

NOVA SCOTIA COURT OF APPEAL

Citation: Children and Family Services of Colchester County v. K.T.,
2010 NSCA 72

Date: 20100909

Docket: CA 325959

Registry: Halifax

Between:

Children and Family Services of Colchester County

Appellant

v.

K.T.

Respondent

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

Judge: The Honourable Chief Justice Michael MacDonald

Appeal Heard: June 25, 2010

Subject: Family Law; Child Protection; Access following a Permanent Care Order

Summary: The trial judge, after making a permanent care order, awarded the Respondent mother (and other family members) continued access. The Agency appealed access provisions asserting that no special circumstances existed to justify such an order.

Issue: Did the access orders reflect reversible error?

Result: Appeal allowed with the access provisions rescinded. In finding that special circumstances existed to justify the access provisions, the judge misinterpreted the statutory provisions. This represented reversible error that had to be corrected.

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 26 pages.