



# United Nations Convention on the Rights of the Child Update / Alternative Report to the 90th pre-session Working Group State party: Canada

Prepared by the (UK) National Secular Society (NGO) in April 2022

The National Secular Society works towards equal Human Rights for all regardless of religion or belief. Based in the United Kingdom, we also work internationally and have been in special consultative status with the United Nations Economic and Social Council since 2016.

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**Nomenclature:** “CSA” is used to describe Child Sex Abuse, or more accurately sexual harassment, assault, or rape. We used the abbreviation “CCSA” for clerical-related CSA

We recognise that some survivors of CSA prefer that term to victims.

References to the “Church” are to the “Catholic Church”.

Underlining or yellow highlighting has been added for emphasis, not present in the original.

**Recommendations are shown in bold at the end before the Appendix.**

There is no table of contents as the entire submission relates to the Cluster on violence against children: abuse and neglect, including physical and psychological recovery and social reintegration (Articles 19 and 39), together with sexual exploitation and sexual abuse (Article 34).

## **Introduction**

This submission is made in response to the invitation of Child Rights Connect on 10 March 2022 to provide additional information/updates by 15 April. Our previous submission was in 2020.<sup>1</sup> Some of the updates relate to events some decades ago and they prompted additional research shown in this report.

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[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fCAN%2f43282&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fCAN%2f43282&Lang=en)

As an update, this report is restricted to two topics:

**PART 1 - Clerical abuse of minors, largely sexual: the adequacy of secular justice responses thereto and the appropriateness of Governmental involvement**

**PART 2 - Further important information has emerged about the residential schools for children of the indigenous nations. It includes the murder of babies and multiple types of abuse and neglect leading to suffering and the needless deaths of thousands of children:**

- a full assessment of the scale of what has been described officially as cultural genocide,
- to the extent possible, the marking of thousands of graves – recognising that many victims' bodies were destroyed without trace, and
- the payment of compensation by the Catholic Church,

## **PART I - Clerical abuse of minors, largely sexual: the adequacy of secular justice responses thereto and the appropriateness of Governmental involvement**

Evidence is given below, much of it recent, of:

- A. A state Supreme court settlement which substantially, and we contend unreasonably, relieved the Catholic Church of financial responsibility for such abuse which could reduce the amount of settlements receivable by victims. (Fortuitously, it was overturned.)
- B. Unreasonable delay in court actions depriving victims of Catholic CSA much-needed support,
- C. Official findings – albeit historic – that State Party government officials and police exempted Catholic-associated clerics / brothers from prosecution for CCSA, also in so doing potentially permitted such CCSA to continue, and
- D. Evidence made available recently of high public awareness of significant levels of serious CCSA in Canada

It is therefore disturbing that the combined fifth and sixth reports submitted by the State Party<sup>2</sup> make no mention of Clerical CSA. The omission leads to questions about the degree of priority attached to such abuse by the State Party, particularly where such clerical abuse is associated with the Catholic Church.

The LOI include a request in para 8(d) for further information on “The court action regarding alleged clerical abuse of children filed against the Roman Catholic Church in British Columbia” (BC). The State Party responded (para 32): “This is a case between private parties. Governments are not involved”. The

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<sup>2</sup> Ref CRC/C/CAN/5-6 and

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2f5-6&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2f5-6&Lang=en)

answer is factually correct, however it implies that the in opinion of the State Party its responsibilities under the Convention only apply to its own actions and never to the actions of private parties. We consider, however, that in some circumstances, such as those described in this report, the actions of private parties, particularly if on a large scale, long duration and especially if potentially criminal, could compromise a State Party's Convention compliance.

We acknowledge that the Class Action in BC has not yet reached a conclusion but the *Globe and Mail* reported in 2019<sup>3</sup> that there was a "successful class action lawsuit against the [Catholic] diocese of Antigonish" (\$15 million settlement) and "In Montreal, lawyer Virginie Dufresne-Lemire says her firm alone has five class actions under way related to clergy sexual abuse in schools, residential schools and parishes in Quebec, amounting to more than 500 victims." In our opinion, the foregoing raises questions about whether the State Party's Convention compliance has been compromised by the action of private parties, specifically the Catholic Church, which was one of the parties to the action mentioned in the LOI which concerns CCSA.

***A. A state Supreme court settlement which substantially, and we contend unreasonably, relieved the Catholic Church of financial responsibility for such abuse which could reduce the amount of settlements receivable by victims. (Fortuitously it was overturned.)***

***Below we detail concerns about a Supreme Court Judgment in effect exonerating the Catholic Church over CCSA, given that judgment was almost completely overturned***

The judgement about which we express concern is one in 2018 of the Supreme Court of Newfoundland and Labrador. Judge Alphonsus Faour<sup>4</sup> ruled that the Catholic Archdiocese of St Johns was *not* vicariously liable for the Christian Brothers' sexual abuse at Mount Cashel orphanage, which had been on a large scale. Reportedly<sup>5</sup> "he believes men who testified they told a senior priest about abuse at least seven times" ... [but] "The testimony and statements provided indicate only seven disclosures out of potentially hundreds of confessions heard by the priest during the relevant period." He concluded that any duty to act must also be taken in the context of the times. "The reputation of the (Christian) Brothers was such that no one would have considered this kind of abuse possible." The judge, however indicated that "had he found liability he would have awarded almost \$2 million for one of the lead plaintiffs, including general and aggravated damages, future care and economic loss".<sup>6</sup>

While the 31 day trial involving over 80 plaintiffs was completed in December 2016, Judgment was not delivered until March 2018.

The subsequent judgement by the "Court of Appeal, Newfoundland and Labrador ... unanimously ruled that the Roman Catholic Episcopal Corporation of St. John's *is* liable for the sexual abuse suffered by

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<sup>3</sup> <https://www.theglobeandmail.com/canada/article-the-walking-wounded-in-canada-survivors-of-catholic-church-sex-abuse/>

<sup>4</sup> <https://www.saltwire.com/atlantic-canada/news/roman-catholic-archdiocese-of-st-johns-files-for-protection-from-creditors-100673391/>

<sup>5</sup> <https://www.cbc.ca/news/canada/newfoundland-labrador/catholic-corp-not-liable-for-mount-cashel-abuse-1.4585010>

<sup>6</sup> <https://www.ctvnews.ca/canada/n-l-catholic-corporation-not-liable-for-mount-cashel-orphanage-abuse-judge-1.3851057?cache=yes%231.811590%3FautoPlay%3Dtrue#:~:text=Justice%20Alphonsus%20Faour%20of%20the,abuse%20at%20least%20seven%20times.>

orphans at the hands of the Christian Brothers at the former Mount Cashel orphanage in St. John's in the 1950s and 1960s".<sup>7</sup>

The above ruling reversed and almost completely overturned the judgement in 2018 of the Supreme Court of Newfoundland and Labrador in the following terms, in terms almost certainly unprecedented in any criticism by a court of a Supreme Court ruling:

*"Summary*<sup>8</sup>

*"[118] In summary, the judge erred in law in failing to apply the correct law of vicarious liability to the evidence. He also erred in failing to globally assess the evidence when applying the doctrine to the evidence and by conflating the closeness and connection inquiries. The latter errors are extricable errors of principle. The errors, being subject to the correctness standard of review, are so fundamental to the determination of the ultimate issue that they undermine the judge's decision not to impose vicarious liability on the Archdiocese for the Brothers' wrongdoing. As well, the judge's failure to consider Bishop Howley's guarantee, section 3 of Canon 1381, and the placement of a parish and a priest on site as factors important to the analysis are palpable errors and overriding in the sense that they could well make a difference to the outcome of an analysis.*

*"Accordingly, the judge's decision not to impose vicarious liability on the Archdiocese for the Brothers' sexual abuse of the appellants must be set aside."*

Our concerns are compounded when read in conjunction with the disturbing conclusions reached in the preceding section by Commissioner the Honourable S.H.S. Hughes, Q.C.

It is to be applauded that the above judgement of the Supreme Court of Newfoundland and Labrador has been overturned by one that is more Convention-compliant. However that this reversal occurred cannot be taken for granted. It is nothing less than remarkable that the appellants managed to mount the case, given the huge risk of mounting it against the one-sided judgment and the huge cost - the appeal judgment runs to over 130 pages. The abuse suffered by victims will have been further compounded by the Church's continued intransigence and callousness towards those it victimised as well as the stress of the appeal process.

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<sup>7</sup> <https://www.saltwire.com/prince-edward-island/news/canada/provinces-appeals-court-rules-st-johns-roman-catholic-archdiocese-liable-for-sexual-abuse-at-mount-cashel-during-1950s-60s-478956/>

<sup>8</sup> Judgment <https://www.canlii.org/en/nl/nlca/doc/2020/2020nlca27/2020nlca27.pdf> Extract from page 39, para 118.

## **B. Unreasonable delay in court actions depriving victims of Catholic CSA much-needed support**

We cite the Mount Cashel case as an example. There are many more.

According to Saltwire on 21 December 2021<sup>9</sup>, “The [Mount Cashel] case concerning abuse going back to the 1940s, ‘50s and ‘60s was launched in 1999 with a statement of claim, but didn’t go to trial until 2016. ... One of the four representative John Does has since died.” Much of the delay resulted from different parts of the Church refusing to accept liability.

One victim, aged 81 “and his four brothers were abused at the St. John’s orphanage. [The article details unspeakable abuse and cruelty akin to torture, for example all kinds of violence and starvation.] One brother died within the last couple of years. Two are in long-term care and another has early onset Alzheimer’s disease.”

Geoff “Budden, of Budden and Associates<sup>10</sup>, was quoted in the article “The [Church] had a year since the Supreme Court (of Canada) ruled and 16 months since the Newfoundland Court of Appeal ruled,” His firm represents 75 claimants “with calls still coming in”.

This 2021 article reported that now the “Roman Catholic Archdiocese of St. John’s files for protection from creditors” ... and the Church “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. This process will involve the archdiocese marketing diocesan properties, including church buildings, to satisfy claims”.

We understand that there were 90 boy victims<sup>11</sup>. Some claims have been settled but many have not and it seems likely that few if any of those who have not yet received settlements will be alive to receive them. Archbishop Hundt of St John’s declined to be interviewed by a reporter and there seems no prospect that the Church could use its vast wealth to make even interim settlements to these ageing victims.

We conclude from the sections A, B and C above that the administration of justice in the State Party relating to CCSA involving the RC Church has been seriously wanting and that this almost certainly has resulted in (suspected and/or actual) perpetrators CCSA escaping prosecution, potentially allowing them to reoffend. Further, that victims are likely to have been left uncompensated, possibly having died before settlements were finalised, or settlements have been less than was warranted by the facts.

## **C. Royal Commission findings that government officials and police exempted Catholic-associated clerics brothers from prosecution for CCSA.**

(If they did so it would have the direct effect of permitting such CCSA to continue.)

### **Concerns about interference in justice by political figures and senior police officers**

Below are key extracts from the report of the Royal Commission of Inquiry into the Response of the Newfoundland Criminal Justice System to Complaints compiled in 1991 by The Honourable S.H.S.

<sup>9</sup> <https://www.saltwire.com/atlantic-canada/news/roman-catholic-archdiocese-of-st-johns-files-for-protection-from-creditors-100673391/>

<sup>10</sup> <https://www.buddenlaw.com/who-we-are.html>

<sup>11</sup> <https://vancouversun.com/news/staff-blogs/spotlight-shows-people-need-to-be-ready-for-the-truth>

Hughes, Q.C, Commissioner.<sup>12</sup> We acknowledge the events referred to are historic, but their scale and seriousness suggest a culture that would be very difficult to eradicate. The much more recent legal case detailed in section A above could suggest the culture persists.

Volume 1 Page 205:

**(a) Whether the police investigation was carried out in accordance with accepted police policies?**

... "no" by the actions of **Lawlor [Chief of Police] and [his assistant] Norman** in sending the first report back for the elimination of information about sexual abuse, and **[Detective] Hillier's** apparent compliance with this direction, although the effect of that compliance, if any, was much reduced by the attachment of statements which complained explicitly about it.

"A similar finding must be made about the report of March 3, 1976 when Hillier was instructed by Lawlor and Norman to produce a report for the minister also eliminating reference to sexual abuse and ill treatment. It was not part of accepted police policy ... to interfere with a police investigator to the extent of ordering the alteration of his report to suppress allegations of criminal misconduct.

**(b) Whether the police policies were proper and adequate to ensure that the police investigation was thorough and complete,**

" ... Ordering the officer in charge of the investigation to alter his first report of December 17, 1975 and to edit his report of March 3, 1976, and conclude the investigation in mid-career, was a unique departure from accepted policy and practice. To be sure, Superintendent Power testified to what he considered at the time of the investigation of 1975 to be differing standards as applied to ordinary offenders on the one hand and offenders of consequence on the other, in that prosecutorial discretion might be exerted in favour of the latter.

**(c) Whether any person or persons impeded or obstructed any police officer in the investigation of these matters.**

"... until January 1977 when the deputy minister, Vincent P. McCarthy, Q.C., advised Chief of Police Browne that there was no need for any further police involvement.

" ... I find that orders emanating from the chief of police and transmitted by the assistant chief of police caused Robert Hillier to cease his investigation before it was completed, to alter his report and to write that of December 18, 1975 and that of March 3, 1976 under direction to exclude all allegations of sexual abuse of children at Mount Cashel. The fact that these orders and directions were not effectively complied with may well have supplied reason for the retention of the reports in the deputy minister's file until January 1977. These orders and directions were doubtless impediments and obstructions to police officers investigating allegations contained in statements appended to the reports

**(d) Why and at whose direction the police reports dated December 18, 1975 and March 3, 1976 were prepared.**

"... The facts are that the text of Hillier's first report (but not the appended statements of complainants) was destroyed by him when ordered to make alterations deleting from it reference to allegations of sexual abuse. Its successor of December 18 was the result of this order. To the extent that it was an edited version of the one destroyed, it was prepared by direction of the chief of police, otherwise by Detective Hillier under compulsion of his interrupted investigation. The report of March 3, 1976 was

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<sup>12</sup> <https://www.theinquiry.ca/wordpress/wp-content/uploads/2011/11/Mount-Cashel-Hughes-commision-report-Volume-One-link.pdf>

prepared by Hillier as a result of the same direction, and since he was advised that it was for the use of the Minister of Justice it was in due course addressed to him.

**(e) Whether either or both police reports contained sufficient information to cause the Royal Newfoundland Constabulary to swear information alleging breaches of the Criminal Code against any person or persons.**

“ .... The answer must be an unequivocal affirmative”.

**(f) Whether the police reports were received and acted upon by officials of the Department of Justice and if [so] whether the files were handled in the normal manner.**

“ ... because [the file] never reached the file registry in the department at any time when it was active, cannot be considered to have been handled in the normal manner as described by the witness Brenda Chancey.

“...The file entitled "Mount Cashel re Child Abuse" 97 was "concluded" by a letter from Vincent P. McCarthy, deputy minister, dated January 26, 1977, to Chief of Police John R. Browne, marked "personal and confidential", returning the police reports of December 18, 1975 and March 3, 1976, enclosing copies of letters received from Brother G.G. McHugh and the Reverend Dr. Thomas A. Kane and ending, "in view of the action taken by the Christian Brothers further police action is unwarranted in this matter".

**Page 216 The Commissioner’s commentary on what he regarded as a “transaction” or (in his words) a “bargain made between the Deputy Minister of Justice and Deputy Attorney General of Newfoundland and the Superior of the Canadian Province of the Congregation of Christian Brothers”:** “The transaction from McCarthy's point of view was, I infer, to have Brother English and Ralph moved from the province. There could be little doubt of the sufficiency of the evidence and prosecutorial discretion exercised in their favour, openly and at the time, would have been a clear travesty of justice. It was in the power of the Provincial Superior to assign them to other duties in the religious province outside Newfoundland, and to do it naturally and at once. Therefore there was agreement as to the terms of the transaction: their removal on the one hand, and the suspension of charges on the other, with the likelihood of them ever being imposed remote once the two had left the jurisdiction. No doubt Brother McHugh assured McCarthy that they would be compelled to submit to treatment as his letter of January 26, 1976 indicates, but it is unlikely that these assurances were required. In the sense that an agreement as to the terms of the transaction was reached there was a bargain made between the Deputy Minister of Justice and Deputy Attorney General of Newfoundland and the Superior of the Canadian Province of the Congregation of Christian Brothers and such were its terms.

*[COMMENT INSERTED BY NATIONAL SECULAR SOCIETY:*

*Unsurprisingly, at least one of six suspected child abusing brothers from Mount Cashel who were moved to Vancouver in a deal to avoid prosecution abused a child there:*

*Bishop-accountability<sup>13</sup> reported that, according to a CFM Lawyers Press Release dated February 8, 2021: “Following years of systemic child abuse at the Mount Cashel orphanage, senior members of the Christian Brothers Congregation shuffled six known abusers to teach at two Catholic schools in*

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<sup>13</sup> [https://www.bishop-accountability.org/news2021/01\\_02/2021\\_02\\_08\\_CFMLawyersPressRelease\\_KnownSexual.htm](https://www.bishop-accountability.org/news2021/01_02/2021_02_08_CFMLawyersPressRelease_KnownSexual.htm)  
ORIGINAL <https://www.newswire.ca/news-releases/known-sexual-abusers-from-mount-cashel-were-sent-to-teach-in-vancouver-schools-lawsuit-reveals-871147098.html>

Vancouver where some of them continued to abuse the boys in their care, according to a class action lawsuit filed today by one of the survivors. The plaintiff representing the class attended Vancouver College from 1980 to 1985, for grades 8-12. While attending the school, the plaintiff was sexually abused by a member of the Christian Brothers, Brother Edward English.”

Brother English is referred to above in the Commissioner’s report extract from page 216.

[END OF INSERTED COMMENT]

Page 150: “[To] Mr. John R. Browne, Chief of Police.

I return herewith your reports (Exhibit C-0179. & Exhibit C-0179A. dated September (sic)18, 1975, and March 3, 1976, respecting child abuse at Mount Cashel.

I also enclose copies of letters received from Brother McHugh and Reverend Dr. Thomas A. Kane which are self-explanatory. In view of the action taken by the Christian Brothers further police action is unwarranted in this matter.

Vincent P. McCarthy, Deputy Minister of Justice.”

Pages 155/6: “ ...In May 1979 there occurred the prosecution of Father Ronald Hubert Kelly, parish priest at Cape St. George since 1973 on ten charges of indecent assault on males contrary to section 156 of the Criminal Code to which he pleaded guilty. The victims were juveniles, the charges were serious and the case had some unusual features which included the attempted intervention of the then Roman Catholic Bishop of St. George’s who appeared at the residence of Magistrate Seabright in the course of the proceedings, the holding of court in Corner Brook at eight o’clock in the morning and the fact that Father Kelly in due course departed by aircraft for "Southdown", otherwise known as the Emmanuel Convalescent Centre in Aurora, Ontario where Brother Ralph of Mount Cashel had been sent for treatment some three and a half years before. ...”

“the call was from John Kelly, the then director of public prosecutions. His first question to me, and I can’t possibly forget this, was what is going on out in Corner Brook. I explained to Mr. Kelly that there was a Roman Catholic clergyman charged with 10 counts of section 156. I explained briefly to him the circumstances of the case and I then asked Mr. Kelly why he had phoned me because I was obviously a little concerned at that time that there might have been some political interference. He advised me that the two defence lawyers, Mr. Monaghan and Mr. Martin had telephoned him in an effort to reach then the Attorney General in Newfoundland, T. Alex Hickman, in an effort to get the charges withdrawn. I explained to Mr. Kelly that in my opinion at least, after having explaining to him briefly the facts, these charges were simply too serious to be withdrawn. That explained to me why neither Father Kelly nor the two defense lawyers were in the courtroom at 4:20, they were absent even though the court case was supposed to proceed at 4:00. ... I proceeded by the elevator to the sixth floor where I discovered the two lawyers in the Barristers’ robing room. I can’t recall saying anything to them, no discussion was made by them to me or by me to them with respect to what had been attempted behind my back. They had not given me any inkling whatsoever that they were going to make these efforts to get the charges withdrawn, but then it became palpably obvious to me that this case was taking a turn for the worse.”

Pages 183/4 “I went over to Mount Scio House and received a file entitled "Mount Cashel - re. Child Abuse" bearing government number G-3690. In that file there were three pieces of paper only, namely a letter dated 26 January 1977, from the Deputy Minister of Justice to the Chief of Police of the day, as well as correspondence, dated January 23, 1976, and January 15, 1976, from clergy,”



START OF EXTRACT OF ARTICLE REPRODUCED IN COMMISSION REPORT:

Pages 187/8 (also exhibit C0069; Sunday Express article by the publisher and editor-in-chief, Mr. Michael Harris, entitled "Miscarriage at Mount Cashel. Where was the rule of law?")

*"There is a moral chancre eating away at the fabric of Newfoundland society and it is called the Mount Cashel orphanage scandal.*

*"In 1975, the provincial Justice Department agreed not to lay charges against three Christian Brothers who were investigated for the sexual abuse of boys entrusted to their care. According to testimony at the Soper Inquiry, the decision not to charge the priests involved two things; a deal, and the exercise of prosecutorial discretion by the law officers of the Crown. The deal was that the three Brothers involved would be transferred to the United States, never again to be put in a position where they would deal with young boys. The prosecutorial discretion involved looking at a set of facts presented by the police and then deciding that in the broader interests of justice, no charges would be laid.*

*"That is where the matter rested until a present-day sex-scandal involving Roman Catholic priests and young boys rocked Newfoundland. With each depraved revelation of how at least two priests abused their trust, abandoned their positions of moral leadership and marked several young men for the rest of their lives, a stunned community reacted first with shock and then with justifiable anger. Against the backdrop of those two convictions, three more pending cases and an ongoing police investigation, the long muffled cries of orphans abused in the dark of bygone nights echoed from a sordid past that is still shrouded in official secrecy.*

*"But this much we know. When the people in the justice department reviewed the Mount Cashel file the precursor to the investigation being reopened - the officials involved couldn't sleep after reading what the police had reported to the authorities of the day. They couldn't sleep because they were sickened by what they read - sexual abuse linked to sadistic physical assaults on the boys who had come to the orphanage for sanctuary and found instead an anteroom of hell. Their protectors became their tormentors and there was no one to turn to, no one who cared. During the original police investigation, the boys apparently begged the investigators not to return them to the orphanage once the questioning was done. One policeman recalling the event said that they used to drive them around for hours until they reluctantly returned them to Mount Cashel, tortured by images of what they had been told was going on. These same policemen had to stand helplessly by as the Justice Department cut its deal and the alleged culprits were spirited out of the country."*

END OF EXTRACT OF ARTICLE

#### **D. Evidence made available recently of high public awareness of significant levels of serious CCSA in Canada**

According to *La Croix* in 2022<sup>14</sup> "There is no national registry of clergy sexual abuse in Canada. As early as 1990, the St John's, Newfoundland Archdiocesan Report on Clergy Sexual Abuse of Minors by Clergy identified underlying factors fostering (sic) [that gave rise to] abuse that needed urgent study: "power, education (of clergy and laity), sexuality, support of priests, management, and avoidance of scandal" (p16).

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<sup>14</sup> <https://international.la-croix.com/news/religion/enough-is-enough/15594>

The Canadian Conference of Catholic Bishops (CCCB) further refined these issues in *From Pain to Hope* (1992) and *Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation* (2018).

According to the Vancouver's *Globe and Mail* in 2019 "To make an educated guess at the scope of abuse, The *Globe* started by estimating the number of priests who have worked in Canada since 1950 (the Church refused to divulge even that number). Scraping a website listing of the number of priests who've worked in Canadian dioceses over the decades yielded at least 14,000 over the past 70 years.

"Applying the U.S.'s 6-per-cent figure for the share of accused priests shows Canada could have more than 800 abuser-priests. Using Australia's 7-per-cent rate yields at least 980 perpetrator priests, suggesting there could be thousands of victims."

The "thousands of victims" seems unreconcilably few compared with the results of France's recent sociologist and statistician led study which concluded that there had been over 330,000 victims of Catholic CSA since 1950<sup>15</sup>.

An IPSOS poll conducted in Canada in 2010 concluded that "At Least 2 Million Adult Canadians (8%) Personally Know Someone Sexually Assaulted by a Roman Catholic Priest"<sup>16</sup>. a majority (58%) of Canadians overall - and a majority (54%) of Canadian Roman Catholics - believe these most recent CCSA allegations are true and "Two thirds (64%) of Canadians and a majority of Catholics (55%) are 'not satisfied' with what the Roman Catholic church has been doing in routing out any predatory pedophiles in among its priests".

## Closing commentary on Part 1

### **Mandatory Reporting Law**

In our opinion, the largest single contribution to minimising CSA is a well-designed properly policed mandatory reporting law including in religious organisations. We have taken expert advice about the MR law in Canada<sup>17</sup> and it appears to be largely adequate, although concern has been expressed that it may not apply in every state to religious officials, which of course it must.

Crucially, it also seems implausible that MR is followed in religious institutions in Canada to any significant extent. While France has MR, it is poorly designed and almost unpoliced, certainly as far as religious organisations are concerned. Our investigations of this in France revealed that 25 bishops had been credibly accused of failure to mandatorily report CSA<sup>18</sup>, and this was clearly a significant contributory factor to the 330,000<sup>19</sup> victims of Catholic CSA estimated since 1950.

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<sup>15</sup> <https://www.independent.co.uk/world/sexual-abuse-children-victims-church-france-b1932475.html>

<sup>16</sup> <https://www.ipsos.com/en-ca/least-2-million-adult-canadians-8-personally-know-someone-sexually-assaulted-roman-catholic-priest>

<sup>17</sup> <https://www.canada.ca/en/public-health/services/publications/health-risks-safety/provincial-territorial-child-protection-legislation-policy-2018.html#t6>

<sup>18</sup> [https://www.mediapart.fr/en/journal/france/230317/revealed-25-bishops-who-covered-sex-crimes?\\_locale=en&onglet=full](https://www.mediapart.fr/en/journal/france/230317/revealed-25-bishops-who-covered-sex-crimes?_locale=en&onglet=full)

<sup>19</sup> <https://www.independent.co.uk/world/sexual-abuse-children-victims-church-france-b1932475.html>

## **Religious bodies' soliciting complaints, and religious bodies' settlements with victims**

While guidelines by Canadian Catholic bodies on reporting CSA may well include making referrals to the police, they will also include details of how to make complaints internally. Our experience of numerous other jurisdictions has been that, at least historically, internal complaints are often not acted upon effectively.

A further concern relates to compensation. Our experience is that when offered by the Church itself, as opposed to being offered through lawyers as part of a civil case, the amounts offered are far less, if indeed any sum is offered at all. A further characteristic commonly found in Church-initiated "settlements" is that they are made on the understanding that no public disclosure is permitted and/or that criminal civil action is precluded, even if the victims subsequently realises they were paid far too little or (more commonly) becomes incensed on discovering that their perpetrator is continuing in ministry, and even remains in unsupervised contact with children. The proscription of criminal action could well save the perpetrator from criminal prosecution and leave him free to reoffend. Provisions in our Recommendation 1 below seek to mitigate these concerns.

**PART 2 - Further important information has emerged about the residential schools for children of the indigenous nations. It includes the murder of babies and multiple types of abuse and neglect leading to suffering and the needless deaths of thousands of children.**

**While the last of these schools closed decades ago, major disturbing questions remain unresolved, including:**

- **a full assessment of the scale of what has been described officially as cultural genocide,**
- **to the extent possible, the marking of thousands of graves – recognising that many victims' bodies were destroyed without trace.**

There have been several claims that children's bodies were also burned<sup>20</sup>, even alive<sup>21 22</sup>. According to *Die Welt* in 2021<sup>23</sup>: "Physical, sexual and emotional abuse were part of the daily routine. According to other former students, many priests abused the children, often resulting in pregnancies of teenagers and young women. The brutality of the boarding school staff was breath-taking: babies were taken from their mothers and killed - the baby corpses usually burned in ovens."

According to reports in 2021<sup>24</sup> and 2022<sup>25</sup> "The National Centre for Truth and Reconciliation has documented more than 4,100 children's deaths at residential schools - many from disease, neglect,

<sup>20</sup> <https://www.aa.com.tr/en/americas/survivor-of-canada-residential-school-claims-some-children-s-bodies-were-burnt-there/2291860>

<sup>21</sup> <https://www.thesudburystar.com/news/local-news/kamloops-discovery-a-devastating-reminder-of-residential-school-tragedy-sudburys-mayor-says> [Muscowequan Indian Residential School was run by the Catholic Church.]

<sup>22</sup> <https://twitter.com/Binkuwa/status/1406353640143560704>

<sup>23</sup> <https://www.welt.de/politik/ausland/plus232301047/Kanada-Brennende-Kirchen-und-moerderische-Internate-Missbrauchsskandal-erschuettert-Kanada.html> English version not on line but reproduced and highlighted in the Media Cuttings.

<sup>24</sup> <https://www.theglobeandmail.com/canada/article-catholic-church-canadian-assets-investigation/>

<sup>25</sup> <https://www.nytimes.com/2022/04/02/world/canada/catholics-reparations-indigenous-canada-schools.htm>

malnutrition and abuse - and estimates thousands more died. ... Die Weld reported in 2021<sup>26</sup> that: "Meanwhile, authorities continue to come across more children's bodies. In the first find in May, they discovered remains of 2,155 people on the grounds of a former Catholic boarding school in the small town of Kamloops#, British Columbia - just a few weeks later, 751 unmarked children's graves on an abandoned school site in Saskatchewan\*. The children were mostly seven to 15 years old - but bodies of three-year-olds were also found."

According to PressTV in 2022 "An estimated 6,000 First Nation children died while attending those schools."<sup>27</sup>

# Operated by the Catholic Church until 1969<sup>28</sup> \* Operated by the Catholic Church until closure in 1997<sup>29</sup>

- **the payment, or non-payment, of compensation by the Catholic Church**

According to numerous sources including the *New York Times*, the "Catholic Church ... operated about 70 percent of the more than 130 schools."<sup>30</sup> The National Centre for Truth and Reconciliation concluded that "the residential school system was part of a policy of cultural genocide"<sup>31</sup>

According to the *Globe and Mail* in 2021 "The Catholic Church in Canada is worth billions ... Why are its reparations for residential schools so small?"<sup>32</sup> "In 2016 ... In a side deal, Catholic entities agreed to three financial obligations: Can\$29-million in cash payments; \$25-million worth of 'in-kind' services; and to make their best efforts to raise the \$25 million for healing projects. Together, the three obligations were 'a sweetheart deal for the Catholic Church,' said London, Ont., lawyer Rob Talach, who has represented survivors in clergy abuse lawsuits. ... The [\$25-million] fundraising campaign took in \$3.7million, just 15 per cent of its goal....

Similarly, per CBC<sup>33</sup> in 2021 "*Where is their soul?: Inside the failed push to make Catholic Church pay for its residential school abuses*" (sequence of quotes reordered for greater clarity):

"But the Indian Residential Schools Settlement Agreement [IRRSA]— the largest class-action settlement in Canadian history — could not be cancelled by the incoming Harper regime.

.... In the 78-page side deal, the Catholic Church first agreed to make a lump \$29-million cash payment and \$25 million of "in kind services" to survivors, such as counselling. Today, Turpel-Lafond and others ask why the perpetrator was allowed to provide in-kind services to the victims.

Then, in Section 3.9 of Schedule O-3, there was one more promise: Catholic churches across the country promised to come up with another \$25 million. They legally agreed to a cross-Canada effort

<sup>26</sup> <https://www.welt.de/politik/ausland/plus232301047/Kanada-Brennende-Kirchen-und-moerderische-Internate-Missbrauchsskandal-erschuettert-Kanada.html> English version not on line but reproduced and highlighted in the Media Cuttings.

<sup>27</sup> <https://www.presstv.ir/Detail/2022/03/28/679290/Canada-residential-schools-indigenous-children-Metis-Inuit-nations->

<sup>28</sup> <https://www.nytimes.com/2021/05/28/world/canada/kamloops-mass-grave-residential-schools.html>

<sup>29</sup> <https://www.buzzfeednews.com/article/juliareinstein/canada-indigenous-graves-school>

<sup>30</sup> <https://www.nytimes.com/2022/04/02/world/canada/catholics-reparations-indigenous-canada-schools.html>

<sup>31</sup> <https://nctr.ca/exhibits/remembering-the-truth-and-reconciliation-commission-of-canadas-closing-ceremony/>

<sup>32</sup> <https://www.theglobeandmail.com/canada/article-catholic-church-canadian-assets-investigation/>

<sup>33</sup> <https://www.cbc.ca/news/canada/saskatoon/church-residential-school-compensation-1.6082935>

"consistent with the approach and means used by professionally managed national fundraising campaigns, including those operated by universities and hospital foundations." ...

The IRSSA agreement specified that if "best efforts" were given the church would not be found in default. But those two words — "best efforts" — are at the heart of a multimillion-dollar question. Critics, however, say the church did not give best efforts.

The contrast is made repeatedly about the Church's its own huge wealth while pleading of poverty in an attempt to evade financial responsibility for reparations to victims, most of whose lives have been devastated.

The Globe and Mail article in 2021 *The Catholic Church in Canada is worth billions.... Why are its reparations for residential schools so small?*<sup>34</sup> also reported that "Lawyers representing the church have long cited a lack of funds when it comes to compensation related to residential school survivors. In 2014, the federal government took legal action against the dozens of Catholic organizations that ran the schools, saying they still had outstanding financial obligations at a time when the other churches that ran the schools - United, Anglican and Presbyterian - had met their obligations. A lawyer for various Catholic entities told The Globe in 2016 that many of them were near bankruptcy."

Yet, based on tax filings, the Canadian "Catholic church's assets exceeded Can\$4.1 billion", and that excludes the assets of monasteries<sup>35</sup>. These three amounts (29, 25 and 25 millions) totalling Can\$79 million, even if they had all been paid, represent only around 0.5% of the amount paid by the state in restitution.

"In addition to their failure to raise their share of funds for healing programs, the Catholic entities have also come under fire for not sharing historical records that are crucial to learning the identities of the children who died and their cause of death." "Canada's indigenous survivors want compensation, records." Some grave markers have been removed<sup>36</sup> and others thought to be.<sup>37</sup>

This call for compensation and records was repeated when in April 2022, after many requests, including from Premier Trudeau, the Pope apologised "For the deplorable behaviour of those members of the Catholic Church, I ask forgiveness from God and I would like to tell you from the bottom of my heart that I am very pained,"<sup>38</sup>.

This leaves unresolved

- the substantial shortfalls in reparations, potentially to both indigenous peoples and the Government, that the Catholic Church can clearly afford, and
- production of records relating to deaths and burials.

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<sup>34</sup> <https://www.theglobeandmail.com/canada/article-catholic-church-canadian-assets-investigation/>

<sup>35</sup> <https://www.theglobeandmail.com/canada/article-catholic-church-canadian-assets-investigation/>

<sup>36</sup> <https://nationalpost.com/news/canada/how-canada-forgot-about-more-than-1308-graves-at-former-residential-schools>

<sup>37</sup> <https://www.bbc.co.uk/news/world-us-canada-57592243>

<sup>38</sup> <https://www.reuters.com/world/americas/after-popes-apology-canadas-indigenous-survivors-want-compensation-records-2022-04-04/>

## **Closing Commentary**

### Retribution

In the extensive research undertaken in compiling Parts 1 and 2 of this report, and all the reported apparently criminal behaviour (including repeated murder and potential conspiracies to pervert the course of justice) this entailed, we only found only seven examples of retribution for wrongdoing associated with CSA, other crimes or covering them up.

This suggests that in some – too many – quarters there has been (at least) an unhealthy culture of acceptance of CCSA and in some cases of deference to religious bodies. It is unknown whether followers of these bodies contributed to this. More work is needed on such cultures with a view to their elimination, in the interests of CCSA victims and the law being equally applied to all without fear or favour.

Six of these were convicted, many years after their CSA was known about, in a deal between the Church and the authorities to escape conviction they had been moved from Mount Cashel to Vancouver, where at least one reoffended.<sup>39</sup>

It is beyond irony that one remaining case of retribution we found was that of a whistle-blower, who according to a Royal Commission of Inquiry report<sup>40</sup> was “Sergeant Pike of the St. John's police force. ... [He] was demoted [and] consequently suffered a loss in salary. ... [H]e indicated that he had acted to prevent ‘cover-ups’ similar to ones that he alleged had taken place in the past. Because of this allegation, he was called before an ‘in camera’ court session presided over by Judge Lloyd Soper. Later, Soper released Pike's testimony which identified three cases of ‘coverup’: including that of Mt. Cashel.” In frustration at the injustice, Pike had leaked reports to the press, helping to expose this corruption. We pay tribute to him.

There is overwhelming evidence from around the world that institutions, especially it seems religious ones, are both incapable and unwilling to “mark their own homework” on CCSA. The religious ones routinely fail to report suspected CCSA to secular justice (even when the law requires it) while doing everything in their power to prevent or minimise and delay payments, which most can well afford, of restitution to victims. And many such institutions are well placed, whether directly or through followers, to infiltrate justice, governmental and even on occasion legislative mechanisms to frustrate appropriate justice for CSA perpetrators and compensation for victims.

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<sup>39</sup> [https://www.bishop-accountability.org/news2021/01\\_02/2021\\_02\\_08\\_CFMLawyersPressRelease\\_KnownSexual.htm](https://www.bishop-accountability.org/news2021/01_02/2021_02_08_CFMLawyersPressRelease_KnownSexual.htm)

<sup>40</sup> <https://www.theinquiry.ca/wordpress/wp-content/uploads/2011/11/Mount-Cashel-Hughes-commission-report-Volume-One-link.pdf>

The best, albeit imperfect, response needed to overcome and reverse the injustices cited above is for systems that better “enhance justice, humanity and transparency”, a phrase taken from an email we recently received from a professor and world-leading specialist in Mandatory Reporting of CSA. He added: The need for systemic reform, and proper oversight, is compelling.”

Appropriate justice for perpetrators and compensation for victims can best be guaranteed through the establishment of much more robust, independent and regularly monitored systems. We suggest that in addition to well-designed MR laws this would be materially enhanced by:

- greater protection for all CSA-related whistle-blowers, and
- a mechanism such as a commissioner specifically responsible for CSA-related monitoring in each relevant State Party charged with compiling an annual report to (where appropriate, the federal) parliament.
- The specific inclusion of religious officials in MR obligations and the proscription of any exemption from MR for the confessional, such proscription has been enacted throughout Australia, as set out in Recommendation 2 c below.
- The destruction of evidence of CSA or records relating it should constitute a serious criminal offence.

We invite the Committee to consider routinely recommending these or similar measures to appropriate State parties and offer any assistance we can. In our opinion the Australian Royal Commission on abuse<sup>41</sup> is the best exemplar available.

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<sup>41</sup> [https://www.childabuseroyalcommission.gov.au/sites/default/files/final\\_report\\_-\\_preface\\_and\\_executive\\_summary.pdf](https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_preface_and_executive_summary.pdf)

## **Recommendations**

### **Relative to Part 1 (concerns over even-handed administration justice and governmental involvement)**

1. The commissioning of a federal Royal Commission inquiry into institutional responses to child abuse, ideally to be modelled on the Australian Royal Commission. It should have powers to summon witnesses and examine them under oath and have the power to discover evidence.

The terms of reference should include an examination in the context of CSA of:

- a. the even-handedness of the administration of justice by the police and courts and of undue influence of the administration of justice by those outside the justice system including Government officials and those holding religious positions.
- b. The effectiveness of associated law including statutes of limitation and Mandatory Reporting (MR) Law and its application especially in institutions, and the possibility of standardisation of the most effective MR law (including safeguards for good faith whistle-blowers) across all states the State Party.
- c. The extent to which MR law has been followed in religious institutions, and what obstacles there have been to this and how they can be overcome.
- d. The circumstances that have led to the inordinate delays in victims of CSA (especially in the RC Church) being awarded damages. It seems that there is no disincentive for the religious to delay by every means possible the payment of such damages, compounding the abuse they have caused by reducing victims to live, often in squalor, without the benefit of the damages. Proposals should be made to minimise these for ongoing and future cases. Where the victim has died before damages have been paid, they should be paid to their successors or residuary legatees, in order to reduce any incentive to delay payment.
- e. Whether damages awarded to victims of CSA were conditional on non-disclosure agreements and/or undertakings not to initiate criminal or civil action. Legislation should be introduced to prohibit such conditions in future and, release victims from obligations not to disclose and (subject to court permission not to be unreasonably withheld) not to initiate criminal or civil action.



- f. Whether damages awarded to victims of CSA after legal fees are adequate, and if not to remedy this, if necessary, through legislation. Particular consideration be given in this respect to whether the damages awarded sufficiently reflect:
- \* life-long loss of earnings, impaired family life and relationships and the effect of spiritual abuse compared to their lives had they not been subject to CSA;
  - \* interest accruing thereon from the CSA until settlement, and
  - \* a substantial punitive award both where the institution unreasonably evaded payment and also if it had failed to take reasonable steps to avoid such abuse.

The Commission's objectives should include:

- i) Attempting to persuade as many victims as possible to disclose their abuse, to investigate CSA rigorously and prosecute where appropriate.
- ii) reducing the level of CSA in institutions, especially in religious contexts
- iii) increasing the level of prosecutions for CSA in institutions where there are reasonable suspicions
- iv) building in additional safeguards to deter police investigations being curtailed or overridden (where from political involvement or the police hierarchy) to allow suspects of CCSA to escape justice.

This is likely to require at least a robust and independent whistleblowing mechanism with safeguards to avoid victimisation.

- v) instigating any legislative provisions permitted by the constitution to recover damages for CCSA unpaid to due to victims due to bankruptcies or liquidations from associated bodies.

2. Adoption of additional reporting safeguards akin to those recommendations 7.1-7.12 by the Australian Royal Commission<sup>42</sup>, in particular
  - a. 7.10, the establishment of an independent oversight body with scrutiny and investigatory powers, and which is obliged to prepare "annual reporting on the operation of the scheme and trends in reports and investigations, and the power to make special reports to parliaments".
  - b. 7.5, Whistle-blower protection. We additionally recommend that this could be extended beyond institutions.

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<sup>42</sup> [https://www.childabuseroyalcommission.gov.au/sites/default/files/final\\_report\\_-\\_preface\\_and\\_executive\\_summary.pdf](https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_preface_and_executive_summary.pdf)

- c. 7.4 “Laws concerning mandatory reporting to child protection authorities should not exempt persons in religious ministry from being required to report knowledge or suspicions formed, in whole or in part, on the basis of information disclosed in or in connection with a religious confession.” For avoidance of doubt, religious officials and laypersons working in religious environments, whether paid or not, should be specifically included in those with an obligation to mandatorily report.
3. The introduction of a serious criminal offence proscribing the destruction of evidence of CSA or records relating to it for at least 45 years.
  4. There should be no statute of limitations for CSA in either criminal or civil law, although this should not prejudice the requirement for trials to be fair. (The Australian Royal Commission found it took 33 years on average to disclose.) As an interim measure during the Inquiry, temporary windows lifting such limitations should be encouraged. (These were introduced by New York State.<sup>43</sup>)
  5. Civil law should – for avoidance of doubt - specifically provide for the vicarious liability<sup>44</sup> of all institutions, including religious institutions, for CSA, i.e. for CSA committed by those connected with the Church.
  6. Institutions (including religious ones) be required by law to place prominent safeguarding statements in every location advising those concerned about CSA to contact a help line totally independent of the institution (in this case, Catholic Church) at any level.
  7. That the (school) curriculum is reviewed to require that pupils be taught in an age-appropriate manner about CSA, how to recognise it and how to avoid it, and requiring the prominent provision of contact details of one or more help facilities totally independent of the institution at any level to which suspected CSA can be reported by victims or others. There should be no ability for pupils to be opted out of lessons dealing with this subject.

**Relative to Part 2 (relating to former residential schools for children of indigenous nations)**

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<sup>43</sup> <https://eu.democratandchronicle.com/story/news/2021/08/13/child-victims-act-new-york-deadline-passes-thousands-lawsuits-filed/5553602001/>

<sup>44</sup> <https://www.brownejacobson.com/training-and-resources/resources/legal-updates/2016/04/vicarious-liability-of-faith-organisations-where-will-it-end>

- A. That the government do all in its power, including by initiating legal discovery, to require the release of records and other evidence relating to deaths, burning of bodies and burials at residential schools for children of indigenous nations.**
- B. That all reasonable possibilities for criminal action and civil action for damages be pursued in relation to the above.**

**The Appendix comprises electronic media cuttings with key passages highlighted, some of which are included above in the text of the report.**

## Appendix

Electronic media cuttings with key passages highlighted, some of which are included above in the text of the report.

# *How Catholics Avoided Paying Millions in Reparations for Residential Schools*

During its final weeks in office, the previous Conservative government reached a deal allowing the church to walk away from most of its obligations.

By Ian Austen

April 2, 2022

<https://www.nytimes.com/2022/04/02/world/canada/catholics-reparations-indigenous-canada-schools.html>

On Friday, after Pope Francis ended a series of meetings with Indigenous people from Canada with an apology for the role the Roman Catholic Church played in a notorious residential school system, my colleague Elisabetta Povoledo got the chance to talk with some members of the Indigenous delegations.

Elisabetta, who is based in Rome but grew up in Winnipeg, spent much of the week following the delegates. She told me on Friday that the mood at their hotel and during a news conference following the final papal audience was “very upbeat.”

“The pope’s words today were historic, to be sure,” said Cassidy Caron, president of the Métis National Council. “They were necessary, and I appreciate them deeply.” She went on, “And I now look forward to the pope’s visit to Canada, where he can offer those sincere words of apology directly to our survivors and their families whose acceptance and healing ultimately matters the most.”

[Read: [\*‘I Feel Shame’: Pope Apologizes to Indigenous People of Canada\*](#)]

[Read: [\*Pope Meets With Groups Requesting Apology for Indigenous Schools\*](#)]

But among the many issues still lingering between the Catholic Church and Indigenous people in Canada are cash reparations. While there were apparently raised during the meetings this week, Elisabetta said that no one she spoke with would offer details of those discussions.

Reparations were due under a landmark settlement in 2006 of a class-action lawsuit brought by former students. Most of the 4.7 billion Canadian dollars that were paid as reparations to Indigenous peoples came from the federal government. Protestant churches paid about 9.2 million Canadian dollars.

But the Catholic Church, which operated about 70 percent of the more than 130 schools, only paid 1.2 million of the 25 million Canadian dollars it agreed to raise in cash contributions as reparations.

In 2013, the federal government challenged the millions of dollars in legal and administrative fees the Catholic Church intended to count as part of its settlement payments at [Court of Queen's Bench for Saskatchewan](#).

Disagreements over a proposed settlement of that case set off a legal chain reaction. In the course of it, a lawyer for the church told the court that the Catholic fund-raising drive came up with only 3.9 million Canadian dollars for the settlement — about 1.3 million of which was paid to a private fund-raising company. What happened to the remainder is unclear.

The government contended that, in exchange for a payment from the church of 1.2 million Canadian dollars, it agreed to settle the dispute over the church's claim for fees. The church's lawyers, however, said that the relatively small payment was to relieve the church of all settlement obligations, including the 25 million Canadian dollars.

Last October, the CBC and The Globe and Mail reported, based on newly released documents, that the judge sided with the church. The decision allowed the church to walk away from its reparations payments.

Then the federal government started an appeal of the court's decision, only to drop it.

Among the many people shocked last fall by the revelations was Marc Miller, the minister responsible for Indigenous relations, who, like all members of the Liberal government, believes that the church should have been held to its commitment of 25 million Canadian dollars.

"As everyone, I'm dumbfounded by it," [Mr. Miller told The Canadian Press](#) in November, making particular note of his confusion over the government's decision to end the appeal. "I want to get to the bottom of it," he said.

*Photo caption The discovery of signs of 215 human remains at the former Kamloops Indian Residential School shocked the world.*

On Friday, I asked Mr. Miller what, if anything, his office had discovered. It turns out that the Conservative government of Prime Minister Stephen Harper, in its final months in office, struck a deal with the church that limited the church's payment to 1.2 million Canadian dollars.

In September 2015, weeks before a federal election, Mr. Harper's Indigenous affairs minister, Bernard Valcourt, ordered officials to drop the appeal and release the church from its financial obligations in exchange for the payment of 1.2 million Canadian dollars.

Government officials put Mr. Valcourt's order into place in October 2015, after the Conservatives' electoral defeat and five days before Justin Trudeau and his cabinet were sworn into office.

"This was a decision of the previous Conservative government," Justine Leblanc, a spokeswoman for Mr. Miller, wrote in an email. "We cannot speculate as to their internal decision-making process."

In September the Canadian Conference of Catholic Bishops announced it would make a second fund-raising attempt with a target of collecting 30 million Canadian dollars over five years. Instead of engaging in a national effort, it will rely on each of the church's 73 dioceses to raise money locally. In late January, the conference set up a charity to collect and manage the money.

On Friday, I asked the conference if any local fund-raising efforts had started and how much money, if any, had been raised. The group did not respond to my inquiry.

***The walking wounded: In Canada, survivors of Catholic Church sex abuse await a reckoning; While countries around the world make meaningful change in the wake of devastating abuse, Canadian survivors are left to make things right on their own***

Breaking News from globeandmail.com

September 23, 2019 Monday 11:25 AM GMT

**Byline:** Tavia Grant

**ABSTRACT**

While countries around the world make meaningful change in the wake of devastating abuse, Canadian survivors are left to make things right on their own

**FULL TEXT**

Rob Bowden, a goldsmith in Sydney, Cape Breton, is plagued by nightmares from the sexual abuse he suffered as a child. Evelyn Korkmaz in Ottawa has recurring flashbacks of the mental, physical and sexual abuse she experienced in the early 1970s at the notorious St. Anne's residential school in northern Ontario, and sometimes stutters when she tries to speak. Across the country in Tsawwassen, B.C., Nicholas Harrison still bears a scar that snakes across his chin from when he says he was thrown down the stairs at school as an eight-year-old.

All three are survivors of clergy abuse. Yet, even after decades of abuse-related scandals in the Catholic Church, there is little understanding of how many other walking wounded there are across Canada, and the true scope of the damage.

In countries such as Australia, the United States and Ireland, revelations of the scale of abuse meted out by Catholic priests and other religious figures have been making headlines and forcing meaningful changes, spurred by a combination of pressure from survivors' groups, public outrage and criminal investigations.

But such a broad reckoning has yet to unfold here in Canada, where we are still trying to grasp the enormity of the abuse against thousands of First Nations, Inuit and Métis boys and girls at residential schools, many of which were Catholic run.

The Truth and Reconciliation Commission's 2015 findings yielded the clearest view so far of the depth of damage inflicted against children. The reconciliation process has much further to go. At the same time, the Church has yet to acknowledge the full scale of abuse in parishes, schools and other institutions across the country.

Instead, survivors have been left to try to force change on their own.

This week, victims from all corners of Canada will gather in Cornwall, Ont., site of the annual meeting of the Canadian Conference of Catholic Bishops (CCCB). They're hoping to force abuse-related reforms onto the agenda and demand a response from the 90 bishops who'll be attending the five-day summit.

Survivors are pushing for more transparency and accountability from leaders of the **Catholic** Church - an institution that has chosen a path of secrecy and defensiveness, even as it has paid out millions of dollars in quiet settlements to victims.

They are also calling for external oversight of how **abuse** claims are handled and outside investigations when allegations surface.

Many of their demands are similar to those made more than a decade ago. They're tired of waiting, and as their slogan goes, they want action now.

As a first step, the survivors are asking that the names of credibly accused priests be posted publicly - something that's already happening in the United States. "That would be a big step forward on the path to reconciliation," says Gemma Hickey, a survivor in St. John's who, in 2013, founded the Pathways Foundation, a non-profit that supports survivors who have been harmed within religious institutions. "If we're going to right these institutional wrongs, then we need to have complete transparency. And if they're protecting people who are known offenders, then I believe those names should be released."

Mx. Hickey (who uses gender-neutral pronouns) is one of nine clergy **abuse** survivors The Globe and Mail spoke to, many of whom report symptoms such as depression, anxiety, insomnia, substance **abuse**, anger issues and post-traumatic stress disorder.

The Globe also interviewed former priests, lawyers, scholars, database keepers, bishops, parishioners and experts in canon law in **Canada**, the United States, Ireland and Australia in an attempt to understand how the response to clergy **abuse** in this country compares to what's happening elsewhere.

Almost eight in 10 Canadians - including half of practising **Catholics** - believe the Church has been doing a poor job of addressing sex-**abuse** issues, according to a recent survey by Angus Reid. And one in three practising **Catholics** say their own local church community has had problems with clerical sexual **abuse** over the past few decades; of those, nearly half said the issue was not adequately addressed. [Survey reproduced as Appendix 1]

But the fire has yet to be lit, says Halifax-based lawyer John McKiggan, who has represented victims in clergy sexual-**abuse** cases for 30 years.

"There hasn't been the moral outrage or the political will, perhaps, to do this type of investigation."

One of the earliest publicized sex-**abuse** scandals happened right here in **Canada**, at the Mount Cashel Orphanage in Newfoundland, run by the Christian Brothers, a Roman **Catholic** order. Allegations began trickling out in the 1970s, and two inquiries into the horror started in 1989.

Yet, three decades later, **Canada** still has no nationwide numbers on the magnitude of the damage inflicted on children by priests and religious brothers of the **Catholic** Church. And other than the TRC, there has been no sweeping national inquiry - just regional ones.

**Canada** is "certainly well behind Australia and the United States" in confronting the issue of clerical sexual **abuse**, says Des Cahill, a former **Catholic** priest and professor emeritus at RMIT University in Melbourne, Australia. Few people have a better global overview of the issue than Prof. Cahill: A few years ago, he co-authored a 384-page paper examining responses from both governments and the **Catholic** Church to the **abuse** crisis in countries including **Canada**, Belgium, the United States and Australia.

Those latter two countries offer concrete examples of how **Canada** might tackle the issue.

The spark for many changes in the United States came 17 years ago, thanks to a groundbreaking Boston Globe investigation of **abuse** and cover-ups by **Catholic** clergy in Boston. (The film based on the coverage, *Spotlight*, won best picture in 2016.) The investigation drew global attention and sparked waves of further revelations.

It also brought about real reform. The same year the story broke, the bishops established a lay advisory board, the National Review Board, to advise the U.S. Church on child protection. Soon into its mandate, the board commissioned a study by John Jay College of Criminal Justice, at the City University of New York. It found that 4,392 were accused of sexual **abuse** of minors between 1950 and 2002, with very few ever convicted. (The number has since surpassed 6,000, according to the website Bishop Accountability.)

The initial report found the prevalence of abusive priests was four per cent; more recent estimates from Bishop Accountability, which maintains an abuser-priest database, put it at least at six per cent.

In August, 2018, a groundbreaking Pennsylvania grand jury report showed credible allegations against more than 300 "predator priests" in the state who had sexually **abused** more than 1,000 children since the 1940s. The revelations opened the floodgates, and since that release, attorneys-general in more than 15 states have started their own investigations. Diocese after diocese across the country has had to release the names of credibly accused priests and clergy members - more than 1,500 in the past year alone.

Most recently, **Catholic** bishops in the United States voted this past June to create a new national sex-**abuse** hotline by next year, run by an independent third party, which will take complaints against bishops over **abuse** or cover-ups. U.S. church leaders are being held accountable: Bishop Robert Finn resigned in 2015 after failing to report **abuse**, and ex-cardinal Theodore McCarrick recently became the most senior cleric in modern history defrocked due to sexual **abuse**.

Meanwhile in Australia, Cardinal George Pell, a former advisor to Pope Francis, became the highest-ranking Roman **Catholic** leader ever convicted of child sexual **abuse**, after he was found guilty in December, 2018, of **abusing** two choir boys. (He is appealing the verdict.)

Sweeping reforms are now under way after the country's Royal Commission into Institutional Responses to Child Sexual **Abuse** produced the most comprehensive report of its kind in the world. The final report, issued in 2017, identified 4,444 victims of child sexual **abuse**, based on **Catholic** Church data, between 1980 and 2015, with more allegations of such **abuse** related to the **Catholic** Church than any other religious organization.

The Royal Commission calculated that seven per cent of priests in Australia allegedly **abused** minors within their flock over a 60-year period. In one **Catholic** order, the St. John of God Brothers, which oversaw facilities for children with disabilities, the share of religious brothers who were alleged perpetrators was a staggering 40.4 per cent.

As a result of the recommendations, in 2018, Australia's government created a National Office for Child Safety that works to prevent child **abuse** and monitor efforts at organizations including the **Catholic** Church.

Reforms have also rippled through Ireland, where the Church must report all **abuse** allegations (including those made by adults about **abuse** that took place in their childhood) to police and social services. The National Board for Safeguarding Children in the **Catholic** Church is a watchdog that provides oversight in how the Church handles child-protection issues. The board has audited each diocese and published reports on each, which include reviews of all allegations over the decades. It found allegations of **abuse** in every diocese it investigated.

Earlier this year, the Vatican held its first ever summit on preventing clergy **abuse**. In May, Pope Francis issued new rules that require Church officials to report cases of **abuse** and attempts to cover them up to their superiors.

But many survivors say the measures fall short, since the Church can't be trusted to police itself.

Here in **Canada** last year, the CCCB released updated guidelines on protecting minors from sexual **abuse**, which garnered praise from the Vatican. But there's no firm timeline for their implementation, and each of the 69 recommendations state that bishops and major superiors will "endeavour" to follow them, not that they must.

The Globe sent an extensive list of questions to the CCCB in July, asking for, among other things, the number of credibly accused priests in **Canada** since 1950 and the number of children who have been assaulted by priests. The CCCB provided no numbers, noting that the Canadian conference has evolved differently from its U.S. counterpart



on this issue, with the American conference playing a more centralizing role, and that the CCCB does not conduct statistical research. Instead, the country's 76 dioceses operate as autonomous entities, each governed by a bishop.

In protecting minors, "the response of the bishops has always been to provide the kind of national response which could then be adapted and implemented at the local/diocesan level," the CCCB stated in the letter. "The offices of CCCB are not mandated to supervise, oversee or manage how such resources [such as the guidelines on protecting minors] are used or implemented within each diocese."

Indeed, according to Prof. Cahill, "**Canada** seems to be leaving it all to the individual dioceses" rather than developing national, overarching responses. On the Canadian Conference of **Catholic** Bishops' website, it's "very difficult to find anything on professional standards, child protection policy and so on. It's certainly not up there on the front page," he says.

The Globe made requests to speak with Archbishop Michael Miller in Vancouver, Bishop Lionel Gendron of the CCCB and several other bishops; these requests were either declined or ignored. The CCCB eventually promised an interview with Bishop Gendron, although not until after the bishop's meeting.

In an interview last week, Bishop Robert Bourgon of the Diocese of Hearst-Moosonee, in northern Ontario, said "major steps" have been taken since Mount Cashel, although compared with other countries, "we're behind the game as far as universal policies across the country."

In the absence of comprehensive numbers, cases in **Canada** tend to be reported in an isolated, local fashion. Since 2010, Sylvia's Site, run by Sylvia MacEachern of Ottawa, has been collecting accusations of sexual **abuse** against **Catholic** priests or brothers based largely on media reports and court records. The site's database includes roughly 350 names of accused clergy - and that's just what's on the public record. (Some of those clergy members were acquitted or the charges against them dropped.)

To make an educated guess at the scope of **abuse**, The Globe started by estimating the number of priests who have worked in **Canada** since 1950 (the Church refused to divulge even that number). Scraping a website listing of the number of priests who've worked in Canadian dioceses over the decades yielded at least 14,000 over the past 70 years.

Applying the U.S.'s 6-per-cent figure for the share of accused priests shows **Canada** could have more than 800 abuser-priests. Using Australia's 7-per-cent rate yields at least 980 perpetrator priests, suggesting there could be thousands of victims.

"People who have come forward are the very tip of a very large iceberg," says Mr. McKiggan in Halifax. "It isn't just a few bad apples or just an isolated problem. The sheer number of accused or convicted priests suggests there is a systemic problem."

In virtually every diocese in **Canada**, "people have come forward and out-of-court settlements were reached," says David Deane, associate professor of theology at the Atlantic School of Theology in Halifax. There have been hundreds of settlements in total, says Dr. Deane.

According to media reports, the diocese of London, Ont., has paid out \$15-million in settlements, most of them secret, while Moncton has paid more than \$10-million in settlements. Mr. McKiggan secured a \$15-million settlement from the Diocese of Antigonish for victims in 2009. Last year, a jury awarded nearly \$2.6-million (including the largest-ever award of punitive damages for clergy **abuse**) to a single victim in Ontario. The Church is appealing. (In the U.S., the Church paid out nearly US\$200-million in settlements to victims in 2017-18 alone.)

More allegations are surfacing all the time. Rob Talach - a lawyer based in London, Ont., who has been dubbed "the priest hunter" for his record of going after abusers - has 108 active **Catholic** cases involving clergy **abuse** in Ontario, Alberta, Manitoba, New Brunswick, Yukon and British Columbia. In Montreal, lawyer Virginie Dufresne-Lemire says her firm alone has five class actions under way related to clergy sexual **abuse** in schools, residential schools and parishes in Quebec, amounting to more than 500 victims.

"We have victims calling almost every day," she says.

In the fall of 2015, Gemma Hickey attended a funeral in St. John's. While walking down the aisle of the church, Mx. Hickey glanced at the wall and froze. There, in plain sight, was a framed picture of the priest who had **abused** them when they were younger.

"I felt like I had just been slapped in the face," Mx. Hickey says. "I was shocked that his picture was still up there."

When Mx. Hickey sat down at a pew and opened the **Catholic** Book of Worship, they received another shock. At the front of the missal was an introduction written by Raymond Lahey, a former bishop who had pleaded guilty years earlier to possessing child pornography; his laptop had contained hundreds of photos of young men and boys as young as nine wearing rosary beads and crucifixes.

When Mx. Hickey and other parishioners raised the matter with the local bishop, they say he told them, "Well, you can just cover it up - put something over it.' And I thought to myself, 'cover it up? Do you not see the irony in that?'"

Bishops in **Canada** have rarely, if ever, been held accountable for complicity or a cover-up, lawyers say. There's "a very lackluster level of interest or attention in our criminal justice system for the big guys - the bishops and the archbishops fand the people who move [abusive priests] around," Mr. Talach says.

Leona Huggins of Coquitlam, B.C., knows all too well about what has been dubbed the "silent shuffle" - abusive priests who resurface in different parishes. The priest who **abused** her starting when she was 13, Father John McCann, was convicted of sex charges in 1992 after a guilty plea.

To her dismay, she found that he was working in a parish in Ottawa in 2011. It wasn't until after a public outcry that he was removed; he was never defrocked.

Other priests have also reappeared. The Vancouver diocese received credible allegations against Father Damian Cooper in 1994, yet in 2005, he was reportedly listed as a spiritual director at the Fraser Valley Pregnancy Centre. The list goes on.

Ms. Huggins wants more transparency about who the perpetrator priests are and who allowed them to keep working.

"Without knowing how big it is, kids today can remain in danger," she says. "So, we have to be able to see the scope of the cover-up - who allowed these men to stay in ministry? Who allowed John McCann to go back into ministering in Ottawa, around schools, for years? Who thought that was okay?"

Ms. Huggins is the Vancouver representative for the Survivors Network of those **Abused** by Priests and was one of 12 survivors who met with Vatican officials back in February. She's hoping more transparency and disclosure will help bring comfort and validation to victims and their families.

"We as survivors know lots of people who committed suicide because they felt they were the only person who was **abused** by this (clergy member)," she says. "To me, there's an ethical responsibility by the Church, which calls itself a moral authority, to disclose all the information they know."

That could be a while coming.

Reverend John Comiskey, a bishop's delegate whose job is to reach settlements with victims, agreed to speak with The Globe on behalf of the diocese in London, Ont. In an hour-long interview, Father Comiskey said the diocese doesn't release details on the nature of **abuse** allegations. Nor does it plan to disclose the scope or aggregate numbers on settlements it has reached with victims of clergy **abuse**.

"We've never given that information, don't intend to. We have been consistent with that. It's not in the public interest to know that," he said. "We're not hiding numbers; we're just not publicizing them."

"We are accountable to whom we have to be accountable, but we don't have to publicize all the information," he added.

Dr. Deane from the Atlantic School of Theology believes the Church must acknowledge the full story of what happened in the past. "We need to have a truth-telling about this period in the Church's history if we're to move forward," he says. "I wish that the church would somehow find the courage to become transparent and expose itself to outside investigation so that the full scale of these horrors can be told. Only then can we begin to conduct the reforms necessary."

After 17 years spent representing victims of clerical abuse, Mr. Talach also has plenty of ideas on what needs to change.

One of the top priorities is improving Canada's reporting regime. As it now stands, he says if someone walks into a diocese and says they were abused by a priest 40 years ago (because it typically takes decades for victims to come forward), and that priest is still functioning part-time in a parish - say, running its youth program - "the diocese has no obligation under law to report that to anybody."

Instead, Mr. Talach believes these matters must be investigated by outside authorities.

Dr. Deane agrees. Currently, "you still have investigations into claims of sexual abuse being handled by all insiders," he says. "It's like Big Tobacco investigating itself - there's zero chance of a proper outcome."

Prevention is similarly crucial, Dr. Deane says. For starters, he says, all-male models of leadership "have to go."

So should celibacy requirements for priests, according to Mr. Talach. "We can do all the accountability, we can charge bishops, we can put all kinds of people in jail," he says, "but unless we're doing something to prevent more kids going down this road, there's going to be folks like me employed 50 years from now."

Morality aside, he says, "the lifelong cost on society and governments and families and the victims is huge. And we're really doing nothing about it."

Evelyn Korkmaz would like to start with an apology for the horrific abuse she and others lived through at residential schools. She's still seeking justice.

In February, the Cree grandmother travelled to Rome hoping to meet Pope Francis and ask that he apologize for the Church's role in running the schools, 60 per cent of which were under Catholic control.

But the meeting was refused, and Ms. Korkmaz left hugely disappointed.

"It doesn't help that the Vatican covers up these clergy abuses or crimes, by withholding names and the documents and relocating the clergy to other parts of Canada" or the world, she says.

Rob Bowden of Cape Breton was abused by a parish priest for three years, starting when he was eight, and was one of the plaintiffs in the successful class action lawsuit against the diocese of Antigonish. He doesn't believe the Church can fix itself; rather, he believes any substantive change will have to come from the outside.

He's done with excuses. "They destroyed my life, over and over. I'd love to see them held accountable."

With files from Rick Cash and Stephanie Chambers, and data analysis from Jeremy Gray

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## **Jesuits of Canada to name priests accused of sexual abuse; No other major Catholic diocese or religious order in Canada has made a public commitment of this kind to follow the example of a wave of disclosures in the United States**

Breaking News from globeandmail.com

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### **Body**

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#### **ABSTRACT**

No other major **Catholic** diocese or religious order in **Canada** has made a public commitment of this kind to follow the example of a wave of disclosures in the United States

#### **FULL TEXT**

The Jesuits of **Canada**, a religious order of the **Catholic** Church, has committed to publishing the names of priests who have been credibly accused of sexual **abuse** dating back about 60 years.

No other major **Catholic** diocese or religious order in **Canada** has made a public commitment of this kind to follow the example of a wave of disclosures in the United States. Many of the U.S. disclosures have taken place since the 2018 release of a grand jury investigation in Pennsylvania that found priests **abused** more than 1,000 children.

Father Erik Oland, provincial of the Jesuits of **Canada**, told The Globe and Mail a company that does investigations and risk assessments has been hired to review historic files, including those that are already known publicly and others that have not yet been disclosed; a list of names and where the priests worked will be made public by January, 2021, or before.

In a recent interview in Toronto, Father Oland also disclosed that the Jesuits in **Canada** have paid almost \$6-million in out-of-court settlements to victims up until 2007, and another \$1.1-million since then. Victims have long called for more transparency from the church about **abuse** cases and how they are handled.

"We're really making a decision to be pro-active," he said in a recent interview in Toronto. "We're not waiting to be forced out from under cover. The Jesuit order, the **Catholic** church people with religious convictions are doing important work for our world, so we don't want to keep carrying this yoke over our shoulders."

<https://www.theglobeandmail.com/canada/article-the-walking-wounded-in-canada-survivors-of-catholic-church-sex-abuse/>

In the United States, the Northeast Province of the Jesuits published a list earlier this year of credibly accused priests, along with information on where they worked and when. The Jesuit Province of **Canada** will use a similar template,

he said. The U.S. list defines credible as an allegation that is "more likely true than not after investigation." A lawyer for the Jesuits said the order in **Canada** will use a similar definition.

Creating a list and publishing the names "is a way to move forward," he said. On the motivation to do so, he said the Jesuits "consider it a necessary and appropriate response to the demand for transparency" from the church, noting that victims of sexual **abuse** have requested it as an act of reconciliation. As well, "it assists in validating the claims of individuals who are coming forward with reports of the experiences and it alerts the superiors of different dioceses and provinces to possible offenders that might have been in their communities."

So far, several names of Jesuits have surfaced in connection with historic cases of sexual **abuse** of children: Rev. George Epoch and Brother Norman Hinton, who were named in a class-action lawsuit connected with a residential school in Ontario. Father Epoch, who died in 1986, is also among the priests named in a class-action lawsuit filed in Halifax last year. Most of the settlements the Jesuits have paid went to victims of these two abusers.

Father Oland said he made the decision to start an audit of files in October, 2018, after the release of the Pennsylvania report. He said the audit began in October of this year, and is being conducted by The King International Advisory Group. The auditors will have access to all the files in the Jesuits' archive, said William Blakeney, the Jesuits of **Canada's** delegate for allegations of misconduct, who is a lawyer and is involved in the audit. The list could be revised in the future, if new information becomes available, he added.

In addition to the settlement Father Oland disclosed, Mr. Blakeney said another \$1.5-million was paid to victims in a residential school settlement, and separately about \$834,000 in additional compensation to victims to victims of Father Epoch in the early 1990s.

The Society of Jesus, as the order is called, is one of the largest religious orders in **Canada**, although its numbers have fallen. Worldwide, there are more than 16,000 Jesuits, including Pope Francis, and it is the largest male religious order in the **Catholic** Church. Its priests and brothers are under the authority of a superior or provincial, and may live in a community, or work in parishes or schools. The order is comprised of six provinces in North America; five in the U.S. and one in **Canada**. Disclosures from the Jesuits in the United States in the past year and a half amount to several hundred names so far.

Father Oland also said that since 2000, there have been 14 complaints of **abuse** in English **Canada** and about five in French **Canada**, Fr. Oland said. Of those complaints, "all but one were historic cases of **abuse** of minors," the order said.

About six Jesuits are currently working in a "restricted" capacity in **Canada** after facing an allegation, he said. This means they are not in active ministry. The auditors are to examine the process by which they were placed under restricted ministry and advise on whether the restrictions are sufficient.

The list the Jesuits publish is meant to be as complete as possible, including all credibly accused, but details are still pending, a spokesperson for the order said. The spokesperson said the order hopes the audit process will advise on what it can disclose in **Canada**, balancing public awareness with privacy and legal considerations.

"What we are trying to do is new and takes us into uncharted territory," Father Oland said. "Our purpose with these cases, as with all other cases, is public awareness, to promote the healing of victims and to help correct the causes of the crisis. We will need time to devise the means appropriate to these ends."

The move by the Jesuits is a "good start," said **Thomas Doyle, a former Dominican priest and U.S.-based canon lawyer, with 35 years of global expertise in the area, adding that Canada has been "lagging behind" in responses to the clergy abuse crisis, compared to countries such as Australia and the United States.**

Publishing the names gives an important validation to victims, who often weren't believed when they came forward, he said, adding that it also can encourage others to come forward, and is a way of "diluting the power" of the church and making it more accountable.

Follow this link to view this story on globeandmail.com: <https://www.theglobeandmail.com/canada/article-jesuits-of-canada-naming-priests-accused-sexual-abuse-catholic-church/>

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<https://www.bishop-accountability.org/2021/06/criminally-charge-canada-and-the-catholic-church-for-residential-schools-experts/>

Criminally Charge Canada and the Catholic Church For Residential Schools: Experts

TORONTO (CANADA)

Vice [Brooklyn NY]

June 15, 2021

By Anya Zoledziowski

Too few people in charge of residential schools have faced legal consequences for “crimes against humanity” committed against Indigenous children, experts say.

Following the discovery of the remains of 215 undocumented children, some as young as 3, under a former residential school in British Columbia, calls are mounting for leaders and staff of residential schools to be punished.

Starting in the 1800s, residential schools were funded by the Canadian government and operated by churches to forcibly assimilate an estimated 150,000 First Nations, Inuit, and Métis children. **More than half of all schools were Catholic-run. Sweeping physical and sexual abuses, disease, and malnutrition were rampant, and up to 15,000 children, many undocumented, were killed nationwide.** The last school only closed its doors in the mid-1990s.

“To this day, I’ve, I’ve always wanted to go back and burn the place, and I never did,” a survivor who had been subjected to sexual abuse told the Truth and Reconciliation Commission, which investigated residential schools in Canada and their ongoing legacy.

**Between 2007 and 2015, the TRC identified fewer than 50 convictions for abuse committed at residential schools—compared to more than 38,000 reports of sexual or severe physical abuse.**

Survivors expressed how they felt both criminal and civil justice systems historically favoured residential school leadership and staff. For example, when it emerged that one school disciplined students in 1934 by thrashing their bare backs with straps and feeding others only bread and water for two days, the government conducted an inquiry. The judge “commended and congratulated” the school for its ability to dole out discipline. “These Indians, in terms of civilization, are children, having minds just emerging from barbarism,” he said.

Among its findings, the TRC firmly concluded Canada’s legal system “failed to provide justice to survivors who were abused.”

“When, in the late 1980s, that system eventually did begin to respond to the abuse, it did so inadequately and in a way that often re-victimized the survivors,” says the TRC report, published in 2015.

It wasn’t until 2006 that a federal settlement agreement gave survivors the right to compensation, but there were no legal cases against those who ran them. According to the TRC, survivors wouldn’t have had an opportunity to publicly share their experiences if it hadn’t done its investigation.

So far, the government has paid out \$3 billion worth of reparations to 28,000 residential school survivors. There were about 80,000 estimated residential school survivors all over Canada when the TRC published its findings in 2015. Prime Minister Justin Trudeau is currently engaging in a court battle, so he can work out new compensation terms for survivors of Canada's child welfare system, an extension of the residential school system. Experts say reparations need to be pursued, upheld, and paid—possibly in the form of a tax on the Church, too—on top of an apology.

#### Call for justice growing

While the Canadian government has formally apologized for its role in residential schools, the Catholic Church has not. Pope Francis expressed "sorrow" earlier this month, but stopped short of saying sorry.

Neither institution has faced criminal charges, and both have failed to hand over many residential school records that would help communities find and identify lost family members, as well as the names of former residential school staff who may have committed abuses. The Catholic order of nuns that ran the Kamloops Indian Residential School is currently refusing to release many records.

"What happened to Indigenous children is genocide, and the legacy of that continues through denial and inaction," said Beverly Jacobs, a University of Windsor law professor from Six Nations of the Grand River Territory. "All entities involved in residential schools...must be charged with genocide and tried at the International Criminal Court."

#### Crimes against humanity

A group of 15 Canadian lawyers has since asked the ICC to investigate Canada and the Vatican for crimes against humanity. ICC can step in and investigate suspected genocide, war crimes, crimes against humanity, or aggression when countries refuse or are unable to do so themselves, and it can compel all those involved to submit relevant documents and information.

The letter notes that the Rome Statute that gives the international court its power came into effect on July 1, 2002, so only crimes committed after fall under its jurisdiction. But the Church and Canada have continuously covered up their crimes, even after July 1, 2002, thereby perpetuating them, the lawyers allege.

Canada doesn't have a statute of limitations on serious criminal offences, meaning there is no time limit for when alleged perpetrators have to be charged. But a trial must happen within a reasonable time after charges are filed.

An international investigation into Canada and the Church would hardly be the first one of its kind, and many say it's long overdue. The notorious Nuremberg trials pursued punitive justice and prosecuted prominent Nazis who participated in the Holocaust and other war crimes. Sentences of convicted Nazis ranged from long jail sentences to death.

An international criminal tribunal was established to try perpetrators of the Rwandan genocide, resulting in 85 convictions, and either long or lifelong jail sentences for many found guilty. The Truth and Reconciliation Commission in South Africa pursued restorative justice following apartheid. It created a forum for survivors to speak openly and had the goal of cementing the country's traumatic history as public record, while also creating healing dialogue, so that society could ultimately move on.

More than 40 countries have established their own truth commissions.

"The hope has been that restorative justice would provide greater healing than the retributive justice modelled most memorably by the Nuremberg trials after the Second World War," said Bonny Ibhawoh, McMaster University professor of history and global human rights.



But pursuing justice is complicated and each example above has faced steep criticism for either going too far or not going far enough.

Andrew Phypers, a member of Ktunaxa Nation, is one of the lawyers who signed the ICC letter. “Records would change everything,” he said, in part because names of many perpetrators could be released. Then, they could be held to account.

Part of the problem, though, is that many Indigenous people don’t trust the police to carry out impartial investigations. Last year, nearly half of all people shot by police were Indigenous—despite the fact that Indigenous peoples make up 5 percent of the population in Canada. That’s where ICC oversight comes in, Phypers said.

“There is that potential for harm,” Phypers said. “The oversight of ICC’s prosecutor’s office would be of some value because essentially there would be oversight and it wouldn’t be a one-sided investigation.”

Trials could factor in Indigenous experiences

Canadian courts already follow the Gladue Principles, which factor in intergenerational trauma, residential school or child welfare experiences, racism, and other forms of colonialism when sentencing an Indigenous person convicted of crime. Named after a 1999 Supreme Court case that decided an Indigenous woman’s history wasn’t taken into account adequately when lower courts convicted her of manslaughter, the principles address the overrepresentation of Indigenous people in the prison system.

While the Gladue Principles largely apply to alleged perpetrators of a crime, it’s possible that courts could also factor them in when measuring the harm inflicted.

“It could be a measure of the gravity of the offence,” said Phypers. “What is the impact on the people that were victimized? It would be notably grave given the concept of intergenerational trauma and how it is persisting right till today.”

Answers to those questions could then inform the sentences handed out to people who ran residential schools, he said. Survivors and their families could ultimately guide the discussion, too.

In criminal cases, there is generally room for victims to submit impact statements in which they state what justice looks like to them. “It can have some influence on the outcome, or at least convey to the court how the crime impacted them,” Phypers said.

Phypers said Indigenous legal practices could be used throughout, including with courts accepting Indigenous oral history.

‘Something just must occur’

It’s still early—as of Tuesday, the ICC has confirmed it had received the letter and indicated it is considering the complaint. There is no word yet on whether it will open an investigation.

What is clear is some form of accountability, informed and led by Indigenous voices, should happen, Phypers and others said.

“Canada has an immense amount of work in the area of reconciliation, and addressing the horrific history that resulted in thousands of children not making it home. We will not allow them to cover this horrendous history from the world,” said the Federation of Sovereign Indigenous Nations, which represents 74 First Nations in Saskatchewan.

So while it's too soon to say what an adequate outcome would look like following an investigation, and possibly, trials, Phypers said there are many ways an investigation could ultimately mete out justice.

“Whether that is jail time or something else I can't really say. But something just must occur.”

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The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic in....

**The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic institutions had net assets of \$4.1-billion in 2019, and that's a conservative figure. Meanwhile, residential-school survivors say it's time for the church to take broader responsibility for its role in past abuses**

<https://www.theglobeandmail.com/canada/article-catholic-church-canadian-assets-investigation/>

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**Byline:** Tavia Grant and Tom Cardoso

## Body

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### Lead

The **Catholic** Church in **Canada** has billions of dollars in assets across the country, a Globe and Mail investigation has found, suggesting it has ample means to help in reparations for Indigenous communities and reconciliation efforts to address the legacy of residential schools and the **abuse** that thousands of children suffered there.

To investigate its wealth, The Globe and Mail procured tax filings for thousands of **Catholic** Church organizations from the **Canada** Revenue Agency, and worked with the research organization Charity Intelligence **Canada** to arrive at an overall financial picture for the Roman **Catholic** Church in **Canada**.

### Texte/Text

The calculation reveals the vast combined assets of **Catholic** organizations in the country. In all, 3,446 registered **Catholic** Church charities - mostly dioceses and parishes - received a total of \$886-million in donations in 2019, making them combined the largest charitable organization in the country. All told, 2019 net assets - the sum of cash, investments, property and other holdings, after accounting for liabilities such as debts and loans - are valued at a minimum of \$4.1-billion. (The number does not account for the assets of **Catholic** organizations such as monasteries.)

"These are staggering numbers," says Kate Bahen, managing director of Charity Intelligence, a registered charity that provides analysis and ratings on the finances and transparency of **Canada's** charity sector.

The **Catholic** Church's share of a national residential schools settlement reached in 2006, meant to go toward healing and reconciliation efforts, amounted to \$29-million in cash, \$25-million in church in-kind services, and **\$25-million from a fundraising campaign. That campaign raised just \$3.7-million.**

According to Ms. Bahen, donations to the **Catholic** Church in recent years have been so substantial that about one of every \$20 in charitable giving each year goes to Roman **Catholic** charities.

The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic in....

The **Catholic** Church has a decentralized structure in **Canada**, with each diocese operating as an autonomous entity over which a diocesan bishop has authority. As such, it has said that responses on the residential school issue are best left to the local level. The bishops are members of the Canadian Conference of **Catholic** Bishops, which is the national assembly of bishops, although they are not accountable to the CCCB.

Lawyers representing the church have long cited a lack of funds when it comes to compensation related to residential school survivors. In 2014, the federal government took legal action against the dozens of **Catholic** organizations that ran the schools, saying they still had outstanding financial obligations at a time when the other churches that ran the schools - United, Anglican and Presbyterian - had met their obligations. A lawyer for various **Catholic** entities told The Globe in 2016 that many of them were near bankruptcy.

The **Catholic** Church is facing renewed scrutiny over its role in running a majority of the country's residential schools, which separated Indigenous children from their families in a system designed to strip them of their language and culture. Discoveries of more than **1,200 probable unmarked graves** containing human remains at or near several former residential school sites in **Canada** over the past few months have sparked outrage and grief. The findings rekindled a discussion on reparations, and what the **Catholic** Church, which ran most of the schools, could do to make amends.

Along with analyzing the church's finances, The Globe spoke with more than two dozen experts, including lawyers, scholars, bishops, Indigenous leaders, analysts and residential school survivors, combed through court documents and reports to get a sense of how past settlement deals and court challenges played out, and scrutinized reparation efforts in other countries.

Many Indigenous leaders and members of the **Catholic** community want a more significant response from the church after the \$25-million fundraising campaign came up short. They say they would like to see more substantive funding that could go toward scholarships, healing, language and cultural programs, and investigations into the deaths of children at the schools.

"The waypoint for meaningful reconciliation is to address reparations, reconstruction funding and redress," said Mary Ellen Turpel-Lafond, a law professor and academic director of the University of British Columbia-based Indian Residential School History and Dialogue Centre. For example, "just the cost of addressing unmarked burials and the investigation of those sites will involve millions of dollars that First Nations communities do not have, and should not be expected to raise to investigate their own genocide."

Chief Bobby Cameron of the Federation of Sovereign Indigenous Nations in Saskatchewan is calling for a swift response from the **Catholic** Church to address the intergenerational trauma of residential schools.

"We would like to see immediate action, whether they take it out of their own pockets, or whatever it may be. If the will is there, and the sincerity is there, and the heart is there from the **Catholic** Church in **Canada**, they will find a way," he said.

Given the scale of the harms, he added, a response should be far more than the original \$25-million of the fundraising campaign.

"I would say in excess of \$500-million. Because there are a lot of survivors and descendants - there are hundreds of thousands of people affected by this. There's a lot of healing and initiatives [needed] to help our First Nations move forward."

### The three obligations

**Canada's** residential schools operated for more than a century, with at least 150,000 First Nations, Métis and Inuit children torn from their homes and forced to attend; many were forbidden to speak their language or practice their culture.

The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic in....

The Truth and Reconciliation Commission (TRC) called it a policy of cultural genocide. The last school closed only a few decades ago, in 1996, the TRC said.

The National Centre for Truth and Reconciliation has documented more than 4,100 children's deaths at residential schools - many from disease, neglect, malnutrition and abuse - and estimates thousands more died.

By the early 1900s, death rates among children were so high that some officials in the federal government and the Protestant churches wanted to have day schools instead. The plan "foundered for lack of Roman Catholic support," the commission's 2015 report said.

Catholic entities ran about 60 per cent of the schools, which were mostly funded by the federal government. The church has faced mounting criticism over its role.

In addition to their failure to raise their share of funds for healing programs, the Catholic entities have also come under fire for not sharing historical records that are crucial to learning the identities of the children who died and their cause of death, nor has the Pope issued a formal, public apology.

The federal government has paid \$3.2-billion in individual settlements, and divided an additional \$1.9-billion among all survivors as part of the settlement reached in 2006. In a side deal, Catholic entities agreed to three financial obligations: \$29-million in cash payments; \$25-million worth of "in-kind" services; and to make their best efforts to raise the \$25-million for healing projects. Together, the three obligations were "a sweetheart deal for the Catholic Church," said London, Ont., lawyer Rob Talach, who has represented survivors in clergy abuse lawsuits.

The fundraising campaign took in \$3.7-million, just 15 per cent of its goal.

In a 2014 court case in Saskatchewan, federal government lawyers alleged Catholic officials had improperly redirected funds meant for residential school survivors toward legal and administrative fees, The Globe reported last week. After more than a year in court, the judge released the Catholic entities from their remaining settlement obligations.

Some bishops have vowed to restart the fundraising campaign and work toward the \$25-million. The Globe asked six bishops for comment. Five were unavailable or didn't respond. Bishop Thomas Dowd of Sault Ste. Marie, Ont., said he is in favour of a national campaign. The Canadian Conference of Catholic Bishops declined a request to interview its president, Archbishop Richard Gagnon, saying he is unavailable. In an e-mailed response, Archbishop Gagnon did not directly answer questions on past fundraising or whether the church would consider selling assets or allocating permanent funding for healing and reconciliation programs for Indigenous peoples.

In 2019, the most recent year for which data are available, church entities' revenue - their combined donations, government funding, investment returns and other income sources - amounted to \$1.52-billion. That year, they also declared a surplus, or profit, of \$110-million.

Only 138 Canadian companies on the Toronto Stock Exchange reported more than the Catholic Church's revenue in 2019, according to S&P Global Market Intelligence. The church entities' declared revenue to the Canada Revenue Agency puts them in the company of household names such as Cineplex Inc. and Corus Entertainment Inc., which brought in \$1.67-billion and \$1.69-billion respectively.

Yet despite the church's wealth, the figures calculated by Charity Intelligence are still "absolutely" a conservative count, Ms. Bahen said.

They exclude the finances of monasteries and nunneries. They also exclude charities that don't raise a lot of money or have much property, which aren't required to submit as detailed a tax filing to the Canada Revenue Agency.

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Charity Intelligence's financial analysis reveals much of the **Catholic** Church's assets are locked up in real estate. Land and property holdings alone accounted for \$3.3-billion in assets in 2019. But, Ms. Bahen said that figure is also "significantly understated."

For example, several organizations declare the combined value of their properties to the CRA as \$1.

The Archdiocese of Toronto for years has declared \$2 in property assets in its charity filings, even for new buildings. But its 2020 audited financial statements, which are available upon request from the CRA, show nearly \$940-million in property.

Declaring the value of all its property, including newer buildings, at \$2 contravenes accounting standards, according to the archdiocese's outside auditor - a practice Ms. Bahen said she had never seen before. A note in the audited statements explains that this is done because the archdiocese expects the properties - from parish churches and offices to St. Michael's Cathedral Basilica - to be used indefinitely.

Neil MacCarthy, a spokesperson for the Archdiocese of Toronto, said the organization stands by its accounting choices. "As stewards of the funds entrusted to the archdiocese by parishioners," he wrote in an e-mail, "our goal is to sustain the properties that have been funded and developed by the local **Catholic** community over the past two centuries for their intended use - to gather for worship and offer charitable outreach to the community at large."

Despite the way many church properties are declared to the CRA, some have netted large sums when sold.

In 2004, the Sisters of Charity of Montreal, known as the Grey Nuns, sold their motherhouse to Concordia University for \$18-million. The Archdiocese of Toronto's 2018 audited financial statements noted it had struck a deal to sell one parish's real estate to a developer for a minimum of \$44-million.

As part of his litigation work, Mr. Talach, the London lawyer, has sometimes examined the books of **Catholic** organizations across **Canada**, and said he has been surprised by their wealth - "especially in real estate holdings."

During one case, Mr. Talach obtained audited financial statements for the **Diocese of London, in Ontario**. Those statements, which were made public as part of the court proceedings, showed that in 2002, the organization held \$99-million in capital assets, including land and buildings.

The fact that **Catholic** entities managed to raise only \$3.7-million for their \$25-million best-efforts campaign is "disgraceful and disingenuous," he says.

"We're talking about vast wealth, even at the individual diocese level. To say that across the nation they couldn't come up with [the money] is insulting to anyone with even basic understanding of the operations and the finances of the **Catholic** Church in **Canada**."

The church has found funds for some priorities. In September, 2016 - the year after the residential school fundraising campaign concluded - St. Michael's Cathedral Basilica reopened in Toronto after a restoration.

The project took five years - overlapping with the seven-year residential school fundraising campaign. The renovation included 13 new statues, a hand-painted ceiling with gold-leafed stars, a new balcony and a custom-built organ with 4,143 pipes - at a cost of \$128-million, more than 30 times what was raised for residential school survivors' healing programs.

### 'A groundswell within the church'

As a **Catholic**, Lorraine Whitman has been to the Vatican several times to attend midnight mass and reaffirm her faith. Ms. Whitman, a member of Glooscap First Nation in Nova Scotia and president of the Native Women's Association of **Canada**, has seen the splendour of the cathedrals, and has wondered why that wealth has not been shared to help those who suffered harms from the church.

The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic in....

"I just feel so sickened to know all of the psychological, physical, emotional **abuse** and traumatization that our Indigenous children have gone through," she said. "I have seen those beautiful paintings, I have seen all of their collections, all of their treasures that they have. One painting, if that were sold, do you know how far those dollars would go in the healing of our communities?"

It's difficult to pinpoint the global wealth of the **Catholic** Church. At the Vatican, the Sistine Chapel and works by Michelangelo, St. Peter's Basilica and the art in its museums are considered priceless. Last month, the Vatican revealed for the first time that it owns more than 5,000 properties.

In **Canada**, frustration is growing in the **Catholic** community over the response from church leaders on residential schools. **Petitions and open letters continue to gain signatures - one calling for churches to compensate communities that lost children at the residential schools has more than 40,000 signatures**; another by **Catholics** calling for the church to offer to pay for reinterment of the children's bodies has 6,500. Some are calling for a boycott of donations, or that the church's tax-exempt status be revoked.

"There's a groundswell within the church, to the leaders, who seem a bit more reluctant than many of the members ... to say we must meet our commitments, and I'm hoping that there will be some action on that," said Mayo Moran, a law professor who is provost and vice-chancellor of Trinity College at the University of Toronto.

The Canadian Conference of **Catholic** Bishops (CCCB), she says, "really need to show more leadership on this. Invite the Pope to come, get that money together, address the records - those are the things that need to be done." Instead, she characterizes the response so far from the conference as "reluctant." The CCCB's main roles are to assist bishops in joint action and co-ordinate charitable initiatives.

In a June interview, The Globe asked the CCCB's Archbishop Gagnon about the potential for a national fundraising campaign and whether the church would pledge money. At the time, he said local efforts were more appropriate; he said he couldn't respond to a question on whether the church would contribute funds through assets or cash holdings.

**"A lot of Catholics think that's inadequate,"** said Prof. Moran, who is the former chair of the committee that oversaw the compensation process for survivors under the residential schools settlement agreement. **"They want their church to step up and do more. It really doesn't reflect well on the church, unfortunately ... I suspect that people believe that they are protecting the church from liability. But my sense is that it's really undermining the church's moral legitimacy."**

"This is a failure of leadership," she said.

When asked about overall finances across **Canada**, Archbishop Gagnon said in the e-mail that CCCB "does not keep a collection of financial statements" for Canadian **Catholic** charities. He said bishops from many dioceses have indicated interest in local or regional fundraising campaigns, and that it is "encouraged" by the start of fundraising drives in Toronto, Calgary and Saskatchewan.

The CCCB has distanced itself from the residential school issue. Its website notes that each diocese and religious community is corporately and legally responsible for its own actions. "The **Catholic** Church as a whole in **Canada** was not associated with the residential schools, nor was the Canadian Conference of **Catholic** Bishops."

Bishop Dowd of Sault St. Marie said he would prefer a national fundraising campaign, as it would be an opportunity to build awareness among parishioners, especially new Canadians, and solidarity, and that this should be an ongoing initiative, not a one-off.

He said a "duck and cover" approach amid growing public outrage is not the best response. "I'm not in favour of press releases that sound like they were written in a corporate laboratory," he said. "I think we need to express our own broken hearts."

The Catholic Church in Canada is worth billions, a Globe investigation shows. Why are its reparations for residential schools so small?; Altogether, Catholic in....

Other countries are grappling with past atrocities, and churches' role in them. Australia's Royal Commission into Institutional Responses to Child Sexual **Abuse** uncovered decades of horrific **abuses** by Roman **Catholic** priests. In 2018, an investigation by The Sydney Morning Herald found the church had grossly underestimated its property values in evidence to the commission, which the Herald said raised questions about whether the church was trying to protect assets and minimize compensation to victims. It identified church-owned properties in the state of Victoria alone at about 7 billion Australian dollars (\$6.5-billion).

In the United States, a national discussion is under way over reparation proposals for African Americans. In March, the Jesuits - a religious order of the Roman **Catholic** Church - pledged to raise US\$100-million toward reconciliation efforts, to make amends for its role in the enslavement of Black people. In April, the House Judiciary Committee approved legislation to create a commission that will study reparations to the descendants of slaves.

In **Canada**, several bishops have issued apologies for residential schools, and some religious orders have offered to share historical documents. The United Church of **Canada** has a policy that a minimum 10 per cent of the proceeds of all property sales go toward reconciliation initiatives, including a healing fund. It has also set aside money each year for reconciliation programs, and said last month it approved \$3-million to help finance investigations of unmarked graves at residential schools.

### Moving forward

Cora Voyageur still remembers the number that the nuns assigned to her as a nine-year-old at the Holy Angels Indian Residential School in Fort Chipewyan, Alta.: 21. Her sister was No. 19; her youngest sister was No. 45.

She remembers being called "savage," and the constant fear of beatings. "There was this underlying feeling of unease and anxiety and the idea that you could get whacked at any time," she said. "You did not feel safe."

More than five decades later, the residential school survivor, who is a member of the Athabasca Chipewyan First Nation and a sociology professor at the University of Calgary, wonders why substantive responses from **Catholic** Church leaders are still so tepid, especially given that **Catholic** entities ran most of the schools. Funding from the church toward, for example, better access to post-secondary education, could have a transformative impact on young Indigenous people, she said.

Funding could also go toward identifying the children in the unmarked graves, and determining how they died. Some entities have recently promised to share documents - after years of requests - but there are still costs associated with collecting and digitizing them, said Raymond Frogner, head of archives at the National Centre for Truth and Reconciliation.

Several entities - such as the Missionary Oblates of Mary Immaculate, a religious order that ran many of the schools - have said they don't have the funds to do this, and thus far the church has not offered to cover costs. "The **Catholic** Church itself could surely find some funds to do this of all things, right? If you really want to be accountable, now's your chance to actually pay for the costs of making these records available," Mr. Frogner said, adding that about \$100,000 would be needed.

Several of the Truth and Reconciliation Commission's 94 calls to action ask churches to step up. No. 61 says they should work with survivors and Indigenous groups to establish permanent funding for initiatives such as projects for healing, language revitalization and education, and for Indigenous youth to explore their spirituality and self-determination.

Funding for healing programs could also revive a once-powerful Indigenous organization. The Aboriginal Healing Foundation, which existed from 1998 to 2014, was a national Indigenous-led organization dedicated to community-building and healing. The foundation disbursed about \$610-million to more than 1,500 programs. It was shut down late in 2014, when the Harper government let its funding lapse.



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The foundation was to receive most of the \$29-million cash transfer that was among the **Catholic** Church's commitments under the residential schools settlement. But the money was hard won, according to Mike DeGagné, president of the national Indigenous charity Indspire and former executive director of the Aboriginal Healing Foundation. When the time came for the **Catholic** Church to give the foundation the funding, "the phone went absolutely silent," he said. The foundation had to plead with the church to release its money.

To Mr. DeGagné, organizations such as the foundation are sorely needed today. "On the day that the Aboriginal Healing Foundation closed and all those projects were forced to close down, there were almost 1,000 employees within those programs in communities," Mr. DeGagné said. "That's 1,000 employees that were accountants, HR people, directors, counsellors, elders and people who were doing something or being trained.

"What I'd like to see is institution building," he said. "Indigenous organizations that can make real change."

Cora Voyageur, the residential school survivor in Alberta, wants to see fulfilling change, and a bold, new direction. "Let's build a new relationship," she said. "One based on respect, and equality."

With a report from David Milstead in Toronto

If you have further information about this story, please e-mail [tips@globeandmail.com](mailto:tips@globeandmail.com)

**Catholic Church's reckoning: More from The Globe and Mail**

**The Decibel podcast**

**Opinion**

Tanya Talaga: Will accountability ever come in the **Catholic** Church and the Canadian government?

Bernadette Hardaker: Amid shameful residential-school revelations, I cannot remain a **Catholic**

Jeremy M. Bergen: The theological reason why the **Catholic** Church is reticent to apologize for residential schools

Suzanne Shoush: Do **Catholic** leaders truly feel they don't owe Indigenous people an apology?

**Load-Date:** October 25, 2021

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Catholic clergy sexual abuse meets the civil law.

***Shining 'Spotlight' on corruption; Clerical malfeasance: Boston Globe exposé of sex abuse by Catholic priests came after stories; by Canadian news outlets on Mount Cashel scandal***

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**Length:** 1309 words

**Byline:** Douglas Todd, Vancouver Sun

## **Body**

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People have to be ready for the truth before it can be revealed.

That's a theme of the riveting, award-winning movie, *Spotlight*, which recounts how the Boston Globe newspaper laid bare an ecclesiastical and political coverup of rampant pedophilia by more than 87 Roman **Catholic** priests and brothers. After years of Boston Globe staff ignoring clergy **abuse** cases, the newspaper's investigative team, called *Spotlight*, broke its explosive story in 2002. It led to the resignation of Cardinal Bernard Law and helped elevate clergy **abuse** into an international issue, which continues to reverberate.

The Canadian media, however, produced many stories about widespread sexual **abuse** by **Catholic** priests and brothers much earlier than the Boston Globe. **The spate of Canadian articles began in 1989 with Newfoundland's Mount Cashel Orphanage scandal, first reported by The Sunday Express under publisher Michael Harris.**

That was 12 years before the Boston exposé. Nevertheless, the historical timeline of 20th-century **Catholic abuse** that is on the *Spotlight* film's website contains no mention of the mass **abuse** of Mount Cashel orphans (which powerfully impacted two Metro Vancouver **Catholic** schools) or scores of other Canadian cases.

It appears most Canadians were ready, before most Americans, to admit to the horrible truth of **Catholic** clergy pedophilia. By the time the Boston exposé was published, the Canadian media had run thousands of articles about molesting clergy.

The Canadian Conference of **Catholic** Bishops, under the direction of retired Vancouver archbishop Adam Exner, had also responded to the debacle as early as the mid-1990s - by creating a complaints process that supported **abuse** victims in going to police.

That kind of protocol was not in place in 2002 in the U.S., and especially in Boston, where **Catholics** dominated culture, politics, business, philanthropy, high society, the police and even the judiciary.

Almost every city has a powerful elite that operates behind the scenes to sway regional affairs. In Boston, it was the **Catholic** establishment, which did everything it could to keep a lid on decades of the clergy's destructive behaviour.

Shining 'Spotlight' on corruption; Clerical malfeasance: Boston Globe exposé of sex abuse by Catholic priests came after stories; by Canadian news outlets on Mo....

At one point in Spotlight the Boston Globe's publisher cautions his staff against running the clergy abuse investigation by warning that 53 per cent of the newspaper's readers are Catholic.

Such pervasive resistance to the Catholic Church exposé leads one of Spotlight's investigative reporters (played by Mark Ruffalo) to finally burst: "They control everything! Everything!" Even though the Canadian census says 43 per cent of Canadians have an affiliation with the Catholic Church, Canadian courts, governments and journalists have been less hesitant than most Americans to wade assertively into church sex-abuse cases.

I wrote a story in 1993 that calculated the Canadian media had by then reported on more than 100 Canadian Catholic priests and brothers who had been charged or convicted of sex crimes.

It's hard to know why Canadians were more ready to recognize the appalling truth.

It may have grown out of the way Canadians are, in some ways, less deferential than Americans to Catholic leaders, more questioning of authority in general, more frank about homosexuality and more willing to deal with the shame associated with sexual abuse.

Many brave people also deserve credit, especially the outspoken survivors of abuse. But credit also goes to some intrepid police officers (including B.C.'s Bob Grinstead), some dogged journalists and some bold prosecutors and public officials, and in the end, some integrity-filled Catholic leaders.

Watching Spotlight brought back the pain, sadness and anger that I and many other Canadian (and U.S.) journalists often felt as we were drawn into the sex abuse scandals simmering in the Catholic Church, including at church-run aboriginal residential schools.

(It should not be overlooked that the Canadian public's relative willingness to tackle child sex abuse soon extended to perpetrators in mainline Protestant and evangelical churches and New Age groups, not to mention to Boy Scout leaders, sports coaches and teachers in private and public schools.)

My unpleasant but necessary journalistic foray into the sometimes-nasty world of sex abuse and coverup really began in 1989.

That was the year I travelled to Williams Lake for The Vancouver Sun to cover the incendiary case against Father Harold McIntee, who was charged with abusing 17 boys while working at Joseph's residential school.

It was the same year the Mount Cashel outrage exploded, in the end involving 90 boys. I soon discovered six members of the Christian Brothers order who had been accused or convicted of crimes at Mount Cashel had been transferred to two Metro Vancouver Catholic schools; St. Thomas More Collegiate in Burnaby and Vancouver College. B.C. turned out to be a hotbed for Catholic clergy abuse. I wrote more than 150 stories over more than a decade about charged or convicted priests and brothers in B.C.: Len Doughty, Edward English, Kevin Short, John Monaghan, David Burton, Douglas Kenny, Bishop Hubert O'Connor, et cetera.

With Catholics comprising roughly one in five British Columbians, the church hierarchy did not make reporters' jobs easy. Pressure to back off came from church officials, Catholic lawyers and even journalists sympathetic to the church. At times I felt intimidated, albeit never threatened.

Things became especially tense in the late 1990s when lawyers for the victims at Mount Cashel sought compensation through the sale of St. Thomas More Collegiate and Vancouver College, which were also operated by the Christian Brothers.

I ended up in countless journalistic showdowns with Catholic officials, particularly the archdiocese's media spokesman John Nixon (we continue to have a respectful relationship).

Shining 'Spotlight' on corruption; Clerical malfeasance: Boston Globe exposé of sex abuse by Catholic priests came after stories; by Canadian news outlets on Mo....

Similar to the way the Boston establishment did everything possible to protect the reputation of the centuries-old church and its cardinal, the worry emerged that B.C.'s political and business establishments were in some sort of cahoots to protect the **Catholic** Church.

That especially seemed so in 2002, when B.C.'s Liberal attorney general, Geoff Plant, legally intervened to protect Metro Vancouver's **Catholic** schools from liquidation. It led to Plant being accused of **abusing** his power and serving as "the handmaid" of politically influential B.C. **Catholics**.

**Canada's** courts, however, overruled Plant's intervention. And, after years of court hearings, the gut-wrenching case concluded with Metro's two Vancouver's **Catholic** colleges avoiding liquidation by finding other ways to pay Mount Cashel's victims \$19 million in compensation.

Spotlight, the movie, tells an important tale of malfeasance and coverup.

One danger with its dramatic retelling, however, is that it could leave many viewers with the misleading impression the **Catholic** Church is singularly diabolical in concealing wrongdoing.

Even though many people love to hate the **Catholic** Church, it would be hypocritical for anyone to gloat with satisfaction after viewing Spotlight - to pretend that other institutions in our society are clean, off the hook.

Cover-ups occur in all four pillars of society: Business, education, government and even, dare we admit, the fourth estate, the media. The quest for truth and institutional transparency constantly falls short, especially when the public finds it easier, as it did in Boston, to live in denial.

In this era of routine secret deals, "confidentiality agreements," backroom political donations, untraceable phone calls and kickbacks, one does not have to look hard for signs that the **Catholic** Church is by no means the only institution that has grown adept at the art of circling the wagons.

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## Graphic

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Kerry Hayes, Open Road Films, The Associated Press; Rachel McAdams, from left, Mark Ruffalo and Brian d'Arcy James in Spotlight, which tells the story of a Boston newspaper team's uncovering of the **Catholic** Church sex **abuse** scandal. Canadian media was reporting on the issue long before their U.S. compatriots but problems of **abuse** of trust go beyond the **Catholic** Church, Douglas Todd writes.; PNG Files; Retired Vancouver archbishop Adam Exner helped **abuse** victims in the mid-1990s.;

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Extent of priest abuse 'shocking': poll; Two million Canadians know someone sexually assaulted by Catholic clergy

## **Extent of priest abuse 'shocking': poll; Two million Canadians know someone sexually assaulted by Catholic clergy**

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### **Body**

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At least two million Canadians know someone -- a friend, relative or acquaintance -- who has been sexually assaulted by a Roman **Catholic** priest, suggests a new national poll.

It also suggests that a majority of Canadians, and even a majority of Roman **Catholics**, believe Pope Benedict XVI is guilty of covering up **abuse** by pedophiliac priests.

The "" survey, carried out last week for Canwest News Service and Global Television, shows that child **abuse** scandals -- which for years have troubled the **Catholic** Church and now directly threaten the Pope -- are deeply felt in **Canada**, where **Catholics** and non-**Catholics** alike are unhappy with the Church's handling of the crisis.

"Two million people is a shocking number, admitting that they personally know someone sexually **abused** by a Roman **Catholic** priest," says John Wright, senior vice-president of Ipsos-Reid Public Affairs. "This is not something that can evade scrutiny."

Thomas Rosica, a priest in Toronto who is CEO of the Salt and Light **Catholic** Television Network, says the Church shares the concerns found in the survey. But he calls the poll "misleading and sensationalistic" because it fails to include the Church's efforts in **Canada** to respond to victims and become more transparent.

"And we must not forget that most of the cases being addressed in the media these days date back decades," he says.

Ipsos-Reid surveyed 1,003 Canadians by telephone last week. Eight per cent of respondents, and seven per cent of Roman **Catholics** surveyed -- numbers that if extrapolated across **Canada** would equal two million people -- personally know a victim of sexual **abuse** by a **Catholic** priest.

The results on this question were highest in British Columbia (11 per cent) and Atlantic **Canada** (10 per cent), Quebec (nine per cent), Alberta (eight per cent) and lowest in Saskatchewan and Manitoba (three per cent each). For Ontario, the result was six per cent.

The survey also found:

Extent of priest abuse 'shocking': poll; Two million Canadians know someone sexually assaulted by Catholic clergy

- Six per cent of all respondents and eight per cent of Roman **Catholics** surveyed, personally know of a **Catholic** priest in their parish or neighbourhood who has been criminally charged with sexual assault;

- Fifty-eight per cent, and 54 per cent of **Catholics**, believe Pope Benedict has "perpetuated a climate of silence and cover up around pedophile priests."

- Twenty-nine per cent, and 37 per cent of **Catholics**, believe instead that the Pope is being unfairly targeted in this scandal;

- Sixty-nine per cent, and 80 per cent of Roman **Catholics**, believe the proportion of pedophile priests among the **Catholic** clergy is minor, and that only a small number are harming the Church's reputation;

- Sixty-four per cent, and 55 per cent of **Catholics** surveyed, are not satisfied with the Church's efforts to root out predatory pedophiles among its priests;

- Fifty-five per cent of respondents, and 57 per cent of **Catholics**, said they are satisfied with the way police and the justice system are investigating allegations of **abuse** against **Catholic** clergy. However, only 14 per cent, and 19 per cent of **Catholics**, said they are "very satisfied" with the justice system's response.

John McKiggan, a Halifax lawyer who has represented hundreds of victims of clergy sexual **abuse**, says people need to remember that institutional **abuse** of children is not only a **Catholic** problem.

"I've sued the Anglicans, I've sued the United Church, I've sued the Baptist church, I've sued provincial and federal government jails, the Boy Scouts and foster homes," McKiggan says. "In any institutional setting, where there are people in power and people who are vulnerable, you are going to have people who take advantage of that imbalance. It happens regardless of the religious faith of the persons involved.

"That being said, the vast majority of my claims involve victims from the **Catholic** Church."

As in the U.S. and Ireland, the **Catholic** Church in **Canada** has for years lived under the dark clouds of childhood **abuse** scandals, including the terror inflicted on children by Christian Brothers at the Mount Cashel orphanage in Newfoundland, and **abuse** of native children at Church-run Indian Residential Schools.

Victims and **Catholic** clergy have complained of a system of coverup -- of failing to eject known abusers from the priesthood -- perpetuated by the Church hierarchy.

This year, evidence surfaced from two past **abuse** cases in California and Germany that linked such practices to decisions by Archbishop Joseph Ratzinger, before he became Pope Benedict.

"The most striking statistic in the (Ipsos Reid) survey is the fact that the majority of Canadians believe the Pope is involved in covering up allegations of **abuse**," says McKiggan.

"This comes at a time when churches of all faiths are losing members and incomes, and people are leaving because of frustrations or other concerns. Whether or not these questions about the Pope are even true, they pose a huge additional problem for the **Catholic** Church."

Rosica says the Church in **Canada** has put new protocols in place to prevent future cases of **abuse**, but hasn't properly explained its efforts to the public.

"We still have a long way to go," he says, "to communicate forcefully and clearly what we have done to respond to the crisis, and what remains to be done as we improve our protocols, care for victims, and to ensure that these heinous crimes will never happen again."

The results of the Ipsos Reid poll are considered accurate within 3.1 percentage points, 19 times out of 20.

Extent of priest abuse 'shocking': poll; Two million Canadians know someone sexually assaulted by Catholic clergy

**Load-Date:** April 13, 2010

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End of Document

Canadian bishops adopt new national abuse policies for the Catholic church

## [Canadian bishops adopt new national abuse policies for the Catholic church](#)

Postmedia Breaking News

October 5, 2018 Friday

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**Section:** LOCAL NEWS

**Length:** 817 words

### **Body**

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[Canada's Catholic](#) bishops have released sweeping new national guidelines to protect children from sexual predators in the church, with standards including tougher background checks, lifting gag orders and ending internal investigations of [abuse](#).

Bishop Ronald Fabbro, from the Diocese of London, said the "key lesson" of the document is that the church must listen to victims.

"What happened in the past was enabled because victims when they came forward were not believed, or people had this sense that a priest couldn't do this," said Fabbro, who wrote the forward to the guidelines. "Now we recognize that when victims come forward, we have to listen to them. It takes a lot of courage for a victim to come forward accusing a priest of sexual [abuse](#). So we have to welcome that. We have to respect the victims. We have to listen to them. We have to offer them care, recognizing that we really need them to come forward if we're going to put a stop to this."

We know not to return offenders back to regular ministry, where they are likely to reoffend

The 184-page document, called After Pope's apology, Canada's indigenous survivors want compensation, records, was made public on Thursday.

"Sexual [abuse](#) is a profound contradiction of everything that Jesus Christ represents," the document states.

It contains 69 recommendations based on "nine lessons" the bishops have learned over the past quarter century.

"Chief among these is that victims must come first," according to a statement from the Canadian Conference of [Catholic](#) Bishops.

Related

Bishop's statement on sex [abuse](#) highlights [Catholic](#) church 'brokenness'( <https://windsorstar.com/news/local-news/bishops-statement-on-sex-abuse-highlights-catholic-church-brokenness> )

Local [abuse](#) survivor to Pope: Here are 3 steps to reform [Catholic](#) church( <https://windsorstar.com/news/local-news/local-abuse-survivor-to-pope-here-are-3-steps-to-reform-catholic-church/wcm/26f4fed6-69ab-4c7e-8185-aac326258997> )

Bishops from across [Canada](#) unanimously adopted the guideless Sept. 27 during their annual Plenary Assembly. The Pope also gave the document his stamp of approval.



## Canadian bishops adopt new national abuse policies for the Catholic church

The first of the 69 recommendations is that "bishops and major superiors will endeavour to ensure that victims coming forward for the first time are received in a non-judgmental pastoral encounter where they are welcomed and commended for their courage."

The guidelines include putting an end to the requirement of confidentiality clauses in **abuse** case settlements, and to waive those given in the past.

They also call for full co-operation with civil authorities, tougher background checks on staff and volunteers, and ensuring better safeguards by requiring a third-party audit of policies and protocols at least once every four years.

The document has been in the works for several years and builds on the previous guidelines, called From Pain to Hope, originally penned in 1992.

"This document is more comprehensive and it tries to give a best understanding of what we've learned over the 25 years since From Pain to Hope," said Fabbro. "It is trying to get at the causes and trying to get at what are the best practices that people are using to stop this. And what have we learned as a church?"

From Pain to Hope, last updated in 2007, allowed for the eventual return of offending priests to the ministry. In a video that accompanied the release of Thursday's guidelines, Bishop Lionel Gendron, president of the Canadian Conference of **Catholic** Bishops, said that will no longer occur.

"We know not to return offenders back to regular ministry, where they are likely to reoffend," he said. "This policy has been in force for some time, but the message needs to be stated with even greater emphasis."

With the new guidelines, the CCCB said, **Canada's** bishops "reaffirm their commitment" to making improvements with an emphasis on "long-term prevention and pre-emptive action."

The document comes with a pledge from bishops to enforce the new standards.

If a bishop learns of an allegation, said Fabbro, he is "obliged" to report it to Rome. Under the new guidelines, he is also obliged to have a delegate handle it.

"The bishop is not supposed to be handling it himself," said Fabbro.

The delegate must bring the complaint to an advisory committee of clergy and lay people who are experts in child protection.

A bishop who fails to properly handle a report of **abuse** could be forced to resign, said Fabbro.

"We've learned that we have to involve our lay people," said Fabbro. "The bishop can't do this alone. He needs to work with his priests and lay people, and together we have to be using the insights of the document to work together to put an end to this in our diocese."

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**Load-Date:** October 4, 2018

Scouts Canada Principles: "More honor'd in the breach than the observance"?

## Scouts Canada Principles: "More honor'd in the breach than the observance"?

The Trial Warrior Blog

October 24, 2011 Monday 6:10 PM EST

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**Length:** 1395 words

### **Body**

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Image by stevendepolo via Flickr

Horatio:

What does this mean, my lord?

Hamlet:

The King doth wake to-night and takes his rouse,  
Keeps wassail, and the swagg'ring up-spring reels;  
And as he drains his draughts of Rhenish down,  
The kettle-drum and trumpet thus bray out  
The triumph of his pledge.

Is it a custom?

Hamlet:

Ay, marry, is't,  
But to my mind, though I am native here  
And to the manner born, it is a custom

More honor'd in the breach than the observance,

William Shakespeare's Hamlet Act 1, scene 4, 7-16

The CBC's Fifth Estate recently aired a program about Scouts Canada called "Scout's Honour". The synopsis reads:

Investigating sexual abuse in Scouts Canada

## Scouts Canada Principles: "More honor'd in the breach than the observance"?

For young people across North America, Scouting offers fun, adventure and new friendships. But, given the nature of Scouting, the organization sometimes attracts men who prey on children.

In a co-investigation with the Los Angeles Times, the fifth estate looks at Scouts Canada's controversial system for recording the names of pedophiles who have infiltrated its ranks and been removed from the organization. It was known as the Confidential List.

Host Diana Swain asks the question: have all of those allegations, going back decades, been shared with proper authorities?

The fifth estate's groundbreaking investigation follows a very public legal battle in the U.S. where the Boy Scouts of America were forced to reveal that it often did not inform police when allegations of sexual abuse were made.

The Boy Scouts of America has since paid out millions in legal settlements.

In a letter dated October 13, 2011, Janet Yale, the Executive Commissioner and CEO for Scouts Canada, responding to Timothy Sawa, the Fifth Estate's program producer, denied the existence of any tracking of pedophiles within the organization, stating:

We note your particular interest in the Boy Scouts of America's practice of retaining so-called 'pink files' or 'pink folders' that track incidents, reports or even rumours concerning volunteer leaders. As we have indicated previously, this is a practice that we do not apply in Canada. We do not hold 'pink files' for a simple reason: Under our policies, reports of the kind that would trigger a 'pink file' would obligate Scouts Canada to invoke suspension and to investigate. In short, we do not monitor volunteer leaders in the face of concerns or complaints. We act. We suspend. And the only records we retain are those that document suspensions and terminations.

There is an old adage: "there are three sides to every story, yours, mine, and the truth." Yale counters that,

Accordingly, Scouts Canada has established a rigorous set of guidelines and policies when it comes to youth protection - from a screening process that includes extensive police checks for volunteer leaders to our "suspend first, investigate later" policy when it comes to complaints and to our 2-Leader rule that ensures that, at all group meetings, activities, trips and outings, Scouts are always accompanied by at least two adult leaders. For your reference, we have attached a summary of these policies.

Sadly, because Scouts Canada is an organization that attracts the involvement of tens of thousands of youth, we are sometimes targeted for participation by those seeking to exploit or even cause harm. We should emphasize that this category of person represents the smallest possible percentage of the roughly 23,000 volunteers who deliver Scouts Canada programs. The overwhelming majority are people of tremendous decency and generosity seeking to help young people gain critical life and leadership skills. Nevertheless, it is an unfortunate and unpleasant reality that organizations like ours must confront. Certainly, the concern and regret felt by Scouts Canada toward those who have been victimized in the past is beyond measure. For that reason alone, our youth protection policies are never at rest.

They are in a state of constant improvement and advancement. [emphasis added]

The last sentence is telling; the youth protection policies "are in a state of constant improvement and advancement."

The problem for Scouts Canada goes well beyond transparency. While this youth-oriented not-for-profit organization has been around for over a century, it is now facing heightened scrutiny for alleged child sexual abuse committed by pedophiles within its rank and file.

When were these youth protection policies first put into place? Were parents or guardians notified of these youth protection policies when they allowed their boys to join an organization that potentially had child predators within their midst? Were these youth protection policies effective?

Scouts Canada Principles: "More honor'd in the breach than the observance"?

Well, not according to today's CBC news story: Scouts Canada sex settlements kept secret: Confidentiality agreements 'chilling' to sex abuse victims, says lawyer. According to the story, the CBC's investigative unit searched civil court records nationwide and found a total of 24 lawsuits filed against Scouts Canada since 1995. To date, plaintiffs signed confidentiality agreements in 13 of the settled lawsuits.

Why is Scouts Canada so secretive? Clearly Scouts Canada has the financial resources to pay significant sums of money to settle these child sex abuse cases. Even the Vatican has acknowledged abuse within its Catholic Church clergy and has not insisted on confidentiality agreements to this extent. See my previous post: "So You Wanna Sue the Pope?"

Oh, right, it's all about reputation management and protecting the Scouts Canada Brand:

Seattle-based sex-abuse lawyer Tim Kosnoff says confidentiality agreements are designed with one aim in mind.

"It's about institutional protection," said Kosnoff. "This is a multi-billion dollar institution. They have a powerful, valuable brand."

"[The Boy Scouts] just happen to be in the business of selling an image of wholesomeness and which the American public has accepted."

Kosnoff, who has represented clients alleging abuse by Scouts, the Catholic Church and other large organizations, says he won't allow his clients to sign agreements with confidentiality clauses.

"It's the same immoral behavior led to the abuse in the first instance," says Kosnoff. "They don't want to help [victims], they want to silence them forever."

According to its website, Scouts Canada makes "one simple promise" to Canadian youth, parents and society:

Scouts have fun adventures

discovering new things and experiences

they wouldn't discover elsewhere.

Along the way they develop into capable,

confident and well-rounded individuals,

better prepared for success in the world.

Scouts is the start of something great.

It starts with Scouts.

The Scout Promise and Law value system reads like any "corporate social responsibility" mission statement:

Principles

Scouting is based on three broad Principles which represent its fundamental beliefs. These include:

Duty to God: Defined as, The responsibility to adhere to spiritual principles, and thus to the religion that expresses them, and to accept the duties therefrom.

Duty to Others: Defined as, The responsibility to one's local, national and global community members to promote peace, understanding and cooperation, through participation in the development of society, respect for the dignity of one's fellow-beings, and protection of the integrity of the natural world.

Scouts Canada Principles: "More honor'd in the breach than the observance"?

Duty to Self: Defined as, The responsibility for the development of oneself to one's full potential physically, intellectually, spiritually and socially.

Will Scouts Canada live up to its own lofty set of Principles and answer the call to lift confidentiality clauses on its settlements with victims? Or are the Scouts Canada Principles "More honor'd in the breach than the observance"?

Related articles

Open up Scouts Canada's pedophile list: B.C. sex-abuse victim (cbc.ca)

Are Secret Sex Abuse Settlements Unethical? (bc-injury-law.com)

Scouts Canada denies covering for pedophile leaders (calgaryherald.com)

Scouts Canada denies keeping secret files on suspected abusers (calgaryherald.com)

Boy Scouts of Canada's Hidden Peophile List an Outrage Against the Law and the Community (ontarioeducation.wordpress.com)

Filed under: abuse, accountability, branding, confidentiality, corporate liability, corporate social responsibility, online reputation, reputation, Scouts Canada, sexual abuse, transparency, Vatican Tagged: Boy Scouts of America, Canada, Catholic Church, Fifth Estate, Los Angeles Times, Scout, Scout Canada

**Load-Date:** November 4, 2011

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Lawyer expects new N.B. Catholic abuse lawsuits: 'It's going to be shocking'; Lawyer expects new Catholic abuse lawsuits

## **Lawyer expects new N.B. Catholic abuse lawsuits: 'It's going to be shocking'; Lawyer expects new Catholic abuse lawsuits**

Canadian Press

November 15, 2017 Wednesday 03:45 PM EST

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THE CANADIAN PRESS 

**Section:** NATIONAL,ATLANTIC

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**Byline:** Kevin Bissett, The Canadian Press

### **Body**

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FREDERICTON - A lawyer representing dozens of alleged **Catholic** sex **abuse** victims in New Brunswick says he expects hundreds more complainants may emerge.

Robert Talach said he believes more people will seek compensation through the courts after a 2012 reconciliation process that saw 80 victims compensated, and that the actual number of victims in the province is in the hundreds.

"It's going to be shocking for people," he said Wednesday from his office in London, Ont.

"You are talking dozens of victims for each priest. These guys were left in the field operating and **abusing** for decades."

Talach said he believes that a CBC News estimate of 56 current lawsuits against the **Catholic** Church in the province is low, noting that he's handling about 32 involving the late Camille Leger alone.

Leger was a priest in Cap-Pele, N.B., between 1957 and 1980. He died in 1990 and his accusers only came forward after his death.

"I'm not surprised by that," said Talach. "People wait for a juncture in their life where they can deal with it. **Sometimes people wait until their elderly, very Catholic parents pass away. There are triggers that are very individual to every person.**"

The hockey rink in Cap-Pele had been named after Leger, but once the allegations surfaced, the village council voted to change the name and the sign was quickly removed.

Former Supreme Court of **Canada** judge Michel Bastarache was hired in 2012 to conduct a reconciliation and compensation process for alleged victims of sexual **abuse** involving priests. He had to delay his final report a number of times because more people kept coming forward with their stories.

At the time, Bastarache said payments to 80 people ranged from \$15,000 to \$300,000 each.

Lawyer expects new N.B. Catholic abuse lawsuits: 'It's going to be shocking'; Lawyer expects new Catholic abuse lawsuits

But others have emerged since, and turned to the courts.

Moncton Archbishop Valéry Vienneau was not available Wednesday to comment, but he told CBC the church is going through a very difficult time.

In 2012, when Vienneau was bishop-administrator of the Diocese of Bathurst, he issued a statement dealing with **abuse** by priests.

"I ask the victims and their families and the people of our diocese for forgiveness on behalf of my deceased predecessors. People in the past did not recognize the damages caused by sexual **abuse** on the minds and dispositions of victims. In today's world, assisted by professionals and their research, we know that past approaches were wrong and that some people do suffer," Vienneau wrote.

Talach said the reconciliation process shook a lot of people and prompted them to come forward, and he expects that to continue for some time.

"I would be surprised if any of these complaints are from the 1990s. You're looking at the 80s, 70s and 60s. It's part of the human condition that you have to reach a certain level in your life that you're willing to go back to deal with something that was a trauma in your childhood," he said.

Talach - who has represented complainants in similar cases across the country - said many of the victims were only young boys when they were **abused**.

The Roman **Catholic** Church has faced similar accusations in jurisdictions around the world.

In September, Pope Francis acknowledged the **Catholic** Church was "a bit late" in realizing the damage done by priests who rape and molest children, and said that the decades-long practice of moving pedophiles around rather than sanctioning them was to blame.

Francis met Sept. 21 for the first time with his sex **abuse** advisory commission, a group of outside experts named in 2014 to advise him and the **Catholic** Church on best practices to keep pedophiles out of the priesthood and protect children.

In its three years, the sex **abuse** commission has held educational workshops in dioceses around the world, but has faced such stiff resistance to some of its proposals at the Vatican that its most prominent member, Irish **abuse** survivor Marie Collins, resigned in frustration in March.

**Load-Date:** November 18, 2017

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<https://www.cbc.ca/news/canada/newfoundland-labrador/mount-cashel-supreme-court-thursday-1.5871478>

# Supreme Court of Canada rejects Catholic archdiocese appeal over Mount Cashel

Archdiocese of St. John's declines comment following decision

CBC News · Posted: Jan 14, 2021 7:00 AM NT | Last Updated: January 14, 2021

Mount Cashel orphanage in St. John's, operated by the Christian Brothers, closed in 1990. The Archdiocese of St. John's is liable for the abuse at the orphanage in the 1950s after the Supreme Court of Canada declined Thursday to hear one last appeal from the Catholic Church. (CBC)

The Archdiocese of St. John's is liable for the abuse at Mount Cashel Orphanage in the 1950s, after Canada's highest court declined to hear one last appeal from the Catholic Church.

The Supreme Court of Canada released its decision Thursday, simply saying it rejected the application from the Archdiocese of St. John's.

The decision brings to an end a painstaking process for victims who were abused at the orphanage when they were children. The case has been snaking its way through the courts for 21 years.

- **Decades after abuse at Mount Cashel Orphanage, these men await justice at Canada's top court**
- **Catholic Church appeals to Supreme Court of Canada on bombshell Mount Cashel ruling**

The case featured four victims who served as test cases for about 60 men in total. For them, Thursday's ruling brings long-awaited relief, said one of their lawyers.

"Some of these folks were in that orphanage experiencing this abuse in the 1950s, and they've lived with that all these years. And today, in 2021, they finally have the final answer that they've gotten justice for what they've suffered," said Allison Conway, a lawyer at the St. John's-based firm Budden & Associates.

The church is now liable to pay the outstanding bills left behind by the Christian Brothers of Ireland when the organization went bankrupt from settling child abuse lawsuits in 2012.

The church had always denied it was responsible for Mount Cashel, where an untold number of children were abused between the 1950s and 1970s, with the horrors covered up by government and law enforcement. It all came to light in 1989 with a series of media reports and the subsequent Hughes Inquiry, which blew the lid off the scandal and the widespread trauma caused by the Christian Brothers.

With the Catholic church now being held accountable, the case could also be used as a precedent-setting decision in other cases — whether related to the church or not — where an institution is accused of being liable for the actions of people working for them.

"I think it brings a lot of hope for survivors of sexual abuse, that you can pursue justice and justice will be there for you. I just think it's a tremendous precedent, here in our province, but also across Canada," said Conway.

## Archdiocese has 'immense sympathy' for abused

With Mount Cashel, the church based its case on two key facts: it was not involved in the day-to-day operations at the orphanage and the Christian Brothers was a lay organization, meaning its members were not ordained priests.

- [Appeal court holds Catholic church liable for abuse suffered at Mount Cashel](#)

The Archdiocese of St. John's declined comment on Thursday, saying it needs time to speak to its legal team, but released a short statement by Archbishop Peter Hundt.

"The Archdiocese of St. John's has immense sympathy for those who suffered abuse at Mount Cashel Orphanage and we ask that all join with us in praying for healing for those who suffer as a result of abuse," reads the statement.

The Supreme Court of Newfoundland and Labrador agreed with the church in 2018, when Justice Alphonsus Faour ruled the Archdiocese of St. John's was not liable. A subsequent appeal by the victims was successful in overturning that decision in the Court of Appeals of Newfoundland and Labrador in July 2020.

## Case now closed

The Archdiocese of St. John's exercised its final legal option in the weeks following that decision, and asked the Supreme Court of Canada to hear the case and deliver one final ruling. In rejecting that application, the case now comes to a close.

The victims received some compensation from the Christian Brothers during bankruptcy proceedings. The full amount they are owed is still being finalized, but Faour set damages at \$2.61 million for the four victims in the test case.

The decision could have broader ramifications for the church, as more victims could now come forward and seek compensation.

Conway said her firm represents approximately 60 other men who could do so, and estimates there are many more victims out there.

"We still receive calls to this day for people who have been at Mount Cashel and suffered horrific things, and were never able to come forward," she said.

"So in addition to the ones we know about there could be many others who survived Mount Cashel and who this might be a precedent setting decision for."

## **IN CANADA, ABUSE ANGER VOICED AMID POPE'S VISIT**

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The Boston Globe

July 25, 2002, Thursday

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**Byline:** By Michael Paulson, Globe Staff

### **Body**

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TORONTO - As Pope John Paul II relaxed at an island camp and young **Catholics** from around the world studied and prayed, Canadian advocates for victims of clergy sexual **abuse** denounced the **Catholic** Church for a national scandal they said is worse than the one in the United States.

Seven organizations representing victims from across **Canada** said the country's bishops have repeatedly tried to buy their silence, stall them through the judicial process, and cover up crimes by priests. And they said they are upset that Pope John Paul II declined to meet with them at any point during his seven days here.

The victims groups outlined their grievances during a news conference on the second day of the pope's 11-day trip to the Americas. In **Canada**, he is attending the 17th World Youth Day; from here he is to travel to Guatemala and Mexico to canonize a saint in each country.

Tens of thousands of young adults spent yesterday morning at churches throughout Toronto in sessions of catechesis - religious education and prayer - with bishops and cardinals from around the world. Many spent the afternoon going to confession - now formally called the sacrament of penance - and to a religious concert at a park along the shores of Lake Ontario. And some worked on social service projects, such as building a home with Habitat for Humanity, or participating in a Muslim-Christian dialogue.

The pope spent the day vacationing at Lake Simcoe, north of Toronto, at a 45-acre Strawberry Island retreat operated by the Basilian Fathers. He took a leisurely cruise in a white motor boat, pausing to bless some youngsters in paddle boats.

The issue of clergy sexual **abuse**, which has roiled the church in the United States this year, has been a background issue at World Youth Day. Some young people asked bishops about the issue during sessions yesterday morning, and journalists periodically raise the matter.

"In spite of the scandals, and because of them, we move forward," said Rev. Thomas Rosica, national director and CEO of this year's World Youth Day.

The Canadian bishops insist they have handled the issue well since 1992, after a sexual **abuse** scandal at Mount Cashel, a Newfoundland orphanage run by a **Catholic** religious order.

"The **Catholic** bishops, ever since '92, have mobilized themselves in order to have good procedures. In each diocese there are good procedures which are based upon principles of transparency, quick action, looking after victims," said Monsignor Peter Schonenbach, general secretary of the Canadian Conference of **Catholic** Bishops. "In no way are we trying to hide anything. There is no doubt that if the scandal in the US had not happened, we are convinced that we wouldn't be hearing about these things. It's the spillover that has come across."

Schonenbach defended the decision to take some cases to court, rather than reach a settlement, saying that sometimes it is required by insurance companies, and other times an accused priest's guilt is in question. He attributed past confidentiality agreements to requests by victims' attorneys, and said the bishops conference now discourages such pacts. But he said the Canadian bishops will consider revising their **abuse** policies at their annual meeting this fall.

"It's a tribute to our open Canadian society that no one is stifling this [criticism], but we also want to say very vehemently that we feel that the Canadian bishops are working very well on this," he said.

Advocates for victims disagreed.

"The crisis in **Canada** is quite serious, and, according to most experts, is worse than the crisis in the United States," said David Gagnon, national director of the Canadian branch of Survivors Network of Those **Abused** by Priests.

He said hundreds of priests have **abused** more than 10,000 people in **Canada** but said exact figures are not available. A spokesman for the Canadian bishops, William Kokesch, said the bishops do not know how many priests have **abused** minors in **Canada**, but they will consider commissioning a study this fall.

"The bishops conference and bishops individually continue to treat survivors with utter contempt and malice, and Canadian **Catholics** should know that your bishops are spending millions of your dollars to silence survivors in hush money bribes," Gagnon said.

The **abuse** victims held their news conference outside an Anglican church in downtown Toronto, where a variety of church critics are holding an alternative to World Youth Day. Tables featured red buttons reading "I'm popped out," and a sign advertised for actors for an improvisational play called "The Church on Trial."

Most of Toronto was celebrating the pope's arrival. The streets are festooned with World Youth Day Banners, and the main downtown shopping mall, Eaton Centre, is displaying a large World Youth Day cross. And the local newspapers are rhapsodic - "He's Here!" screamed a headline in The Toronto Sun, which went on to declare "Frail, courageous Pope walks into Toronto's heart." The Toronto Star led with a banner headline quoting the pope saying "God Bless **Canada**," while the National Post ran a huge photo of a young girl crying after she was kissed by the pope, with her quote stripped across the front page: "I told him I loved him, and he said it back."

Michael Paulson can be reached by e-mail at [mpaulson@globe.com](mailto:mpaulson@globe.com).

## Graphic

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PHOTO, Priests hearing confessions in makeshift booths at the World Youth Day site in Toronto, where thousands of the world's **Catholics** have gathered. / AP PHOTO

**Load-Date:** July 25, 2002

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Vatican failed to heed lessons from Canada; Reports on sex abuse in Canadian Catholic church insisted that all allegations be dealt with openly

## [Vatican failed to heed lessons from Canada; Reports on sex abuse in Canadian Catholic church insisted that all allegations be dealt with openly](#)

The Toronto Star

March 20, 2010 Saturday

Copyright 2010 Toronto Star Newspapers Limited

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### Body

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The tsunami of sex **abuse** scandals hitting the Roman **Catholic** church indicates it learned little from the trailblazing work done in **Canada** on the issue two decades ago, say experts in the church here.

"Anyone who was paying attention had to know, at least 20 years ago, that there's a right way to manage this and a wrong way," said Sister Nuala Kenny, professor emeritus of bioethics at Dalhousie University in Halifax.

"But that's where the systemic issues kick in: If you're (simply) trying to avoid scandal and you're into denial about some of these things, they don't go away," Kenny, a pediatrician, added in an interview.

Few know better than her.

In 1990, Kenny was a member of the Winter Commission set up by the **Catholic** church to investigate the sexual **abuse** of boys by members of the Christian Brothers religious order at the notorious Mount Cashel orphanage in St. John's, Nfld., in the 1970s and 1980s.

Two years later, she became a member of the Ad Hoc Committee on Child Sexual **Abuse**, set up by the Canadian Conference of **Catholic** Bishops. Its report, From Pain to Hope, was issued after the church and the Ontario government agreed to a \$40 million compensation package for 1,600 men **abused** as children at two **Catholic** training schools near Ottawa and Toronto. Provincial police laid more than 200 assault and sex-related charges, which ended in 15 convictions.

Both reports were widely applauded for pulling few punches.

The Winter Commission called on bishops to question the power, accountability and celibacy of priests, describing the latter as creating "excessive and destructive pressures" on some in the church.

Allegations of child **abuse**, the reports insisted, must be treated as potential crimes, rather than internal church matters, and reported to civil authorities. The primary obligation, they stressed, is protection of the child.

Yet in subsequent scandals that erupted in Boston and Ireland, priests accused of sex **abuse** were simply moved to other parishes, while church authorities turned a blind eye to allegations, if not flatly tried to cover them up.

Rev. John Allan Loftus, who participated in From Pain to Hope, says the church worldwide is paying the price of barely noticing the report.

Vatican failed to heed lessons from Canada; Reports on sex abuse in Canadian Catholic church insisted that all allegations be dealt with openly

"I don't think they paid much attention to it, to their detriment," said Loftus, former president of Regis College, the University of Toronto's Jesuit faculty of theology.

"Canadian bishops have a great deal to be proud of at this point. Unfortunately, the pride has to be tempered with the fact that this is blowing up all over the world."

Pope Benedict XVI has sent a pastoral letter to the Catholics of Ireland, where two major reports last year revealed shocking stories of child abuse and coverups involving thousands of victims from 1974 to 2004. The text will be made public Saturday and read in Irish churches Sunday.

One report described the Dublin church as having a culture of concealment. Four Irish bishops have resigned. The church's top leaders were ordered to travel to Rome and personally account for their actions before the Pope.

Last month, it was revealed that the head of the Irish Catholic church, Cardinal Sean Brady, was present during meetings in 1975 when children signed vows of silence about complaints against a pedophile priest. Brady has so far resisted calls to resign.

The latest scandal is swirling around the pontiff himself. A psychiatrist who treated a priest accused of sexually abusing boys in the early 1980s says a German archdiocese, headed at the time by the future pope, neglected repeated warnings that the priest should not be allowed to work with children.

The priest was convicted of sexual abuse in Bavaria in 1986.

Archbishop Joseph Ratzinger, as the Pope was then known, approved a decision to send the priest for therapy in 1980. But the psychiatrist told The New York Times he doesn't know if Ratzinger knew of repeated warnings about the man.

Sex abuse scandals have also broken out in Austria, the Netherlands and Switzerland.

The almost weekly accusations obviously hurt the credibility of an institution with an estimated 1 billion followers. But the church has "withstood other periods in its history of just bizarre unfaithfulness to its call and mission," Loftus said.

"This is an institution that has had popes make their horses cardinals, that has had popes with several children from concubines."

Its leaders and bureaucrats at the Vatican also can become terribly out of touch, he added.

"The church at that level lives in a different world than most of us do. It's a world of propriety and of ancient texts and of liturgy and a different kind of faith - the rubber is just not hitting the road in lots of ways," said Loftus, a Canadian practising as a clinical psychologist in Boston.

"So I think it's going to take a lot longer for them to really get it."

There are also questions about the extent to which Canadian church leaders "get it," despite having been at the forefront of sex-abuse issues.

Kenny says Canada's Catholic churches have extensively improved the reporting and handling of sex abuse cases, and the screening and education of student priests.

But she says Canada's bishops have failed to deal with the underlying issues in abuse scandals - the power of priests over parishioners, their lack of accountability to bishops or parishioners, and the church's attitude toward sexuality in general, and the celibacy of priests in particular.

Vatican failed to heed lessons from Canada; Reports on sex abuse in Canadian Catholic church insisted that all allegations be dealt with openly

"In general, the approach that I see is not in the tradition of brave action for justice that I've come to respect the Canadian bishops for. I think it's: 'Head down, if it didn't happen here, if it's not happening now, if we took care of that, let's move on.' We're not taking the opportunity for this larger conversation," Kenny said.

Too many priests are isolated from their parishioners, she says, lacking in the kind of a support that can keep them out of trouble.

"If you're on a pedestal, then nobody is your equal, nobody is your friend, nobody can give you the love and support you need when you start getting into trouble."

She also recalls a statement made by a group of **Catholic** nuns to the Winter Commission: "As long as we have the power structure totally dominated by celibate males, there's something not right about the way in which we then identify issues about healthy sexuality and about the appropriate way to be affectionate and responsive with children or others."

## Graphic

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ALESSANDRA TARANTINO AP Pope Benedict XVI has sent a pastoral letter to **Catholics** in Ireland, where two major reports last year revealed shocking stories of clerical child **abuse** and coverups involving thousands of victims from 1974 to 2004.

**Load-Date:** March 24, 2010

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Most Canadians think Catholic Church has handled sexual abuse scandal poorly: poll

## **Most Canadians think Catholic Church has handled sexual abuse scandal poorly: poll**

Postmedia Breaking News

May 28, 2019 Tuesday

Web Edition

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**Section:** CANADA

**Length:** 651 words

### **Body**

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Almost eight in 10 Canadians say the Catholic Church has done a poor job of handling clerical sexual abuse and more than half of practising Catholics agree, a new poll says.

The Angus Reid survey questioned 1,611 Canadians about how the decade of abuse allegations has affected their beliefs and opinions on the church.

Half of those polled said it has changed their view of the Catholic Church for the worse, with 17 per cent saying it has "ruined" their opinion of the institution. Just seven per cent said the church is being as open and up front as possible.

Angus Reid, chairman of the Angus Reid Institute, called some of the results "astounding."

"I think I was amazed at how much this issue of clerical sexual abuse is still with us," Reid said in a phone interview.

"There's a general perception of a coverup and a lack of transparency."

The survey found 78 per cent of respondents think the church is doing a poor or very poor job of managing the crisis. Most - 60 per cent - said Pope Francis hasn't done enough and that current efforts need to be stronger to stop future sex abuse.

Earlier this month, the Pope made it church law( <https://nationalpost.com/news/religion/vatican-law-priests-nuns-must-report-sex-abuse-coverup> ) that all Catholic priests and nuns report clergy sexual abuse and coverups to the church and civil authorities.

He also hosted a sex abuse prevention summit( <https://nationalpost.com/pmnn/news-pmn/a-global-look-at-the-catholic-churchs-sex-a> ) after learning of coverups in Australia, Chile, France, Germany, Ireland, Italy, the U.S. and Vatican City.

Despite the majority of respondents expressing disappointment in the church's response to the scandal, practising Catholics in the poll remained optimistic.

About 60 per cent said the church was doing a good job dealing with the problem and 70 per cent praised Pope Francis' efforts.

Most Canadians think Catholic Church has handled sexual abuse scandal poorly: poll

But one in six practising **Catholics** surveyed also indicated clerical sex **abuse** may be happening right in our local communities - 17 per cent reported sexual **abuse** in their church throughout the past several decades.

Half of those **Catholics** said the issue was not handled well and about 20 per cent of them said it's an ongoing problem in their local parish.

Pope mandates that priests, nuns report sex **abuse** by clergy to church authorities, but says nothing about police( <https://nationalpost.com/news/religion/vatican-law-priests-nuns-must-report-sex-abuse-coverup> )

The **Catholic** Church must massively reform to prevent more **abuse**( <https://nationalpost.com/opinion/the-catholic-church-must-massively-reform-to-prevent-more-abuse> )

"This is a dark stain on many practising **Catholics**," said Reid, who is also a **Catholic**.

"When we looked at what's happening at individual parishes, there is a feeling that churches have too much power."

Catholicism also saw the steepest drop in public approval compared to all religions.

"This is a church that believes in evangelizing, spreading word and getting more followers, but this clerical scandal has had the opposite effect," Reid said.

"This speaks to the fact that not enough has been done and more has to be done to make sure this never happens again."

Most of **Canada's** Roman **Catholic** population is in Quebec, with two-thirds of the province identifying with the religion.

Religiosity in **Canada** hasn't budged since 2015, with about one in three surveyed embracing religion, just as many rejecting it and 44 per cent falling somewhere in between.

The online poll was conducted between May 9 and 16, initially surveying 1,290 Canadians, of which 87 were **Catholic**. A second poll reached 321 **Catholics**. The polls have a margin of error of plus or minus 2.7 percentage points and plus or minus 4.9 percentage points, 19 times out of 20.

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Enough is enough!

## *Enough is enough!*

La Croix International  
February 4, 2022 Friday

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**Length:** 1248 words

**Highlight:** The Church does not need more sex abuse reports, but personal and ecclesial conversion

### **Body**

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Powerful, pandemic experiences and images have stimulated a new respect for first responders who work selflessly to save others from harm, even at personal risk.

They have also shown the crucial need for research into the nature and causes of the harm so that prevention and treatment can be safe and effective and the importance of courageous and informed leadership in crisis.

These pandemic insights were vividly present to me as I participated in a panel called “National and International Experts Respond to Jean-Marc Sauvé”.

The panel was part of a symposium titled “Clergy Sexual Abuse in the Catholic Church: Listening to the Voices of Survivors”.

It was organized by the Berkley Center for Religion, Peace, and World Affairs at Georgetown University and led by Father Gerard McGlone, a survivor of clergy sexual abuse.

The goal of our panel was to review international experience in order to discern imperatives and challenges in healing, reform and renewal.

Jean-Marc Sauvé, of course, was the man the Catholic bishops and leaders of religious orders in France asked to lead the Independent Commission on Sexual Abuse in the Church (CIASE) in their country.

Its final report -- “Sexual Violence in the Catholic Church: France 1950-2020” -- focused on the experience of victim-survivors and intensive research into the staggering prevalence. The statistical analysis was complemented by identification of theological and ecclesial beliefs and practice fostering the abusive culture, particularly abuse of power, silence and secrecy.

The report was a media bombshell. While it was lauded by victims, members of the conservative Catholic Academy of France viciously criticized the report for making the numbers public and identifying fundamental theological and ecclesial issues.

Members of the CIASE were scheduled to meet Pope Francis and present the report to him. But the meeting was postponed, which only added to the controversy.

Enough is enough!

More recently a similar report was issued concerning clergy sex abuse in the Archdiocese of Munich, which implicated Benedict XVI for mishandling certain cases when he headed the German archdiocese from 1977-1982.

This has only confirmed the urgency of addressing this ongoing crisis in the Catholic Church.

Tragically, for all those committed to healing and renewal in the Church, this horrific contradiction to Jesus' love and care for vulnerable children was old news.

Despite differences in the timing and authority of the reviews and reports, the methodology, focus and priority of addressing underlying issues are all part of the same very old story.

A study commissioned some years ago by the German Bishops' Conference looked at the frequency of child sexual abuse by priests and religious. It identified structures and dynamics that might foster abuse. And it placed abuse at the heart of their Synodal Way.

The Australian Royal Commission into Institutional Responses to Child Sexual Abuse and the Roman Catholic Church explored the longstanding issue and elements of the Church's structures and its unique culture with particular attention to the role of secrecy and cover-up.

There is an entire library of reports on clergy sex abuse in the United States, including and national and diocesan reviews that have been issued since 1992 when the US Bishops' Conference (USCCB) issued its *Five Principles* for responding to allegations.

Among the most extensive are the John Jay College of Criminal Justice Report for the USCCB, the National Review Board reports and highly publicized studies in places such as Boston and Philadelphia.

There is no national registry of clergy sexual abuse in Canada. As early as 1990, the St John's, Newfoundland Archdiocesan Report on Clergy Sexual Abuse of Minors by Clergy identified underlying factors fostering abuse that needed urgent study: "power, education (of clergy and laity), sexuality, support of priests, management, and avoidance of scandal" (p16).

The Canadian Conference of Catholic Bishops (CCCB) further refined these issues in *From Pain to Hope* (1992) and *Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation* (2018).

Participants on the Berkley Center panel represented a small number of national experiences.

The Holy See Press Office has a twenty-six page "Timeline of the Church's Response both at the Local and Universal Level" covering 1984-2019. It covers reports from Ireland and Chile to Belarus and Kerala.

The similarity of responses in each and every place demonstrates an ecclesial culture that transcends national differences and is, in medical terms, endemic pathology. Distinct from pandemic, endemic pathology is pervasive and intergenerational.

Affected communities have no real experience of health and believe their situation is normal. Help from outside the culture is necessary to reveal the pathology.

All studies and reports raise serious issues underlying the clergy abuse crisis crying out for reform and renewal.

My reflections on the Berkley Center conference are dominated by my experience as a pediatrician who has cared for abused children and youth since the 1970's. My clear and compelling duty in the face of a credible risk of harm is action to prevent and protect.

The longstanding issue of sexual abuse by Church personnel (including priests and religious) has been handled internally in canon law.

## Enough is enough!

The Church did not acknowledge clergy sexual abuse of minors because of ecclesial examination of conscience. Rather, it was forced to do so by civil and criminal cases and investigative journalism.

Reports have gradually recognized the profound physical, emotional and spiritual harm done to victim-survivors of clergy sexual abuse. Responses have focused on necessary but *not sufficient* policies and protocols responding to allegations and safeguarding practices rather than personal and ecclesial conversion of mind and heart.

Recent reports have re-affirmed the role of the abuse of power, position and conscience, secrecy, silence and denial, avoidance of scandal, education of laity and clergy, the renewed morality of virtue and conscience, and the theology of sexuality.

Focusing obsessively on numbers can divert attention from the real issues. How much more do we need to know? How many children need to be harmed?

We are responding in widespread tragedy fatigue from pandemic and issues of racism, sexism and colonialism in the Church.

We have a major challenge in restoring trust in Church leadership. There is a pervasive sense of futility in trying to bring about change because those in power are most affected by denial.

There are also deep divisions in interpreting the underlying pathology.

Everything that has fostered abuse of power against the most vulnerable must die so that conversion of mind and heart to “the mind of Christ” can occur.

We need to pray for Resurrection hope in new life where children are cherished and protected.

**Nuala Kenny** is a Sister of Charity in Halifax, Nova Scotia and a pediatrician. An officer of the Order of Canada since 1999, she has published several books, including *Healing the Church* (Novalis, 2012) and *Rediscovering the Art of Dying* (2017). She is co-author of *Still Unhealed: Treating the Pathology in the Clergy Sexual Abuse Crisis* (Novalis and Twenty-Third Publications, 2019). She has just published, *A Post-Pandemic Church: Prophetic Possibilities* (Novalis and Twenty-Third Publications, 2021).

[Link to Image](#)

<https://international.la-croix.com/news/religion/enough-is-enough/15594>

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Vancouver Catholic Church names another three priests who abused minors

## Vancouver Catholic Church names another three priests who abused minors

Postmedia Breaking News

December 18, 2020 Friday

Web Edition

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**Section:** CRIME

**Length:** 768 words

### Body

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The Archdiocese of Vancouver has named another three priests who sexually **abused** minors.

All three men - John Edward Kilty, Johannes Holzapfel and Armand Frechette - served in at least one parish in the Archdiocese of Vancouver between the mid-1940s and early 1980s, and all three are now dead.

The men were identified in a follow-up report( <https://rcav.org/abuse-crisis/abuse-report> ) about historical cases of clergy sexual **abuse** in the archdiocese, published this week.

The original report( <https://vancouversun.com/news/local-news/catholic-archdiocese-of-vancouver-aware-of-36-cases-of-sexual-abuse-since-1950s> ), published in 2019 after a review of Vancouver church files, revealed 26 cases of sexual **abuse** by Roman **Catholic** priests against minors and named nine priests, including five who were criminally convicted, two who settled lawsuits and two "public cases."

At that time, the names and details of 17 additional priests who were "credibly accused," but not charged with **abuse**, were kept confidential.

The three priests named this week were part of financial settlements.

The follow-up report also noted 13 previously unknown victims have come forward since the 2019 report.

In the case of Kilty, who served in five different parishes between 1945 and 1983, two new allegations( <https://vancouversun.com/news/man-sues-catholic-church-in-vancouver-alleging-he-was-drugged-and-sexually-abused-by-priest> ) have been made since 2019, in addition to three allegations made in the years following his death in 1983.

Holzapfel, who was originally from Germany and served in nine parishes, died in 1997. Shortly after, the archdiocese received an allegation of physical and sexual **abuse** of a minor.

Frechette, who died in 1971, was the subject of an allegation in 1999. A new allegation was made earlier this year. "The **abuse** of the then nine- or 10-year-old boy was believed to have occurred in the mid-1950s," according to the report.

The report said the archdiocese has heard from people who think "we should speak less about this issue because it may seem that it feeds into an 'anti-faith' narrative," while others, including some victims, think "we are still not doing enough to address the issue and they remind us that recent and future cases may yet come to light."

## Vancouver Catholic Church names another three priests who abused minors

The report said transparency would help the church care for victims, while increasing safety within parishes: "**Catholics** are called to accept the hard truth of clerical sexual **abuse**."

The numbers were first made public last year - a first for a **Catholic** diocese in **Canada** - after the Archdiocese of Vancouver appointed a committee to address what it called "the worldwide crisis" of sexual **abuse** by priests.

Related

**Catholic** Archdiocese of Vancouver aware of dozens of cases of sexual **abuse** since 1950s( <https://vancouver.sun.com/news/local-news/catholic-archdiocese-of-vancouver-aware-of-36-cases-of-sexual-abuse-since-1950s> )

Man sues **Catholic** Church in Vancouver alleging he was drugged and sexually **abused** by priest( <https://vancouver.sun.com/news/man-sues-catholic-church-in-vancouver-alleging-he-was-drugged-and-sexually-abused-by-priest> )

Parishioner sexually **abused** by Kamloops **Catholic** priest 40 years ago awarded \$800,000( <https://vancouver.sun.com/news/local-news/parishioner-sexually-abused-by-kamloops-catholic-priest-40-years-ago-awarded-800000> )

This week's follow-up report provided an update on progress made toward implementing 31 recommendations made by the committee, ranging from removing memorials to abusive priests to hiring several women in leadership positions.

Two independent investigators continue to work through the files of accused clerics. The report noted "some past accusations have been very difficult to assess based on several factors, but we will continue to work towards clarity and justice for victims/survivors."

The impact of the COVID-19 pandemic was also mentioned in the report, as it "negatively affected our schedule for investigations, meetings, and other in-person events that assist in making progress."

In a statement, Archbishop J. Michael Miller acknowledged the "deep suffering of the victims and their loved ones," adding he "apologize(s) to each of them for the trauma caused by the **abuse** by a priest."

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'Spotlight' shows people need to be ready for the truth

## 'Spotlight' shows people need to be ready for the truth

Postmedia Breaking News

January 24, 2016 Sunday

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**Section:** THE SEARCH

**Length:** 1745 words

### **Body**

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People have to be ready for the truth before it can be revealed.

That's a theme of the riveting, award-winning movie, *Spotlight*( <http://spotlightthefilm.com/> ), which recounts how the Boston Globe newspaper laid bare an ecclesiastical and political coverup of rampant pedophilia by more than 87 Roman **Catholic** priests and brothers.

After years of Boston Globe staff ignoring clergy **abuse** cases, the newspaper's investigative team, called *Spotlight*, broke its explosive story in 2002. It led to the resignation of Cardinal Bernard Law and helped elevate clergy **abuse** into an international issue, which continues to reverberate.

The Canadian media, however, produced many stories about widespread sexual **abuse** by **Catholic** priests and brothers much earlier than the Boston Globe. The spate of Canadian articles began in 1989 with Newfoundland's Mount Cashel Orphanage scandal, first reported by The Sunday Express under publisher Michael Harris.

That was 12 years before the Boston exposé. Nevertheless, the historical timeline of 20th-century **Catholic abuse** that is on the *Spotlight* film's website contains no mention of the mass **abuse** of Mount Cashel orphans (which powerfully impacted two Metro Vancouver **Catholic** schools) or scores of other Canadian cases.

RELATED: With Europe's sex-**abuse** scandal, Vatican could look to **Canada**( <http://blogs.vancouversun.com/2010/04/09/with-europe%e2%80%99s-sex-abuse-scandal-vatican-should-look-to-canada/> )

How *Spotlight* gets investigative journalism just right (Steve Berry)( <http://news.nationalpost.com/arts/spotlight-review-all-the-cardinals-men> )

Did Thomas King's book make a big mistake on residential schools?( <http://blogs.vancouversun.com/2015/07/23/did-thomas-king-make-a-big-mistake-on-residential-school-deaths/> )

Retired Vancouver archbishop Adam Exner created a complaints process that supported **abuse** victims in going to police.

It appears most Canadians were ready, before most Americans, to admit to the horrible truth of **Catholic** clergy pedophilia. By the time the Boston exposé was published, the Canadian media had run thousands of articles about molesting clergy.

The Canadian Conference of **Catholic** Bishops, under the direction of retired Vancouver archbishop Adam Exner( <http://blogs.vancouversun.com/2010/04/09/with-europe%e2%80%99s-sex-abuse-scandal-vatican-should-look-to->



'Spotlight' shows people need to be ready for the truth

[canada/](#)), had also responded to the debacle as early as the mid-1990s - by creating a complaints process that supported **abuse** victims in going to police.

That kind of protocol was not in place in 2002 in the U.S., and especially in Boston, where **Catholic**s dominated culture, politics, business, philanthropy, high society, the police and even the judiciary.

Almost every city has a powerful elite that operates behind the scenes to sway regional affairs. In Boston, it was the **Catholic** establishment, which did everything it could to keep a lid on decades of the clergy's destructive behaviour.

At one point in Spotlight the Boston Globe's publisher cautions his staff against running the clergy **abuse** investigation by warning that 53 per cent of the newspaper's readers are **Catholic**.

Such pervasive resistance to the **Catholic** Church exposé leads one of Spotlight's investigative reporters (played by Mark Ruffalo) to finally burst: "They control everything! Everything!"

Even though the Canadian census says 43 per cent of Canadians have an affiliation with the **Catholic** Church, Canadian courts, governments and journalists have been less hesitant than most Americans to wade assertively into church sex-**abuse** cases.

I wrote a story in 1993 that calculated the Canadian media had by then reported on more than 100 Canadian **Catholic** priests and brothers who had been charged or convicted of sex crimes.

It's hard to know why Canadians were more ready to recognize the appalling truth.

It may have grown out of the way Canadians are, in some ways, less deferential than Americans to **Catholic** leaders, more questioning of authority in general, more frank about homosexuality and more willing to deal with the shame associated with sexual **abuse**.

Many brave people also deserve credit, especially the outspoken survivors of **abuse**. But credit also goes to some intrepid police officers (including B.C.'s Bob Grinstead), some dogged journalists and some bold prosecutors and public officials, and in the end, some integrity-filled **Catholic** leaders.

Watching Spotlight brought back the pain, sadness and anger that I and many other Canadian (and U.S.) journalists often felt as we were drawn into the sex **abuse** scandals simmering in the **Catholic** Church, including at church-run aboriginal residential schools.

(It should not be overlooked that the Canadian public's relative willingness to tackle child sex **abuse** soon extended to perpetrators in mainline Protestant and evangelical churches and New Age groups, not to mention to Boy Scout leaders, sports coaches and teachers in private and public schools.)

My unpleasant but necessary journalistic foray into the sometimes-nasty world of sex **abuse** and coverup really began in 1989.

My unpleasant but necessary journalistic foray into sex **abuse** and cover-up began in 1989 when I travelled to Williams to cover the residential-school case of Father Harold McIntee.

That was the year I travelled to Williams Lake for The Vancouver Sun to cover the incendiary case against Father Harold McIntee, who was charged with **abusing** 17 boys while working at Joseph's residential school.

It was the same year the Mount Cashel outrage exploded, in the end involving 90 boys. I soon discovered six members of the Christian Brothers order who had been accused or convicted of crimes at Mount Cashel had been transferred to two Metro Vancouver **Catholic** schools; St. Thomas More Collegiate in Burnaby and Vancouver College.

B.C. turned out to be a hotbed for **Catholic** clergy **abuse**. I wrote more than 150 stories over more than a decade about charged or convicted priests and brothers in B.C.: Len Doughty, Edward English, Kevin Short, John Monaghan,

'Spotlight' shows people need to be ready for the truth

David Burton, Douglas Kenny, Bishop Hubert O'Connor( <http://blogs.vancouversun.com/2008/06/14/aboriginals-heal-through-ancient-ways-christianity-and-psychology/> ), et cetera.

With **Catholics** comprising roughly one in five British Columbians, the church hierarchy did not make reporters' jobs easy. Pressure to back off came from church officials, **Catholic** lawyers and even journalists sympathetic to the church. At times I felt intimidated, albeit never threatened.

Things became especially tense in the late 1990s when lawyers for the victims at Mount Cashel sought compensation through the sale of St. Thomas More Collegiate and Vancouver College, which were also operated by the Christian Brothers.

I ended up in countless journalistic showdowns with **Catholic** officials, particularly the archdiocese's media spokesman John Nixon (we continue to have a respectful relationship).

Similar to the way the Boston establishment did everything possible to protect the reputation of the centuries-old church and its cardinal, the worry emerged that B.C.'s political and business establishments were in some sort of cahoots to protect the **Catholic** Church.

That especially seemed so in 2002, when B.C.'s Liberal attorney general, Geoff Plant, legally intervened to protect Metro Vancouver's **Catholic** schools from liquidation. It led to Plant being accused of **abusing** his power and serving as "the handmaid" of politically influential B.C. **Catholics**.

**Canada's** courts, however, overruled Plant's intervention. And, after years of court hearings, the gut-wrenching case concluded with Metro's two Vancouver's **Catholic** colleges avoiding liquidation by finding other ways to pay Mount Cashel's victims \$19 million in compensation.

Spotlight, the movie, tells an important tale of malfeasance and coverup.

One danger with its dramatic retelling, however, is that it could leave many viewers with the misleading impression the **Catholic** Church is singularly diabolical in concealing wrongdoing.

Even though many people love to hate the **Catholic** Church, it would be hypocritical for anyone to gloat with satisfaction after viewing Spotlight - to pretend that other institutions in our society are clean, off the hook.

Cover-ups occur in all four pillars of society: Business, education, government and even, dare we admit, the fourth estate, the media. The quest for truth and institutional transparency constantly falls short, especially when the public finds it easier, as it did in Boston, to live in denial.

In this era of routine secret deals, "confidentiality agreements,"( <http://blogs.vancouversun.com/2014/06/15/a-vancouver-doctor-who-was-paid-about-5000-a-week-but-saw-only-one-patient-a-week-really/> ) backroom political donations, untraceable phone calls and kickbacks, one does not have to look hard for signs that the **Catholic** Church is by no means the only institution that has grown adept at the art of circling the wagons.

MORE RELATED: Residential school blues( <http://blogs.vancouversun.com/2008/05/21/residential-school-blues/> )

Residential school blues 2: Spiritual healing( <http://blogs.vancouversun.com/2008/06/14/residential-school-blues-2-spiritual-healing-and-more/> )

Canadian churches still overcoming guilt about residential schools( <http://blogs.vancouversun.com/2015/05/29/canadian-churches-still-overcoming-guilt-about-residential-schools/> )

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'Spotlight' shows people need to be ready for the truth

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**G2: 'We put the match to some very dry tinder': The crisis rocking the Catholic church might not have been exposed without the tenacity of a group of Boston Globe journalists who uncovered a web of abuse by the city's priests. Jon Henley reports**

The Guardian - Final Edition

April 22, 2010 Thursday

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the guardian

**Section:** GUARDIAN FEATURES PAGES; Pg. 10

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**Byline:** Jon Henley

## Body

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In June 2001, Cardinal Bernard Law, archbishop of Boston,

perhaps the most staunchly **Catholic** of all America's big cities, filed a routine court submission in response to a number of allegations contained in lawsuits brought against one of his former priests, Father John Geoghan.

At the time, sexual **abuse** of minors by Roman **Catholic** clerics was not a widespread topic of discussion, in

the US or anywhere else. Cases would surface, and sometimes be quite extensively reported: in 1981, Father Donald Roemer pleaded guilty to child molestation in Los

Angeles; in 1985, a Louisiana priest, Gilbert Gauthé, was

convicted of similar offences against 11 boys. But they were seen, for the most part, as isolated incidents. There was no convincing evidence of any consistent pattern of clerical **abuse**, still less of a sustained attempt by the church to cover up such behaviour by simply moving priests on without informing the authorities.

Cardinal Law's seemingly innocent court filing, though,

was about to change that. Buried somewhere in it was the admission that when, in 1984, he had assigned Geoghan to St Julia's church in the Boston suburb of Weston, he had done so knowing that the priest had, in his previous parish, been accused of molesting seven boys from the same family.

With fresh allegations of **abuse** and cover-ups now surfacing almost daily, and even calls in the UK for Pope

Benedict to be arrested, something resembling the worldwide crisis facing the **Catholic** church would surely have happened sooner or later. But it is possible it would not be happening now, on such a large scale and with such potentially disastrous consequences for the church, had it not been for the work of

a small group of journalists - the majority of them **Catholic** - from the Boston Globe newspaper, who were the first to spot Cardinal Law's startling admission.

"I think we all had a sense, even before our first story came out, that this was an explosive subject with huge potential impact," says Michael Paulson, the paper's former religious affairs correspondent, who helped the paper to win the 2003 Pulitzer prize for exposing both the full extent of sexual **abuse** by Boston **Catholic** clergy, and the shameful response to it of Cardinal Law and his bishops. "But I think we were still all taken aback by how quickly and dramatically it exploded - first here, then across the country and around the world."

For Michael Rezendes, a member of the Globe's Spotlight investigative team and lead writer on the first story in the paper's prize-winning series, "There's no question in my mind that our work was the spark. We were the forerunners. Given that Boston is the largest **Catholic** city in America, it was quite courageous of the editors - we could have alienated a lot of readers. But the court cases we won, the church documents we got released, became precedent; they encouraged other papers and other lawyers in other cities to follow suit."

Walter Robinson, then Spotlight editor, says the paper's reporting "put the match to some very, very dry tinder". That's certainly true: within two years of the first of

the Globe's 800 articles on the scandal appearing in January 2002, Rezendes notes, Cardinal Law had resigned,

150 priests in Boston stood accused of sexual **abuse**, more than 500 victims had filed **abuse** claims, and church-goers' donations to the archdiocese had slumped by 50%.

In *Sin Against the Innocents*, a 2004 book on clerical sex **abuse** by a range of experts, Rezendes also notes that over the same period, across America as a whole, more than 450 priests and four bishops resigned, and several states, including Massachusetts, introduced new laws obliging clergy to report any knowledge of child sex **abuse** to the civil authorities. And yet, he adds today, "We're still far from knowing the full story."

Law's argument was that when he transferred Geoghan to his new parish, neither he, the **Catholic** church, nor

indeed society as a whole, understood how difficult it was to change the behaviour of child sex abusers. But, Rezendes writes, "We found, within a matter of days, that Geoghan was only one of a large number of priests who had sexually molested children and been given new assignments."

The Globe reporters were also quietly told of many dozens of cases over the previous decade or so, in which the church had settled claims against molesting priests privately, often including a clause that barred the victims or their families from ever talking about it. Concrete evidence of those settlements, however, would be harder to find.

"For years," says Paulson, "the church had been extremely protective of its reputation. In Massachusetts, there had been several civil cases against individual priests and the

archdiocese. And in **Catholic** Boston, the church had managed to ensure that a whole mass of the documents relating to those cases were filed under seal - in other words, they

were secret."

In fact, it emerged, some 10,000 pages of church documents concerning 84 different lawsuits against Father

Geoghan alone were protected by a superior court confidentiality order; many more were mysteriously missing.

The Globe decided to contest the court confidentiality order, and battle (before a **Catholic** judge) was formally joined. The archdiocese argued, forcefully, that it was constitutionally entitled to keep its records confidential, and that a newspaper had no business knowing anything about them anyway. The Globe, backed by lawyers for the victims, argued that the public interest in the Geoghan case surely outweighed the church's desire for privacy.

Awaiting the result of the judge's deliberations, the reporters dug deeper into Geoghan's 30-year career, finding traces of earlier **abuse**. Separately, they found out all they could about those shadowy private settlements. Talking to lawyers likely to have represented victims in such cases, cross-referencing their cases with those of lawyers known to act for the archdiocese, and trawling painstakingly through public court records, they gradually compiled a list of what looked like possible clerical **abuse** cases. Often, they found that the actual documents relating to these cases had been sealed - at the church's request.

Finally, they spent long hours poring over the church's own publications, looking for the names of priests who had been recorded as being "on sick leave", "in between assignments", or "reassigned". Some of the 100-odd names they arrived at, writes Rezendes, matched those on the list the reporters had compiled during their trawl of public databases; others matched names the reporters had been given confidentially by interviewees.

In November 2001, the judge ruled that the confidentiality order imposed on the documents in the Geoghan case should be lifted, and that any records missing from the public file should be resubmitted. The archdiocese's lawyers appealed, and threatened legal action if any material based on the confidential files was published - but in early January the paper went ahead with a two-part series on Geoghan.

The impact, Paulson says, was "immense, and immediate. The reason our coverage caused such crisis was not that the documents we had showed that priests had **abused** children, but that the bishops knew about it, and still failed to keep those priests away from children." The previously missing evidence against the arch-diocese was devastating, Rezendes recalls: one bishop had advised Law in writing against reassigning Geoghan because of his "history of homosexual involvement with young boys".

The Globe's first story also featured a heartbreaking interview with Maryetta Dussourd, whose three sons, and the four sons of her niece Diane, had been **abused** by Geoghan years earlier, in the 1970s, and with whom the church had settled privately. "She'd written this incredibly painful and poignant letter to the cardinal at the time," Paulson recalls. "You could feel all her passion for the church, her deep respect for the cardinal - and her shock and pain that despite her dozens of complaints, he was still continuing to work with children. That was what really got to people, I think."

In late January, the 10,000 pages of sealed Geoghan documents were finally released. Once more, the evidence against the church was overwhelming: the doctors who assessed the priest were unqualified; the board that approved his reassignment may have been leaned on. Then, on the last day of January 2002, the paper unleashed perhaps the most shocking of all its revelations that year.

As a result of their five exhaustive months of database-mining, interviewing and cross-referencing, the eight Globe reporters on the case had established that the Boston archdiocese had, over the previous decade, privately settled sexual **abuse** claims made by **Catholic** families against a staggering 70 of its priests.

Geoghan, in other words, was no lone offender. He was part of a massive problem. And as Robinson now says: "There seemed very little chance that this was about something funny in the water in Boston. I recall saying to groups around the country, 'The same thing has to be happening here, under your noses. It's simply because documents are under judicial protection, and people are unwilling to

confront the church, that it's not coming out here."

By the end of January, the documentary damage was essentially done. But by then, the first of hundreds of

victims had begun contacting the paper with their stories. A further spate of civil lawsuits against the archdiocese followed, and the Globe reporters' hard work was finally crowned when an exasperated judge ordered the archdiocese to make public every single private church file kept on every Boston priest ever accused of sexual abuse. The floodgates were well and truly opened - and, despite last-minute moves by Cardinal Law to suspend a number of accused priests, in December 2002 he had to resign.

Today, Paulson believes there were three main reasons why the Globe's coverage resonated so strongly around the country, and the world. "First, we got to the documents," he says. "We ended up with material relating to more than 100 priests. We had letters from parents, letters to and from priests, masses of internal church documents showing abusive priests being repeatedly moved. Also, the

internet enabled our reporting to be read all over (the world). And I think there was a kind of evolution of

culture, a moment in history when people were willing to talk critically about religion. Often in the past that just hasn't been possible."

The church in America did go some way to responding to the developing crisis, Rezenes says, drawing up in mid-2002 a charter for the protection of children and young people, demanding "a commitment to transparency and openness". But while some bishops have since gone a long way towards meeting that, he adds, "what I've largely seen is a failure to really come to grips with sex abuse in the church, and a failure to live up to repeated promises to be more

transparent. Some bishops have cited the First Amendment in a bid to withhold records. The diocese of Bridgeport, in Connecticut, recently went all the way to the supreme court."

With first-hand experience of the lengths to which the church is prepared to go to keep its secrets, none of the Boston Globe reporters say they are particularly surprised at the turn events have taken, nor at the situation in which the church finds itself in today. "I'm about the least surprised person I know," says Robinson. "All that surprises me is that it took this long for the extensive abuse that occurred in, for example, continental Europe to come out. And I've been astonished at how tone deaf the

Vatican has been in a PR sense."

There is far more yet to come, the reporters believe. All three note that the countries in which cases of Catholic clerical abuse have emerged have been relatively secular states: America, Canada, Australia, Germany, the Netherlands, even Ireland. "It will eventually have to come out in Spain, Italy, Latin America, too," says Robinson. "But for the time being, the church in countries like that is far more protected by the state." Certainly, adds Paulson, "in countries where there is more deference to clergy and the church, victims are less likely to

come forward."

So can the Catholic church survive this crisis, reform itself, and recover its moral credibility? "It's capable of it," says Rezendes. "It remains to be seen if it has the will."

Paulson agrees. "The Catholic church is an enormous institution," he says. "Certainly some bishops, and many members, understand the enormity of what has happened. But there are still plenty who believe this is all an anti-Catholic conspiracy, that the church is being persecuted. The damage is real,



but the church is not of one mind as to whether it is best to apologise and reform, or resist and fight. That argument has not yet been decided."

Captions:

In the two years from January 2002, the Boston Globe ran more than 800 stories on the abuse scandal

Cardinal Bernard Law resigned after documents were released showing Boston bishops failed to act despite knowing abuse had taken place

Michael Paulson (left), former religious affairs correspondent at the Globe, and investigative reporter Michael Rezendes

**Load-Date:** April 22, 2010

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<https://www.saltwire.com/atlantic-canada/news/roman-catholic-archdiocese-of-st-johns-files-for-protection-from-creditors-100673391/>

Atlantic Canada > News

## Roman Catholic Archdiocese of St. John's files for protection from creditors

Wait for compensation continues for victims of abuse at Mount Cashel

Barb Sweet | Posted: Dec. 21, 2021, 9:12 p.m. | Updated: Dec. 21, 2021, 10:50 p.m. | 5 Min Read

The former Mount Cashel Orphanage building in St. John's. - Telegram file photo

For victims of sexual abuse at the Mount Cashel Orphanage in the mid-20th century, time is running out, but that's exactly what the church is looking for more grace on — the Roman Catholic Archdiocese of St. John's has filed for protection from its creditors.

"We're the garbage," said one of the four John Does who fought for compensation for more than two decades — a legal battle led by St. John's lawyer Geoff Budden.

The man and his four brothers were abused at the St. John's orphanage. One brother died within the last couple of years. Two are in long-term care and another has early onset Alzheimer's disease.

It's not unexpected that the church would go the bankruptcy court route, but it is galling that the wait for compensation drags on, Doe said.

He will be 82 on his next birthday.

"What do you say after you say it's unbelievable?" he said.

"That's the Holy Roman Catholic Church for you. ... I just don't have any more anger. I think I have expressed all of that. My feeling towards them or my idea of what they are is a

bag of pus. They have no feeling for the plaintiffs, absolutely none. I think they got Beelzelbub and Jesus mixed up.”

Archbishop Peter Hundt made the announcement Tuesday afternoon, Dec. 21, via a news release stating that the archdiocese had filed a notice of intention to make a proposal pursuant to the Bankruptcy and Insolvency Act.

“Over the past year since the legal decision became final that the archdiocese was vicariously liable for the claims of abuse at the Mount Cashel Orphanage in the 1940s, ‘50s and ‘60s, we have been working hard to determine how best to resolve these claims while also ensuring the ongoing practice and celebration of our Catholic faith,” Hundt said in the statement.

“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. This process will involve the archdiocese marketing diocesan properties, including church buildings, to satisfied claims. This will be a transparent process adjudicated through the Newfoundland and Labrador Supreme Court.”

Hundt, who declined an interview, said in the statement the church is committed to settling the victims' claims, and “hope in doing so we can bring some measure of healing to them, their families and all who have been wounded by sexual abuse.”

Hundt said he will meet with parishes and groups in the coming weeks.

Budden, of Budden and Associates, said the church has had quite a bit of time already.

“They had a year since the Supreme Court (of Canada) ruled and 16 months since the Newfoundland Court of Appeal ruled,” Budden said Tuesday after news broke of the filing.

“They are doing what they feel is right for them. And we will respond by doing what is right for our clients. ... We will be there (throughout the bankruptcy process),” he said.

The case was launched in 1999 with a statement of claim, but didn't go to trial until 2016.

One of the four representative John Does has since died.

The Roman Catholic Episcopal Corp. of St. John's, the legal entity of the Archdiocese of St. John's, had claimed it wasn't to blame for the sexual abuse, and insisted the Irish Christian Brothers were an independent lay order.

In the summer of 2020, however, the Newfoundland and Labrador Court of Appeal unanimously ruled the Roman Catholic Episcopal Corp. of St. John's was liable for the sexual abuse suffered by the orphans at the hands of some members of the Christian Brothers during that era.

The church's attempt to appeal that decision was turned down in January 2021 by the Supreme Court of Canada, which refused to hear an appeal.

The orphanage opened in 1898 and was demolished in 1992. A scandal erupted in the 1980s when systemic sexual and physical abuse of boys who resided there in the 1970s and '80s was finally exposed after coverups and led to the Hughes Inquiry.

Men who were abused as boys at the orphanage in the mid-20th century weren't compensated by the provincial government, as the later victims were, and after the Irish Christian Brothers went bankrupt, victims of that era sought compensation from the Roman Catholic Archdiocese of St. John's in the lawsuit fought by Budden and Associates of St. John's. There are more than 75 claimants represented by the firm, with calls still coming in, and the outcome affects the cases of various other lawyers as well.

In 2018, in Newfoundland and Labrador Supreme Court, Judge Alphonsus Faour ruled the archdiocese could not be found vicariously liable for the conduct of the Christian Brothers.

But the Court of Appeal concluded the trial judge made errors of law on that point, and that the relationship between the archdiocese and the Irish Christian Brothers was sufficiently close to justify finding the archdiocese vicariously liable, and it would have to pay damages to the victims.

The 2016, a Newfoundland and Labrador Supreme Court civil trial — covered almost exclusively by The Telegram — heard, among other things, claims of boys at Mount Cashel being beaten as they lined up for meals, having to eat porridge filled with dead grubs, and stealing scraps from vats of swill consisting of patients' leftovers at city hospitals.

There was also the recounting of an incident of a boy being dragged by a rope into a frigid swimming pool where the children were forced to bathe with bars of Sunlight soap to save on hot water, of a boy screaming as he was beaten in the shower because he had been late and was ducking in and out of the cold water, of sexual acts committed at night by a Christian Brother roaming through the young boys' dorm, and of a traumatized boy eating a chocolate bar and drinking pop while being sexually assaulted by the canteen operator because he had no idea what else to do.

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## Christian Brother continued abusing boys after Mount Cashel coverup, B.C. lawsuit alleges

<https://www.cbc.ca/news/canada/newfoundland-labrador/mount-cashel-st-thomas-moore-vancouver-college-brother-edward-english-1.5905801>

Ryan Cooke · CBC News · Posted: Feb 09, 2021 6:43 AM NT | Last Updated: February 9, 2021  
Edward English confessed to police in St. John's in 1975 about abusing boys at Mount Cashel Orphanage. It was covered up by justice officials, and English was allowed to leave the province. He's now accused of the same acts in British Columbia in 1981. (CBC)

A British Columbia man says he was sexually abused by a Roman Catholic school teacher in 1981, six years after the teacher's confession of abusing children at an orphanage on the other end of the country was covered up.

Darren Liptrot came forward on Monday and filed a proposed class-action lawsuit at a courthouse in Vancouver. It was a momentous step for a man who said he's agonized over childhood trauma for nearly 40 years.

"I struggle with addiction still," said Liptrot in an interview with CBC News on Monday. "I really struggle with authority. I struggle with family."

He's accusing Edward Patrick English, a teacher with the Christian Brothers of Ireland in Canada, of sexually abusing him when he was in grades 9 and 10 at Vancouver College.

English is notorious in Newfoundland and Labrador. He received the heftiest sentence — 10 years — in a series of highly publicized trials in the early nineties that followed a reopening of a police investigation that was shut down and covered up in 1975.

English and another Brother, Alan Ralph, confessed to abusing boys in their care at Mount Cashel. The chief of police intervened the day after English's confession and asked the investigating officer to destroy his report.

The Christian Brothers quietly shuffled English, and one other Brother, out of the province in return for no charges being laid.

Darren Liptrot was a Grade 9 student at Vancouver College in 1981 when he says his teacher, a member of the Christian Brothers of Ireland in Canada, began to sexually abuse him. (Submitted by Darren Liptrot)

The secrecy surrounding English and the coverup would explode in 1989, when a royal commission pulled back the curtain on decades of abuse at the orphanage in St. John's.

By that time, the lawsuit alleges, English and five other Christian Brothers from Mount Cashel had moved on to a pair of schools in British Columbia — Vancouver College, and St. Thomas More in nearby Burnaby.

## **Lawyer expecting more victims to come forward**

Liptrot was in the ninth grade when he got a new religion teacher. He struggled in the subject and wanted to do whatever he could to keep his grades up. He decided to stay after school with Brother English.

"I wanted to succeed, and he seemed to provide that [opportunity] for me, and so I took that. I volunteered initially and shortly after it became a necessity, or be punished."

Mount Cashel Orphanage in St. John's was run by the Christian Brothers of Ireland. Courts have established the Catholic Church was liable for the abuse that happened there from the late 1940s onwards. (CBC)

In his lawsuit, Liptrot alleges English molested and abused him for the next two years. He felt he was alone, but now looking back, he said he recognizes the signs of grooming with other classmates.

His lawyer, Joe Fiorante, intends for the case to be a class-action lawsuit representing Liptrot and anyone else who chooses to come forward with stories of abuse at the two schools from 1976 to 1995.

"One of the reasons Mr. Liptrot has come forward and put his name on the case is to hopefully open a path for others to now participate in the justice system and have their day in court," Fiorante said.

## Suit targets church, schools

A recent decision by the Court of Appeal of Newfoundland and Labrador will serve as a roadmap for the case.

That decision, upheld by the Supreme Court of Canada, found the Catholic Church liable for the abuse suffered at Mount Cashel.

Fiorante hopes to use the same approach to hold the Archdiocese of Vancouver liable, along with the two schools — Vancouver College and St. Thomas More.

Vancouver lawyer Joe Fiorante is representing the representative plaintiff, Darren Liptrot, and is looking to represent anyone else with allegations of abuse at the schools. (CBC News)

It also names the Archdiocese of St. John's, alleging the church in Newfoundland had a duty to stop the abuse in 1975 but failed.

"The Archdiocese of St. John's certainly must have known what was happening at Mount Cashel," he said. "You've seen repeated court decisions involving their ownership of Mount Cashel, their control over Mount Cashel. And yet, somehow

they permitted these Brothers, who were also teachers in St. John's, to leave the province and resume teaching duties in other Catholic schools in Canada."

The largest archdiocese in Newfoundland is already facing a financial wrecking ball, owing \$2 million to the four plaintiffs in the recent Mount Cashel case. More than 50 other men are expected to follow suit and seek compensation for their experiences at the orphanage using the same arguments as the other four.

## Where is Edward English?

Fiorante and Liptrot may have a tough task on their hands.

Aside from the complex legal arguments to prove liability lies with the schools and the archdioceses, there's also the question of whether Edward English is even alive.

Fiorante said they have reason to believe the 73-year-old English is still out there, although they don't know where he resides.

**It's an extraordinary failure of our justice system, a failure of the Catholic church as an institution, and a failure of these schools to reckon with that problem.** - *Joe Fiorante*

English was sentenced to 10 years in prison in 1991 for his role at Mount Cashel. In his sentencing decision, Justice Gerald Lang did not mince words, calling English a coward and a "sadist who does not deserve to be called a Christian."

"I have been in the law now for 30 years, and this is my 11th year as a judge and about my 85th jury trial; and I should say this has been the worst trial I've had to preside over," he told the courtroom.

"I had wished and hoped that Brother English would have said that he was guilty and that he couldn't help what he was doing and ask for forgiveness and show some remorse."

## A rude awakening

Liptrot didn't know any of this for 33 years.

Life sent him careening in every which direction at the peril of his addictions. In 2014, a friend reached out to him and told him about English's criminal record in Newfoundland.

He was eight years sober at that point, but said he relapsed a day later and spent another 1½ years spiralling.

Liptrot said he eventually sought legal advice, and his lawyer told him about the Hughes Inquiry in Newfoundland and Labrador, and all the evidence that came out of it about English's confession and its coverup.

***WATCH | From 1994, a documentary on the Mount Cashel Orphanage scandal:***

"That's when I learned of the past. That's when I learned the details of how he came into my life, of how he came into my school," he said. "I'm obligated and compelled to do my best to bring about accountability and responsibility."

Fiorante said the Christian Brothers of Ireland in Canada hid its abusers in plain sight.

"It's an extraordinary failure of our justice system, a failure of the Catholic Church as an institution, and a failure of these schools to reckon with that problem, and unfortunately our client is the cost of those decisions. The human cost of failing to deal with it at the time when it first surfaced."

Neither Liptrot nor Fiorante know how widespread the abuse was at the two schools from 1976 to 1995.

English was named in a lawsuit in 2007, accusing him of raping and physically abusing a boy at St. Thomas More Collegiate between 1978 and 1980.

It was settled out of court.

None of the allegations in either British Columbia lawsuit has been tested in court.

***Read more from CBC Newfoundland and Labrador***

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# Mount Cashel: After 30 years, the pain still has not gone away

For survivor Billy Earle, the adage 'time heals all wounds' is only hypothetical

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[Peter Gullage](#) · CBC News · Posted: Feb 17, 2019 6:00 PM NT | Last Updated: February 17, 2019

Time doesn't necessarily heal all wounds, says Billy Earle, who as a boy suffered abuse at the hands of the Christian Brothers at Mount Cashel. (Bruce Tilley/CBC) Ask Billy Earle if time heals all wounds.

You get a look, a long breath and an honest answer.

"That's a hypothetical question," said the former victim of abuse at the Mount Cashel orphanage in St. John's.



February marks the 30th anniversary of the reopening of a covered-up police investigation into child abuse at the orphanage that the lay order of Christian Brothers ran for more than a century in the east end of St. John's.

In the weeks and months after the police investigation was reopened, the media reported countless details of abuse that boys who were placed at the orphanage had suffered, and the Newfoundland and Labrador government ordered a public inquiry to investigate what went wrong.

The subsequent Hughes inquiry's proceedings were televised — often across Canada, thanks to then-new cable news channels — and took captivated viewers inside a scandal that involved the police, the top levels of government and the Roman Catholic church.

- [Mount Cashel abuse survivors win financial settlement](#)

Where a Sobeys supermarket now looks over the houses of an infill subdivision used to stand a building where decades of physical and sexual abuse was carried out by the very men trusted to care for troubled and vulnerable children.

It has been three decades since an investigation into allegations of child abuse was reopened after a coverup in the '70s. (CBC)

The first Mount Cashel resident to go public was Billy's younger brother, Shane. From his revelations in the press spilled more disturbing stories from more victims.

Three decades later, coverups of institutional abuse — one case after another, in countries everywhere — are still rocking the Catholic Church. But it was the stories told in 1989 by men about what happened when they were young boys at a St. John's orphanage that drew the world's attention.

## **'I was 10 years old. It was a nightmare'**

It isn't easy for Earle to think back to 1975, when he told a police officer of the abuse he and Shane suffered at the hands of the brothers at Mount Cashel.

Billy Earle testifies at the Hughes commission in 1989. (CBC)

"It's not much different than the day it began," he said. "To think about what happened 44 years ago. I was 10 years old. It was a nightmare."

The Earle brothers' young lives were complicated. Their parents divorced, and handling the needs of seven kids — four girls and three boys — was too much. The boys were placed in Mount Cashel to ease the burden.

Although called an orphanage, Mount Cashel's residents were often not orphans. Many of the children were placed there as wards of the state because of problems at home.

Life in the orphanage became a life of torture for the Earle boys. After two years of witnessing and enduring abuse, they snuck out and made their way to their father to reveal what was happening.

## Graphic details taken in original investigation

That set off a cascade of events, of meetings with police and social workers. A Newfoundland Constabulary investigation started, and 21 boys were interviewed.

The youngsters, ranging in age from nine to 17, detailed graphic examples of physical and sexual abuse.

Det. Robert Hillier testifies at the Hughes Commission in 1989. On Dec. 9, 1975, Hillier began an investigation into allegations of abuse at the Mount Cashel orphanage. Nine days later, he was ordered by RNC Chief John Lawlor to end the investigation and file a report. He was also ordered to remove all references to sexual assault from his report. (CBC)

In 1975, they told the police investigator that they were targeted by three brothers who fondled, kissed, raped and beat them. The statements taken from the boys at police headquarters talk of brothers sneaking into beds, lying on top of them as they slept. There was forced masturbation, as well as violent thrashings.

Revealing the secrets from inside Mount Cashel gave a young Billy Earle some hope.

"Hopefully they were going to do something with the scandal that was going on behind closed doors," he said.

"Brought in, give police statements and thought, 'Great, we'll have it all dealt with.' Figured we had a concrete foundation around us. There was nothing ever done, and we were back in the hands of the abusers."

## A well-protected secret

What followed, though, was a deliberate effort by senior public servants, church officials, police brass and politicians to not only cover up the sins of the Christian Brothers, but to deliberately hide what had happened.

Their actions remained a well-protected secret for 14 years.

Philip Lee was 25 years old when he started writing Mount Cashel stories at the Sunday Express, a weekly newspaper in St. John's, in 1989.

"I was a young reporter and it was really the first big story that I ever worked on," he said. "In many ways it was the biggest story that I ever did work on."

Mount Cashel enjoyed a good reputation in the community. It was a favoured charity and an example of "the good work" of the church.

"I was fairly new to St. John's at the time and I didn't know where Mount Cashel was. I had to get a map out," Lee said in an interview.

"And I remember driving over there and going into the parking lot and knocking on the front doors and asking some questions at the time."

Those questions and the answers that followed tore open a scandal that was at once a combination of pain, relief and recoil. Months later, by the time the Royal Commission of Inquiry into the Response of the Newfoundland Criminal Justice System to Complaints started holding hearings with Justice Samuel Hughes, the story of Mount Cashel was already legend.

Lawyer Geoff Budden says 'this evil of child abuse can be controlled but it can't be eradicated, apparently.' (CBC)

Geoff Budden was a young lawyer when Mount Cashel unfolded, and he has built his law practice around suing on behalf of victims of abuse. His first client from the orphanage came to him in 1991.

Since then, he has represented 110 victims of abuse at Mount Cashel.

"I did realize pretty quickly that this was not a local story," he said.

"This was not a story of St. John's, or Newfoundland or even Canada. There were lawyers, commentators, church officials, writers of various sorts throughout North America and throughout the world who were paying attention to what was happening with Mount Cashel and were drawing lessons from it."

## In 3 decades, abusers have changed, too

In the 30 years since that covered-up police investigation in St. John's was reopened, the shock of child sexual abuse has become a daily story from somewhere in the world. The internet means predators have moved from the halls of a long-gone orphanage into the bedrooms of vulnerable young people who are lured through their smartphones.

**What about the government officials, the politicians, the coverup with the police? There was nothing ever done with them.**- *Billy Earle*

"This evil of child abuse can be controlled but it can't be eradicated, apparently," Budden said.

"I think there will always be people who by reasons of illness of some sick and frustrated power dynamic will want to sexually exploit children. New times present new problems. I don't think we can never not be vigilant as a parent, as a society."

Billy Earle said time and healing is "hypothetical." What's not hypothetical, though, is that he says not everyone involved felt justice was evenly delivered.

"A lot of guys who went through the inquiry are very sick. Close friends of mine have committed suicide," Earle said.

"We talk about the Christian Brothers who paid their dues big time and went to jail. What about the government officials, the politicians, the coverup with the police? There was nothing ever done with them."

Mount Cashel is gone, replaced by a grocery store overlooking residential homes. (CBC)

Three decades later, Lee believes the characters who orchestrated the cover up of that 1975 investigation "didn't think twice about the boys."

- **Philip Lee: Mount Cashel, and the redemptive power of pulling stories from the darkness**

"It's disappointing that they didn't have the courage, or the moral courage, to come forward and say what they did and admit that they had done wrong," Lee said.

That wrong allowed an evil to roam through Mount Cashel, piling pain on victims for years to come.

And it's a pain that is still inflicted on children because, for whatever reason, the lesson of Mount Cashel was never fully learned.

[https://www.bishop-accountability.org/news2005\\_07\\_12/2005\\_09\\_26\\_LifeSite\\_CanadianBishops.htm](https://www.bishop-accountability.org/news2005_07_12/2005_09_26_LifeSite_CanadianBishops.htm)

## **Canadian Bishops Report on Sex Abuse Exposes Serious Flaws in Church Response**

Words "Homosexual" , "Homosexuality" , "Dissent" Still Do Not Appear Once in This Latest Report

LifeSite [Canada]

September 26, 2005

OTTAWA, September 26, 2005 (LifeSiteNews.com) - On Thursday, the Canadian Conference of Catholic Bishops organization (CCCCB) released its report by a task force appointed two years ago by a committee to review a 1992 report on the problem of sexual abuse by priests. The 1992 report, which was never adopted as formal policy, was the result of extensive research by an ad hoc committee appointed in 1989.

The latest report, clearly indicating Canada's bishops have badly dropped the ball on the abuse crisis, says the Church in Canada must get tougher on sexual predator priests and become more open, compassionate and accountable to

abuse victims. In their Church publications Canadian Catholics have often been told since the 1992 report that the Church in Canada was effectively dealing with the problem. There has been much boasting that Canada's bishops were well ahead of the Church in the US on the same issue.

The task force conducted interviews with victims of clergy abuse. Its report found "Their [victims'] perception is that the church's actions and the measures it implements are aimed more at preserving the financial and pastoral integrity of the institution, protecting priests, even known abusers, and the systematic challenging of victims, rather than their protection." These victims, the report continues, "were especially critical of the legal relentlessness of some dioceses toward victims seeking reparation" and related "a strong perception that the bishop is not accountable to anyone".

The report calls for implementation of policies that Canadians likely will be shocked to learn have not already been in place long ago.

It recommends, for instance, that:

- \* priests charged with abuse be put on leave with pay
- \* priests convicted of abuse be removed from all ministry
- \* each bishop make a formal, public commitment to a protocol on abuse prevention drafted by the CCCB
- \* standing committees be set up in each diocese to deal with allegations and publish information in brochures, parish bulletins and Web sites so people know where to go with future complaints.

The elephant in the Canadian Catholic Church's living room, now well acknowledged by the US bishops, is apparently still being assiduously ignored by the Canadian hierarchy. The reluctance of the CCCB to face widespread dissent from moral teachings and active homosexuality within Canadian Church institutions as the root causes of the crisis is reflected in the bureaucratic tangle of reports, ad hoc committees, task forces, and more reports they have implemented in response to the still on-going sex abuse crisis.

In the new report, the words "homosexual", "homosexuality" or "dissent" do not appear once. US reports have shown that 80.9% of priestly sexual abuse has

been of boys and young adolescent men. As well, evidence has indicated seminarians have often been preyed upon by other seminarians or by seminary staff and priests or other young men have been assaulted by some bishops.

Since the 2002 storm of media exposés, criminal cases and litigation, the Catholic Church in the US has been in a constant state of crisis. The scrutiny has revealed a massive problem with homosexuals in the priesthood. There are, however, also numerous faithful and holy priests who have indicated they are heartbroken by the scandals and mistrust caused by fellow clergy at all levels. On the positive side, the purging and facing of harsh realities that has resulted has begun to produce serious reform in some dioceses.

In his 2002 book, *Good-bye Good Men*, author and Catholic journalist Michael Rose exposed a seedy underground of homosexuals amongst the bishops and in seminaries that effectively turned much of the US priesthood into a "gay profession." That the same underground exists in Canada is common knowledge among those who have themselves entered into or had a family member enter a Canadian Catholic seminary or religious order, although the situation has been improving, in some cases dramatically, in some seminaries in recent years. The homosexual problem, however, is still taboo in official Church circles and poorly reported by Canada's mostly very liberal secular and church media.

By the time the CCCB has exhausted its bureaucratic process, the Vatican will have released its document that reportedly orders adherence to the Church's ban on accepting homosexuals into seminaries or ordaining homosexuals to the priesthood. The document, from the Congregation for Catholic Education and Seminaries, indicates that Rome, unlike Canada's bishops, understands the connection between homosexuality, dissent and the abuse crisis. The document has been approved by Pope Benedict and is to be released after the Synod of Bishops in Rome in October.

Many Catholic commentators are looking forward to the release of the new instruction in the hopes that it will precipitate a general reform of the clergy. However, Canadian Catholics, including faithful priests, looking for a renewal of faithfulness among the clergy and who have observed the long term damage caused by the CCCB response to the birth control encyclical, *Humanae Vitae* in 1968, realize that widespread pressure from the faithful laity may be the only thing that will produce decisive, required action.

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**Catholic Archdiocese of Vancouver aware of dozens of cases of sexual abuse since 1950s**

<https://vancouver.sun.com/news/local-news/catholic-archdiocese-of-vancouver-aware-of-36-cases-of-sexual-abuse-since-1950s>

The numbers were made public — a first for a Catholic diocese in Canada — after the Archdiocese of Vancouver appointed a committee to address what it called "the worldwide crisis" of sexual abuse by priests

Author of the article: Glenda Luymes

A review of Vancouver church files has found 26 cases of sexual abuse by Roman Catholic priests against minors since the 1950s, according to a report on clergy sexual abuse released by the Archdiocese of Vancouver on Friday.

An additional 10 cases were also discovered involving consensual adult relationships where the "imbalance of power made them likely to be abusive," as well as three cases involving priests who fathered children.

The numbers were made public — a first for a Catholic diocese in Canada — after the Archdiocese of Vancouver appointed a committee to address what it called "the worldwide crisis" of sexual abuse by priests.

The committee made 31 recommendations, also released Friday, urging the archdiocese to publish a list of clergy who were guilty of sexual abuse, including those who have been "credibly accused" but not convicted, calling it "an absolute imperative."

While the archdiocese released the names and photos of five priests who have been criminally convicted, as well as two others who settled lawsuits and two "public cases," it stopped short of publishing information about "credibly accused" priests, who "have not been convicted, but of whose guilt we are morally certain."



The archdiocese cited Canadian privacy legislation, and noted they would publish more if they were able. Two independent non-Catholic lawyers will be taking over the files of priests who have been the subject of historic complaints but were not prosecuted because of gaps in evidence.

The hope is that more charges can be laid in the cases of credibly accused priests, making it possible to publicly name them, said Archdiocese of Vancouver spokesperson Melissa Godbout. "They'll be investigating (the cases), hoping to strengthen them, so charges can be laid."

A complete list of the assignments of each priest already named publicly is expected to be provided on the Archdiocese of Vancouver's website in the near future.

The names and details of the other 17 priests who have been credibly accused but not charged will remain confidential.

"The Archdiocese has dealt with a number of cases that are not mentioned here," said the report. "These courageous claimants who contacted the Archdiocese were heard and believed. The fact that these cases are not dealt with in this report does not mean they were unfounded. Each file will be reviewed with care."

The report also contained more information about how the Archdiocese of Vancouver handled sexual abuse cases, noting there was never a practice of shuffling priests, unlike in many other major cities. "The only case we are aware of was more than 50 years ago."

The report said the archdiocese was not aware of any priests who are strongly suspected of having abused children or adults currently working in the archdiocese or another diocese.

Godbout said the review is the first of its kind in Canada, as the Archdiocese of Vancouver hoped to “lead the charge.” Contacted for an earlier Postmedia story, the Victoria and Prince George dioceses said they will be watching what happens in Vancouver before taking similar steps.

In a letter at the beginning of the report, Vancouver Archbishop Michael Miller said he realized “no expression of regret can repair the horror of what happened. ... I nonetheless wish to offer each of you my heartfelt apology for the trauma, the violation in body and soul, and the sense of betrayal and abandonment by the Church that you feel.”

Miller, who has been appointed chair of a national bishops’ committee on preventing clerical abuse, is having the letter read at masses this weekend.

Miller appointed the 13-person committee after news in 2018 of a grand jury naming 300 priests accused of abusing 1,000 victims in Pennsylvania. The Vancouver committee, which included “highly respected lawyers,” a psychologist and four abuse survivors, reviewed 36 sexual abuse cases dating to 1950.

The Vancouver Archdiocese presides over 443,000 parishioners in Metro Vancouver, the Sunshine Coast, Powell River and parts of the Interior and northern B.C.

In a summary of its recommendations, the committee said that one of its “most devastating realizations” was that victims in historical cases had to sign confidentiality agreements, meaning their stories were not made public.

“When abusers’ names are made public, other victims feel able to come forward,” said the committee. “Thus, there are still people in this Archdiocese who continue to suffer in silence, keeping unhealthy secrets to themselves, living in shame that is not theirs to hold, believing they are alone and believing they are the only ones who have suffered such violation and degradation at the hands of a particular priest.

“This has to stop, and this has to stop now.”

The archdiocese no longer requires victims to sign confidentiality agreements and has waived previously signed agreements.

Criminal convictions, lawsuits settled and public cases

The report listed nine priests who spent time in Vancouver.

Paul Blancard: The RCMP investigated Blancard in relation to the sexual assault of a six- or seven-year-old girl in Burnaby in 1967 or 1968. No charges were laid, but two more allegations dating to his ministry there were received by police in 2016. A complaint regarding his time in Victoria was made to the RCMP in 1990. Charges were laid in 1992 and he was convicted and sentenced to one year in prison.

**George Gordon:** Gordon was charged with the abuse of three boys in the 1950s at Holy Rosary Cathedral. Although the abuse was reported to the archdiocese at the time, and again in 1967, he remained in ministry until two victims reported it to police and the archdiocese in 1989. He was convicted in 1992 and sentenced to six months in jail.

**John McCann:** In 1991, McCann was convicted of six counts of sexual abuse of girls under the age of 16 in the 1970s. He served 10 months in jail. The abuse happened when he was serving at St. Augustine's Parish and St. Peter's in New Westminster. He also served as a priest on Salt Spring Island and in Ottawa.

**Harold McIntee:** McIntee was arrested in 1989 and charged with multiple counts of sexual abuse. Many of his victims were boys in residential schools in Kamloops, Prince George and Victoria. He was sentenced to two years in jail for abusing 17 boys in B.C. over 25 years.

**Alfred Frank Louis Sasso:** After serving a three-month sentence for three counts of gross indecency against three youths in Ontario in 1980, Sasso came to Vancouver, where he worked at the Cathedral, St. Patrick's Parish and Sts. Peter and Paul Parishes, before abruptly returning to Ontario.

**Lawrence Edward Cooper:** Cooper admitted to have a relationship with a 15-year-old girl he met as a seminarian at Camp Latona in 1985. The relationship became sexual several years later, by which time he was a priest. The victim reported the relationship to the archdiocese in 1994.

**Antero Sarmiento:** Complaints of inappropriate behaviour about Sarmiento were made to the archdiocese in 1980, at which time he abruptly returned to Manila, which had allowed him to work on loan to Vancouver since 1977. Police received an arrest warrant on three charges of indecent assault in 2004, but he refused to return for questioning.

Edwin Budiman: In 2007, Budiman was charged with two sexual offences involving minors. Both were stayed, but he was removed as pastor.

John Eason: Eason was convicted in 1995 of one count of indecent assault against a 21-year-old woman in Powell River in 1980. He plead guilty and was ordered to serve a 2.5-year probation term.

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Nfld. & Labrador

Catholic Church in St. John's found liable for abuse of 8 altar boys

<https://www.cbc.ca/news/canada/newfoundland-labrador/catholic-church-in-st-john-s-found-liable-for-abuse-of-8-altar-boys-1.788212>

Rev. James Hickey, now deceased, was jailed for sex abuse committed in 1970s

CBC News · Posted: Feb 10, 2009 11:59 AM NT | Last Updated: February 10, 2009

After a decade-long court fight, the Roman Catholic Church in St. John's has been found liable for the sexual abuse of eight altar boys in the late 1970s by Rev. James Hickey, now deceased.

The Newfoundland and Labrador Supreme Court's trial division made the ruling against the Roman Catholic Episcopal Corporation of St. John's on Monday.

Hickey was charged in 1989 with molesting the boys from Rushoon-Parker's Cove while he was parish priest on the Burin Peninsula. He was convicted and sentenced to five years in prison. He died in 1992.

"It damaged [the boys] emotionally. The rest of their life is off the rails, if you like," lawyer Greg Stack, who represented the eight men in the case, said Monday.

"Normal sexual relationships with partners [have] been affected," said Stack.

'Victimized by their parish'

He said Hickey took more than just their innocence. He destroyed their faith.

"The boys, who were the altar boys in these parishes, generally came from the more devout Catholic homes. The more devout, the more religious parents that pushed their children to become altar boys, and these were the boys who were victimized by their parish priest.

"So it is the whole coupling of that — the sense that God has abused them. And that's what they believed in those small communities. By and large, the parish priest was a God-like figure."

Stack said Monday's victory is important.

"This is a really good point to be at. If the Church doesn't soon come around with an acceptable [compensation] figure, then we can go and get an interim application and get an interim payment ... and have a full assessment done. Hopefully we won't have to go through that exercise, but we are prepared to," Stack said.

Stack said there are about 12 other cases involving four or five more priests.

It was the Hickey case that prompted charges against other priests, including several members of the Irish Christian Brothers running the Mount Cashel orphanage.

Scandal breaks open

There were also allegations that previous investigations, beginning in 1975, had been covered up, and the offenders whisked away to other provinces, where they received treatment and soon took on new religious postings.

Eventually, the Newfoundland government established a royal commission to investigate the allegations. The publicity also led to other investigations into sexual abuse in institutions across Canada.

By March 1989, police had laid 77 charges against the eight members of the Irish Congregation of Christian Brothers who were implicated in the earlier investigation. They also charged a ninth man for more recent offences, and laid 17 charges against three civilians.

Nine Christian Brothers were eventually convicted and sentenced to between one and 13 years in prison.

# **Burning churches and murderous boarding schools; In Canada, graves of hundreds of indigenous children have been found in former "re-education" homes. In the former model country, a war for guilt and atonement has been raging for a long time**

Die Welt (English)

July 6, 2021 Tuesday

Original in German "Brennende Kirchen und mörderische Internate – Missbrauchsskandal erschüttert Kanada"

<https://www.welt.de/politik/ausland/plus232301047/Kanada-Brennende-Kirchen-und-moerderische-Internate-Missbrauchsskandal-erschuettert-Kanada.html>

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Byline: Sandra Ward

## **Body**

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"We were children" is written in blood-red letters on the entrance gate of a **Catholic** church in the Canadian province of Saskatchewan. From the west coast on the Pacific to the Atlantic coast in the east, houses of worship are currently being set on fire, church windows smashed and facades smeared with dark red imprints of children's feet and hands in all parts of Canada.

Since the remains of 215 Indigenous children were found on the site of a former boarding school in May, there has been an uproar. Canadian



flags are flying at half-mast and the whole country, especially the indigenous population, is in shock. National Day celebrations last Thursday (1 July) were cancelled in many places. Within a few **weeks**, the authorities had discovered two more graves with ground-penetrating radar - now containing more than 1000 child corpses.

They are all victims of so-called school adjustment programs in forced boarding schools, mostly run by the **Catholic** Church since the late 19th century. And with each discovery of unmarked graves, arsons at **Catholic** churches are now being reported. Prime Minister Justin Trudeau condemned the church fires - at the same time he called on the Pope to travel to Canada and apologize on behalf of the Church. In the province of Alberta alone, ten other churches were damaged on the national holiday. In the early morning hours of Canada Day, St. Jean Baptiste Church in the small town of Morinville burned down; in Vancouver, rioters threw the monument to James Cook, the discoverer of the Northwest Coast, into the harbor and destroyed statues of Queen Victoria. In retaliation, totem poles of tribal chiefs are set on fire.

The burning of St. Jean Baptiste Church hit residents particularly hard. Since 1907, it had been considered the heart of the Morinville community. Nearby homes and a retirement home had to be evacuated. Instead of planned Canada Day events, a makeshift mourning centre was set up where community members shared memories of the old church and swapped personal stories about past weddings, communion celebrations and funerals.

Rocky Mountain provincial Premier Jason Kenney called the arson "a hate-motivated act of violence" and spoke of "attacks on Canadian values like religious freedom." Perry Bellegrade, head of the Indigenous Peoples Association of Canada, agreed: "Burning things down - that's not our way. I understand the frustrations, the anger and the pain. But we do want to build relationships and come together." At the same time, he appealed, "In these extremely difficult and emotional times, I ask all Canadians to stand with us Indigenous people. "

Now even the head of the church, Pope Francis, is taking action. Calls for an official apology from the **Catholic** Church for its role in running the asylums have grown louder in recent **weeks**. After the discovery of

the latest children's bodies, the **Catholic** Bishops' Conference of Canada finally announced an invitation to the Vatican.

Individual meetings between the pope and survivors and representatives of three tribes are planned - as well as a final joint audience that will include Canadian bishops.

The Presbyterian and Anglican churches of Canada apologized years ago to victims of school adjustment programs. However, from the **Catholic** Bishops' Conference in 2018, it was said that the Pope could not personally apologize for the offenses against Indigenous children. However, that was before the extent of the secret mass graves became known.

In a statement, Archbishop John Michael Miller of Vancouver apologized on behalf of his archdiocese, calling clarification the **Catholic** Church's top duty: "And that is every tragic case that took place in these schools." A similar goal was already being pursued by a Canadian government commission of inquiry. In 2015, the "Truth and Reconciliation Commission" came to the unequivocal verdict: genocide. Canada had committed cultural genocide against its aboriginal peoples.

"The educators brutally beat us, threw us against the wall and on the floor, and then trampled us." For Geraldine Brook, a former student at a **Catholic** boarding school for cultural re-education, the memories are still present today. Like thousands of other children, the Canadian government separated her from her family as a young girl. In the adjustment programs, students were strictly forbidden their indigenous languages and cultural customs under threat of violence. Physical, sexual and emotional abuse were part of the daily routine. According to other former students, many priests abused the children, often resulting in pregnancies of teenagers and young women. The brutality of the boarding school staff was breathtaking: **babies were taken from their mothers and killed - the baby corpses usually burned in ovens.**

"Parents of Indigenous children are savages - even if they can read and write," reads a quote from Canada's first prime minister, John Macdonald, reflecting all the sheer racism of the time. "You have to

take children away from parental influence. The only way to do that is to have schools where they learn the mores of the whites. "

The first school to do so was founded in 1883. The last boarding school did not close until 1996. More than 150,000 indigenous children were forced into institutions. Due to violence and inadequate medical care, as well as escape attempts, **some 30,000 students died, according to current estimates**. Malnutrition also played a major role. As early as the beginning of the 20th century, a government commissioner reported after a school inspection, "It is suspected that the children's ability to survive is not assured because of inadequate nutrition."

Most families never learned what happened to their missing children. Parents were given vague explanations that their "missing children" had fled. Since then, they were considered missing, they were told. It was not until the 1960s that the bodies of deceased children were occasionally handed over to their relatives - but usually only if this cost less than, say, burial on the boarding school grounds.

Today, colorful children's shoes and toys stand on the lawn of a former **Catholic** boarding school for Indigenous students. They are meant to commemorate the children who died in the boarding schools. **Meanwhile, authorities continue to come across more children's bodies. In the first find in May, they discovered remains of 2155 people on the grounds of a former Catholic boarding school in the small town of Kamloops, British Columbia - just a few weeks later, 751 unmarked children's graves on an abandoned school site in Saskatchewan. The children were mostly seven to 15 years old - but bodies of three-year-olds were also found.** "My relatives have suspected this for years," said association leader Bellegrade in an interview with The New York Times, "but no one believed them."

The search for children's bodies continues on all former school campuses. But despite the latest radar techniques, the search procedures are time-consuming - because the grounds of the long-closed boarding schools are now abandoned and unmarked. It could be many years before the search - and the coming to terms with the horror - is complete.

Disclaimer: Translation automatically generated. Axel Springer is not liable for any automatically generated translation of written text, audio tracks or other translatable media items. Legally binding is exclusively the original German text or spoken word.

[The passage we quote appeared identically in the German version: "Körperlicher, sexueller und emotionaler Missbrauch gehörten zur Tagesordnung. Nach Aussagen weiterer ehemaliger Schüler missbrauchten viele Priester die Kinder, oftmals waren Schwangerschaften von Jugendlichen und jungen Frauen die Folge. Die Brutalität des Internatspersonals war atemberaubend: Säuglinge wurden den Müttern weggenommen und getötet - die Babyleichen meist in Öfen verbrannt."]