



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAKURU

ADOPTION CAUSE NO. 18 OF 2013

IN THE MATTER OF BABY J W a.K.a J G.....INFANT

AND

A W. G.....APPLICANT

RULING

The Application is brought by way of Originating Summons and is dated the 24th April, 2013. The Applicant AWG through M. G. Ntabo & Company Advocates seeks the following orders:

1. **THAT** A G of P. O. Box [...] - 80100, MOMBASA be appointed as *Guardian Ad Litem* of baby **JW a.k.a JG** during the hearing of these adoption proceedings.
2. Spent.
3. **THAT** the consent of the biological parents of baby **JW a.k.a. JG** be dispensed with since the child was abandoned so soon after birth.
4. **THAT** the applicant be authorized to adopt baby **J W a.k.a J G** and the child be called the same henceforth.
5. **THAT** the Registrar-General do make appropriate entries in the adopted children's register in respect of baby **J W a.k.a J G**.
6. **THAT** the court does issue such other orders as may be necessary in the best interest of the child.
7. **THAT** the costs be in the cause.

The Applicant A W G is a [Particulars Withheld] working with the [Particulars Withheld] Board under the Ministry of [Particulars Withheld]. She has never been married nor has she been in any serious relationship. She has an elderly daughter who already is in employment and independent. The applicant has a desire to adopt a boy child in order to complete her family. **JW a.k.a. JG** was placed with the applicant on 11th June, 2011 where he has been ever since.

Baby **JW a.k.a JG** was presumably born on 7th January 2007 and abandoned on 17th January, 2007 at the Nakuru Provincial General Hospital. The matter was reported to Nakuru Police Station vide Occurrence Book Number 52/2/4/2007 and he remained at the Hospital until 12th June 2007 when he was

placed at St. Ann Baby and Children's Home Nakuru for further care and protection.

On 12th June 2007 baby **JW a.k.a. JG** was officially committed to the same institution vide Nakuru Children's Court Protection and Care Case Number 412 of 2007. His medical records show that the minor is HIV negative and has received all the immunizations as per the Kenya Expanded Programme on immunizations guidelines.

By a letter dated 12th December 2007 the Nakuru Police Station asserted that the search for the child's kin had not borne fruit and no one had gone to claim the minor.

On 9th June, 2011 the Kenya Children's Home Adoption Society in its sitting freed baby **JW a.k.a JG** for adoption and issued a Certificate of Declaring a Child Free for Adoption Serial Number 673 pursuant to Section 156(1) of the Children's Act 2001.

On the 24th April 2017 Mrs. A G of Post Office Box [...] - 80100, MOMBASA was appointed *Guardian ad Litem* of the minor herein and the Director of Children's Services, Nakuru in the Ministry of Labour, Social Security and Services, was instructed to investigate the Applicant's fitness to adopt and file a report.

Lorna C. Sang for County Coordinator Children's Services, Nakuru County after conducting investigations by visiting and interrogating the Applicants filed a favourable report in court dated 17th June, 2014 on the Applicant's suitability to adopt baby **JW a.k.a JG**.

Upon reading the above report and satisfying myself that all the legal requirements have been adhered to at the hearing hereof, this court is satisfied that the applicant is a suitable person to adopt baby **JW a.k.a JG** and that she is also financially stable and has the means to provide and care for him.

For the above reasons, the court hereby orders as follows:

1. The Applicant be and is hereby authorized to adopt baby J W a.k.a. J G and the child be called the same henceforth.
2. The Registrar-General be and is hereby authorized to make appropriate entries in the adopted children's register in respect of baby J W a.k.a. J G.

Dated and Signed at Kisii this 22nd day of January, 2018.

A. K. NDUNG'U

JUDGE