

IN THE SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Children's Aid Society of Halifax v. D.H., 2006 NSSC 1

Date: 20060103

Docket: SFHCFSA 036105

Registry: Halifax

Between:

Children's Aid Society of Halifax

Applicant

v.

D. H. and R. S.

Respondents

and

A. M. S.

Third Party

LIBRARY HEADING

Restriction on Publication: Publishers of this case please take note that s. 94(1) of the *Children and Family Services Act* applies and may require editing of this judgment or its heading before publication.

Section 94(1) provides:

"No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or the subject of a proceeding pursuant to this Act, or a parent or guardian, a foster parent or relative of the child."

Judge: The Honourable Justice Douglas C. Campbell

Heard: October 3,4,5,6,7,11,12,14,21,25, 2005 in Halifax, Nova Scotia

Subject: The Agency sought an order for permanent care of the three children pursuant to the *Family & Children's Service Act*. The child welfare concerns involved lack of parenting skills,

household management skills and conditions of uncleanliness. The mother's circumstances changed late in the proceedings in that she had separated from the father and entered a common-law relationship with another person and would have the support arising from residing with his parents. She attributed the problems of the past to the father and argued that the four months remaining in the statutory time line would allow her an opportunity to care for the children in new circumstances that could lead to a full return of custody to her.

RESULT:

For a number of fact specific reasons, the change in circumstance did not justify a deferral of the permanent care request. There is no legal requirement to continue to work with the family until the maximum time limits have been reached. Permanent care granted.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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