

NOTE: PURSUANT TO S 22A OF THE ADOPTION ACT 1955, ANY REPORT OF THIS PROCEEDING MUST COMPLY WITH SS 11B TO 11D OF THE FAMILY COURTS ACT 1980. FOR FURTHER INFORMATION, PLEASE SEE [HTTP://WWW.JUSTICE.GOV.T.NZ/COURTS/FAMILY-COURT/LEGISLATION/RESTRICTIONS-ON-PUBLICATIONS](http://www.justice.govt.nz/courts/family-court/legislation/restrictions-on-publications).

**IN THE FAMILY COURT
AT TE AWAMUTU**

**FAM-2015-072-000057
[2016] NZFC 3042**

IN THE MATTER OF THE ADOPTION ACT 1955

BETWEEN DWAYNE IRWIN
 WENDY IRWIN
 Applicants

Hearing: 14 April 2016

Appearances: R Swarbrick for the Applicants
 D McColl for the Chief Executive

Judgment: 14 April 2016

ORAL JUDGMENT OF JUDGE R H RIDDELL

[1] This is an application by Mr and Mrs Irwin to adopt a child who was born Nikora Henderson, on [date deleted] 2015. He is now known by the family as Nick and I have a social worker's report dated 20 January 2016. That report gives me a very good background picture for the adopting parents. It makes it clear that they have known each other through church connections for most of their lives which is lovely to read and it tells me a lot about their growing up, about their work, the home that they have purchased in Te Awamutu in 2013.

[2] It is described as a house that is being renovated but there are no apparent risks for a young child at the moment and the house has working smoke alarms and is heated by a fire place. It was described as clean and tidy when the social worker visited and the child's room was also described as well appointed and warm. They have a pet who is looked after well.

[3] The parents to be are not known to Child, Youth and Family apart from this adoption application. They have no criminal or traffic convictions and their GP describes them as healthy. The birth mother has had a number of children. This is now her fourth. She is a Māori woman who affiliates to Ngati Maniapoto Iwi and her only requirement for adoption of her child was that they were a Christian couple who had a strong Christian faith. That is so for this adopting couple and she has met them and took an instant like to them both.

[4] Nikora was placed with service caregivers initially and he has been with the adopting parents since September last year. He is meeting all his milestones and certainly to my eye he looks like a fine young lad who is very attached to his parents and is doing extremely well.

[5] The conclusion of the report writer was that Mr and Mrs Irwin described as healthy, well educated, motivated and law abiding individuals who have longed for children since they were married in June 2009. They are active members of their church. They have faced their own challenges in their life but the social worker concluded that they were fit and proper people to adopt a child. Usually they recommend an interim order in the first instance with a review in six months, but this

social worker has recommended a final order today, which is unusual and is only granted in special circumstances.

[6] I have taken into account the very stable circumstances of these parents, the agreement of the biological mother to the order and the way that the child has clearly integrated and is part of this little family and so I am now going to make a final order of adoption today to Mr and Mrs Irwin. That means that this child is as of today known as Nick Irwin and I wish Mr and Mrs Irwin all the very best. I am sure that their faith will give them the strength that they need as they raise this little boy and I am delighted for them both.

R H Riddell
Family Court Judge