

Protecting the Best Interests of Children: A Critical Analysis of Child Custody and Divorce Proceedings in Nigeria under the Child Rights Act 2003

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ABSTRACT

Purpose: This journal article is to analyse child custody and divorce cases in Nigeria emphasising the Child Rights Act of 2003.

Design Methodology/ Approach: This study uses textual analysis including library sources, case studies, and government reports, to examine the difficulties that occur when children's best interests are not taken into account in the course of custody battles within Nigeria's legal system.

Findings: It is obvious from the findings of this study that the Child Rights Act 2003, protects the rights and welfare of children during divorce processes. Nonetheless, practices and lack of means make it difficult to implement it.

Original Value: The originality is seen through this paper's ability to present useful information concerning Nigerian child custody and divorce processes. Moreover, it suggests some ways of improving child custody orders while at the same time implementing the Child Rights Act 2003. In Nigerian culture, this research helps us understand how we can protect children during marital disputes with its attendant problems as well as prospects

Keywords: Child Custody, Divorce proceedings, Child rights, best interests

1. INTRODUCTION

This paper is an in-depth analysis of child custody and divorce in Nigeria with a focus on the 2003 Child Rights Act. The main aim is to preserve the welfare of children and ensure family protection during this time. This paper will examine how Nigeria has dealt with child protection matters by analysing the implementation of the Child Rights Act 2003 and evaluating its effectiveness. The paper aims to foster informed decision-making, contribute to conversations on children's rights protection, and promote policy formulation that addresses societal concerns better (Ilodibe and Chimeziri 2020).

2. OVERVIEW OF CHILD CUSTODY AND DIVORCE PROCEEDINGS

Definition of Child Custody

Child custody is when a parent or guardian has legal and practical rights, duties, and responsibilities towards their children as a result of divorce or separation. It involves decision-making power and

physical control over the child's upbringing and welfare. Generally, child custody is made through court orders or mutual agreement between parents to promote the child's best interests (Kelly 1994).

Types of Child Custody Arrangements

Physical Custody: The term "custody" pertains to the residence of the child. It determines which parent or guardian the child will live with on a day-to-day basis. In some instances, one parent may be awarded physical custody while in others both parents may share joint physical custody (HM Government 2020).

Legal Custody: Legal custody refers to the power to make decisions, for the child such, as those concerning education, healthcare, religion, and overall well-being. Like custody legal custody can be given exclusively to one parent (legal custody) or shared jointly by both parents (joint legal custody) (HM Government 2020).

Joint Custody: Joint custody in terms means that both parents have rights and responsibilities when it comes to the legal and physical care of their child. The main goal of this arrangement is to ensure that both parents play a role, in their child's life. To make joint custody work effective communication and cooperation, between the parents are crucial. They need to collaborate on decision-making and prioritise the well-being of their child (HM Government, 2020).

Sole Custody: Sole custody refers to a situation where one parent is given physical custody of the child while the other parent usually has visitation rights. This arrangement is commonly used when one parent is considered unfit, due to reasons like abuse, neglect or substance abuse. It may also be considered when it is believed that limited contact with one parent would be, in the interests of the child (HM Government 2020).

3. DIVORCE PROCEEDINGS IN NIGERIA

In Nigeria, just as in many other jurisdictions, divorce is a legal process that formally terminates a marriage. The Nigerian legal system recognises several grounds for divorce, and there are specific procedures that must be followed to dissolve a marriage. Understanding the intricacies of divorce proceedings is essential for individuals seeking to end their marriages in Nigeria (Immigration and Refugee Board of Canada, 2012).

Divorce proceedings in Nigeria are governed by both customary and statutory laws, depending on the religion and ethnic background of the parties involved. The primary legislation governing divorce in Nigeria is the Matrimonial Causes Act, which provides the legal framework for divorce across the country. Additionally, various state-level legislation may apply, as some aspects of family law are within the jurisdiction of individual states. In Nigeria, the law governing divorce proceedings is the Matrimonial Causes Act (MCA) which was enacted in 1970. The Act governs the procedure and grounds for dissolution of marriage.

The Matrimonial Causes Act 1970 outlines several grounds upon which a divorce can be sought in Nigeria. These grounds include adultery, willful desertion, cruelty, incurable insanity, renunciation of marriage, and non-consummation of marriage. It is important to note that each ground has specific requirements and evidentiary burdens that must be satisfied.

The divorce process in Nigeria typically begins with one party (the petitioner) filing a petition with the appropriate court. The petitioner must state the grounds for divorce and provide relevant evidence to support their claim. After filing the petition, the court will serve a copy to the other party (the respondent), who has an opportunity to respond to the allegations made in the petition.

If both parties agree to the divorce and its terms, they may reach a settlement agreement, which would be presented to the court for approval.

In cases where the divorce is contested, a trial may be required. The court will examine the evidence presented by both parties and make a determination based on applicable laws and principles of fairness. During the trial, the court may also address issues such as child custody, spousal support, and division of assets and liabilities.

Divorce proceedings in Nigeria involve navigating a legal framework that incorporates both statutory and customary laws. Understanding the applicable legislation, grounds for divorce, and the process involved is crucial for individuals seeking to end their marriages. Legal advice from qualified professionals, such as family law attorneys, can offer guidance and support throughout the divorce process, ensuring that the rights and interests of all parties involved are protected. Respecting the legal procedures and fostering open communication can contribute to a smoother and more amicable resolution, minimising potential conflicts and promoting the well-being of all parties, especially any children involved.

4. THE CHILD RIGHTS ACT 2003

Key Provisions of the Child Rights Act

The Child Rights Act of 2003 is a significant legislation in Nigeria aimed at protecting and promoting the rights and welfare of children. The Act defines a child as any person below the age of 18 years, emphasising the need for special protection and care during this developmental stage. Several rights have been recognised by the Act. The Act recognises the right of every child to life, survival, and development. It emphasises the importance of providing the necessary conditions for physical, mental, spiritual, moral, and social development.

Right to Non-Discrimination: The Act prohibits discrimination against children based on various factors such as gender, religion, ethnicity, cultural background, or disabilities. It promotes equality, ensuring that all children have access to the same opportunities and resources. **Protection from Abuse and Exploitation:** The Act outlines provisions to protect children from all forms of abuse, neglect, and exploitation. It addresses issues such as child labor, child trafficking, child marriage, and harmful cultural practices, aiming to provide a secure and safe environment for children.

Right to Education: The Act emphasises the right of every child to free and compulsory primary education. It encourages the government to ensure access to quality education, including vocational training, for children.

Right to Health and Healthcare: The Act recognises the right of children to enjoy the highest attainable standard of health. It emphasises the importance of providing healthcare facilities, immunisation programmes, nutrition, and access to safe drinking water.

Right to Freedom of Expression and Participation: The Act acknowledges the right of children to express their views and opinions freely. It encourages the participation of children in matters affecting them, ensuring that their voices are heard and considered.

Right to Identity: The Act emphasises the right of every child to a name, nationality, and identity. It highlights the importance of birth registration and provides guidelines for ensuring the registration of every child's birth.

Rehabilitation and Reintegration: The Act recognises the need for the rehabilitation and reintegration of children who have been victims of abuse, neglect, or exploitation. It emphasises the provision of necessary support services to help children recover and reintegrate into society.

Juvenile Justice System: The Act establishes a separate justice system for children in conflict with the law. It promotes the use of alternative measures to imprisonment, focusing on rehabilitation and reformation rather than punishment.

These are some of the key provisions of the Child Rights Act 2003 in Nigeria. The Act serves as an important legal framework for safeguarding the rights and well-being of children, promoting their holistic development and protection from abuse and exploitation.

Application of the Child Rights Act 2003 in Child Custody Cases

The Child Rights Act of 2003 in Nigeria also has a significant impact on child custody cases, providing guidelines and provisions to ensure the best interests of the child are prioritised. Here are some important aspects regarding the application of the Act in child custody cases:

Best Interests of the Child: The Act places paramount importance on the best interests of the child in any decision-making process involving custody. Courts are required to consider the physical, emotional, and psychological well-being of the child when determining custody arrangements.

Non-Discrimination: The Act prohibits any form of discrimination against children in custody cases. This means that decisions should not be based on factors such as the child's gender, religion, or cultural background but solely on their best interests.

Parental Responsibilities: The Act acknowledges the rights and responsibilities of parents towards their children. It recognises that both parents have an equal obligation to provide care, protection, and guidance to their children.

Child's Opinion: The Act recognises the right of the child to express their views in matters affecting them, including custody cases. Depending on the age and maturity of the child, their opinions may be considered by the court when making custody decisions.

Mediation and Alternative Dispute Resolution: The Act encourages parties involved in custody disputes to explore mediation and alternative dispute resolution methods. These processes aim to ensure that the best interests of the child are considered while promoting cooperation and effective communication between parents.

Protection from Harm: The Act emphasises the need to protect children from any form of harm, including physical, emotional, or psychological abuse. If there is evidence of abuse or potential harm in a custodial arrangement, the court may grant custody to the parent who can provide a safe and nurturing environment for the child.

Parental Capacity and Resources: The Act allows courts to consider the capacity, resources, and ability of each parent to meet the needs of the child when deciding on custody arrangements. Factors such as income, living conditions, and support networks may be taken into account.

Enforcement of Custody Orders: The Act provides mechanisms for the enforcement of custody orders. If one parent fails to comply with a court-ordered custody arrangement, the Act empowers the court to take appropriate measures to ensure compliance and protect the best interests of the child.

It is important to note that the application of the Child Rights Act in child custody cases may vary depending on the specific circumstances and the interpretation of the courts. However, the Act serves as a guide to ensure that the welfare and best interests of the child remain at the forefront of custody decisions, promoting their overall well-being and protection.

Challenges in Implementing the Child Rights Act 2003

While the Child Rights Act of 2003 in Nigeria provides a comprehensive legal framework to protect children's rights, there are several challenges in implementing it when it comes to child custody in divorce proceedings. These challenges include:

Lack of Awareness: One of the major hurdles is the lack of awareness and understanding of the Child Rights Act among parents, legal practitioners, and even the general public. Many people may not be aware of their rights and obligations, making it difficult to fully implement the Act in custody cases (Preethy and Somasundaram 2020)

Cultural and Traditional Beliefs: Nigeria is a country with diverse cultural practices and traditions. In some communities, customary laws and traditions may be given precedence over statutory laws like the Child Rights Act. This can create conflicts when it comes to determining custody, as traditional beliefs may not always align with the best interests of the child as defined by the Child Rights Act 2003 (Foua and Diriwari 2020).

Judicial Capacity and Training: The effective implementation of the Child Rights Act relies heavily on the judiciary. However, there may be a lack of capacity and training among judges and other court officials on the Act's provisions. This can lead to inconsistent interpretations and application of the law in child custody cases (Watkins et. al 2022).

Delays and Backlogs in the Legal System: Nigeria's legal system often faces challenges such as delays and backlogs in court proceedings. This can adversely affect child custody cases, as prolonged litigation can be emotionally and psychologically detrimental to the child. It also hampers the timely resolution of custody disputes, further complicating the implementation of the Act (Agbonika 2014).

Lack of Monitoring and Enforcement Mechanisms: The effectiveness of any law depends on its enforcement. In the case of child custody under the Child Rights Act, inadequate monitoring and enforcement mechanisms may hinder its implementation. Without proper oversight, compliance with custody orders may be disregarded, leaving children vulnerable to continued instability and potential harm (Bruning and Doek, 2021).

Socioeconomic Factors: Socioeconomic factors such as poverty and the lack of resources can impact custody arrangements. If one parent lacks financial stability or suitable living conditions, it can influence the court's decision, potentially leading to unfair outcomes that do not prioritise the best interests of the child.

Addressing these challenges requires a concerted effort from all stakeholders, including government bodies, civil society organisations, legal professionals, and the community. Promoting awareness and education about the Child Rights Act, providing adequate training for judicial officials, improving the efficiency of the legal system, and enhancing monitoring and enforcement mechanisms are crucial steps towards ensuring the effective implementation of the Act in child custody cases. Ultimately, prioritising the best interests of the child and providing them with a safe and nurturing environment should remain the guiding principle in resolving custody disputes (Sano et al., 2021).

5. PROTECTION OF CHILDREN'S BEST INTERESTS

Determining the Best Interests Standard

The protection of children's best interests is a fundamental principle in any decision-making process that involves their welfare (Collison 2020). Determining the best interests standard is essential to ensure that children's rights, safety, and well-being are prioritised. When it comes to child custody in divorce proceedings or any other legal matter involving children, the best interests standard is used as a guiding principle. It helps courts and relevant authorities make decisions that take into account various factors that contribute to a child's overall welfare. The best interests standard varies across jurisdictions, but there are generally common elements that are considered. These may include:

Safety and Protection: The primary consideration is the physical and emotional safety of the child. This involves assessing the ability of each parent to provide a secure and nurturing environment, free from any form of abuse or neglect. Any history or evidence of violence, substance abuse, or other harmful behaviors may be taken into account (Austin et al 2020).

Emotional Well-being: The emotional needs of the child are crucial. The court may consider the existing bond between the child and each parent, the stability of the child's living arrangements, and the potential impact of disruption on the child's emotional well-being (Anderson 2014).

Stability and Continuity: Consistency and stability play a critical role in a child's development. Factors such as the child's relationship with siblings, extended family, friends, and community should be considered to determine whether maintaining these connections is in the child's best interests (McHale et al., 2012).

Parental Capacity: The ability of each parent to meet the child's needs is assessed. This includes factors such as the parent's mental and physical health, parenting skills, willingness to cooperate and foster a healthy co-parenting relationship, and commitment to prioritise the child's well-being (Jeong et al 2021).

Other Relevant Factors: Depending on the jurisdiction, additional factors may be considered, such as the child's preference (taking into account their age and maturity), cultural or religious considerations, and any special needs the child may have.

It's important to note that the best interests standard is not a one-size-fits-all approach. Decisions must be made on a case-by-case basis, taking into account the specific circumstances of each family and child. The court has the responsibility to gather relevant information, listen to all parties involved, and make a decision that promotes the child's overall welfare (Henderson-Dekort E et al., 2022).

It is worth noting that implementing the best interests standard requires well-trained professionals, such as judges, lawyers, and social workers, who can interpret and apply the standard effectively. Ongoing research, collaboration between stakeholders, and continuous evaluation of practices are essential to improve the consistency and effectiveness of determining and safeguarding children's best interests in various legal contexts.

Factors Influencing Custody Decisions

When determining custody decisions in the protection of children's best interests, several factors are considered. While these factors may vary depending on jurisdiction, here are some common elements that can influence custody decisions:

The quality of the relationship between each parent and the child is a crucial consideration. The court evaluates the level of involvement, emotional bond, and communication between the parent and child (Frosch et al., 2021)

When it comes to deciding custody arrangements, for a child the court considers factors. One important aspect is determining which parent has been primarily responsible for the child's care and well-being. This helps maintain stability and continuity in their life. The court also evaluates the mental health of each parent taking into account any existing issues that could potentially affect the safety, well-being, or ability to provide care for the child. Moreover, the court carefully examines any history of abuse, neglect, or domestic violence to ensure that the child is protected from harm. It recognizes the significance of maintaining relationships with siblings and extended family members as they contribute to the well-being of the child. The potential impact on stability, social connections, education, and community involvement resulting from changes in living arrangements (such, as relocation) is also thoroughly considered. Furthermore, an important factor examined by the court is each parent's ability to effectively collaborate and communicate when it comes to matters related to raising their child. A willingness to foster a parenting relationship is generally seen as beneficial. Lastly, custody decisions also take into account the background of the child to respect and support their identity and upbringing. In situations or cases, some factors may be considered by the court. These factors encompass the needs of the child the presence of a support system and the ability to sustain a relationship, with both parents. It is important to bear in mind that custody decisions should be tailored to each family's circumstances. The primary objective of the court is to safeguard the being and best interests of the child (Forslunde 2022).

6. IMPACT OF DIVORCE PROCEEDINGS ON CHILDREN

Divorce has an effect, on children in Nigeria both emotionally and psychologically. During divorce proceedings, children may experience a range of emotions such as sadness, anger, confusion, and fear. They often find themselves caught between their parent's conflicts and may struggle to express their feelings or comprehend the reasons behind the separation. Divorce can disrupt a child's performance (Lee and Bax 2000). The stress and upheaval brought about by divorce proceedings can lead to difficulties in concentration decreased motivation and overall lower academic achievement. Behavior changes are also common among children going through divorce. They may become more withdrawn. Exhibit behaviour and some even display regressive behaviors such as bed-wetting.

The disruption in their family structure can make them feel insecure resulting in issues. Furthermore, the emotional stress associated with divorce can negatively impact a child's health too. Sleep problems, appetite changes increased susceptibility to illnesses and other stress-related health concerns are not uncommon during this time. Divorce also has implications for a child's ability to form and maintain relationships. Trust issues and fear of abandonment often arise, making it difficult for them to develop connections with others. Additionally, divorce may influence a child's choices concerning education and career paths well due, to the uncertainty and instability it brings about which can affect decision-making processes while limiting opportunities (D'Onofrio and Emery 2019).

It's worth mentioning that not every child will go through these effects since resilience and personal circumstances also come into play. However, offering assistance, empathy, and access, to counseling services can assist in lessening the consequences of divorce on children in Nigeria. Both parents and professionals involved should prioritise the well-being of the child.

7. LEGAL CHALLENGES

Child custody is a crucial aspect of divorce proceedings, as it determines the living arrangements and decision-making authority for children after their parents' separation. In Nigeria, there are specific legal challenges, issues of judicial interpretation, and implementation difficulties surrounding child custody cases. It's important to understand these challenges to ensure the well-being and best interests of the children involved (Emery et al., 2005)

Legal Challenges

Lack of Uniformity: Nigeria does not have a uniform law governing child custody cases. Each state has its laws and regulations, leading to inconsistencies and confusion, making it difficult for parents to navigate the legal system (Muñoz Soro et al., 2021)

Cultural Factors: Nigeria is a diverse country with various ethnic and cultural groups. Different cultures may have different perspectives on child custody, which can lead to conflicting beliefs and practices during divorce cases. This can add complexity to legal proceedings and affect outcomes (Alabi 2021).

Limited Enforcement Mechanisms: Even if a child custody order is granted, enforcing and implementing it may be challenging. The lack of effective enforcement mechanisms can result in one parent disregarding court orders, leading to ongoing disputes and instability for the child (Azevedo 2017).

Judicial Interpretation

Discretionary Approach: Judges in child custody cases often have wide discretion in interpreting the law and determining what is in the best interest of the child. However, this can lead to inconsistencies in decision-making and outcomes, as judges may apply their personal biases or cultural beliefs when making judgments (Schneider 1991).

Lack of Clarity in Legislation: Existing legislation regarding child custody in Nigeria may lack clarity and specificity, leaving room for varying interpretations. This can confuse and make it difficult for parents to understand their rights and obligations (Nelson et. al., 2019).

Implementation Difficulties

Nigerian courts often handle several cases including disputes related to child custody. This can lead to delays, in resolving custody matters, which can negatively impact the well-being of the child. It is important to note that not all parents involved in custody disputes have access to representation, which can result in outcomes as they may struggle to present their case effectively. Education and mediation services play a role in helping parents understand how divorce affects children and promote cooperation when it comes to custody matters. However, these resources may not be readily available or accessible in areas, which makes resolving custody disputes more challenging (Muñoz Soro et. al. 2021). To address these issues Nigeria should develop legislation that provides clarity, consistency, and safeguards for child custody cases. Additionally providing training for judges, lawyers, and professionals involved in these cases will ensure equitable outcomes. Furthermore, promoting alternative dispute resolution methods like mediation can help reduce the burden on the courts while allowing parents to reach custody agreements that prioritize the best interests of the child. In summary, addressing challenges improving interpretation practices, and enhancing implementation mechanisms are vital, for safeguarding the well-being of children affected by divorce proceedings in Nigeria.

8. RECOMMENDATIONS FOR IMPROVEMENT

Recommendations for Improvement: Strengthening Awareness and Education Programmes, Training and Sensitisation of Judicial Officials, Promoting Alternative Dispute Resolution Methods, and Collaboration between Legal and Social Service Agencies in Nigeria.

Strengthening Awareness and Education Programmes:

To address the legal challenges surrounding child custody in divorce proceedings, it is crucial to invest in awareness and education programmes. These programmes should be targeted at both parents and children, providing them with information about their rights, obligations, and the potential impact of divorce on children's well-being. This can help promote understanding and cooperation, reducing conflicts and disputes.

Training and Sensitisation of Judicial Officials

Improving the quality of judicial decision-making requires continuous training and sensitisation of judges and other judicial officials involved in child custody cases. This training should focus on providing them with a better understanding of child development, cultural diversity, and the importance of acting in the best interests of the child. By enhancing their knowledge and skills, judges can make more informed and fair decisions.

Promoting Alternative Dispute Resolution Methods

Encouraging the use of alternative dispute resolution methods, such as mediation and arbitration, can help expedite the resolution of child custody disputes. These methods provide an opportunity for parents to reach mutually acceptable agreements while minimising the adversarial nature of court proceedings. Nigeria should develop and implement clear guidelines and standards for the use of these methods, ensuring that they prioritise the best interests of the child.

Collaboration between Legal and Social Service Agencies

Effective collaboration between legal and social service agencies is essential to address the complex needs of children and families involved in child custody cases. Legal professionals should work closely with social workers, psychologists, and other experts to ensure a holistic approach to resolving custody disputes. This collaboration can help assess the child's needs, provide necessary support services, and enable a comprehensive evaluation of the parents' ability to care for their children.

Establishing Specialised Family Courts

Creating specialised family courts dedicated to handling child custody cases can help streamline the legal process and ensure consistency and expertise in decision-making. These courts would have specially trained judges who are familiar with the unique issues surrounding child custody and have access to adequate resources and support services necessary for dealing with such cases.

Strengthening Enforcement Mechanisms

To ensure that child custody orders are effectively implemented, Nigeria should strengthen enforcement mechanisms. This may involve developing systems for monitoring compliance, imposing penalties for non-compliance, and establishing dedicated units within law enforcement agencies responsible for enforcing child custody orders. Emphasising the importance of adherence to court orders will help maintain stability and protect the best interests of the child.

By implementing these recommendations, Nigeria can strive towards a more effective and equitable resolution of child custody cases in divorce proceedings. It will contribute to the overall

well-being and proper development of the children involved, fostering a society that prioritises the best interests of its future generations.

9. CONCLUSION

This paper critically analysed child custody and divorce proceedings in Nigeria under the Child Rights Act of 2003, with a focus on protecting the best interests of children. The findings of this study shed light on several important aspects of child custody and divorce in Nigeria. Firstly, it was evident that the Child Rights Act of 2003 has provided a legal framework to safeguard the rights and interests of children involved in divorce and custody cases. The act emphasises the principle of the best interests of the child as the paramount consideration, aiming to ensure the child's well-being, happiness, and overall development. However, despite the existence of this legislation, practical implementation remains a challenge. Issues such as cultural norms, gender biases, inadequate legal awareness, and limited resources hinder effective enforcement of the Child Rights Act. This highlights the need for comprehensive reforms within the judicial system, including improved training for judges and legal practitioners, as well as increased public awareness campaigns to promote understanding of children's rights and the importance of prioritising their best interests.

Furthermore, this analysis identified the necessity for multidisciplinary approaches in child custody and divorce proceedings. Collaboration between legal professionals, mental health experts, social workers, and other relevant stakeholders can contribute to more informed decision-making processes that consider the holistic well-being of the child. It is vital to provide a safe and supportive environment for children during custody battles, as their emotional and psychological welfare can be significantly impacted by the outcome of these proceedings.

REFERENCES

- 1) A Ilodibe S I and Chimeric N G, Review of the Best Interest of a Child's Custody in Nigeria, *International Journal of Advanced Research* 2020 8(08), 358-376
- 2) Kelly J B, The Determination of Child Custody, *Children and Divorce* 1994, 4(1) 121-142
- 3) H Government (2018) Working Together to Safeguard Children A guide to inter-agency working to safeguard and promote the welfare of children. Document available at <https://assets.publishing.service.gov.uk/media/5fd0a8e78fa8f54d5d6555f9/Working_together_to_safeguard_children_inter_agency_guidance.pdf> accessed 27 November 2023.
- 4) Foua A and Diriwari W Cultural and Legal Perspectives on Child Protection in the Context of Child Trafficking in Nigeria, *Beijing Law Review* 2020 11(1) 11-33
- 5) Watkins M et al., Participation in the Court of Protection: a Search for Purpose, *International Journal of Mental Health and Capacity Law* 2020, No 29, 3-23
- 6) Agbonika J A, Delay in the Administration of Criminal Justice in Nigeria: Issues from a Nigerian Viewpoint 2014 (26) 130 -138
- 7) Bruning M R and Doek J E, Characteristics of an Effective Child Protection System in the European and International Contexts, *International Journal on Child Maltreatment: Research, Policy and Practice* (2021) 4:231–256
- 8) Sano Y et. al., Well-Being and Stability among Low-income Families: A 10-Year Review of Research, *Journal of Family and Economic Issues* 2021, 42 (1) 107–S117
- 9) Collison J, Making the best interests of the child a substantive human right at the centre of national level expulsion decisions, *Netherlands Quarterly of Human Rights* 2020 38(3), 169-190
- 10) Austin AE et al., Risk and protective factors for child maltreatment: A review. *Current Epidemiology Reports*, 2020, 7(4) 334-342

- 11) Anderson J, The impact of family structure on the health of children: Effects of divorce, *The Linacre Quarterly* 2014, 81(4) 378-87
- 12) McHale S et al., Sibling Relationships and Influences in Childhood and Adolescence, *Journal of Marriage and Family*, 2012, 74(5):913-930
- 13) Jeong J et al., Parenting interventions to promote early child development in the first three years of life: A global systematic review and meta-analysis. *PLoS Medicine* 2021;18(5)
- 14) Henderson-Dekort E et al., The Complex Notion of the Capacity of a Child: Exploring the Term Capacity to Support the Meaningful Participation of Children in Family Law Proceedings, *Social Sciences*, 2022, 11 (3) 98
- 15) Frosch C A et al., Parenting and Child Development: A Relational Health Perspective, *American Journal of Lifestyle Medicine* 2021, 15(1): 45–59
- 16) Forslunde, Attachment goes to court: child protection and custody issues, *Attachment & Human Development*, 2022, 24 (1)
- 17) Lee CM, Bax KA. Children's reactions to parental separation and divorce. *Paediatr Child Health*. 2000, 5(4) 217-218
- 18) Emery RE et al., A Critical Assessment of Child Custody Evaluations: Limited Science and a Flawed System. *Psychol Sci Public Interest*. 2005, 6(1) 1-29
- 19) Muñoz Soro JF et al., A model for predicting court decisions on child custody. *PLoS One*. 2021, 16(10)
- 20) Alabi OJ. Perceptions of Surrogacy Within the Yoruba Socio-Cultural Context of Ado-Ekiti, Nigeria. *F1000Res*. 2021 (9)103
- 21) Azevedo MJ. The State of Health System(s) in Africa: Challenges and Opportunities. *Historical Perspectives on the State of Health and Health Systems in Africa*, 2017, Volume II,1–73
- 22) Schneider C E, Discretion, Rules, and Law: Child Custody and the UMDA's Best-Interest Standard, *The Michigan Law Review Association* 1991, 89(8) 2215-2298
- 23) Nelson CA, et. al., Addressing Child Custody Concerns of Parents with Life-Limiting Illness. *Journal of Palliative Medicine*. 2020, 23(8):1134-1138.