

CHAIR



Paul von Dadelszen, Hastings

Paul von Dadelszen was appointed a Judge of the District and Family Courts in 1987. He presided over the Family Courts in Hawkes Bay until his retirement and was Acting Principal Family Court Judge for periods between 2005 and 2010. Paul is a member of the Association of International Family Judges, has published articles on family law topics in the International and New Zealand Family Law Journals and delivered papers at national and international conferences. He is a member of the Family Violence Death Review Committee and Chair of the Ministerial Expert Advisory Group on Family Violence. His current interests include the review of the Family Court and the legislation and practice relating to adoption and surrogacy.

KEYNOTE SPEAKER



Dr Gabriela Misca, University of Worcester, UK

Dr Gabriela Misca (PhD, CPsychol, FHEA) is a Developmental Psychologist and Senior Lecturer in Psychology in the Institute of Health and Society at the University of Worcester, England UK. Her long standing interest is within the applied developmental psychology field, having studied, researched and taught in the interdisciplinary fields of child and adolescent development and their interface with social work, social policy and practice. Dr Misca is currently actively pursuing a research and publications portfolio in the specialist areas of resilience in child abuse and neglect, attachment and non-parental child care, same-gender parenting and inter-country adoption.

SPEAKERS



Claire Achmad, Department of Child Rights, Faculty of Law, University of Leiden, The Netherlands (currently based in Wellington)

Claire specialises in human rights law and is undertaking her PhD (Leiden University) on international commercial surrogacy from a child rights perspective. She has published and presented internationally on this topic, most recently at the World Social Work and Social Development Conference, Stockholm, 2012. Claire has advised on international surrogacy and intercountry adoption matters and has held legal and advisory posts in the New Zealand public sector and as an advocacy officer in The Hague. Claire was CLANZ-Bell Gully Young Corporate Lawyer of the year 2010.



Dr Mary Birdsall, Medical Director, Fertility Associates, Auckland

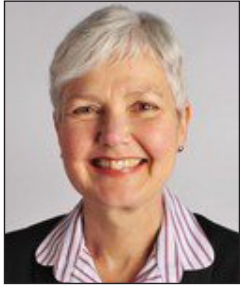
Graduated from Auckland Medical School followed by post-graduate training at National Women's Hospital. Mary was awarded a Nuffield Scholarship and completed a Masters Degree in Human Reproduction at Oxford University from 1993 to 1996. She returned to New Zealand in 1996 and joined Fertility Associates. Mary is a director of Fertility Associates and combines this with a private gynaecology practice. She is also the editor of Fertility Associates book *Making Babies*. Mary conducts clinics in Auckland in Remuera and on the North Shore.



Margaret Casey, Barrister, Auckland

Margaret commenced as a barrister sole in 1992, specialising in family law with an emphasis on relationship property disputes and Hague Convention cases. She has presented many seminars and workshops for the NZLS, ADLS and other organisations, as well as contributing to a number of family law texts and publications. Margaret trained as a mediator in 1992 and has undertaken many complex mediations since then involving relationship and trust assets.

SPEAKERS



Wendy Davis, Partner, Cuba Family Law, Wellington

Wendy graduated LLB(Hons) from the University of Auckland in 1979 and LLM(Hons) from Victoria University in 1995. She convened the Law Society's Family Law Section Domestic Violence Standing Committee from 2004 – 2009, served as a lay member of the Health Practitioners Disciplinary Tribunal from 2004 – 2009, and was inaugural chair of the Family Violence Death Review Committee from 2008 – 2011. Wendy practises in all areas of family law and acts as Lawyer for Child and Lawyer for Subject Person in PPPR cases.



Professor Mark Henaghan, Dean and Professor of Law, University of Otago, Dunedin

Mark specialises in family law and is a Barrister and Solicitor of the High Court of New Zealand as well as being Dean of Otago Law School. He is co-author of *Family Law Policy in New Zealand* (4th ed LexisNexis Butterworths 2013) and joint author of *Family Law in New Zealand*, (15th ed LexisNexis Butterworths 2012). Mark was the principal investigator of the Human Genome Project – Ethical and Legal Implications – funded by the New Zealand Law Foundation. Mark served on ACART (Advisory Committee for Assisted Reproductive Technology) for five years.



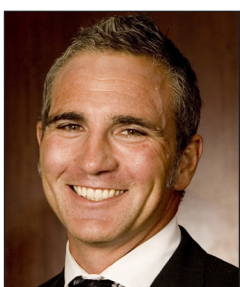
Dinah Kennedy, Bramwell Grossman, Hastings

Dinah is a partner at Bramwell Grossman. She is the Hawkes Bay representative for the NZLS Family Law Section. Trained as a lawyer in Australia she has spent the last 20 years in practice in the Hawkes Bay. Dinah's practice includes most aspects of general practice but is primarily focussed on the Family Court where she receives instructions from individuals and from the Court as Lawyer for Child, Counsel to Assist and Counsel for the Subject Person. Her first surrogacy case was in 1994. Dinah was Counsel for the applicants in *Re KJB and LRB [Adoption]* [2010] NZFLR 97.



Katarina McNaught, Visa Services, Wellington

Katarina has been with Immigration New Zealand (INZ) for 11 years and she holds extensive knowledge and experience within the Visa Services Division of INZ. She has held a number of positions across the business from immigration officer to business analyst which included a secondment to the new Immigration ONLINE system. Katarina is currently a Business Advisor for INZ Operations Support in Wellington. Her current portfolio is within the student and visitor team which includes international surrogacy and adoption issues.



Dr Andrew Murray, Fertility Associates, Wellington

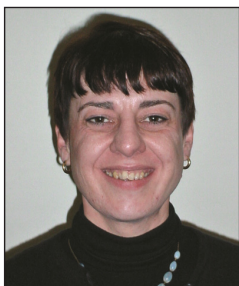
Andrew is a Fellow of the Royal Australia and New Zealand College of Obstetricians and Gynaecologists. Originally trained in New Zealand, he then completed a two-year fellowship in Reproductive Endocrinology and Infertility at Monash IVF, Melbourne, where he developed a strong interest in advanced operative laparoscopy and hysteroscopy. Andrew is a Senior Lecturer at Wellington School of Medicine and University of Otago, is one of the Consultant Obstetricians and Gynaecologists at Capital and Coast Health, Wellington Hospital, and is on the Board of the Fertility Society of Australia.

SPEAKERS



Beth Nelson, Ministry of Social Development, Wellington

Beth practised as a social worker since 1979. From the late eighties she specialised in various roles in the facilitation of adoption, both domestic and inter-country. She is now the Team Leader of the International Adoption and Child Protection Team in Care and Protection Support of the Ministry's National Office. Beth's team of Senior Advisors carries out the functions of the New Zealand's Hague Convention Intercountry Adoption Central Authority and international care and protection casework, and responds to inquiry about the adoption of children born via international commercial surrogacy.



Her Hon Judge Margaret Rogers, Manukau

Her Hon attended the Auckland University 1984 -1989 graduating with an LLB and a BA majoring in New Zealand and Pacific history. She then practised in Masterton for five years in criminal and family law. Moving back to Auckland in 1994, her Hon commenced working for Panama Le'au'anae in Otahuhu, an all Pasifika firm, with predominantly Pasifika clients. It sowed the seeds of her longstanding affection for South Auckland and its people, although she then detoured to the North Shore where she worked in family law from 1996 to 2000. In 2000 her Hon joined Meredith Connell as a Crown prosecutor. During her five years there she took over responsibility for the Youth Court and Child Youth and Family portfolios in addition to continuing to prosecute trials at all levels of the Court system. Her Hon was appointed to the Manukau District Court in 2005, where she is now the senior Family Court Judge.



Jennifer Wademan, Thomas Dewar Sziranyi Letts, Wellington

Jennifer graduated from the University of Otago in 2008 with an LLB, BCom and a Masters in International Studies (with Distinction). She then studied at The Hague Academy of International Law and graduated in 2010. From 2007 to 2010 Jennifer worked as Judge's Clerk to the then Principal Family Court Judge, Judge Boshier. She now specialises in family law with an international component, and relationship property. Jennifer is the author of a number of published papers on family law matters, and has presented at conferences in New Zealand and overseas.



Jan Wannan, Department of Internal Affairs, Wellington

Jan joined the Department of Internal Affairs in 2006 as a citizenship case officer. She moved to the Citizenship management team in 2009 at about the same time as Citizenship received the earliest enquiries and applications involving international surrogacy. Jan is Citizenship's subject matter expert on surrogacy. She was involved in establishing an agreed way of managing surrogacy cases, and developing the information sheets on international surrogacy. She works closely with Child, Youth and Family and Immigration New Zealand on managing individual cases.

CONTENTS

In session order

The “Quiet Migration”: challenges for identity development in
intercountry adoptees 3
Dr Gabriela Misca

Surrogacy in New Zealand: the current landscape..... 21
Margaret Casey

How Many Ways to Have a Baby? 33
Dr Mary Birdsall

Panel Discussion 39
Chair: Wendy Davis
Panel members: Katarina McNaught, Beth Nelson and Jan Wannan

The Impact of the Adoption (Intercountry) Act 1997 on Pasifika
Adoptions – a Manukau perspective 45
Her Hon Judge Margaret Rogers

International Adoption and Surrogacy in New Zealand..... 55
Dinah Kennedy

International Commercial Surrogacy and Children’s Rights:
babies, borders, responsibilities and rights..... 79
Claire Achmad

Future Models for International Surrogacy – proposals for change
“To Legislate, Or Not To Legislate: That Is The Question” 113
Professor Mark Henaghan

Around the World in 40 Minutes – “worldwide approaches to
international surrogacy” 127
Jennifer Wademan

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Achmad	Claire	International Commercial Surrogacy and Children's Rights	79
Birdsall	Dr Mary	How Many Ways to Have a Baby?	33
Casey	Margaret	Current State of the Law	21
Davis	Wendy	Panel Discussion	39
Henaghan	Professor Mark	Future Models for International Surrogacy – proposals for change	113
Kennedy	Dinah	Intercountry Adoption	55
McNaught	Katarina	Panel Discussion	39
Misca	Dr Gabriela	Keynote Address	3
Murray	Andrew	How Many Ways to Have a Baby?	33
Nelson	Beth	Panel Discussion	39
Rogers	Her Hon Judge Margaret	Intercountry Adoption	45
Wademan	Jennifer	Future Models for International Surrogacy – proposals for change	127
Wannan	Jan	Panel Discussion	39