

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** Campbell v. Nova Scotia (Community Services), 2010 NSSC 116

**Date:** 20100330

**Docket:** Hfx No. 272059

**Registry:** Halifax

Between:

Sally Elizabeth Campbell

Applicant

and

Minister of Community Services

Respondent

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**Judge:** The Honourable Justice Gerald R. P. Moir

**Heard:** February 17, 2010

**Subject:** Judicial Review, Assistance Appeal Board, special need

**Summary:** Ms. Campbell applied for coverage of medical marijuana as a special need under the *Employment Support and Income Assistance Regulations*. She was refused. She appealed, and was denied. She applied for review.

**Issues:** (1) Whether the Board correctly interpreted the Regulations? (2) Whether it made an unreasonable finding of fact? (3) Relief

**Result:** No error in interpretation. However, the evidence could not have supported the Board's finding that medical marijuana is not essential for Ms. Campbell. The appropriate remedy is an order requiring the department to cover the expense.

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