

Australasian Association of Private International Law



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Seminar Series, 2026

The 21st century global family – How science, law and a Convention tried and failed to establish a long-term relationship

Advances in medical science and changes in what is meant by ‘family’ mean that establishing parentage can be uncertain in domestic and international law. This creates issues for globally mobile families and lifelong status issues for some people. As numbers increasingly turn to surrogacy to form families, this creates legal challenges. Across Australasia, some jurisdictions (eg New Zealand and in Australia) regulate forms of surrogacy and try to accommodate citizens who travel overseas to implement surrogacy plans. However, parents returning home with a child born through surrogacy overseas may still confront problems in having their parentage recognised (with all the consequential rights and benefits for their child). International responses have been attempted. In 2016, Margaret Casey KC was appointed to the experts group established by the Hague Conference on Private International Law (HCCH) to recommend an acceptable set of rules for cross-border recognition of surrogacy and parentage. The final report was submitted to the HCCH Special Commission earlier this year. Although this report was substantial, consensus has not been reached and the project has been paused. In this seminar, Margaret will outline the context in which families are now being formed, the global nature of ‘family planning’, and resulting jurisdictional issues. She will comment on reform legislation being considered in New Zealand and whether or not it is fit for purpose for the modern family.



Chair

Jack Wass is a barrister admitted to the bar in New Zealand and Victoria. He practises in civil and commercial litigation, with a focus on cross-border disputes. He is co-author of the text *The Conflict of Laws in New Zealand* (LexisNexis, 2020). Jack is New Zealand Vice-President of AAPrIL.



Presenter

Margaret Casey KC specialises in family law, with a focus on its international aspects. She regularly appears in Hague Convention child abduction matters at first instance and in appeals. Margaret has long had an interest in adoption, surrogacy and assisted reproduction law in and outside New Zealand. She served on the HCCH Experts Group on Parentage and Surrogacy from 2016. Margaret was an expert advisor to New Zealand’s Law Commission in its 2022 review of surrogacy and has been involved in recent legal reforms to surrogacy and adoption.

Date and Time: Thursday 29 October 2026, 5:00pm to 6:00pm (AEDT)*

Online only: [Zoom Link](#)

Zoom ID: 845 8119 3369

RSVP: Please register via [this link](#) by COB Tuesday 27 October 2026

Anyone is welcome to attend this seminar. There is no cost.

* ACT, NSW, Tas, Vic; NZ, 7:00pm-8:00pm; SA, 4:30pm-5:30pm; PNG, Qld, 4:00pm-5:00pm; NT, 3:30pm-4:30pm; WA, 2:00pm-3:00pm