

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Children's Aid Society of Cape Breton Victoria v. S. W., 2010 NSSC 104

Date: 20100312

Docket: 56872

Registry: Sydney

Between:

Children's Aid Society of Cape Breton Victoria

Applicant

v.

S. W., J. F. and K. B.

Respondents

- and -

Between:

Docket: 015347

K. B.

Applicant

v.

S. W. R.

Respondent

LIBRARY HEADING

Judge: The Honourable Justice Theresa Forgeron

Heard: December 2 and 3, 2009; January 5, 6, 12, 13, 15, 20, and 26, 2010, and March 12, 2010 in Sydney, Nova Scotia

Written Decision: March 18, 2010

Subject: Family Law

Issues: The Agency sought a permanent care order with no provision for access because the child suffered from post traumatic stress disorder, reactive attachment disorder, psychophysiological insomnia, and encopresis because of the neglect and prolonged exposure to conflict, which the child experienced while in the care of the mother and stepfather. The biological father had no relationship with the child because the mother had prevented access from occurring approximately five years earlier. The Agency supported the plan of the foster mother to adopt the child. The father requested that the child be placed in his care after a period of reintroduction because there were no child protection issues within his

household.

Result:

The plan of the Agency was rejected as not being in the best interests of the child because of the inability of the foster mother to supervise and protect the child adequately. The child would be placed in the care of the father after a period of reintroduction in the best interests of the child.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***