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Court appoints lawyers to represent abuse claimants in St. John's Catholic archdiocese bankruptcy

Barb Sweet | Posted: Feb. 16, 2022, 7:51 p.m. | Updated: Feb. 17, 2022, 12:38 p.m. | 3 Min Read

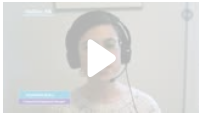


Lawyer Geoff Budden. TELEGRAM FILE PHOTO Keith Gosse/The Telegram

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Representative victims of abuse at the former Mount Cashel orphanage during the mid-20th century and two law firms are representing all sexual abuse claimants in the Archdiocese of St. John’s bankruptcy in hopes of moving the process along.

“I note the long history of this litigation. John Doe said that he has been involved with it for 22 years,” Justice Garrett Handrigan said in his decision.

“The pallor of the tragedy that underpins the litigation has hovered over this community for decades and has occupied various levels of notoriety during that time. The claimants have waited patiently for the process to resolve to be compensated for the abuse they suffered as children. Taking that burden from them by finishing this work is reason enough to complete it as efficiently and effectively as possible. But it also reflects more broadly, and positively, on this society as it delivers justice and recompense to them for their losses. Competent counsel representing them is critically important to delivering those results.”

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John Doe and two other representative claimants in a landmark case in favour of early-era Mount Cashel victims have been appointed by the Newfoundland and Labrador Supreme Court as the representative claimants, while law firms Gowling WLG (Canada) and Budden and Associates of St. John's are representative counsel for abuse victims.

"We are pleased with the decision and accept the responsibility this places on us to help move the matter along to a fair and timely resolution," lawyer Geoff Budden said after the decision came out Wednesday, Feb. 16.

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Budden has represented the abuse claimants for more than 20 years.

The church filed for bankruptcy after the Supreme Court of Canada declined to consider its application for leave to appeal a decision by the Appeals Court of Newfoundland and Labrador Supreme Court, in favour of Mount Cashel victims from the 1940s, '50s and early '60s. But they aren't the only claimants in the bankruptcy matter.

The church was held vicariously liable despite claiming the lay order Irish Christian Brothers that ran the Mount Cashel orphanage was independent.

More than 100 early Mount Cashel victims are looking for redress, and that number is expected to increase. Other claimants would be victims of abuse by

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Handrigan noted Budden has been carrying the litigation for 25 years, and he guarded against the proceedings languishing and getting mired in procedural minutiae if it meant dealing with multiple lawyers and claimants. He also noted Gowling lawyer Clifton Prophet's expertise in bankruptcy and insolvency.

Deloitte Restructuring Inc. has been appointed financial adviser to the claimants.

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