

2025

CA. No.

NOVA SCOTIA COURT OF APPEAL

Between:



NOVA SCOTIA HUMAN RIGHTS COMMISSION

Appellant

and

**SAINT MARY'S UNIVERSITY, KENDRA GOULD, SOCIETY FOR ACADEMIC
FREEDOM AND SCHOLARSHIP and ATTORNEY GENERAL OF NOVA
SCOTIA**

Respondents

NOTICE OF APPEAL (GENERAL)

To: Saint Mary's University
c/o Tara Erskine, K.C.
Mathews Dinsdale & Clark LLP

[REDACTED]
[REDACTED]

And to: Kendra Gould

[REDACTED]
[REDACTED] [REDACTED] [REDACTED]

And to: Society for Academic Freedom and Scholarship
c/o Chris Fleury
Charter Advocates Canada

[REDACTED]
[REDACTED]

And to: The Attorney General of Nova Scotia

[REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Appellant appeals

The Appellant appeals from the decision dated April 17, 2025, *Saint Mary's University v. Nova Scotia Human Rights Commission, Kendra Gould, and Society for Academic Freedom and Scholarship*, in the proceedings in the Supreme Court

of Nova Scotia showing court number Hfx No. 535607 made by the Honourable Justice Denise Boudreau.

Order or decision appealed from

The decision was made on April 17, 2025 at Halifax, Nova Scotia.

Grounds of Appeal

The grounds of appeal are that the Honourable Justice:

1. Erred in relying on the investigation report as the reasons for the Commissioners' decision to refer the complaint to a Board of Inquiry (the "Decision");
2. Erred in determining the record did not justify the Decision. In particular, the Honourable Justice erred by:
 - a) Finding the record, on its face, did not establish a *prima facie* case of discrimination. The record supports that:
 - i. Saint Mary's University and the Society for Academic Freedom made a "distinction" in their treatment of Ms. Gould; and
 - ii. Saint Mary's University and the Society for Academic Freedom's treatment of Ms. Gould created a "burden, obligation, or disadvantage" upon Ms. Gould,

as contemplated by Section 4 of the *Human Rights Act*, RSNS 1989, c 214; and
3. In the alternative, erred in finding that the Decision was not intelligible, justified, and transparent; and
4. Made such other errors as identified by the Appellant or this Court.

Authority for appeal

Section 4 of the *Human Rights Act*, RSNS, c 214

Order requested

The Appellant says that the court should allow the appeal, restoring the decision of the Human Rights Commission to refer the complaint to a Board of Inquiry.

Motion for date and Directions

The appeal will be heard on a time and date to be set by a judge of the Court of Appeal. The Appellant must not more than eighty days after the date this notice is

filed, make a motion to a judge of the Court of Appeal to set that time and date and give directions. You will be notified of the motion.

Contact Information

The Appellant designates the following address:

Burchell Wickwire Bryson LLP

[REDACTED]

Documents delivered to this address will be considered received by the Appellant on delivery. Further contact information is available to each party through the Registrar.

Signature

Signed May 27, 2025



Jason T. Cooke, K.C.
Burchell Wickwire Bryson LLP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Ashley Hamp-Gonsalves
Burchell Wickwire Bryson LLP

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]