

NOVA SCOTIA COURT OF APPEAL
Cite as: Burroughsford v. Lynch, 1997 NSCA 28

Clarke, C.J.N.S.; Hart and Chipman, JJ.A.

BETWEEN:

JOANNE BURROUGHSFORD)	Raymond W. Kuszelewski
)	for the Appellant
- and -)	
)	
PETER LYNCH, ESTELLE GRANT,)	Alexander M. Cameron
and KAREN O'BRIEN, in their joint)	for the Respondents
capacity as the Social Assistance)	
Appeal Board in the matter of an appeal)	Appeal Heard:
by Joanne Burroughsford of the)	January 9, 1997
Department of Community Services')	
decisions discontinuing her Family)	
Benefits and assessing her with an)	
overpayment due to allegations of)	
cohabitation.)	Judgment Delivered:
)	January 9, 1997
Respondents)	
- and -)	
)	
BILL CAMPBELL, in his capacity)	
as Director of Family Benefits Division,)	
Department of Community Services.)	
)	
Respondent)	
)	
)	
)	

THE COURT: Appeal dismissed without costs from decision of a trial judge who dismissed an appeal from a decision of the Social Assistance Appeal Board, per oral reasons for judgment of Clarke, C.J.N.S.; Hart and Chipman, JJ.A. concurring.

The reasons for judgment of the Court were delivered orally by:

CLARKE, C.J.N.S.:

This is an appeal from the decision of Justice Goodfellow dated August 21, 1996. Before him was an appeal from a decision of the Social Assistance Appeal Board.

On the appeal counsel raised the issue whether the judge was bound by **R. v. Rehberg (J.)** (1993), 127 N.S.R. (2d) 331. Justice Goodfellow determined he was not. We agree with the result he reached and, in general, for the reasons he gave.

The appeal is dismissed without costs.

C.J.N.S.

Concurred in:

Hart, J.A.

Chipman, J.A.