

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 155 OF 2015(O.S)

IN THE MATTER OF THE CHILDREN ACT

AND

IN THE MATTER OF BABY JN ALIAS JH

BJMAPPLICANT

RULING

On 26th June, 2015 by an application dated 15th June, 2015 this Court was presented and filed on the same date; with an application for appointment of guardian ad litem of proposed **MMM** in the adoption proceedings of *BABY Particulars withheld* The Court was also to direct the **DIRECTOR OF CHILDREN SERVICES** to make the necessary evaluation and reports.

The Court granted the orders of the two (2) applications. Counsel for the adoption report brought to the attention of the Court two (2) issues;

- a. That the Applicant *Particulars withheld* is a single mother of a daughter **EMS** wants to adopt a baby boy *Particulars withheld*

The Applicant was approved vide letter dated 14th October, 2014 and Certificate from the Adoption Committee on 21st October, 2014.

- b. The Court order that the Director of Children Services will be hampered by a letter from the Principal Secretary Ministry of Labour to the effect that the Director of Children Service should not deal with inter county adoptions and then seeks the Court to disapprove with this requirement.

The Court finds that at this preliminary stage the adoption proceedings should proceed and the matter regarding **Section 158(1) and (2) and Section 162(f)** of the **Children's Act Cap 2001** shall be canvassed at the next stage of the adoption proceedings.

The Director of Children Services to prepare a report. In case of any problem the way forward to be provided by Head of Family Division as administratively charged with the ongoing deliberations.

READ AND SIGNED IN OPEN COURT AT NAIROBI THIS 28TH DAY OF JULY 2015.

M. MUIGAI

JUDGE

In the presence of:

Ms. Ouga holding brief for Ms. Mbanya for the Applicant