

NOVA SCOTIA COURT OF APPEAL

Citation: *D. (C.) N. v. Nova Scotia (Minister of Justice)*, 2023 NSCA 69

Date: 20231006

Docket: CA 519053

Registry: Halifax

Between:

D. (C.) N.

Appellant

v.

The Minister of Justice and the Minister of Community Services

Respondents

Judges: Farrar, Bryson and Beaton JJ.A.

Appeal Heard: October 4, 2023, in Halifax, Nova Scotia

Held: Leave to appeal denied per reasons for judgment of the Court

Counsel: D. (C.) N., appellant, self-represented
Agnes MacNeil, K.C., for the respondents

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v.

The Minister of Justice and The Minister of Community Services

Respondents

ORDER FOR JUDGMENT

BEFORE: The Honourable Justice David P. S. Farrar

The Honourable Justice Peter M. S. Bryson

The Honourable Justice Carole A. Beaton

UPON this matter being heard before the Court on the 4th day of October, 2023;

AND UPON the appellant requiring leave to appeal the interlocutory rulings of Justice Ann E. Smith;

AND UPON the appellant seeking leave to introduce fresh evidence;

AND UPON HEARING D. (C.) N., on her own behalf, and Agnes MacNeil, K.C., on behalf of the respondents;

AND UPON READING the materials on file herein;

IT IS HEREBY ORDERED THAT:

1. The motion to admit fresh evidence is denied. The appellant has not demonstrated the evidence was relevant to the issues on appeal or that it

could have affected the outcome of the proceedings before Justice Ann E. Smith (*R. v. Palmer*, [1980] 1 S.C.R. 759, at p. 775).

2. Leave to appeal is denied and the appeal is dismissed. Leave to appeal requires the appellant to raise an arguable issue relating to the interlocutory orders of Justice Ann E. Smith. The appellant appears to have misunderstood the role of this Court. Her presentations, both in writing and orally, sought to address issues that were not the subject of a decision of Justice Smith and were not properly before this Court.
3. As no costs were sought by the respondent, none will be awarded.

ISSUED at Halifax, Nova Scotia, this 6th day of October, 2023.

Deputy Registrar