

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 293 of 2014

IN THE MATTER OF ADOPTION OF M E O K

JUDGMENT

1. The applicants in this adoption cause are **Dr. S M K** and **Dr. E K**. The child M E K has been under the care of his father E K since the death of his mother on 17th February 2010. Dr. E K later on married Dr. S M on 29th July 2011 and the child has been under the custody of both applicants since then.
2. The child in this matter is the biological son of the 2nd applicant and has been under his care since birth jointly with his wife A until her death in February 2010 and thereafter under his care after and until he married S on 29th July 2011. The applicants have obtained consent of the child's maternal brother and sister and even the child himself. The applicants are of good health and have enough financial resources to cater to the needs of the child. The 1st applicant has after 29th July 2011 developed a close relationship with the child.
3. Baby M E O K was declared free for adoption by Little Angels Networks on 2nd October 2014 and issued with a certificate serial number **[particulars withheld]** declaring him free for adoption. The Director of Children's Services filed their report on 8th May 2015 as did the guardian ad litem G M M. Both reports were favourable and recommended the adoption of the child by the applicants.
4. This is a kinship adoption and I find that the applicants have fulfilled all legal requirements relating to the adoption of the child as prescribed in the Children's Act 2001. The guardian ad litem and the Director of Children's Services have all made home visits and established that the applicants are both financially and emotionally capable to provide for the up keep and education of the child.
5. After a careful assessment of the reports filed herein and from the observation of the interaction of the Applicants and the child during the hearing, this court has formed the opinion that it would be in the best interest of the child to be adopted by the Applicants. The application is therefore allowed. The Applicants **Dr. S M K** and **Dr. E O K** are hereby allowed to adopt baby **M E O K**. **Mrs. M O** and **R K** shall be the legal guardians of the child should misfortune befall the applicants. 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 to 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.

Dated signed and delivered this 24th Day of **June** 2015.

R. E. OUGO

JUDGE

In the Presence of:

.....Applicants

.....Court clerk