

Anthony Gatensby Successful on Summary Judgement Motion in the Ontario Superior Court of Justice

Date: November 13, 2025

Acting for Ecclesiastical Insurance Office plc, [Anthony Gatensby](#) successfully obtained summary judgment in *Hindu Sabha v. Ecclesiastical Insurance*, 2025 ONSC 6183, a coverage dispute arising from a claim against the Hindu Sabha Temple for historical sexual abuse by an employee.

The Court held that Ecclesiastical owed no duty to defend Hindu Sabha Temple because the claim fell squarely within the policy's sexual abuse exclusion (Common Exclusion 7), finding that all allegations, including vicarious liability, negligent hiring and supervision, and failure to report, arose directly or indirectly from the alleged abuse and were therefore excluded from coverage.

The Court also rejected Hindu Sabha Temple's attempt to rely on the plaintiff's discovery evidence to narrow the allegations, confirming that the duty-to-defend analysis is generally confined to the pleadings and the policy, and granted summary judgment dismissing the third-party proceedings against Ecclesiastical with costs.

View the decision [here](#).

PEOPLE

- Anthony Gatensby