

SUPREME COURT OF NOVA SCOTIA (FAMILY DIVISION)

Citation: *Nova Scotia (Community Services) v. CD*, 2018 NSSC 60

ENDORSEMENT

Department of Community Services v. CD and BD

10171 SFH-CFSA 105137

January 16, 2018

Appearances:

Patricia McFadgen for the Minister of Community Services

Krista Forbes for CD

Shelley Hounsell-Gray for BD

Motion:

The Minister moves to conclude conferencing and discontinue her child protection application.

Decision:

Upon determining that it is in the best interests of D (born July 2004) and A (born February 2007), conferencing is concluded and the Minister's child protection application is discontinued.

Reasons:

1. The Minister of Community Services based its child protection application on clauses 22(2)(b), (e), (g), (i), (j) and (k) of the *Children and Family Services Act*. The Minister's concerns were described as chronic unfit living conditions, conflict between CD and BD and the younger child's emotional and physical health.
2. The parties were referred to conferencing on July 21, 2017.
3. The parents' counselling through New Start was discontinued due to their lack of progress.
4. The parents successfully completed parenting education and support which focused on the fitness of living conditions in the home.
5. The younger child has accessed services relevant to his emotional and physical health.
6. BD resides in Prince Edward Island and has no immediate plans to return to Nova Scotia.

7. In these circumstances, it is in the children's best interests to conclude conferencing and to discontinue the Minister's application.
8. I order that conferencing conclude and grant the Minister's request to discontinue her application.

Elizabeth Jollimore, J.S.C.(F.D.)