

Message from the Archbishop

September 23, 2020

Re: The Mount Cashel Lawsuit

Dear People of the Archdiocese of St. John's:

I am writing today to update you on the legal proceedings related to the Appeal Court decision regarding the Mount Cashel Law Suit. In March 2018, the Supreme Court of Newfoundland and Labrador determined that the Archdiocese of St. John's was not liable for abuse committed at the Mount Cashel Orphanage by certain members of the Christian Brothers. This decision was appealed and on July 29, 2020 we learned that the Appeal Court overturned some of the legal conclusions made by the trial judge of this case, one of which was to find that the Archdiocese was vicariously liable for the abuse committed.

During the past few weeks, we have been meeting with our legal counsel to review this matter and to determine how we should respond to the Appeal Court's ruling. As this ruling with respect to liability will set a legal precedent that will likely have profound implications for not only the future operations of our Archdiocese, but for the operations of other Episcopal Corporations, charities and organizations, it is important that a clear understanding of the application of this law be obtained. Therefore, earlier today lawyers representing the Archdiocese of St. John's petitioned for leave to appeal to the Supreme Court of Canada the decision of the Newfoundland and Labrador Court of Appeal on this case.

We have been advised by our legal counsel that it may be early in the new year before we receive a response from the Supreme Court of Canada on our petition. We are hopeful that due to the national importance of this case, the Supreme Court will hear this matter. If so, there will be further legal proceedings. Conversely, if the Supreme Court chooses not to hear this matter, the legal proceedings will have ended and we will have to determine how best to deal with the impact of that decision on our Archdiocese.

We regret that this petition will prolong the legal proceedings of this case and we have immense sympathy for those who suffer as a result of abuse. Please join with us in continuing to pray for all those who bear the pain and woundedness caused by abuse.

We know that this case brings forth many questions and concerns that can only be fully addressed once the present legal proceedings are concluded. Until then, we must continue to move forward, focused on our daily work of building God's kingdom through service, word and worship.

Sincerely yours in Christ,

+Peter Hundt
Archbishop of St. John's, Nfld.