

NOVA SCOTIA COURT OF APPEAL

Citation: D.M.F. v. Nova Scotia (Community Services), 2004 NSCA 113

Date: 20040924

Docket: CA 228448

Registry: Halifax

Between:

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

Applicants/Appellants

v.

Minister of Community Services

Respondent

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

Judge: The Honourable Justice Joel E. Fichaud

Appeal Heard: September 16, 2004 In Chambers

Subject: **Stay of Execution from denial of access**

Summary: Trial judge ordered permanent care and custody to Agency and denied access. Parents appealed and sought stay of restriction on access pending appeal.

Issue: Were the requirements for a stay satisfied?

Result: Chambers justice deferred to trial judge's findings of urgent need for children to begin emotional healing. No evidence to dissuade deference. Stay not in children's best interest. Stay denied.

<p>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 8 pages.</p>
