



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISUMU

(CORAM: CHERERE-J)

ADOPTION CAUSE NO. 13 OF 2019

IN THE MATTER OF ADOPTION OF BABY PO alias PM alias PIM.....CHILD

AND

IN THE MATTER OF APPLICATION BY BJAAO.....APPLICANT

JUDGMENT

1. The applicant **BJAAO** is a [particulars withheld] Officer by profession who is self-employed in Kisumu.
2. The Applicant has applied to this court to be allowed to adopt Baby **PO alias PM alias PIM (the child)**. The child is 3 years and 4 months old. The child was born on 22nd August, 2016 out of an incestuous relationship between a 17-year-old girl and her brother and was willingly given up for adoption by its mother who is a minor.
3. Prior to the hearing of the adoption, Little Angels Network, an Adoption Society, prepared a report dated 31st May, 2018 which was filed in court on 05th November, 2019. The Society also issued a certificate is dated 31st May, 2018 declaring the child free for adoption.
4. The Children's Department, County Children's Coordinator, Kisumu County, prepared a report dated 16th December, 2019 filed on even date in support of the adoption.
5. The Applicant who is divorced was not blessed with a child but has a 17-year-old daughter (adopted) who is excited about having a baby brother.
6. The guardian, ENM, who is a childhood friend and neighbour to the Applicant has by her affidavit sworn on 15.10.19 filed on 16.10.19 vouched for the Applicant's ability to take care of the child as her own.
7. I have evaluated the facts of this adoption. The Applicant has been in continuous custody of the child since April, 2017. I had a chance to see the Applicant and the guardian relate with the child and I came to a conclusion that the Baby has found a devoted mother in the Applicant.
8. The Applicant has fulfilled all the legal requirements relating to the adoption of the child. The consent of the biological mother of the child was granted by her affidavit sworn on 25.08.16. The child's maternal grandmother by their affidavit sworn on 20.04.18 supports the adoption.
9. The home visits by the Adoption Society and the Children Officers from the Children's Department, County Children's Coordinator, Kisumu County established that the Applicant has the financial and emotional capability to provide for the upkeep and education of the child.
10. This court formed the opinion that it would be in the best interest of the child to be adopted by the Applicant. I allow the application for adoption. The Applicant **BJAAO** is hereby allowed to adopt Baby **PO alias PM alias PIM (the child)**. The child shall henceforth be known as **PIG**. I direct the Registrar General to enter this order in the adoption register. It is so ordered.

DATED AND SIGNED AT KISUMU THIS...16th...DAY OF.... September...2020

T.W. CHERERE

JUDGE

Read in open court in the presence of-

Court Assistant - **Amondi/Okodoi**

For the Applicant - **Mr. P.D Onyango Advocate**