

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Adoption Cause 216 of 2012

IN THE MATTER OF THE CHILDREN'S ACT
(ACT NO. 8 OF 2001)

AND

IN THE MATTER OF BABY A.M

JUDGEMENT

T.D.E and A.H.C.P are Swedish nationals as evidenced by their passports. They are married since 2005, and would like to adopt a Kenyan child. Their Originating Summons is dated 10th October 2012.

The child the applicants seek to adopt is called Baby A.M, born on 3rd November 2010. He was found abandoned and taken to hospital and from there to Rehema PEFA home where he was committed by the Children's Court, Nairobi. His parents have never been traced. It was on that basis that he was placed with the applicants on 9th July 2012.

The applicants have obtained the relevant approvals. There is the certificate of the adoption consent dated 7th February 2012 allowing the applicants to adopt a child domiciled abroad. Migrationsverket has certified by their letter of 11th August 2008 that a child of 12 and below adopted by Swedish citizens automatically receives Swedish citizenship upon adoption. The international adoption has been approved by the National Adoption Committee of Kenya. There is a certificate to that effect.

The child has been freed for adoption. The Little Angles Network has issued a certificate dated September 2011 freeing the child. The applicants have been assessed by agencies at their home country and recommended for adoption purposes. Locally, there are favorable reports by the Little Angels Network, the guardian *ad litem* C.W.K and the Director of Children's Services. There is evidence that the applicants are in good health, have stable incomes and have a clean record.

I have carefully perused the record of papers filed in this matter. I am satisfied that the applicants have fulfilled the requirements for an international adoption set out in the Children's Act. The documents favour the adoption.

From the reports, as well as the conduct and body language of the child and the applicants when they appeared before me on 25th January 2013, the child has clearly bonded well with the applicants. I believe that it would be in the best interests of the child that he is adopted by the applicants. The applicants have been made aware of the consequences of an adoption order, that it is binding and final, and It cannot be reversed once made.

I allow the Originating Summons dated 10th October 2012. T. D. E and A.H.C.P are allowed to adopt Baby A.M who shall henceforth be known as A.D.E.P. B.F.M and A.H.S.M shall be the legal guardians of the child in the event of any eventuality befalling the applicants. I direct the Registrar-General to enter this adoption order in the Adoption Register. I also discharge the guardian *ad litem*.

W.M. MUSYOKA
JUDGE

DATED, SIGNED and DELIVERED at NAIROBI this 21ST DAY OF FEBRUARY, 2013.