



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**ADOPTION CAUSE NO. 52 OF 2019**

**IN THE MATTER OF THE CHILDREN ACT NO. 8 OF 2001**

**IN THE MATTER OF BABY AK.**

**JTO.....APPLICANT**

**JUDGMENT**

1. The Applicant herein JTO (hereafter referred to as the Applicant) has filed the Originating Summons dated 12.4.2019 seeking authority to adopt Baby AK (hereafter referred to as the child).
2. The Applicant is an adult Kenyan Citizen born on 6.7.1973 currently working at [particulars withheld] Hospital as a Nursing Officer.
3. The Applicant has filed a Medical Report and Certificate of good conduct showing she is medically fit and that she has no criminal record. She has attached her bank documents to show she has financial capacity to look after the child.
4. The child was born on or about 12.6.2017 to a mentally challenged biological mother.
5. The Grandfather of the child called SM handed the child over to Meru Police Station on 15.6.2017 after the biological mother abandoned her and the matter was reported vide OB No. [...].
6. The grandfather approached Ripples International and offered the child up for adoption.
7. The child was admitted at Neema House Infant Rescue Centre on 15.6.2017 and on 14.2.2018 she was formally committed to the Centre vide Care and Protection Case No. 6 of 2018 by the Meru Children's Court.
8. The Child was declared free for adoption by Little Angels Network vide Certificate Serial No. [...] dated 2.2.2018.
9. The Child was placed with the Applicant on 18.5.2018 and they have bonded well.
10. The following Reports were filed in respect of this adoption:
  - (i) **The Director Children's Services report dated 11.10.2019**
  - (ii) **The Guardian Ad Litem's Report dated 3.7.2019**
  - (iii) **The Little Angel's Network Report dated 2.2.2018.**
11. I find that all the Reports are favorable and they recommend the adoption.
12. I find that the Applicant has met the legal threshold for adoption of the child and I accordingly allow the Originating Summons dated 12.4.2019 in the following terms:
  - (i) **THAT the Applicant JTO be and is hereby authorized to adopt the child.**
  - (ii) **THAT the Child shall henceforth be known as AK.**
  - (iii) **THAT the date of birth of the child shall be 12.6.2017**

(iv) THAT the Child be and is hereby presumed as a Kenyan Citizen by birth.

(v) THAT the Director of Immigration be and is hereby authorized to issue the child with a Kenyan passport.

(vi) THAT the Registrar General be and is hereby directed to enter the Adoption in the Adopted Children Register.

(i) THAT GA be and are hereby appointed Legal Guardian of the Child in case of incapacity of the Applicants before the child attains the age of the Majority.

(ii) THAT the Guardian Ad Litem be and is hereby discharged.

**DELIVERED, DATED AND SIGNED IN OPEN COURT THIS 6<sup>TH</sup>**

**DAY OF MARCH, 2020.**

**ASENATH ONGERI**

**JUDGE OF THE HIGH COURT OF KENYA, NAIROBI.**