



REPUBLIC OF KENYA



**In re RMW (Child) (Adoption Cause E005 of 2024)
[2025] KEHC 6054 (KLR) (9 May 2025) (Judgment)**

Neutral citation: [2025] KEHC 6054 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
ADOPTION CAUSE E005 OF 2024
A MSHILA, J
MAY 9, 2025
IN THE MATTER OF THE CHILDREN'S ACT
AND
IN THE MATTER OF BABY R.M.W. (A CHILD)**

IN THE MATTER OF

RWN APPLICANT

JUDGMENT

1. The application is brought by way of an Originating Summons and is dated the 14th March, 2024 and is premised under the provisions of Sections 183, 184 and 185 of the Children's Act 2022; The Applicants seek the following Orders;
 - a. That the Applicant R.W.N. be authorized to legally adopt R.M.W;
 - b. That upon the making the adoption orders the said child will be known as R.M.W.
 - c. The Registrar of Births and Deaths do make the appropriate entry of R.M.W. in the Adopted Children's Register.
 - d. That R.M.W. be presumed to be a Kenyan citizen by birth;
 - e. That VMN be appointed as guardian ad litem of Baby R.M.W.
2. The application was supported by an Affidavit made by the Applicant; The Guardian Ad Litem VMN was appointed on the 25th November, 2024; This Court directed the Director of Children's Services and the Guardian Ad Litem to carry out a home visit to do investigations and to file their Reports.
3. After visiting and interrogating the Applicant the Kiambu Sub-County Children's Officer and the Guardian Ad Litem filed their respective Reports on the Applicant's suitability to adopt R.M.W. The



reports were duly filed in court and are dated 21/02/2025 and the other undated and filed on 9/4/2025 respectively; both reports are highly favourable to the Applicant and recommend her suitability as adoptive parent.

4. The child R.M.W who is female is presumed to have been born on 21st October, 2022; she was abandoned around Ondiri Water Company and the case of abandonment was reported by two (2) Good Samaritans at Kikuyu Police Station vide OB No.80/21/10/2022; R.M.W. was admitted on 24th October, 2022 to New Life Home Trust for temporary shelter, care and protection whilst awaiting committal; under the protection and care case no.078 of 2022 the Children's Court sitting at Kiambu Law Courts R.M.W. was formally committed vide Order issued on 14/02/2022 to the aforesaid institution for protection and care; On the 19TH May, 2023 she was declared free for adoption under Section 194 of the Children's Act 2022 and a Certificate Serial Number 0637 was issued by Buckner Kenya Adoption Services.
5. After reading and taking into consideration the contents of these Reports this court was satisfied that all the legal requirements had been adhered to notably; the Applicant is a Kenyan citizen and is a single lady; at the time of filing this application the prospective adoptive parent R.W.N. was aged 34 years and therefore her age falls within the prescribed legal parameters; R.W.N. is employed by Caritas, St Peter and Paul Catholic Parish as an Accountant and has produced into court copies of her Pay Slip and Bank Statements to prove her financial capability to support R.M.W. when she assumes responsibility of her upbringing.
6. The Certificate of Good Conduct is current and valid and this court is satisfied that there are no adverse circumstances discernible from the Applicants' family or any individual characteristics or lifestyle that would be detrimental to the baby;
7. It is noted that this is was a case of abandonment and efforts by the police to trace her biological parents bore no fruits as no one came forward to claim the child; this court has accordingly dispensed with the consents of the biological parents; This Court takes note that the consent of the proposed Legal Guardian has also been duly filed.
8. For the reasons stated above this court is satisfied that the Applicant has fulfilled all the pre-requisites for adoption orders and is found to be a suitable person to adopt R.M.W. and the court is further satisfied that the order for adoption will be in the best interest of the child.
9. For the reasons stated above this court is satisfied that the Applicant has fulfilled all the pre-requisites for adoption orders and is found to be a suitable person to adopt R.M.W. and it is satisfied that the order for adoption will be in the best interest of the child.

Findings & Determination

10. For the forgoing reasons this court finds that the application for adoption has merit and it is hereby allowed;
11. The Applicant R.W.N be and are hereby authorized to adopt R.M.W. she shall be known as R.W.N.
12. The Registrar General be and is hereby directed to enter this adoption order of R.M.W. in the Adopted Children's Register; the Registrar Births and Deaths be and is hereby directed to issue a Certificate of Birth in the name R.M.W.
13. The Guardian Ad Litem VMN is hereby discharged and FWN and SKN be and are hereby appointed to stand in as next of kin and legal guardian to R.M.W. until the minor attains the age of majority of eighteen (18) years.



Orders Accordingly.

DATED, SIGNED and DELIVERED via TEAMS at KIAMBU this 9th day of MAY, 2025.

A. MSHILA

JUDGE

In the presence of;

Julie – Court Assistant

Applicant present in person

