

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

**Citation:** Nova Scotia (Community Services) v. F.B., 2013 NSSC 100

**Date:** 20130312

**Docket:** SFHCFSA-076632

**Registry:** Halifax

**Between:**

Minister of Community Services

Petitioner

v.

F.B.

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 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 Mona M. Lynch

**Heard:** January 14, 15, 16, 17, 18, 28, 29 & 30, 2013  
February 19, 20 & 26, 2013, in Halifax, Nova Scotia

**Subject:** **Children and Family Services Act; Permanent Care**

**Summary:** The Minister of Community Services seeks permanent care and custody of an 18 month old child alleging that there is substantial risk of emotional

harm to the child based on the mother's emotional unstable and unpredictable behaviour.

**Issue:** Is it in the best interests of the child to return her to her mother or place her in the permanent care and custody of the Minister of Community Services?

**Result:** While the mother has many good qualities and takes good care of the child's physical well-being, her emotional instability and unpredictability places the child at substantial risk of emotional harm. There is no time left under the **Children and Family Services Act** for the mother to alleviate the risk of harm. The child is placed in the permanent care and custody of the Minister of Community Services with no access to the mother.

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