

**SUPREME COURT OF NOVA SCOTIA**  
**(Family Division)**

Citation: Nova Scotia (Community Services) v. H. H., 2016 NSSC 314

**Date:** 20161116

**Docket:** SFSNCFSA 093657

**Registry:** Sydney

**Between:**

Nova Scotia (Community Services)

Applicant

and

H. H. and C. C.

Respondent

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**Judge:** The Honourable Associate Chief Justice Lawrence I. O'Neil

**Heard:** April 7 and 15, 2016; June 3, 6, 7, 8, 16, 17 and 21, 2016; July 13, 21 and 22, 2016; September 1, 2016 and November 10, 2016 in Sydney, Nova Scotia

**Issue:** Should the Respondents' children be placed in the permanent care of the Minister of Community Services?

**Summary:** The Respondents' three children were placed in the sole custody of members of the mother's extended family. The oldest child, a special needs child, was placed in the care of his grandfather. The other two children were placed in the sole custody of the maternal aunt who lived next door to the grandfather.

**Keywords:** permanent care; burden of proof; child protection

**Legislation:** *Children and Family Services Act*, S.N.S. 1990 c.5  
*Maintenance and Custody Act*, R.S.N.S., 1989 c.160

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