



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (NAIROBI LAW COURTS)**  
**Adoption Cause 32 of 2006**

**IN THE MATTER OF THE CHILDREN ACT NO. 8 OF 2001**

**AND**

**IN THE MATTER OF C P (AN INFANT)**

**AND**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION BY JKM AND ANK**

**JUDGMENT**

This is an application by one J K M and his wife A N K seeking to adopt Baby C Peace who is about 3 1/2 years old. The Applicants are Kenyans and married. They have one natural child who is about 7 years old. They earn adequate income jointly and severally to be able to take care of more than one child.

The child, Baby C P, on the other hand, was abandoned near Kenya Wild Life Services, Langata on 28<sup>th</sup> January, 2005. The case was reported to Langata Police station who thereafter made an unsuccessful effort to trace the parents. So, Baby C has never been claimed by anybody. She was admitted to New Life Home at Kilimani for care and protection until 1<sup>st</sup> May, 2005 when she was placed in the foster care of the applicants. The latter have taken care of the Baby to date.

Meanwhile the Children's Court made a committal order for the child to be placed at the New Life Home in Cause No. 204 of 2005 on 7<sup>th</sup> September, 2005. The child was declared free for adoption on 10<sup>th</sup> April 2006.

Three investigative reports from (1) Guardian ad Litem (2) The Director of Children Services and (3) The Little Angels Network, the last being an adoption Society, were filed in this case. They each stress that bonding between the Applicants and Baby C and the Applicant's natural baby, is excellent. They aver that since Baby C has no known parent who would claim her, it is in her best interest to be adopted by the Applicants who have so far become like her parents.

I have considered the material on the record, particularly the reports filed after investigating the suitability of the Applicants to adopt the child. I am satisfied that the best interest lies with the best welfare of Baby C. In this case it lies in allowing the applicants to adopt the baby. They have shown that they regard her as their own child, not different from their natural child. They are obliged to give C not only a home with security but also an education and other life requirements.

For the above reasons, I am persuaded that the best thing this court can do for Baby C is to allow her to be adopted by the Applicant. That I am prepared to do, in the following orders: -

**ORDERS**

1. The Applicants J K M and A N K are hereby authorized to forthwith adopt Baby C P who hereafter will be known as T W K.
2. The Registrar-General is hereby directed to enter this adoption in the Adoption Register.

Dated and delivered at Nairobi this 30<sup>th</sup> day of May, 2008.

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D A ONYANCHA

**JUDGE**