

NOVA SCOTIA COURT OF APPEAL

Citation: L.D. v. Children's Aid Society of Cape Breton-Victoria, 2010 NSCA 64

Date: 20100723

Docket: CA 325921

Registry: Halifax

Between:

L.D. and B.S.

Appellants

v.

The Children's Aid Society of Cape Breton-Victoria

Respondent

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

Judge: The Honourable Justice David P. S. Farrar

Appeal Heard: June 29, 2010

Subject: Family law – child protection – protective agencies and institutions – best interests of the child – standard of review

Summary: Appeal by the parents from an order awarding permanent care of their child to the Children's Aid Society of Cape Breton-Victoria. The child was apprehended in hospital after her birth, as a result of non accidental injuries suffered by her sister while in the care of the parents. The trial judge found that she was a child in need of protection and awarded permanent care to the Society without access to the parents.

Issue: Did the trial judge err in awarding permanent care to the Society?

Result: The trial judge did not err in awarding permanent care to the Society. The appeal is dismissed without costs to either party.

<p><i>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 12 pages.</i></p>
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