



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISII

ADOPTION CAUSE NO. 3 OF 2017

IN THE MATTER OF ADOPTION UNDER SECTION 154 OF THE CHILDREN'S ACT, 2001

AND

IN THE MATTER OF ADOPTION OF BABY S K ALIAS N N N N

AND

N S N.....APPLICANT

JUDGMENT

The applicant, **N S N**, is a widow and she wishes to adopt **S K** alias **N N N N**. The applicant has a son **R B N**, who is 19 years old and has no objection to the adoption.

The child was born on or about 29th November 2012. She was found abandoned in a bush at Evojo Village, North Maragoli Location on 28th April 2013. She was rescued by one Judith Lenna who reported the matter to Mudete Police Station (OB No. [Particulars withheld]). The child was temporarily placed at Springs of Life Children's Home on 29th April 2013 and committed to the said home on 16th May 2013 vide an order dated 16th May 2013 in Vihiga Magistrate's Court Case No. 03/2013.

In a letter dated 4th December 2013, the police through Mudete Police Station confirmed that no one had claimed the child yet. The child was declared free for adoption on 5th February 2014 by Little Angels Network (Certificate No. [Particulars withheld]) and approved for placement by its adoption committee on 6th February 2014.

I have reviewed the reports filed in this matter particularly the Placement report by Little Angels Network dated 4th December 2013 and the report by the Children's Office, Kisii County dated 27th July 2018 and I am satisfied that the proper process was followed and that the applicant is a suitable person to adopt the child.

I have also heard the testimony of the Children's Officer, Ms. Maina, R B N, Linet Emma Adhiambo from Little Angels Network and the guardian ad litem, G K, who all support the adoption.

The applicant has been living with the child since 2017. She goes to school. I observed the applicant and the child when they attended Court and they appeared to have a close bond. The child looked happy and comfortable. Taking into account the principle of the best interests of the child in Article 53(2) of the Constitution and section 4(3) of the Children Act, 2001, I allow the application and make the following orders:

1. N S N be and is hereby allowed to adopt baby S K who shall henceforth be known as N N N N.
2. In the event of death or disability of the applicant, N G S and R B N shall be the legal guardians of the child.
3. The Registrar General is directed to enter this order in the Adoption Register and issue the appropriate birth certificate.

[Delivered and signed this 1st day of August 2018].

D.S MAJANJA

JUDGE

Mr. Nyambati for the Applicant

Ms. Mercy N. Maina - Children's Officer Kisii

N S N

S K

R B N

G K N

Linet Emma Adhiambo