

Local News

Court Holds Roman Catholic Archdiocese Liable for Damages Owed to Mount Cashel Victims

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(Mount Cashel Orphanage, circa 1942.)

Victims who suffered abuse at the hands of Christian Brothers and others at Mount Cashel Orphanage have won what their lawyers are calling a significant reversal on liability.

The Supreme Court of Newfoundland and Labrador ruled in March, 2018 that the Roman Catholic Episcopal Corporation of St. John's was not liable. However, the Court of Appeal has unanimously ruled that the corporation is liable to the appellants according to lawyer Geoff Budden.

The ruling states that the Archdiocese provided the Brothers who were staffing Mount Cashel with the power, environment and tools to carry out their wrongdoing virtually undetected.

"...there was a strong connection between the risk of harm the Archdiocese introduced in the community and the materialization of that risk. The Archdiocese exercised its authority over the Brothers and the orphanage in many ways, but it also provided the Brothers staffing Mount Cashel with the power, environment and tools to carry out their wrongdoing virtually undetected, while they were supposed to be carrying out the Archdiocese's legitimate objectives of caring for and educating the appellants."

– Excerpt from court decision.

Budden says the ruling renders the Archdiocese liable to pay the damages of the appellants.

The Episcopal Corporation says it will review the decision with its legal counsel before providing any comment. It says the Archdiocese was never responsible for the operations of the orphanage or the school at Mount Cashel.

They say they have immense sympathy for those who suffered in the past and continue to suffer.

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