



**REPUBLIC OF KENYA**

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

**(FAMILY DIVISION)**

**ADOPTION CAUSE NO. 227 OF 2015**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION OF BABY K O**

**JUDGEMENT**

1. The applicants, G O G and G A, are Kenyan citizens. They are a married couple. They seek to adopt Baby K O. Their Originating Summons is dated 9<sup>th</sup> September 2015.

2. The child in question had been admitted at the Mama Lucy Kibaki Hospital at Kayole, and had accompanied to the hospital by his mother, N A L, who abandoned him at the hospital on 26<sup>th</sup> March 2013. The matter was reported at the Kayole Police Station. Upon discharge the child was admitted at the Imani Children's Home on 12<sup>th</sup> April 2013, where he was formally committed by the Nairobi Children's Court. The police were unable to trace his mother or other relatives. The child's date of birth is unknown, but it is estimated to be sometime in May or June 2012.

3. The child was freed for adoption by the Little Angels Network adoption agency by their certificate number [particulars withheld] of 30<sup>th</sup> July 2014. The child was placed with the applicants on 3<sup>rd</sup> August 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 M. The three have compiled and filed their reports in court. That of the Director of Children Services is dated 29<sup>th</sup> July 2016, that by the guardian *ad litem* is undated but was filed in court on 27<sup>th</sup> January 2016. The report by the Little Angels Network is dated 5<sup>th</sup> February 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.

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. 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 their property. The applicants 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, G O G and G A, are hereby allowed to adopt the child Baby K O, who shall hereafter be known A I O;**

**(b) That the said child shall be presumed to be Kenyan by birth; it is estimated that he was born in May or June 2012;**

**(c) That S K K and M A K 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 25<sup>TH</sup> DAY OF NOVEMBER, 2016.**

**W. MUSYOKA**

**JUDGE**