



**REPUBLIC OF KENYA**

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

**(FAMILY DIVISION)**

**ADOPTION CAUSE NO. 142 OF 2015**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION OF BABY L H ALSO KNOWN AS  
C M**

**JUDGEMENT**

1. The applicants, O K S and I A D, are Kenyan citizens. They seek to adopt Baby L H also known as C M. Their originating summons is dated 29<sup>th</sup> May 2015.
2. The child in question was born on 7<sup>th</sup> December 2013 at Kiria-ini Mission Hospital, Murang'a County. He was conceived out of an incestuous contact between his parents, who were siblings. He was subsequently given up for adoption. The process was overseen by the Little Angels Network. The child was admitted at the New Life Home on 9<sup>th</sup> December 2013. He was formally committed there by the court, and he remained until he was placed with the applicants on 13<sup>th</sup> August 2014.
3. The child was freed for adoption by the Little Angels Network adoption society by their certificate number [*particulars withheld*] of 30<sup>th</sup> July 2014.
4. To facilitate this adoption, the applicants have been assessed by the Little Angels Network, the Director of Children Services and the guardian *ad litem*, J M N. The three have compiled and filed their reports in court. That by the Director of Children Services is dated 9<sup>th</sup> March 2016, while that of the guardian *ad litem* is dated 14<sup>th</sup> August 2015. The report by the Little Angels Network is dated 30<sup>th</sup> July 2014.
5. All these reports are favourable and recommend the proposed adoption. The applicants have demonstrated that they have the financial and emotional capability and capacity to take care of the child. The child himself appears to have bonded well with them and he considers them to be his parents. I have taken note of the fact that the applicants have biological children of their own.
6. In the opinion of this court it would be in the best interests of the child that he is adopted by the applicants. The applicants will be able to provide a home and a family for the child to grow up in and thereafter be a useful member of the family. Consequently, the applicants shall assume all parental rights and duties of the biological parents in respect of the adopted child; they shall treat the adopted child as if he was born to them. The applicants have been made aware that once the adoption order is made it shall be final and binding during the lifetime of the child and that the child shall have the right to inherit her property. The applicant cannot give up the child owing to any subsequent unforeseen behaviour or other changes in the child.
7. I am satisfied that all the legal requirements for a local adoption have been met, and I therefore make the following orders:-

**(a) That the applicants, O K S and I A D, are hereby allowed to adopt the child Baby L H also known as C M, who shall hereafter be known A R S;**

**(b) That the said child is hereby declared Kenyan by birth;**

**(c) That T D and F O are hereby appointed legal guardians of the child in the event**

**something untoward happens to the applicants;**

**(d) That the Registrar-General is hereby directed to enter this adoption order in the adoption register; and**

**(e) That the guardian *ad litem* is hereby discharged.**

**DATED, SIGNED and DELIVERED at NAIROBI this 26<sup>TH</sup> DAY OF OCTOBER, 2016.**

**W. MUSYOKA**

**JUDGE**