



Nfld. & Labrador

## Mount Cashel victims wait for justice as case heads back to court in December



[Chris O'Neill-Yates](#) · CBC News · Posted: Nov 22, 2016 7:00 AM NT | Last Updated: November 22, 2016



John Doe said he was at Mount Cashel, until he was expelled at the age of 15. (CBC)

A 76-year-old former Mount Cashel resident is waiting for the outcome of a lawsuit against the Roman Catholic Episcopal Corporation of St. John's that was filed in 1999.

The man — who can be identified only as John Doe because of a publication ban — is one of 80 to 90 former residents suing the Roman Catholic Episcopal Corporation of St. John's for abuse dating back to the 1940s and 1950s.



Children at Mount Cashel, seen in this archival photo. John Doe was at the orphanage from 1948-55. (CBC)

Twenty-five years after the infamous Mount Cashel orphanage was torn down, John Doe recalls the helplessness he felt as a boy.

"You had no freedom, nowhere to go. They could do what they wanted to you with impunity," he said.

The man was a resident at Mount Cashel from 1948 to 1955. He said he was sexually and physically abused by four Christian Brothers and one lay person.

"You were left with the feeling that you were dirty, used, and discarded," he said.

“Who were you going to tell?”

- John Doe

John Doe said he was expelled from the orphanage after he intervened to help his friend who was being "pummeled" by a Christian Brother.

"My best buddy's mother invited him home for Christmas Day and he got back a bit late," he said.

As the brother was beating his friend, John Doe said he picked up a chair and hit the Christian Brother over the head with it to stop the beating.



Geoff Budden represents about 65 men in a case dating back to 1999. (Sherry Vivian/CBC)

"I used to rise to anger quickly," he said. "Looking back, my behaviour wasn't what it should have been."

John Doe said the superior expelled him and his friend the next morning.

At 15, he found himself on the street with nowhere to live.

He said a couple of weeks later, an aunt took him in. She taught him how to do basic chores, cared for him, and encouraged him to get educated and become a teacher.

## Final arguments in December

The trial, a test case involving four plaintiffs, began in the Supreme Court of Newfoundland in April 2015. The court heard 30 days of testimony, and three days are set aside for final

submissions beginning on Dec. 13.

Lawyer Geoff Budden, who represents the men suing the archdiocese, said some of the the claimants are now over 80 years old. He said the wait is frustrating for his clients.

"You wait decades to come forward, and then when you do in some cases, you wait more than a decade to see a resolution," he said.



The cross on Mount Cashel orphanage before it was demolished in 1992. (CBC)

Budden initiated the lawsuit against the Roman Catholic Episcopal Corporation of St. John's in 1999. He said some men received a small amount of compensation from a \$16.5-million settlement, money made available after the bankruptcy of the North American Christian Brothers.

Of the more than 450 claimants, about 150 were from Newfoundland. However, his clients exercised their right under bankruptcy law to sue the Episcopal Corporation.

Budden is arguing negligence on the part of the archdiocese, meaning that it knew or ought to have known that his clients were being abused as boys at Mount Cashel.

These claims precede those from the 1970s that were the subject of the Hughes Inquiry in 1989.

John Doe came forward at the onset of the Hughes Inquiry.

"They used to come to your bed at night time," he said of his abusers. "Who were you going to tell?"

He said both his parents had died, and he and his four brothers were placed in Mount Cashel.

## Confidence in institutions lost

Budden said children were sent to the orphanage where "godly men" would give them structure, discipline, and an education that would prepare them for life.

But in the decades since the abuse at Mount Cashel was revealed, Budden said society's faith in institutions has changed.

"The confidence that people had in their government, in their religion. We've lost that now," he said.

"People believed perhaps that government would never allow certain things to happen. They don't any more."

John Doe said after decades of litigation, it feels like this case will never end.

"It's like rolling a stone up a hill," he said. "But you never get it to the top."

**“It's like rolling a stone up a hill.”**

*- John Doe*

A Sobeys's supermarket and a housing development sit on the site of the former Mount Cashel property.

"When I go over there, I get cold shivers," John Doe said.

"But I won't stop going there because this has to be defeated."

The provincial government settled with another John Doe claimant last week for \$750,000, the largest amount ever paid to a victim of abuse at Mount Cashel.

- [\*\*N.L. settles Mount Cashel abuse claim for \\$750K\*\*](#)

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