



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

MAIN EXAMINATION

AUGUST - DECEMBER 2014 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 413: THE RIGHTS OF A CHILD

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Date: DECEMBER 2014

Duration: 2 Hours

INSTRUCTIONS: Answer THREE Questions . Question one is Compulsory

- Q1. Critically evaluate the principle of best interest of a child in a custody and maintenance case. **(30 marks)**
- Q2. You have been approached as the senior counsel to provide a legal opinion to Dr. Patel of India and professor Mary Anne of Texas USA who want to adopt baby V.K. a Kenyan. The child is 15 years old and has living parents.
Advice them of the position of the Law on how they can achieve their dreams of adopting Baby V.K. **(20 marks)**
- Q3, After your graduation and scoring a 1st Class, the Chief Justice appoints you as a children magistrate. Before you are litigants fighting for maintenance of their child. Critically discuss maintenance and the case Law you will rely on. **(20 marks)**
- Q4. Discuss in detail the differences between the United Nations Convention of the Rights of a child (U.N.C.R.C) and the African Charter on the Rights and Welfare of the child (A.C.R.W.C) **(20 marks)**
- Q5. a) Discuss the provision of Juvenile justice in child law **(10 marks)**

b) Discuss the principle of parental responsibility and how courts determine the Question of paternity. **(10 marks)**

END