



**In re Baby FP (Adoption Cause E188 of 2024)
[2025] KEHC 2143 (KLR) (Family) (6 February 2025) (Judgment)**

Neutral citation: [2025] KEHC 2143 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E188 OF 2024
SN RIECHI, J
FEBRUARY 6, 2025
IN THE MATTER OF ADOPTION OF BABY FP**

IN THE MATTER OF

JKN APPLICANT

JUDGMENT

1. The Applicant, JKN is a single applicant and widow. The applicant is an Kenyan Citizen aged 30 years old born on 15th September 1994 as evidenced by a copy of her national identification card number 3155xxxx attached to the application.
2. The applicant through an originating summons dated 20th August 2024 wishes to adopt a female child known as FP born on 2nd January 2023 at Provincial General Hospital in Nakuru County as evidenced by a copy of birth notification serial number 017XXXXX attached to the application.
3. The evidence on record indicates that the child was born to her biological mother one Faith Senaji who was a minor when she delivered. The applicant stated that the mother of the child showed disinterest of taking her new born child home and she stated that she couldn't explain how she ended up pregnant therefore unaware of the paternity.
4. From the evidence on record this court finds that on 10th January 2023. The maternal grandmother to the child one ES of ID/No. 11188xxxx signed an initial consent to offer baby FP through The Change Trust Adoption society.
5. From the pleadings, this court finds that the case was referred to Sub-County children's officer in Nakuru West, who in turn requested New Life Home trust Nakuru Branch to take the child for a safe custody as they continued with investigations.



6. On 28 February was discharged from the hospital, for care and protection at New Life Home Trust. On 4th July 2023 the baby was committed to New Life Home Trust, through Sub County Children's Office in the Children's court at Nakuru, for period of three years through C & P Case Number / E164/23 as evidenced by a copy of committal order attached to the application.
7. The evidence on record indicates that the final written consent by ES (Grandmother) was done on 11th November 2023. On a written statement dated the same day as the final consent, the grandmother narrated how her daughter was on an unrecorded date, attacked by three unidentified people one among them a woman and later realized she had been drugged as she found a syringe where she was lying. Emily confirmed not reporting the case to any police station since they didn't know the attackers.
8. The applicant stated that the child was later on placed in her care and she has since then had custody of the child.
9. Prior to the hearing of the adoption application, Change Trust prepared and filed a report dated 15th March 2024. They also issued a Certificate Serial number 00662 declaring the child free for adoption as evidenced by the copies of report and certificate declaring a child free for Adoption attached to the application.
10. The guardian ad litem Ms. Nancy Mboya Ngare filed a report dated 27th November 2024 which was favourable and recommended the adoption of the child by the Applicant.
11. Mr. Ezekiel Kimani, Assistant Director from the office of Children Services conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 25th November, 2024 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the son of the Applicant and that the Applicant has fulfilled the statutory requirements.
12. The legal guardian RMN consented to be appointed as legal guardian and she filed a letter of consent attached to the application.
13. From evidence on record the applicant is physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of her Medical report attached to the application.
14. The applicant is financially stable and she is therefore able to provide fully for the child's need as evidence by copies of her financial documents attached to the application.
15. The applicant stated that she has no previous criminal record and no pending criminal prosecution as evidenced by her r police clearance certificate attached to the application.
16. This is a local adoption and from the record the Applicant has fulfilled all the legal requirements relating to the adoption of the child. The child's biological parents consent was dispensed with since there whereabouts is unknown.
17. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of *the Constitution* and Section 8 the Children's Act, 2022. I find that it is in the best interest of the child to be adopted by the Applicant. I therefore allow the prayers sought in the originating Summons dated 20th August, 2024 and Order as follows:
 - i. The Applicant JNK is hereby allowed to adopt Baby FP who shall henceforth be known as MFA.
 - ii. The child is presumed to be born in Nakuru County within the Republic of Kenya.



- iii. RMN is hereby appointed the legal guardian of the child.
- iv. The Registrar General is directed to enter this Order in the Register of Adopted Children.
- v. The guardian ad litem is hereby discharged.

DATED AT NAIROBI THIS 6TH DAY OF FEBRUARY 2025

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S. N. RIECHI

JUDGE

