

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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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

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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. *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

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Quarterly Essay 67 Moral Panic 101 Benjamin Law, 2017-09-11 Are Australian schools safe And if they're not what happens when kids are caught in a bleak collision between ill equipped teachers and a confected scandal In 2016 the Safe Schools program became the focus of an ideological firestorm In *Moral Panic 101* Benjamin Law explores how and why this happened He weaves a subtle gripping account of schools today sexuality teenagers new ideas of gender fluidity media scandal and mental health In this timely essay Law also looks at the new face of homophobia in Australia and the long battle for equality and acceptance Investigating bullying of the vulnerable young he brings to light hidden worlds in an essay notable for its humane clarity To read every article the Australian has published on Safe Schools is to induce nausea This isn't even a comment on the content just the sheer volume And yet across this entire period the Australian self appointed guardian of the safety of children spoke to not a single school aged LGBTIQ youth Not even one Later queer teenagers who followed the Safe Schools saga told me the dynamic felt familiar At school it's known as bullying In journalism it's called a beat up Benjamin Law *Moral Panic 101* This is a timely and important work Steven Carroll Sydney Morning Herald

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 *Bilingual Education Programs* United States. Congress. House. Committee on Education and Labor. General Subcommittee on Education,1967

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