nurses requires.

I will not do anything to jeopardize the hearing process. As Complainant, I greatly desire to have the process continue.

I have never brought the process into disrepute, nor do I intend to at any time now or in the future.

Ms. McIntyre has not submitted any motion to have the hearing closed, in spite of my attendance and in spite of the attendance of a television reporter at the start of the hearing on Dec. 4, 2001.