

Do Parents Know Best?

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Abstract

While Article 5 of the UN Convention on the Rights of the Child requires states to respect parents' responsibilities to provide 'appropriate' direction and guidance to their children, Article 18 also proclaims that 'the best interests of the child will be [the parents'] basic concern'. But how can this be done if, as is widely accepted, the 'best interests' standard is too indeterminate safely to allow courts to substitute their assessment of children's interests for those of a child's parents? This reason for privatising such decisions has been reinforced by concerns over the extent of public expenditure on court involvement in and legal aid for such issues, with the possible result of withdrawal of the law from this process. This article argues that there are inherent risks in leaving the arrangements for children of separating parents entirely in the hands of the parents, and considers various ways in which such risks might be reduced.

Keywords

UNCRC Articles 6 and 18 – child arrangements – divorce and separation – best interests of the child – privatisation – de-legalisation

1 Introduction

While there is legitimate discussion about what direction and guidance which parents and some others are responsible to provide their children is 'appropriate' and 'consistent with [their] evolving capacities' in accordance with Article 5 of the UNCRC, Article 18 seems to establish an overall obligation that states shall 'use their best efforts' to ensure that, in doing that, 'the best interests of the child will be [the parents'] basic concern'. This obligation is inevitably somewhat imprecise. Tobin and Seow (2019) suggest it should be

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A Question of Commitment Thomas Waldock,2020-04-09 With the adoption of the United Nations Convention on the Rights of the Child 1989 commentators began to situate the evolution of the status of children within the context of the property to persons trajectory that other human rights stories had followed In the first edition of **A Question of Commitment** editors R Brian Howe and Katherine Covell provided a template of analysis for understanding this evolution They identified three overlapping stages of development as children transitioned from being regarded as objects to subjects in their own right social laissez faire paternalistic protection and children s rights In the social laissez faire stage children are regarded as objects and largely as the property of parents In the paternalistic

protection stage children are seen as vulnerable and in need of protection The children s rights stage lays emphasis on children as rights bearers as individuals in their own right with entitlements In this second edition new essays assess the extent to which children s rights have been incorporated into their respective areas of policy and law The authors draw conclusions about what the situation reveals about the status of children in Canada Overall many challenges remain on the pathway to full recognition and citizenship

Essays on the Venereal Disease and its concomitant affections, illustrated by a variety of cases. Essay 1. Part 1. On the antivenereal affects of nitrous acid, etc William BLAIR (A.M., Member of the Royal College of Surgeons.), 1798

The Best Book On Ivy League Admissions Ashley Artmann, Tyler White, Sandy Yu, 2012-03-01 We Know Exactly How You Feel We ve been in your shoes before and we ve succeeded We all had our weaknesses for some it was a low GPA others lack of Club President on their resume not taking an AP or IB class still others went to schools where they were literally the first ones ever accepted into an Ivy League caliber school Why are we doing this Part of the motivation is seeing the helplessness and stress of our friends going through the process from younger sisters to family friends to mentorship programs We see you guys and girls asking the same questions and making the same mistakes We feel like the path to admissions success can be SO OBVIOUS but only once you ve already been through it We want to help and after personally experiencing this ourselves we know that Kaplan and Princeton Review can only go so far We ve decided to share our stories in detail so you can learn our exact strategies insights techniques and even materials that we used What do you have to do to get into your dream school We can guide you every step of the way to your Ivy League entrance Getting into the Ivies is not just about tricks to writing an application you need to work right think right and act right for years Our e book **The Best Book On Ivy League Admissions** will tell you how to make yourself the most attractive student out there It s guaranteed to improve your chances to get into your dream school Now let s get started

[The Songs We Know Best](#) Karin Roffman, 2017-06-13 The first biography of an American master The Songs We Know Best the first comprehensive biography of the early life of John Ashbery the winner of nearly every major American literary award reveals the unusual ways he drew on the details of his youth to populate the poems that made him one of the most original and unpredictable forces of the last century in arts and letters Drawing on unpublished correspondence juvenilia and childhood diaries as well as more than one hundred hours of conversation with the poet Karin Roffman offers an insightful portrayal of Ashbery during the twenty eight years that led up to his stunning debut *Some Trees* chosen by W H Auden for the 1955 Yale Younger Poets Prize Roffman shows how Ashbery s poetry arose from his early lessons both on the family farm and in 1950s New York City a bohemian existence that teemed with artistic fervor and radical innovations inspired by Dada and surrealism as well as lifelong friendships with painters and writers such as Frank O Hara Jane Freilicher Nell Blaine Kenneth Koch James Schuyler and Willem de Kooning Ashbery has a reputation for being enigmatic and playfully elusive but Roffman s biography reveals his deft mining of his early life for the flint and tinder from which his provocative later poems grew

producing a body of work that he calls the experience of experience an intertwining of life and art in extraordinarily intimate ways

Not Buying It Charlotte A. Henry, 2019-06-27 We are living in the post truth era a time of alternative facts fake news social media echo chambers dodgy statistics and outright lies Caught in the middle of a tsunami of information we are arguably more politically engaged than ever but when politicians and the media tell us the truth we re just not buying it How did it come to this And what responsibility do citizens have to check sources to educate ourselves and to pay for news How do we stay reliably informed in a world where truth is supposedly a thing of the past In **Not Buying It** Charlotte Henry looks at the facts behind fake news talking to some of the major players and key thinkers in politics and media to provide context explanation and crucially solutions It s time to take the truth back

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Urgent Care for Schools , 2024-12-09 What can schools do differently to reach more students What can educators do to address an urgent need to provide meaningful memorable and fulfilling learning experiences By viewing curriculum through a lens of situated responsibility it is possible to engage students in authentic and purpose based learning This book is about expanding the student identity to include that of becoming service providers injustice responders action researchers designers apprentices and teachers This book features a collection of international stories written by students and their advisors who care deeply about their education and supporting others There is much we can do Contributors are Erin Calley Susana Calley Trish Cislak Nethra Dave Cierra Gee Craig Griffie James Hay Steven Klein Vama Kothari Carla Johnson Michael Johnson Jose Antonio Gordillo Martorell Laird McGraw Zander Moricz Kristy Pagnutti Talithia Palmer Helen Pereira Raso Kendahl Pollock Vaishnav Raina Barbara J Smith Kenzy Soror Ted Spear Stephanie Stephens Gemma Tabet Kyle Wagner Emily Walton Doris and Lauren Willms

Anti/Vax Bernice L. Hausman, 2019-04-15 In **Anti Vax** Bernice Hausman challenges the widespread perception of vaccine skepticism shaped by media celebrities and internet misinformation She explores other motivations behind vaccine hesitancy including

distrust of pharmaceutical companies and the belief that illness plays a role in good health Seeking to reframe the conversation she shows that when resistance to vaccination is portrayed as scientific illiteracy denial of scientific facts or simply as irrational we lose opportunities to understand many people's real concerns Anti Vax reveals that resistance to vaccination consolidates a number of cultural issues from critiques of medicalization to concerns about government overreach and raises questions about public health norms Researched and published before the Covid 19 pandemic Hausman's rich exploration of the cultural themes animating vaccine skepticism continues to illuminate controversies over vaccination today *Hearings, Reports, Public Laws* United States. Congress. House. Committee on Education and Labor, 1967

Parental Guidance, State Responsibility and Evolving Capacities Claire Fenton-Glynn, Brian Sloan, 2021-10-05 This book arises out of a CRC Implementation Project colloquium on Article 5 of the UN Convention on the Rights of the Child Article 5 protects the responsibilities rights and duties of parents or others to provide in a manner consistent with the evolving capacities of the child appropriate direction and guidance in the exercise by the child of his/her rights In this interdisciplinary collection leading international scholars address the interplay of parental guidance state responsibility and child autonomy within a wide range of fields from gender identity to criminal justice The chapters provide fascinating insights into the vital but enigmatic role of Article 5 *Hearings* United States. Congress. House. Committee on

Education, 1971 **How to Pass IELTS Writing - 5 Steps to Write for IELTS** Peter Max Winkler, 2016-09-10 A simple and easy to understand guide that will show you HOW to write for IELTS This book is different than many other IELTS writing books you'll find available today as it explains exactly how the writing is graded and HOW to write for the test This book offers more than just sample answers it shows you the structure for each task type for BOTH Task 1 and Task 2 and for BOTH Academic and General versions of the test How to Pass IELTS Writing will walk you through the key vocabulary for each task as well as a grammar review especially needed for IELTS all in a simple and modern style What you get from this book How the test is scored Academic and General writing instruction Task 1 and Task 2 structures Key Vocabulary Grammar Review

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