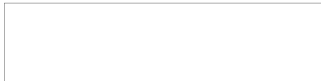




**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

11 OCT 2016



Dear 

On 6 September 2016 you emailed the Ministry requesting, under the Official Information Act 1982, information about international adoptions.

For clarity I will address each of your questions in turn:

- *A copy of all policy papers regarding international adoptions.*

I understand that you have already received advice from New Zealand Foreign Affairs and Trade on 11 August 2016, which outlined the process for those wishing to adopt a child from another country under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoptions, however more information about the Hague Convention is available on the Child, Youth and Family's website here: <http://www.practicecentre.cyf.govt.nz/policy/creating-families-through-adoption/resources/new-zealand-hague-central-authority-and-accredited-agencies.html>

I can advise you that there are no policy papers concerning international adoption where the person wishing to adopt is not residing in their home country. As such I am refusing this part of your request under section 18(e) of the Official Information Act as this information does not exist. New Zealand has in place policies for intercountry adoptions, however these are not applicable to your circumstances.

- *Have any international adoptions occurred in the last two years by New Zealanders not living in New Zealand, and under what circumstances?*

The Ministry of Social Development can only respond in respect to questions about adoptions with which it has had some involvement. You may wish to direct your question about international adoptions by New Zealanders, not living in New Zealand, to the Department of Internal Affairs to understand the number of grants of New Zealand citizenship made, to children who are the subject of international adoptions that have met the criteria within section 17 of the Adoption Act 1955.

To the knowledge of the Ministry, in the last two years there has been one adoption in the New Zealand Family Court relating to a relative sibling group where the New Zealand citizen adopter was not living in New Zealand.

- *Have any letters been provided by the Ministry of Foreign Affairs, CYF, New Zealand Immigration or any other agency to New Zealanders wishing to adopt while living overseas, in the past two years?*

On 29 September 2016, the Ministry transferred this portion of your request to relevant government agencies to respond directly to you.

I can advise that the Ministry frequently provides information to New Zealanders wishing to adopt, while living overseas, about the legislation and process of adopting while overseas, however the Ministry has not provided any letters of certification for New Zealanders living overseas in the past two years. If the Ministry has not undertaken an assessment of the New Zealanders living overseas it is unable to make any comment about individual's eligibility and suitability to adopt.

- *Why doesn't New Zealand have a framework for ensuring that New Zealanders can adopt internationally while living overseas?*

The framework New Zealand has for assuring New Zealanders can adopt internationally, while living overseas, is the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption to which New Zealand is a signatory.

'A New Zealander living in another contracting State to that Convention, who adopts a child in a third contracting State, in accordance with the Convention, for which an article 23 Certificate confirming compliance with the Convention is provided by the contracting State finalising the adoption, either in a Court or administratively, will be entitled to New Zealand citizenship by descent'.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter available to the wider public after ten working days. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us to your questions concerning international adoptions, please feel free to contact OIA_Requests@msd.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Murray Edridge', written over a light grey horizontal line.

Murray Edridge
Deputy Chief Executive, Child, Youth and Family