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

St. John's settlement appears near

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

- June 8, 2023

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Survivors of abuse at the Mount Cashel orphanage in the 1940s, '50s and '60s, and by clergy from the Archdiocese of St. John's through the years, are poised to receive a financial settlement from the archdiocese by the end of the year.

Lawyers for survivors, the Episcopal Corp. of St. John's (RCECSJ) and court monitor Ernst & Young appeared in Newfoundland and Labrador Supreme Court May 30 to declare Global Resolutions Inc., a Toronto-based dispute resolution organization, has been appointed as claims officer.

Reportedly, Global Resolutions Inc. has assigned four of its most senior panel members to adjudicate this process. At the suggestion of survivors' lawyer Geoffrey Budden, Newfoundland resident Lawrence Hatfield, also a mediation specialist, has been added as a fifth member of this team.

"There are not a lot of mediators in Canada with the combination of general experience and specific experience assessing or mediating sexual abuse claims," Budden told *The Catholic Register*. "We spoke to several of them. We found that the Global group were a team satisfactory to all parties."

RCESJ lawyer Geoffrey Spencer told the court that "Global Resolutions is well-positioned to hit the ground running in the adjudication of abuse claims under this process."

The deadline for victims to file a claim is Sept. 30. The panel will convene afterwards to assess each claim and determine the amount of reparation to be paid. The team is empowered to act on their volition when considering applications for deceased victims and determining the amount of interest that can be added to the claims.

Global Resolutions Inc. has indicated this process should be complete by Dec. 31.

These latest developments are particularly satisfying for the 39 former residents who first filed statements of claim in 1999 alleging abuse at the hands of the Christian Brothers of Ireland at the Mount Cashel Orphanage, said Budden. The Christian Brothers' entities in North America filed for bankruptcy in 2011 because the congregation was besieged with hundreds of sex-abuse lawsuits.

"There is a lot of relief," said Budden. "The longer ones especially have been through a lot of ups and downs in this process."

After the claimants originally lost their civil fight in Newfoundland court to hold the RCESJ "vicariously liable" for the atrocities they suffered at Mount Cashel in March 2018, they prevailed on July 29, 2020, in the Newfoundland and Labrador Court of Appeal. The Supreme Court of Canada upheld the decision on Jan. 14, 2021. The RCESJ filed for bankruptcy that year.

Documents released by Ernst & Young indicate that the RCESJ expects to have \$43,291,117 available by the Dec. 31 deadline to settle the claims with the survivors. Over the next months, the RCESJ will work to finalize a settlement with the provincial government for the sale of 32 schools and finalize the sale of 43 archdiocesan properties. Fifty-six other archdiocesan properties have already been sold.

According to the Ernst & Young documents released on May 23, there are 16 RCESJ properties still in use by the archdiocese and 14 properties not in use that have yet to be sold. The 16 properties still being used have a combined valuation of over \$1.7 million. All but one of this grouping are parishes (the other is a rectory and parish office). The parishes with the highest listing price include St. Patrick's Church in Witless Bay at \$180,000 and the Church of Immaculate Conception in Calvert at \$159,900.

The 14 properties not in use have a combined listing value of just under \$4.5 million. Six of this grouping are vacant lands, six are former parishes and the two others are parish halls. The properties with the highest values include the vacant land in St. John's for \$1.99 million, the vacant land in Portugal Cove-St. Phillip's for \$465,000, and St. Gabriel's Hall in Marystown for \$459,999.

The listing prices of all 30 yet-to-be-sold entities are valued at over \$6.2 million.

Budden has estimated for years that \$50 million would be a good sum to raise to ensure everyone who files a claim is adequately compensated. He said he is not concerned if the RCESJ does not attain that target by Dec. 31.

"This will be my fourth church solvency (case) I believe," said Budden. "In each of them, there wasn't just one payment. In most cases there were three. We now have a situation where there is a first payment that may be 80 per cent of what the client is entitled to, and then a few months down the road a supplementary payment and so forth. I am not especially troubled by whether if something closes Nov. 30 or Jan. 30. The common practice is for there to be interim distributions."

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