



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI (NAIROBI LAW COURTS)**

**Adoption Cause 8 of 2006**

**IN THE MATTER OF NW (INFANT)**

**JUDGMENT**

By Originating Summons dated 20<sup>th</sup> January 2006, the applicants JNK and HINN, applied to adopt baby NW, a minor. Prior to the hearing of the application for adoption, the court appointed SWW Guardian ad Litem for the baby, during the adoption proceedings.

The couple had fostered the baby since August 2003. They have one biological child, a son now aged 11 years old.

The applicants confirmed in court that their son accepted W, and the 2 are close friends. They do not have other biological children due to medical reasons.

H, the second applicant described baby N as “a special child with special needs, she has a good memory, is friendly and loving”. She further described N as a blessing to them, and they are happy with her.

The first applicant who is a pastor has also accepted N as his daughter whom he considers as a gift to his family. The 2 confirmed that the fact of N having been abandoned was not an issue to them, as they love her.

Reports to support their application was prepared by the Director of Children’s Services and filed in court on 12.9.2006. It gives the facts and circumstances about the applicants, including the history of the baby, and recommends adoption, subject to the court’s approval.

A home study report was also prepared by the Child Welfare Society of Kenya

filed in court on 23<sup>rd</sup> November, 2006. It gives in detail the history of how the baby was left behind by her mother who subsequently disappeared. It also gives details about the period of fostering by the applicants. The Child Welfare society finally gave a certificate, releasing the child free for adoption. It is dated 22<sup>nd</sup> November, 2006. I also considered the report by the Guardian ad Litem.

From all the reports considered, as well as the personal interview I conducted with the applicants, I became convinced that the applicants and the baby have bonded and become a family. In this report therefore, the proposed adoption will be in the best interest of the baby. I therefore authorize Rev. A MK, and HINN, to adopt Baby NW, who from today will be known by the name **NMN**.

I direct the Registrar of Births and Deaths to issue a birth certificate to NMN.

Dated at Nairobi this 16<sup>th</sup> day of July 2007.

**JOYCE ALUOCH**

**JUDGE**