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

## St. John's abuse survivors in line for compensation

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

- September 27, 2023

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More than 150 survivors of abuse at the hands of the Christian Brothers of Ireland at the Mount Cashel orphanage in the 1940s through '60s, and Archdiocese of St. John's clergy over the years, have applied for a financial settlement from the archdiocese.

Lawyer Geoff Budden, who has represented some of the plaintiffs since 1999, has long predicted over 100 claimants would emerge to apply for compensation before the court-mandated cut-off date of 5 p.m. local time on Sept. 30. (A final number had not been determined by *The Register's* press time).

The team at Budden & Associates worked particularly long days during the final weeks as word of the fast-approaching deadline apparently spurred survivors into action.

“Sometimes the fact of an approaching deadline makes (a person) realize that if I am going to seek compensation, it really is now or never,” said Budden. “It is not a situation where people are dawdling for its own sake like you might do with your Christmas shopping. It is a painful thing to talk about, and embarrassing for some people, though it needn't be. They are coming forward on their own time — and of course many will never come forward.”

There is no exact formula or set of instructions for encouraging on-the-fence abused individuals to feel comfortable in sharing his or her story. Budden said he and his colleagues strive to be empowering.

“We do stress, as I always say in the media, that this is not a case where I say, ‘look, this is a ruined shell of a man or woman’ as that is hardly ever true,” said Budden. “What is more accurate is to say is ‘this person, not withstanding their resilience in trying to get on with their lives, still remains troubled in one or more aspects,’ and for that they are entitled to receive compensation.”

Dispute resolution company Globe Resolutions, Inc. takes centre stage in the claims process beginning Oct. 1. The legal teams for the claimants and the Roman Catholic Episcopal Corporation of St. John's (RCESJ) jointly hired the Toronto company.

A panel of four senior staffers from Globe Resolutions, Inc. is collaborating with Newfoundland-based mediation specialist Lawrence Hatfield to assess each claim to determine the amount of reparation to be paid to the living victims. The five-member panel also has autonomy to settle the cases of deceased victims and to determine how much interest can be added to each claim.

Adjudication of the submissions is expected to be finalized by Dec. 31. Compensation should flow to the victims or their loved ones in early 2024. The average payout for each approved claimant is expected to be north of \$100,000.

The RCESJ expects to have \$43,291,117 available by the Dec. 31 deadline to settle the claims with the survivors, according to public documents posted to the Ernst & Young restructuring monitor website.

Back in 2011, the Christian Brothers of Ireland went bankrupt because of the deluge of sex-abuse lawsuits filed against the order. After a lengthy court process with setbacks along the way, the Newfoundland and Labrador Court of Appeal ruled on July 29, 2020, that the RCESJ was “vicariously liable” for the atrocities the original claimants suffered at Mount Cashel. The decision was upheld by the Supreme Court of Canada on Jan. 14, 2021.

The RCESJ initiated its ongoing insolvency case by filing for bankruptcy in December 2021.

The archdiocese has dramatically transformed over the past 21 months as it has accepted offers for 99 properties, including a number of churches, and transferred control of 32 schools to the provincial government. No status updates have been shared since June about the 30 yet-to-be-sold properties, which have a combined valuation of over \$6.2 million.

Budden is projecting the RCESJ would need to present \$50 million to ensure the victims are sufficiently compensated.

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