

# No time to say goodbye

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Barb Sweet/The Telegram <br > Lawyers prepare for the day's proceedings in a civil trial ab the former Mount Cashel orphanage from the 1940s to 1960s. From left are Will Hiscock and Budden, who represent claimants, and Chris Blom and Mark Frederick, who represent the R Catholic Church.

One day in 1952, three brothers were playing pond hockey in their rural community far from St. John's when their uncle came to get them to go to Mount Cashel.

"I felt terrible," one of the boys, now a senior, told a courtroom of the experience of leaving his friends and schoolmates. "Never even had time to say goodbye."

Terrible was also the word he used to describe his first impression of the now infamous east-end St. John's orphanage run by the Catholic lay order Christian Brothers.

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But, he said, his war-veteran father, a double amputee, could not care for them after their mother died.

When asked by abuse claimants' lawyer Paul Kennedy why his father chose faraway Mount Cashel, the man replied people of that generation put clergy "on a pedestal."

They were a Catholic family and clergy were viewed as doing no wrong, he said.

"That turned out to be different," said the man, now in his 70s, who began testimony late Tuesday afternoon at the Supreme Court of Newfoundland and Labrador in a civil trial to determine whether the Episcopal Corp. of St. John's is liable for the physical and sexual abuse of boys perpetrated by some members of the Christian Brothers several decades ago.

The Catholic Church contends it is not liable, as it did not run the orphanage.

The Episcopal Corp. is represented in the trial by three lawyers from Ontario firm Miller Thomson.

St. John's firm Budden and Associates launched the four test cases, representing about 60 claimants who were orphanage residents during the period 1940s to 1960s.

The trial's second witness, who now lives in Labrador, but lived his early life on the island before being sent to Mount Cashel, is unable to stand in the witness box because of ill health.

But that's where the first witness, a St. John's retired teacher, verbally sparred with Catholic Church lawyer Chris Blom for most of the day Tuesday after claimants' lawyer Geoff Budden finished questioning him.

Blom tested the man, now in his 70s, on his memory of certain events, on his feelings toward his father for putting him and his four brothers in the orphanage and on his reasons for not pursuing a PhD in education.

The first witness said he left the orphanage at age 15 with his best friend on Boxing Day in 1955. The pair had no winter coats and dragged their few belongings in a cardboard box, tied with a rope, through the snow to find a bus to go to the friend's grandmother's house. There had been a blizzard

the night before and his friend was late getting back to the orphanage. According to the witness, his friend was held by the throat by one of the Brothers and got the “bejeezus” beat out of him because of that tardiness.

The witness, then a boy, took a chair and hit the Brother to defend his friend and the two of them were ordered off the property by a Christian Brother on Boxing Day, he said.

But Blom pointed out to the court that the movie the witness said the orphanage residents watched Christmas night — said to be “Gunfight at the OK Corral” — was not released until a couple of years later.

Asked by Blom if that image of the two boys leaving on Boxing Day reflected harsh life at the orphanage, the first witness said no.

“I would say it was the lack of empathy, understanding, charity and kindness of a member of the Irish Christian Brothers,” he replied.

Blom also noted that during the discovery interview process involved in the case, the man had said financial reasons played into his decision to not pursue a PhD. But he had testified Tuesday that it was because of poor self-image.

The first witness described how he felt dirty and unworthy, as he has testified to being a victim of physical and sexual abuse by some Brothers and a couple of employees at the orphanage between 1948-55.

He said he spent 20 years trying to get his wife to leave him because he felt he was way beneath her, while she was supportive and encouraged him to pursue opportunities. They are still happily married, despite his earlier efforts, he said.

The witness said he could not remember saying anything about financial reasons for not going for the PhD, which he was encouraged to do by the U.S. university where he obtained his master’s degree in education.

He said he dreamed of going into politics, but was afraid people would find out he was abused. (He revealed the abuse to family and subsequently to teachers at his school after seeing the Hughes Inquiry on TV in the late 1980s.)

Blom pursued the PhD angle repeatedly, suggesting the abuse did not affect that decision.

While Blom asked the man about incidents of physical abuse, he did not question the first witness on details of the sexual abuse incidents he gave testimony on Monday.

The first witness was asked extensively about his father, who placed five sons in the orphanage after the death of his wife from cancer at 31.

The witness said his mother was his father’s Juliet and one Christmas after her death, he ripped the pickets out of the fence at their house and cried out, “Why, why?”

The man’s father drank heavily, moved around a lot and only visited the boys at the orphanage once every two years, although he did write.

Men involved in this case did get some compensation from the Christian Brothers, but their lawyers say it was inadequate.

The Catholic lay order went bankrupt and action in this civil case against it was discontinued.

The first witness said he shunned recommendations for him to get counselling as part of the settlement process, because of trust issues caused by his abusers.

"Do you think I am going to trust anyone again to that extent?" he asked Blom.

The second witness was expected to continue testifying today, pending weather conditions.

None of the four former orphanage residents can be named due to a publication ban.

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