

FAMILY COURT OF NOVA SCOTIA

Citation: *Nova Scotia (Community Services) v. O.K.*, 2013 NSFC 22

Date: 20131106

Docket: FKCFSA No. 083768

Registry: Yarmouth

Between:

Minister of Community Services

Applicant

v.

O.K., C.M.M. and V.L.J.

Respondents

LIBRARY HEADING

Publication restriction:

Publishers of this case please take note that Section 94(1) of the Children and Family Services Act applies and may require editing of this judgment or its heading before publication.

Section 94 provides:

94(1) No person shall publish or make a public information that has the effect of identifying a child who is a witness or a participant in a hearing or the subject of a proceeding pursuant to this Act, or a parent or a guardian, a foster parent or a relative of the child.

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Judge: The Honourable Judge John D. Comeau, JFC

Heard: October 8, 2013 in Digby, Nova Scotia

Issue: Review of a disposition and application for permanent care and custody.

Summary: The mother of two children 8 and 2 years of age asked the maternal grandmother to care for her children. She complained to the Minister's agents about care, dental, clothing etc. with respect to the children. The mother has problems with alcohol and drugs and neglected to properly care for the children. There was neglect with respect to feeding and supervising the children. The mother's home was dirty and unsanitary. The father of a third child took that child into his custody.

Result: Permanent care and custody on review was ordered. The mother had taken no fundamental steps to solve her problem so as to be able to care for the children. She lost two counsel because of procrastination and a failure to take or give instructions. It was in the children's best interests to order permanent care before the statutory time line ended. (see *P.H. v. Nova Scotia Community Services* 2013 NSCA 83)

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