

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 141 OF 2013 (OS)

AND

IN THE MATTER OF THE CHILDREN'S ACT

(NO. 8 OF 2001)

AND

IN THE MATTER OF BABY W (MINOR)

JUDGEMENT

Baby R W (minor), the subject of these adoption proceedings, is an orphan, who was born on 20th August 2008 to M W N and J N N. Both parents died living the child, together with her siblings, under the care of her maternal grandmother, H N N, who was unable to take care of them and they were placed under the care and protection of an institution, initially the Archangel Raphael Children's Home and later the Nest Children's Home. The matter was reported at the Kiambu Police Station. The subject child was later committed by the local children's court to the said institution for care and protection, and it is from the institution that she was placed with the applicants on 14th March 2013 for adoption purposes. Her grandmother and her elder brother has consented to her being adopted by the applicants. There is sufficient documentation which supports this background, prepared by and filed in court on 4th July 2013 by the KKPI adoption society and contained in a report dated 18th June 2013. The KKPI adoption society has freed the child for adoption and there is a declaration filed in court dated 18th June 2013.

This proposed adoption has been approved by the Court for Underage in Rome in accordance with the Italian law. The suitability decree to international adoption is dated 2nd February 2012. I have also seen the confirmation from the Fondazione Raphael Onlus, an Italian based foreign adoption society, dated 26th April 2012 that a Kenyan adoption order would be received and recognised in Italy and a child so adopted will gain resident status. The Fondazione Raphael Onlus has also given the assurance that it would ensure that the child will be protected in the event that something happened to the adoptive parents. The proposed adoption has also received local approval through the National Adoption Committee of Kenya, which has issued a certificate dated 15th August 2012.

I am satisfied that all the legal requirements have been met. The court allows the applicants' application to adopt the child. The applicants, M M and B B, are hereby allowed to adopt the child, Baby R W (minor), who shall be hereafter known as R M (minor). S B of (particulars withheld) Rome is hereby appointed the legal guardian of the child should misfortune befall the applicants. The Registrar-General is directed to enter this adoption order in the adoption register. The guardian *ad litem* is hereby discharged.

JUDGE

