

Christian Brothers left out of orphanage policy discussions: lawyers

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Early 1950s interaction between the archbishop and the child welfare minister of the day seemed to not include the Christian Brothers in detailed discussions about admission policies for orphanages, questioning by lawyer Geoff Budden of an expert witness indicated Friday in the Mount Cashel civil trial at Newfoundland Supreme Court.



Newfoundland Supreme Court Justice Alphonsus Faour is presiding over the Mount Cashel civil trial.

Budden continued to cross-examine historian John FitzGerald, witness for the Roman Catholic Episcopal Corp. of St. John's.

The trial Friday drilled down into some history of the Brothers establishing the orphanage, but then zeroed in on several letters post-1950, including such things as fundraising, the establishment of sea

cadets at the orphanage, as well as discussions between the archbishop and Smallwood-era cabinet minister H.L. Pottle on admissions policy for orphanages.

As part of that, a lengthy letter from Pottle to the archbishop included the suggestion that parish priests be informed of the department's policies.

"You would acknowledge that's a fairly detailed discussion with regard to the operations of child welfare, particularly with regard to placing children in orphanages?" Budden asked after FitzGerald finished reading out the letter.

"It is a fairly detailed proposal on the part of Pottle to (the archbishop)," said FitzGerald.

"And we are now essentially a year into this dialogue?" asked Budden.

FitzGerald agreed.

"And no suggestion that the Brothers are being copied or consulted at all?" asked Budden.

"Not that I see here," said FitzGerald.

But FitzGerald said he is not surprised and doesn't know Pottle's motivation for not speaking to the Brothers.

The John Doe lawsuit against the RC Episcopal Corp. of St. John's seeks compensation and involves four test cases that claim the church should be held liable for the physical and sexual abuse of boys at the orphanage by certain Christian Brothers during the period of the late 1940s to the early 1960s. The test cases represent about 60 claimants in the case being pursued by Budden and Associates.

The church contends it did not run the orphanage, and therefore is not responsible for actions of the lay order Irish Christian Brothers there.

FitzGerald, who reviewed historical documents for his report on the relationship between the Episcopal Corp. of St. John's and the Congregation of Irish Christian Brothers, has said the Brothers was a separate incorporated entity.

Another early 1950s letter raised Friday had the archbishop of Harbour Grace reminding that government officials were not free to enter the orphanages (there was also Belvedere) at will.

The archbishop was also asked by the Brothers in 1953 to appeal to the government about the baby bonus rate paid to the facility for orphan boys — \$12.50 each compared to the \$30 each child, plus family allowance, that foster parents received, according to information outlined in a report prepared by FitzGerald for the church.

Earlier Friday, cross-examination of FitzGerald on correspondence, also from the 1950s, suggested there was a pattern of the Christian Brothers seeking approval from the archbishop for activities such as bingo, fairs, garden parties, collections and the Christmas raffle.

But FitzGerald noted the archbishop of the day was concerned with being proper and not having his congregation put upon. FitzGerald has said the seeking of permission speaks to the lay order Christian Brothers and other groups within the faith trying to avoid conflicting fundraising events, so as not to appeal to the parishioners all at one time.

But Budden, in his attempt to establish a role of the archdiocese in the operations of the orphanage, noted the flow of the permissions either denied or approved was one way — from the archbishop to the Brothers.

FitzGerald suggested the requests were intermittent.

Budden also questioned FitzGerald on what correspondence exists between the archbishop and the Brothers' superior from the orphanage founding to pre-1950. There is little, the court heard. Budden said there are three possible reasons why — either it doesn't exist, it couldn't be found or it got lost over time.

The trial continues Monday.

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