



23 June 2026

S26.08

Submission to the Justice Committee on the Overseas Adoption Legislation Bill

Introduction

1. The National Council of Women of New Zealand, Te Kaunihera Wāhine o Aotearoa (NCWNZ) is an umbrella group representing around 60 affiliated organisations and 300 individual members. Collectively, our reach is over 200,000 with many of our membership organisations representing all genders. NCWNZ has 12 branches across the country.
2. NCWNZ's vision is a gender equal New Zealand. Research shows that we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ - in partnership with others - seeks to realise its vision of gender equality because it is a basic human right.
3. This submission has been prepared by the NCWNZ Safety Health and Wellbeing Action Hub and the Submissions Coordination Committee and is based on our historical and enduring commitment to the welfare of children. This includes our strong support for the UN Convention on the Rights of the Child (UNROC)¹, and its obligations to prevent child trafficking, exploitation, and the misuse of adoption for immigration purposes.

Support for an amended Bill

4. NCWNZ welcomes the opportunity to contribute a submission on this very important and overdue legislation. We commend the Minister for her strong and clear statement that *"The safety and wellbeing of children must always come first"*.

¹ Convention on the Rights of the Child, 1577 UNTS 3 (entered into force 2 September 1990).
<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

5. Overall, we strongly support the intent and provisions of the Bill but have some specific concerns which we outline below.
6. The Minister has strongly advocated for a child-centred approach to legislation, which NCWNZ also strongly supports. However, to achieve this, legislation should be concerned with sustaining family relationships and ensuring that protections are targeted at actual risks, rather than making blanket exclusions.
7. NCWNZ is concerned that legitimate kinship-care arrangements, particularly for Pasifika children, will be restricted: the Bill ties approval of adoption to designated countries or residence requirements, without distinguishing between exploitative adoptions and genuine family-based care. Samoa is not a signatory to the Hague Adoption Convention, and adoptions from Samoa have been suspended. We note the Government is in discussions with Samoan officials on setting up information sharing agreements, and we fervently hope that ways will be found to enable international adoptions from Samoa to recommence within the new protective framework.
8. The Bill does not recognise or take into account non-Western - particularly Pacific - practices of extended-family caregiving, which do not align with Western legal concepts of adoption. This may prevent children from coming to existing safe and loving family care givers resident in New Zealand.
9. Thus, NCWNZ supports the proposal from ECPAT NZ (previously known as End Child Prostitution and Trafficking) to amend the Bill to include a dedicated pathway for kinship care, with safeguards such as verification of family relationships, informed consent, caregiver vetting, and post-arrival monitoring and support.

Conclusion

10. NCWNZ believes this is a critically important Bill that aims to protect some of the most vulnerable children. However, it also risks unintended consequences, among which is the denial – particularly to Pasifika children – of the opportunity for a loving, safe family/kinship-based home in New Zealand.



Suzanne Manning
NCWNZ Board



Raewyn Stone
Health, Safety and Wellbeing Action Hub