

IN THE MATTER OF THE CHILDREN ACT

AND

IN THE MATTER OF VT (CHILD)

RULING

HMM and his wife **RMM** applied to court to adopt **VT**, a child who was found abandoned and placed under the care of the “Nest Children’s Home”, from where the applicants fostered him about 3 years ago.

The court appointed a “**guardian ad litem**” who subsequently filed a report, which I have read and considered.

A home study report was also prepared by Kenya Christian Homes, who also issued a certificate, “**freeing the child for adoption**”.

An investigative report was filed by the Director of Children’s Services. It gives the brief background as well as the child. It also gives reasons for adoption by the couple, who due to medical complications have not been able to have children of their own.

In court during the hearing, I interviewed both applicants briefly. The 1st applicant **HMM**, testified that they fell in love with the baby the 1st day they saw him, and they have accepted and bonded with him. They have opened a children’s account for him, and also confirm that the child will inherit from them.

RMM, the second applicant confessed that there was emptiness in her life until they started fostering this baby. She now feels fulfilled and promised to look after him as her child.

I observed the applicants in court, as they gave evidence and I was satisfied that they love the child, and want to be parents to him as if he was their biological child. After all, they have fostered the child for about 3 years now, and have even started fostering a second child, whom they hope to adopt to keep **VT** company.

As **VT** was an abandoned child I hereby dispense with the consent of their biological parents who have not come forth to claim him.

The child has found a home with parents who love him. I therefore find no reason to interfere with him, but instead move to cement the relationship he already has with his “**parents**” by authorizing them to adopt him, I so order.

I direct the Registrar of Births to issue **Vincent** with the relevant Certificate of Birth reflecting his names as **VMM**

Dated at Nairobi this 28th day of September, 2007.

JOYCE ALUOCH

JUDGE