

**SUPREME COURT OF NOVA SCOTIA**  
**(FAMILY DIVISION)**

**Citation:** Nova Scotia (Community Services) v. R.B., 2011 NSSC 370

**Date:** 20111012

**Docket:** SFHCFSA-068631/  
SFHCFSA-073934

**Registry:** Halifax

**Between:**

Minister of Community Services

Applicant

v.

R.B. & D.R.

Respondent

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**LIBRARY HEADING**

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**Restriction on Publication:**

**PUBLISHERS OF THIS CASE PLEASE TAKE NOTE THAT S. 94(1) OF THE *CHILDREN AND FAMILY SERVICES ACT*, S. N. S., 1990, CHAPTER 5 APPLIES AND MAY REQUIRE EDITING OF THIS JUDGMENT OR ITS HEADING BEFORE PUBLICATION. SECTION 94(1) PROVIDES:**

"94(1) 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 A RELATIVE OF THE CHILD."

**PUBLISHERS OF THIS CASE FURTHER TAKE NOTE THAT IN ACCORDANCE WITH S. 94(2) NO PERSON SHALL PUBLISH INFORMATION RELATING TO THE CUSTODY, HEALTH AND WELFARE OF THE CHILDREN.**

**Judge:** The Honourable Justice Douglas C. Campbell

**Heard:** September 22, 23, 26, & 27, 2011, in Halifax, Nova Scotia

**Subject:** Family Law, Child Protection, Permanent Care

**Summary:** A referral to the Minister of Community Services of the respondents who were living together as a couple was made because of child protection

issues including domestic violence, mental health of the mother, parenting deficiencies and other lifestyle issues. As a result, the one month old baby was taken into agency temporary care and approximately one year later the second child was taken into care at birth. Services have been provided. The statutory deadline for the older child had already passed at the trial date and there was a period of ten months remaining in the statutory time line for the younger child.

**Issue:** Whether either or both children should be taken into permanent care or returned to one or the other of the parents.

**Result:** Both children were placed in permanent care. The fact that there were ten months remaining in the time line for the younger child was considered and rejected as a reason for returning the younger child to the mother under supervision or to continue in temporary care with services.

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