

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 288 OF 2014

IN THE MATTER OF ADOPTION OF BABY V M (THE CHILD)

And

IN THE MATTER OF THE APPLICATION FOR ADOPTION

BY

M M G THE APPLICANT

JUDGMENT

1. The applicant M M G seeks to be authorized to adopt baby V M hereinafter referred to as the child. She also seeks that upon making the adoption the child be called V W G and that C O (close friend to the applicant) be appointed the legal Guardian of the child.
2. The applicant is Kenyan by birth and citizenship. She works as [particulars withheld]. She is a practicing Christian of good standing and attends Nairobi Baptist Church. The applicant would like to be a mother and to have a child of her own. She does not want to have a biological child out of wedlock and adds that her step mother took very good care of them despite the fact that they were not her biological children. She would like to also take good care of a needy child not necessarily her biological one. She intends to bring VM up to be a morally upright member of the community by imparting the Christian values she herself holds. She is single and has never been married. She is nevertheless a family person and very close to her father and her siblings. The entire family is very supportive of the move to adopt V.M
3. The child is 3 years and two months. She was found abandoned at Githurai 45 Estate on 18th October, 2013. She was rescued by a Good Samaritan by the name L W who reported the matter at Githurai Kimbo Police Station. The matter was recorded vide OB. No. 17/19/11/2013. From the station she was referred to New Life Home Trust for care and protection and admitted into the home on 25th November, 2013. The Principal Magistrate Children's Court, Nairobi committed her to new Life Home Trust Vide P & C No. 160 of 2014 dated 23rd July 2014. The child was placed with the applicant for mandatory bonding period prior to adoption on 10th August, 2014 through duly signed foster care agreement forms from the home dated the same day. A letter from Githurai Kimbo Police Station dated 26th May, 2014 indicates that no one has come forward to claim the said child. The administrator of New Life Home Trust, Olive Beckenham gave his consent towards this proposed adoption. Medically she is sound and has not suffered any serious illness lately. She is currently living with the applicant and they have bonded well.
4. The child was declared free for adoption by Little Angels Network dated 4th day of August 2014 and the same filed in court on the 9th December 2014 as per section 156 of the Children Act. This is confirmed by certificate number 001507.
5. The report from the Director of Children's services filed on 20th February 2015 and the Guardian ad litem filed on 4th March 2014 are both favorable and reveal that the child has bonded well with the applicant. The child was observed to be happy and well adjusted to her home.
6. It is evident that the applicant has fulfilled all the legal requirements relating to the adoption of the child. This court is satisfied that the applicant is qualified and able to take care of the child. It is evident that the applicant is financially stable and capable to provide for the upkeep and education of the child. It was evident that in the period that the applicant has had the custody of the child, the child bonded well with them.

7. This court finds that it would be in the best interest of the child to be adopted by the applicant. I allow the application for adoption. The Applicant **M M G** is hereby allowed to adopt **baby V M** she shall henceforth be known as **V W G. C O (close friend to the applicant)** shall be the legal Guardian of the child should misfortune befall the applicant. I direct the Registrar General to enter this order in the adoption register. The child was born in Kenya and is therefore a Kenyan by birth and is entitled all the rights that accrue to Kenyan citizens under the Kenya Constitution 2010 and the Kenya citizenship and Immigration Act. I hereby discharge the Guardian ad litem. It is so ordered.

Signed, Dated and delivered this **27th** Day of **March** 2015.

R. E. OUGO

JUDGE

In the presence of:

.....**Applicant**

.....**Court Clerk**