

St. John's Catholic diocese named in proposed Vancouver class action

Premium content

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Joe Fiorante is a Vancouver lawyer with Camp, Fiorante, Matthews and Mogerman. - Contributed

Notice of civil claim was filed in the Supreme Court of British Columbia Monday



VANCOUVER, B.C. — The legal entity of the Roman Catholic Archdiocese of St. John's has been named in a proposed class-action lawsuit involving alleged sexual abuse at schools in Vancouver where Christian Brothers taught decades ago.

The notice of civil claim was to be filed in the Supreme Court of British Columbia Monday and the local archdiocese has not had legal notification yet, according to the lawyer Joe Fiorante who hopes to get the class action certified in B.C.

"The abuse at Vancouver College and St. Thomas More continued a pattern of systemic child abuse at institutions run by the Christian Brothers in Canada (CBIC) first revealed at the Mount Cashel Orphanage in Newfoundland in the mid-to-late 1970s," alleges the notice of claim. (Early police investigations in Newfoundland and Labrador were covered up at the time.)

"Following incidents of abuse, the CBIC did not act to protect the children in their care, but to protect their abusers from criminal charges by moving them out of Newfoundland to teach at schools owned and operated by the CBIC, including Vancouver College and St. Thomas More. The transfers were carried out with the knowledge and approval of the Archbishop of St. John's."

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Darren Liptrot is the representative abuse claimant against the Vancouver College Ltd., St. Thomas More Collegiate Ltd., Edward English, Gerald Gabriel McHugh, John Kavalec, The Roman Catholic Episcopal Corp. of St. John's, Roman Catholic Archbishop of Vancouver and The Catholic Independent Schools of Vancouver Archdiocese.

Fiorante told The Telegram this Monday the recent Supreme Court of Canada ruling — that refused to hear a Catholic Church appeal of the Surpeme Court of Newfoundland and Labrador decision that found it vicariously liable for the sexual abuse of boys at Mount Cashel in the 1940s, '50s and '60s — had a role in the decision to name the archdiocese of St. John's in the Vancouver action.

"It did, it assists us in understanding the degree of control they had over events at Mount Cashel," Fiorante said in a video interview. "And it certainly helps us understand their role and does provide a basis for the claim that Mr. Liptrot is advancing here in Vancouver."

Liptrot, who said he has not been involved in any criminal case against English, spoke in the interview of his ordeal, which started with grooming by English after Liptrot confided troubles at home. His claims of abuse are not proven in court.

Liptrot attended Vancouver College from 1980-85 for grades 8-12.

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The Telegram asked Liptrot if life for him would have been different had English never got transferred to Vancouver from Mount Cashel.

"Yes," the recovering addict who once dreamed of being a lawyer, said emphatically.

"For sure. I would definitely have gone on to university."

St. John's lawyer Geoff Budden, who is not involved in the Vancouver case, but led the 20-year legal battle that was finally won in January, said his case for John Doe plaintiffs was "a template or a road map if you are looking to hold an archdiocese responsible for a religious order."

"This is what you need to establish," Budden said.



Geoff Budden fought for victims in the Mount Cashel civil case for more than 20 years. Keith Gosse/The Telegram - SaltWire Network

"There is a roadmap from that case and some of the other cases that have proceeded to trial," Fiorante said.

"But basically the allegation is that the archbishop of Vancouver has the power over all activities within the diocese, all ministerial, educational, all activities and that includes oversight of Catholic Schools in Vancouver."

The legal action claims over period 1976-83, the CBIC moved certain child abusers from Mount Cashel to Vancouver College and St. Thomas More where they had unfettered access to children, abused children and/or failed to protect children from their fellow Christian Brothers.

As a plaintiff, Liptrot represents all students who attended Vancouver College School and St. Thomas More between 1976-95 who claim that they were physically and/or sexually abused by one or more Christian Brothers.

In specific reference to the archbishop of St. John's, the proposed Vancouver class action alleges it failed to take reasonable measures to protect the plaintiff and class members from abuse by Christian Brothers, in particular; the archbishop (of the day) prioritized the protection of the reputation of the Catholic Church over the need to protect children from further abuse by the Christian Brothers; the archbishop approved of, facilitated and/or ratified the transfer of English out of Newfoundland to a teaching position at a CBIC school in Vancouver when it knew English had abused boys at Mount

Cashel and posed a real and continuing danger to students, including the plaintiff and class members; the archbishop failed to revoke or take steps to revoke English's certification to teach in Catholic schools; and the archbishop failed to warn the archbishop of Vancouver of the real and continuing danger which English posed to students, including the plaintiff and class members.

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