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The now closed and demolished Mount Cashel Orphanage in St. John's, Nfld. Register file photo

Cash for St. John's abuse victims by month's end

By [Quinton Amundson, The Catholic Register](#)

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Nearly 300 victims — or their surviving loved ones — who suffered abuse at Mount Cashel Orphanage in St. John's, N.L., during the 1940s, '50s and '60s, or by Archdiocese of St. John's clergy, will receive the initial disbursement of their long-awaited monetary restitution before the end of this month.

On Oct. 8, Justice Garrett Handrigan of the Supreme Court of Newfoundland and Labrador granted an interim distribution of \$20.9 million to claimants whose applications were approved by Global Resolutions, Inc., the Toronto-headquartered dispute mediation company that served as claims officer.

A further \$1.7 million will be awarded once the estates of 38 deceased claimants submit the required testamentary documentation (notarized copies of last wills and testaments, death certificates).

Geoff Budden, the lead lawyer for the plaintiffs, told The Catholic Register that his clients view this development “as an excellent first step,” but they “wish us to do everything we possibly can do to see that they get the full compensation.”

The total bill due for the Roman Catholic Episcopal Corporation of St. John’s (RCESJ) is approximately \$105 million. The Court of Appeal of Newfoundland and Labrador declared in 2020 that the RCESJ is “vicariously liable” for the atrocities that were committed at the orphanage that closed its doors in 1990 and was demolished in 1992, a decision that was upheld by the Supreme Court of Canada. The Christian Brothers of Ireland, the operators of Mount Cashel, filed for Chapter 11 bankruptcy in the United States in 2011.

To date, the RCESJ has created a distribution pool of \$39.5 million for survivors by liquidating over 110 property assets and transferring the title, right and interest for 38 schools to the province and the Newfoundland and Labrador English School District.

Budden explained that roughly \$11.3 million of the available pot is being held back to provide allotment for 62 abuse claimants who may successfully receive an award upon successful appeal. An additional \$5.65 million is being retained by the RCESJ to fund ongoing operating costs, professional fees and real estate holdbacks. A portion of this sum will specifically go towards helping the RCESJ’s ongoing litigation efforts against its two insurance companies, Intact Insurance (which bought out Guardian Insurance) and Northbridge Insurance. Both companies are asserting that their respective accords with the RCESJ are void because the archdiocese did not provide proper disclosure of the facts.

Final submissions for the Intact Insurance case are expected to be filed in court within the next month.

Budden said at “some point in the New Year we’ll have a much better sense on if those insurance policies are valid.” He expressed that “we’re quite optimistic that they will be found valid, but that is probably getting a bit ahead of ourselves.”

The attorney representing Mount Cashel plaintiffs dating back to 1999 does not expect the prospective insurance sum to propel the available money for survivors up to \$105 million. He does have ideas in mind about how to achieve this goal eventually.

“In this universe of 300-plus claims, there are a number of different potential responsible parties in addition to the archdiocese,” said Budden. “We have already bankrupted the Christian Brothers for instance, but in some of these other claims the priests were associated with other religious orders. They were not all diocesan priests. There are other entities within the Catholic world and the government that we believe share responsibility, which may help us get to a full recovery.”

Though Budden said “he does see a potential route forward” and “is optimistic” he and his courtroom collaborators will either net the maximum amount for the plaintiffs or get “most of the way there,” he cannot make any set-in-stone assurances.

“I have to be very frank with my clients that a number of things have to break in our favour to get us there,” said Budden. “A number of things have broken our way to get to (where we are). I cannot guarantee those things will happen.”

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