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## Tentative deal utilizing Chase the Ace money will allow St. Kevin's Parish in Goulds to become only N.L. Roman Catholic parish to 'own itself'

Instead of seeing their church and parish hall sold to help pay off Mount Cashel abuse settlements, the parishioners will take ownership

**Glen Whiffen** | Posted: Feb. 28, 2022, 9:16 p.m. | Updated: March 1, 2022, 12:56 p.m. | 8 Min Read

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People buy Chase the Ace tickets ahead of Wednesday night's draw at St. Kevin's Parish Hall in Goulds. - SaltWire Network file photo

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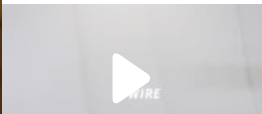
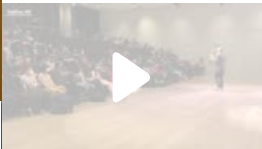
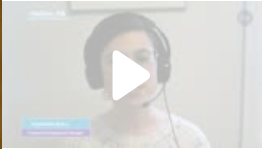
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ST. JOHN'S, N.L. — A very successful Chase the Ace fundraiser in 2017 will result in St. Kevin's Roman Catholic Parish in the Goulds area of St. John's being able to keep its church building and parish hall, once the courts approve a deal announced Monday, Feb. 28.

The parish could be the envy of other parishes, as Roman Catholic properties and buildings in the greater St. John's area are being appraised for potential sale — as well as the consolidation and downsizing of parishes — to help settle compensation claims with victims of sexual abuse by certain Christian Brothers at the former Mount Cashel boys' orphanage in the 1940s, '50s and '60s.



St. Kevin's Roman Catholic Church in Goulds. KEITH GOSSE • THE TELEGRAM - Saltwire network

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Court-appointed representative counsel would expedite claims process in Mount Cashel abuse case: lawyers



Archdiocese of St. John's exploring bankruptcy protection to allow more time to sort settlements for early-era Mount Cashel child abuse victims



St. Kevin's held a widely popular Chase the Ace fundraiser that netted the parish about \$5.5 million in profit.

Lawyers were to argue Monday in Newfoundland and Labrador Supreme Court what amount, if any, of the Chase the Ace funds should go toward paying the compensation claims.

Discussions among lawyers held last week and over the weekend led to a compromise.

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St. John's lawyer Geoff Budden, who represents more than 60 of the claimants, told Justice Garrett Handrigan Monday that the parties had reached a tentative resolution pending approval of the court.

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“There was significant communication between counsel throughout last week and over the weekend, and late (Sunday afternoon) we reached what we believe will be a solution to this dispute ... of this particular piece of the litigation,” Budden said. “We have reached what we believe to be a satisfactory and equitable resolution.”



Geoff Budden. - SaltWire Network File Photo

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documents, and bring it back before the court for approval.

Also at that time, Budden said, they intend to ask for an order to seal the monetary aspect of the resolution “given some of the commercial aspects of this matter and the many other negotiations that will be unfolding over the next little while.”

Lawyer Kyle Rees, who represents St. Kevin’s Parish, said obtaining the court’s confirmation of the resolution agreement will be important for his client.

“There’s \$5.5 million there in a bank account that the creditors wanted access to, and the argument at the court hearing (Monday) was going to be about whether they would get all \$5.5 million or whether they would get none of it,” he said. “So the compromise on the settlement was in light of that. If (St. Kevin’s) didn’t have that Chase the Ace money, there wouldn’t have been any such discussion. They are in a bit of a privileged position compared to the other churches.”

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Kyle Rees. - SaltWire Network File Photo

The Roman Catholic Episcopal Corp. of St. John's — the legal entity of the Roman Catholic Archdiocese of St. John's — was found to be vicariously liable for acts of abuse that occurred at the Mount Cashel Orphanage. The archdiocese had maintained the orphanage was independent of it, and had fought the case to the Supreme Court of Canada, which refused to hear the archdiocese's appeal of a decision by the Newfoundland and Labrador Supreme Court of Appeal that sided with the victims of sexual abuse.

The January 2021 ruling by the country's highest court ended a long and difficult battle of more than 20 years for former residents who are now elderly men.

The archdiocese subsequently filed for protection from its creditors.

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Archbishop Peter Hundt said in December the archdiocese had filed a notice of intention to make a proposal pursuant to the Bankruptcy and Insolvency Act.

“In effect, we will be requesting additional time to complete our evaluation of our assets, formally call for claims against the archdiocese, and develop a proposal for our creditors to settle victims’ claims and creditor liabilities,” he said at the time in a statement. “This process will involve the archdiocese marketing diocesan properties, including church buildings, to satisfy claims. This will be a transparent process adjudicated through the Newfoundland and Labrador Supreme Court.”

Besides the clients of Budden’s firm, the decision could also affect the unresolved cases of other claimants represented by various lawyers, and new claimants coming forward — totalling more than 100 — and amounting to claims expected to exceed a total of \$50 million.

The archdiocese has also been named a co-defendant in a class-action lawsuit in British Columbia with 30 claimants.

Rees said that because of the application for a sealing order, the amount of the Chase the Ace money St. Kevin’s will be able to keep won’t be disclosed to the public. The property, however, will be listed in the court order and have publicly registered deeds showing ownership.

“The parish hall and the church are going to be transferred to St. Kevin’s to own in their own right,” he said. “Those properties are worth more than \$1 million. And that is significant because that makes St. Kevin’s the first. and to mv

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the archdiocese is going bankrupt and selling off all these churches. Parishioners don't get much of a say in that.

"In addition to some money, the fact St. Kevin's is going to now own its church outright and own its parish hall outright, means that they have those properties in perpetuity, to operate them or do what they wish with them. Regardless of what happens to the (Roman Catholic Episcopal Corp. of St. John's) going forward, St. Kevin's can keep doing whatever they need to do."

The case is expected back in court for approval of the resolution within a month.

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