

Nfld. & Labrador

Judge approves Mount Cashel victims claims process, says 'Let's get on with it'

Compensation expected to flow this fall for victims of Christian Brothers, Catholic clergy

[Terry Roberts](#) · CBC News · Posted: Mar 27, 2023 3:07 PM NDT | Last Updated: March 27



Lawyers Geoff Budden, right, and Geoffrey Spencer shake hands in a St. John's courtroom Monday morning after a judge approved a formal claims process that will allow abuse victims to seek compensation from the Roman Catholic Episcopal Corporation of St. John's. Budden represents most of the dozens of victims, while Spencer represents the episcopal corporation. (Terry Roberts/CBC)

A claims process that will allow dozens of abuse victims to be compensated by a Catholic archdiocese in St. John's received court approval on Monday, with Justice Garrett Handrigan telling all those involved to "get on with it."

A claims officer — an independent, court-appointed position that will review each claim to determine liability and the amount of compensation to be paid — is expected to be approved in the coming days.

Once that occurs, lawyers for the victims are expected to immediately begin submitting applications to the claims officer, and compensation is expected to flow later this fall.

"Time is of the essence. Let's get on with it," Handrigan, appearing via video link at the Supreme Court of Newfoundland and Labrador in St. John's, told the handful of lawyers listening in.

A lawyer for many of the victims, Geoff Budden, said his clients are anxious to see the process move forward.

"I think there will be satisfaction that today has happened and we have by consent got to this point and hopefully the next number of months will pass smoothly as we work with them to finalize their claims," said Budden.

Lawyer Geoffrey Spencer, who represents the archdiocese, described it as "a fair and efficient and cost-effective claims process which reduces the evidentiary burden that would be put on claimants, while ensuring that the claims are proven."

As part of the process, a call for claims will be advertised in media outlets in the coming weeks.

It's a significant step in a legal process that has dragged on for years, intensifying two years ago after the country's highest court refused to hear an appeal from the archdiocese. That ruling effectively upheld an earlier decision by the Court of Appeal of Newfoundland and Labrador, which ruled the archdiocese was vicariously liable for abuse committed at Mount Cashel in the 1940s, '50s and '60s.



Justice Garrett Handrigan, top left, of the Supreme Court of Newfoundland and Labrador appeared by video link in a St. John's courtroom Monday morning. Handrigan approved a formal claims process for dozens of victims of abuse at the Mount Cashel orphanage, and at the hands of various clergy throughout the Roman Catholic Archdiocese of St. John's. (Terry Roberts/CBC)

The archdiocese has since been selling off its vast holdings of properties — including churches, parish halls, vacant land and rectories — on the Avalon and Burin peninsulas through a court-supervised insolvency process in an effort to raise the millions that will be needed to compensate victims.

Recent court documents reveal that more than \$31 million has been raised so far through the sale of assets, though Budden has said that more than \$50 million will be required to adequately compensate victims for the abuse they suffered.

Budden is confident that target will be reached once all properties are sold, saying, "I think we will get there."

The deadline for making a claim against the archdiocese is Sept. 30. While it's not expected that money will begin to flow until after that date, the review of claims is expected to begin this spring.

"We've been busy putting their claims together and we'll continue with that process," said Budden, adding that his firm has been hiring extra staff.

"A number of us will be really quite consumed with this over the next number of months," Budden told Handrigan.

"It's in the interest of all parties that this claims process be carried out and concluded as expeditiously as possible," added Spencer.

Claimants have the right to appeal

While the exact number is not yet known, it's expected that more than 100 victims of abuse at the hands of the Christian Brothers — the religious group that ran the notorious orphanage in St. John's — and various clergy throughout the archdiocese will apply for compensation.

The claims officer will determine how much compensation is paid to each victim, and victims will have the option of appealing to the province's highest court if they aren't satisfied.



The Mount Cashel orphanage is shown in a 1989 photo. (Andrew Vaughan/The Canadian Press)

Budden expects each victim will each receive hundreds of thousands of dollars.

"People have suffered terribly in the pain they've experienced, but also in the economic impacts it's had on their careers, on their education, and damages as a consequence of that suffering can be large," he said.

The process will also give the claims officer wide discretion in considering prior awards of compensation to victims and determining the level of interest that can be applied to claims.

Spencer said the independence of the claims officer will ensure "procedural safeguards for adjudication of the claims in a fair and reasonable and transparent manner."

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