

'He was really in another mental state'

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Published: Jun 08, 2016 at midnight

Updated: Sep 30, 2017 at 6:06 a.m.

A psychiatrist testifying Wednesday at the Mount Cashel civil trial in Newfoundland Supreme Court said what happened in his meeting with a former orphanage resident is something he has only seen a few times in his career.



Philadelphia, Pa., Psychiatrist Dr. Robert Toborowsky awaits his turn on the witness stand at the Mount Cashel civil trial. — Photo by Barb Sweet/The Telegram

"He had a true dissociative episode or a flashback. He choked up. He began sobbing. He broke down and, as I say in my report, he had a true reliving experience," said Philadelphia, Pa., forensic psychiatrist Dr. Robert Toborowsky of his meeting with a retired teacher who was placed in the infamous boys' orphanage as a child.

"He got up from his chair. I am sitting there. He was sitting across from me. He got up — he kind of darted to the other side of the room. He threw something. I thought it was a pen. ... He was really in another mental state."

The retired teacher is one of four test case John Does in the lawsuit against the Roman Catholic Episcopal Corp. of St. John's.

The test cases represent 60 residents of the orphanage during the 1940s to early 1960s who say the Catholic Church should be held responsible for the physical and sexual abuse of boys by certain members of the lay order Christian Brothers.

The church contends it didn't run the orphanage, and so is not responsible.

Toborowsky was originally hired by the Christian Brothers' lawyer after the case was launched in 1999, but the Brothers are no longer defendants, as they have gone bankrupt.

After a contentious morning in which former orphanage residents' lawyer Will Hiscock challenged the doctor's experience with patients who were sexually abused as children, church lawyer Chris Blom was successful in his request to Justice Alphonsus Faour to have Toborowsky qualified as an expert witness.

Toborowsky met with all four John Does in 2010 and filed reports based on his opinions.

There are psychological testing and views from others yet to come as evidence.

Toborowsky said he had asked the retired teacher for a brief description of the abuse he says he suffered at Mount Cashel, and the man described a time in Grade 5 when he was falsely accused of cheating. For that, he said, a Christian Brother beat him with a wooden paddle.

"After beating him thusly and crying, he was placed between the brother's legs," Toborowsky said, adding that's when the reaction happened to his recalling the physical abuse incident.

"This was fleeting. It could have been 120 seconds for all I know, but it was impressive because it was a true flashback."

Toborowsky also noted the man has had a successful career and marriage, and seemed like a great guy, so his accomplishments are a contrast to the problems he reported with his self-image.

Wednesday ended without Toborowsky finishing his opinion on the man's case.

But he did offer an opinion on another former resident — a retired military man who was expelled with the retired teacher at Christmastime 1955 when he was held by his throat by a Christian Brother for being late and his friend defended him by hitting the brother with a chair.

Based on what he said during the exam and such things as his enjoyment of everyday activities, that man, said Toborowsky, was not suffering any diagnosable psychiatric disorder that "can reasonably be traced to the sexual abuse he reported at Mount Cashel.

"I think this is significant — he completed the mental status examination with the following. 'I am grateful that I am still alive, not a drunk, have enough to live on, a car to drive, enough to go on a holiday. Most of the world can't do that. I consider myself very lucky.'"

Toborowsky hasn't delved into the other two John Does' cases yet.

But he said all four men have a common thread that can have a significant impact on lives — the loss of a parent at a young age can cause issues such as low self-esteem, substance abuse, lack of trust of

others, anger, depression, inability to form and maintain relationships and other problems.

In the back of the courtroom, a man who said he was at Mount Cashel during the 1970s and was abused there listened intently. He has nothing to do with this case, but has dropped in from time to time.

Outside court, he hung his head for a while when asked by The Telegram if he agrees with the doctor's views on children who lose a parent. His dad died when he was a boy.

"My mom, she had her own problems and issues. She couldn't take care of me," he said, his eyes wet.

"She just couldn't take care of me and they figured Mount Cashel would be the best spot for me. If I hadn't had to lose my parents at such an early age, I probably would have been given a better chance at life. I wouldn't be coming here today."

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Earlier story:

Forensic psychiatrist giving evidence at Mount Cashel civil trial

Philadelphia, Pa., psychiatrist Dr. Robert Toborowsky was qualified as a expert in forensic psychiatry after a contentious morning at the Mount Cashel civil trial.

Toborowsky is a witness for the Episcopal Corp. of St. John's, which says it should not be held liable for sexual abuse of boys by lay order Christian Brothers during the era 1940s to '60s.

Contention — in questioning by former orphanage residents' lawyer Will Hiscock — largely surrounded Toborowsky's specific experience with patients who were sexually abused as children.

Noting his imminent career, Justice Alphonsus Faour accepted him as a forensic psychiatry expert in sexual abuse as a range of causes of symptoms.

Toborowsky met with the four John Does who are test case plaintiffs in this Newfoundland Supreme Court case in 2010. This afternoon will delve into his opinions on those men's files.

A full story will be available later today on this website and in print Thursday.

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