

Battle Far From Finished

Teachers say Livesey firing 'inhumane'

BY SID RODAWAY
Bob Livesey, fired for a second time from his job as a teacher at T.L. Kennedy Secondary School last week, will seek a new board of reference hearing to clear his name and win back his position.

Livesey told The Times his lawyer Vince Kelly is considering several alternative moves including a case against the board for refusal to allow him legal representation before a hearing. Livesey is convinced that

the second firing is illegal, considering a August board of reference order to rehire him. Peel secondary school teachers have loudly condemned the school board's actions in firing Livesey for the second time this year.

The District 10 executive (Peel County) of the Ontario Secondary School Teachers Association issued a formal statement following a general meeting Thursday stating "Livesey's dismissal was harsh, inhumane and unjust."

The T.L. Kennedy Secondary School teaching staff recommended Livesey's complete re-instatement as a full time teacher. Both Livesey and his lawyer, Vince Kelly, were refused permission to speak in his defence. Afterwards Livesey complained that the estimated 200 or more teachers who jammed the board room and adjoining halls were deliberately kept waiting for two and a half hours for the subject to come up.

"The gathering also expressed the view that the board's action constituted a complete disregard for Mr. Livesey's abilities as a teacher," the statement said.

Livesey had originally been fired in June for lying about three days he took off to attend a court trial. On each of those days he phoned in sick and collected full wages.

He had been charged with possession of a small amount of marijuana but was found not guilty by a provincial court judge. Livesey has claimed all along that he lied about his absence, because he feared public knowledge of his trial on a drug related charge would ruin his career.

He won his appeal to a board of reference hearing and was ordered rehired on a technicality. The board added, however, that it agreed in principle with the Peel County Board of Education's decision to fire Livesey.

In October Livesey appealed directly to the 20 elected board trustees for reconsideration of his case. Last week they reconsidered it—and then fired him again.

The move, opposed by just four trustees, was based on the personal report of education director John Fraser.

If the decision stands Livesey's career as a teacher will effectively end Dec. 31, 1973. In this period of teacher surpluses most officials admit that the firing is tantamount to a blacklisting of his name across the province.

Delegations from both the OSSTF District 10 executive

and the T.L. Kennedy Secondary School teaching staff recommended Livesey's complete re-instatement as a full time teacher.

Fraser's six page report covered his views of the case in some detail—much of which Livesey and his lawyer claim is inaccurate.

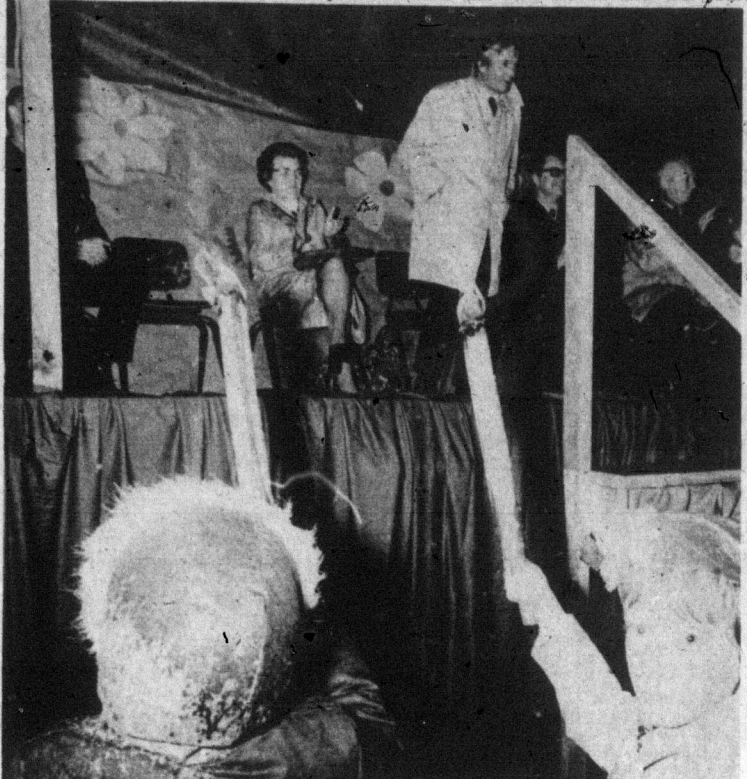
"Mr. Livesey was in court on six different occasions," wrote Fraser. According to Kelly, Livesey was in court on only three different dates with his legal counsel attending on the other three occasions.

Fraser wrote that Livesey's willingness to pay back six days of pay to compensate for his court appearances "suggests that he was indeed culpable and that, once found out, was prepared to pay the penalty."

In contrast Livesey claims that teaching is his life and that he would be willing to repay any amount to win back his job.

Fraser stated a basic trust between teachers and the board had been broken. "Action on this point must be taken. To do less would be a betrayal of all of the teachers on the staff."

OSSTF District 10 spokesman Charlie Novodgrozsky noted Monday that staff morale would not be jeopardized by Livesey's reinstatement but that it would be by his firing.



Premier Bill Davis stoops under makeshift canopy at opening of Streetsville core Monday night. Water was bulging canvas and threatening to douse officials. About 150 showed up in heavy rain. Streetsville Days celebrations continue for rest of week.

Inquest into baby's death told about hospital confusion

BY JOHN STEWART
A misunderstanding between two doctors at Peel Memorial Hospital in Brampton about who was on duty meant that a dying 18-hour-old child was not treated for a crucial three-hour period, an inquest was told Monday.

Nurse P. Taylor testified at the inquest into the death of Shelly Diane Martin of Orangeville that the nurses tried repeatedly to reach Dr. Jack Bowyer June 12 as the baby's condition worsened.

The baby was suffering from severe respiratory distress and had already had one respiratory arrest the nurse said. The child, which was transferred to Peel Memorial for a transfusion because it was an RH negative baby was also cyanose (turning blue).

Dr. W. Singh, a pediatrician at the hospital said he received a call at his office at 2:30 p.m. from the head nurse of the neonatal department. He said he told the nurse Dr. Bowyer was on duty and to contact him.

When the nurse phoned back 10 minutes later she told Dr. Singh the child's condition had deteriorated considerably and stated: "Somebody has to see this child now."

Dr. Singh said he made the four and one half mile trip in record time. "I thought just looking at the situation that the child had suffered cardiac failure," Dr. Singh told the coroner's jury. The pediatrician could tell instantly that the child was

"desperately ill," he indicated.

Dr. Singh ordered an electrocardiogram on the child and called for an anaesthetist. He had to have the electrocardiogram redone because the nurses in their haste attached the wires to the wrong side of the baby. "They told me there was no anaesthetist there at the time," the doctor said. "A 500-bed hospital and there was no anaesthetist."

Dr. Singh met Dr. Bowyer a few minutes later and told him of the child's condition. Dr. Bowyer "had been out doing some shopping," according to Dr. Singh.

Dr. Bowyer told the inquest that he had "signed out" to Dr. Singh in the afternoon. "He knew about the baby in the morning," Dr. Bowyer said as Dr. Singh sat in the body of the courtroom and shook his head. "He was to cover for me. This is a normal procedure where doctors try to co-operate with each other," he said.

Dr. Bowyer said he believed the cause of death was cardiac arrest not a membrane condition found in premature babies which was listed as the official reason for death.

Shelly Martin was being transferred to Toronto's Sick Children's Hospital when she stopped breathing. She was pronounced dead on arrival at Mississauga Hospital.

The coroner's jury recommended that the nursing staff at Peel Memorial Hospital be given specific guidance for alternatives for treatment when a doctor can't be reached. They also ruled that an anaesthetist be available 24 hours a day at Peel Memorial.

There should be a list of hospital procedures for ongoing, systematic review the jury recommended in calling for a periodic updating of those procedures.

In high risk pregnancies a child should be delivered in a hospital equipped to handle complications, the jury suggested.

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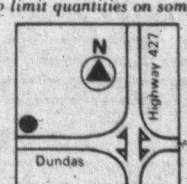
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