



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

(FAMILY DIVISION)

ADOPTION CAUSE NO. 181 OF 2014

IN THE MATTER OF AN APPLICATION FOR ADOPTION OF BABY J N

JUDGEMENT

1. The applicant, J A W N, is a Kenyan citizen. She is a divorcee. She seeks to adopt Baby J N. Her Originating Summons is dated 14th July 2014.
2. The child in question was found abandoned on 27th May 2012 in the [Particulars withheld] area of Nyeri. The matter was reported at the Nyeri Police Station. The child was admitted at the Nyeri Provincial Hospital and later discharged and admitted at the New Life Home Trust, where she was committed by the Nyeri Children's Court. The parents of the child were not traced by the police. It is estimated that the child was born on 27th March 2012.
3. The child was freed for adoption by the Little Angels Network adoption society by their certificate number [Particulars withheld] of 5th December 2012. The child was placed with the applicant on 25th August 2012.
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*, A W M. The three have compiled and filed their reports in court. That of the Director of Children Services is dated 17th August 2016, while that of the guardian *ad litem* is dated 24th August 2015. The report by the Little Angels Network is dated 18th July 2012.
5. All these reports are favourable and recommend the proposed adoption. The applicant has demonstrated that she has the financial and emotional capability and capacity to take care of the child. The child herself appears to have bonded well with her and she considers her to be her mother. I note that the applicant has one biological child of her own who has consented to the proposed adoption.
6. In the opinion of this court it would be in the best interests of the child that she is adopted by the applicant. The applicant 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 applicant shall assume all parental rights and duties of the biological parent in respect of the adopted child; she shall treat the adopted child as if she was born to her. The applicant has 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 applicant, J A W N, is hereby allowed to adopt the child Baby J N, who shall hereafter be known by the same name, L T W;

(b) That the said child shall be presumed to be Kenyan by birth and her date of birth is estimated to be 27th March 2012;

(c) That C W E is hereby appointed legal guardian of the child in the event something untoward happens to the applicant;

(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 and SIGNED at NAIROBI this 16TH DAY OF DECEMBER, 2016.

W. MUSYOKA

JUDGE

DELIVERED and SIGNED this 20TH DAY OF DECEMBER, 2016.

R. OUGO

JUDGE