



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**ADOPTION CAUSE NO 97 OF 2003**  
**IN THE MATTER OF THE CHILDREN ACT (No 8 of 2001)**  
**AND**  
**IN THE MATTER OF LW – INFANT**  
**JUDGEMENT**

On 15th September 2003 GIK and EW (hereinafter called the “Applicants”) filed an application in this court by way of Originating Summons seeking inter-alia for orders to adopt an infant child known as LW (hereinafter called “the Infant”).

On 24th October 2003 John Kimani Kamau was duly appointed as guardian and litem of the said Infant. When the said application for adoption came for hearing on 19th March 2004 the said guardian ad litem together with Linnet Ouna an Adoption Officer with Child Welfare Society of Kenya and Janet Wesonga a Children’s Officer with the Children’s Department duly presented their respective reports on both the Applicants and the Infant.

The said Infant comes to this court through the said guardian as an abandoned child. She was found abandoned in a thicket along Mombasa Road in Nairobi on 28th January 2001 the presumed date of her birth, taken to Getrudes Garden’s Children Hospital in Nairobi and thereafter admitted

on 1st February 2001 to the New Life Home, a child rescue center. She was placed with the Applicants for foster care on 14th February 2001. The Infant has remained under the good care of the said Applicants since then.

The Applicants are man and wife and are both Kenyan citizens by birth. According to the reports filed, the said Applicants are fit and proper persons capable of adopting and providing due parental care and attention to the said Infant. The Applicants have not begotten biological children due to medical problems, but are otherwise both physically and medically fit. In accordance with the said reports, the Applicants have duly complied with the applicable provisions of the Children Act (Act No. 8 of 2001). The said Infant also duly qualifies for adoption having been assessed and declared free for adoption by a registered adoption society as provided under the said Act.

I have duly considered all the aforesaid reports together with the representations made and the pleadings filed herein. I am convinced that the adoption sought by the Applicants shall be in the best interest of the said Infant. In pursuance of the said application I further dispense with the production of necessary statutory consent as provided under section 159(1) (a) (i) (c) of the aforesaid Act.

I accordingly order that the said Infant be and is hereby adopted by the said Applicants. I further order that the said Infant be renamed DWI henceforth and direct the Registrar-General to make appropriate entries in the Adopted Children Register accordingly.

DATED DELIVERED AND SIGNED at Nairobi this 31st day of March 2004.

**P. J. KAMAU**

**AG. JUDGE**

