



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI LAW COURTS
FAMILY DIVISION
ADOPTION CAUSE NO. 92 OF 2015
IN THE MATTER OF THE CHILDREN ACT
AND
IN THE MATTER OF CHILD G.W
AND
IN THE MATTER OF AN APPLICATION FOR ADOPTION
BY
M N M
JUDGMENT

1. The applicant is a Kenyan citizen based in the United Kingdom and a single mother to one child who is an adult. She is a business woman and also employed at *[particulars withheld]* as a receptionist in the U.K. She filed this Originating Summons seeking to be allowed to adopt child G.W. who is her niece. Child G.W. is reported to have been born around 30th December 1997. Her mother, R W M, was the applicant's sister who died on 20th May 2002 while still single. The child has been under the continuous care of the applicant from the time of the demise of her mother and the applicant has been providing for all her needs from then to date, having taken her as her own child.

2. The minor was declared free for adoption on 24th April 2014 by the Kenyans to Kenyans Peace Initiative Adoption Society pursuant to **section 156** of the **Children Act, 2001**. The reports filed in court by the Director of Children Services as well as the guardian *ad litem* Millicah Wambui Thairu show that the applicant is financially, socially, emotionally and morally stable. Further, that the child has been under the care of the applicant since she was four years old, and has therefore bonded very well in the family. She lives with the applicant's son at Umoja Innercore. Both the child in this case and the applicant's son have consented to this adoption.

3. This is a local adoption wherein the applicant is a relative of the child. It is thus intended to legalize the already existing relationship between the applicant and the child for the best interest of the child. The applicant understands that an adoption order will grant the child rights to her property. This court is of the opinion that the best interests of the child will be served by this adoption. The applicant will assume all

the rights and obligations of the parent of the child, and treat the child as if she was born to her. The child will be entitled to inherit her property. The adoption shall be final and binding during the child's lifetime, and the applicant will not give it up owing to any subsequent unforeseen behaviour, or other changes.

4. The applicant has fulfilled the legal requirements for local adoption under the **Children Act, 2001**. The following orders shall issue:-

- a. M N M is hereby allowed to adopt child G.W. who shall continue to be known as G W;
- b. A W M, the applicant's sister, is hereby appointed the legal guardian of the child should anything happen to the applicant before she is of age;
- c. the Registrar General is directed to enter this adoption in the Adoptions Register;
- d. the Director of Immigration Services is hereby ordered to issue G W with a Kenyan passport; and
- e. the guardian *ad litem* is hereby discharged.

DATED and DELIVERED this **18th** day of **September 2015**

A.O. MUCHELULE

JUDGE