

NOVA SCOTIA COURT OF APPEAL

**Citation: *D.M.F. v. Nova Scotia (Community Services)*,
2005 NSCA 1**

Date: 20050105

Docket: CA 228448

Registry: Halifax

Between:

D.M.F. and S.A.P.

Appellant

v.

Minister of Community Services

Respondent

Restriction on Publication: Pursuant to s. 94(1) Children and Family Services Act

Judge: The Honourable Justice M. Jill Hamilton

Appeal Heard: December 10, 2004

Subject: *Child protection, provision of services*

Summary: The trial judge ordered permanent care and custody of the appellants' three children, rather than additional services to the family, at a time when the statutory time period provided for in s. 45 of the Children and Family Services Act had not expired.

Issue: Did the trial judge err in not ordering additional services?

Result: Appeal dismissed without costs. There was evidence to support the trial judge's conclusion that based on past experience with the provision of services to the appellants, provision of additional services would not adequately protect the children.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 5 pages.

