

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)

Adoption Cause 69 of 2008

IN THE MATTER OF: THE CHILDREN'S ACT 2001

AND

IN THE MATTER OF: CW AND RC (CHILDREN)

JUDGMENT

The applicants in this application for adoption are SLF a Belgian, and NW. The children sought to be adopted are CW who is just below 16 years (15 years 11 months), and RC who is 13 ½ years old. The record material confirms that both children are biological children of the second applicant by another man who abandoned her and the children when the latter were very young. The record also shows that in 2005 the first and the second applicant got married and have since lived as husband and wife and that they intend to continue in that life.

There is evidence that the applicants conduct a private business through a family limited company. They earn about Kshs.800,000/- per month. Both have been confirmed to be of good character and of good health.

Further evidence on the record shows that if the two children will be adopted they will be accorded a Belgian citizenship.

There are three reports on the record from the Director of Children Services, Little Angels Network (an adoption society) and the Guardian ad litem. The reports recommend that the applicants be allowed to adopt the children since their biological mother is married to the first applicant already.

I have considered this case and I am satisfied that the best interest of these two children lies in the court's order allowing the applicants to adopt the children. Indeed such an order will bring the children, their mother and mother's husband under the same roof.

The court happily notices that the biological father of the two children had filed his consent while the older child CW who is over 14, has also filed her consent as required by the law. In these circumstances, I will grant the orders sought.

ORDERS

1. SLF and NW are hereby authorized to forthwith adopt CW (who will henceforth will be known as CWS) and RC (who hence forthwill be known as RCS).
2. The Register-General is hereby instructed to enter these adoptions in his Register of Adoptions.
3. The Principal Immigration Officer is advised to assist the applicants and their adopted children, incase they decide to leave Kenya.

Dated and delivered at Nairobi this 15th day of May, 2009.

D A ONYANCHA

JUDGE