

Abstract:

Explores Children's right to legal representation in divorce cases in Canada. It demonstrates that the various legal fragmentations arise from the Canadian constitutional order of the division of powers. It exudes that the nation ought to create a consolidated law to ensure that children have a right to legal representation as part of the due process. This will make certain that Canada is meeting its commitments to Article 12 of The Convention of the United Nations Children's Rights Mandate (UNCRC). Which, clearly states that children have the right to be heard in proceedings that affect them.

Research Question:

To gain a deeper understanding of theoretical and conceptual issues related to international human rights and children.

Methodology:

The methodology used was done from an inductive approach wherein sources were gathered to then draw a conclusion. The key issues explored include: what is the problem of children's rights to legal representation in Canada? What are the laws involved? And what can be done to solve the problem, if any? The sources used were from a variety of disciplines including social sciences, law, political science, public administration and human rights.

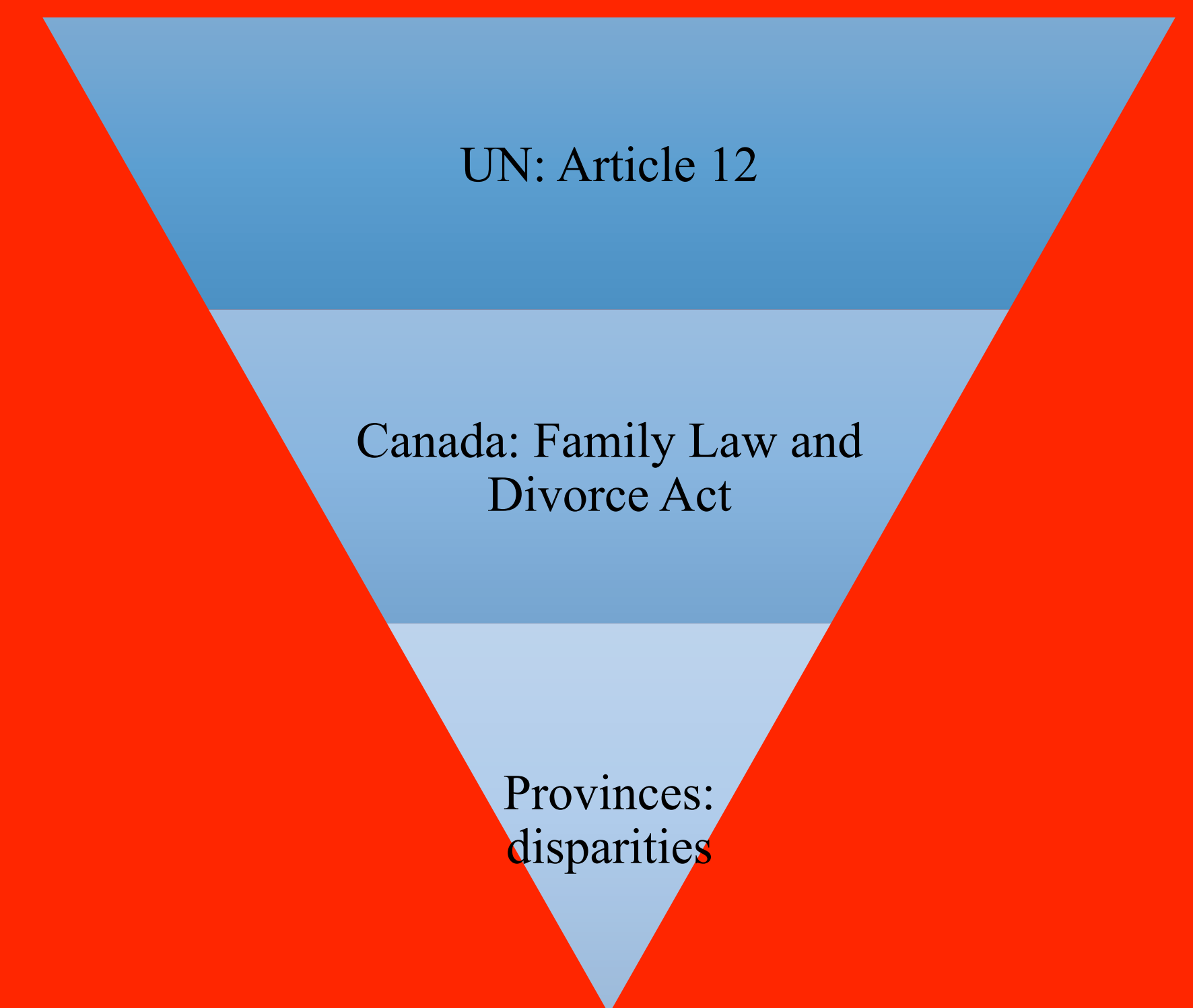
CHILDREN AND LEGAL REPRESENTATION IN CANADIAN DIVORCE CASES



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Results:

It was concluded that the disparities of law regarding children's rights were insufficient to ensure that children had the right to legal representation across Canada and that a national legislation ought to be adopted in order to fulfill the UNCRC Mandate.



Implications:

Further research would require:

- A. Investigations on how participation in courts effects the child
- B. The specific legislations that have been implemented across Canada regarding Children's Rights to Legal representation; their similarities and differences and how we can create more cohesiveness.