



**In re Adoption of Baby JG (Adoption Cause E267 of 2024)
[2025] KEHC 8140 (KLR) (Family) (12 June 2025) (Judgment)**

Neutral citation: [2025] KEHC 8140 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
ADOPTION CAUSE E267 OF 2024
H NAMISI, J
JUNE 12, 2025
IN THE MATTER OF ADOPTION OF BABY JG**

IN THE MATTER OF

GPWM APPLICANT

JUDGMENT

1. Before this Court is the Originating Summons dated 2 December 2024, Statement in support of the Application for an Adoption Order and Affidavit in support of the Application, seeking the following orders:
 - i. That the Applicant be authorised to adopt Baby J.G., a minor who is to be known as T.N.K. and the Registrar General be directed to enter this adoption into the Register of Adoptions;
 - i. That P.Z.O. be appointed as the legal guardian of the child;
 - i. That the child be presumed to be born in Nakuru County in the Republic of Kenya;

The Child

2. It is estimated that the child (female) was born on 12 January 2023 and was found abandoned at DND area in Nakuru town on 14 January 2023. The matter was then reported to Nakuru Central Police Station vide OB No. 91/14/xx/2023.
3. The child was committed at New Life Home Trust, Nakuru on 27 February, 2023 through the Children's Court at Nakuru with recommendation from Nakuru East Sub-County Children's officer vide Protection and Care Case Number Exxx of 2023. The final letter from Nakuru Central Police Station dated 15th February, 2024 indicated that no one had come to claim the child.



4. The child was declared free for adoption by Buckner Kenya Adoption Services, a registered Adoption Agency, vide the annexed Certificate serial number 07xx. I am, therefore, satisfied that this legal prerequisite for an adoption has been met.

The Applicant

5. The Applicant is a Kenyan citizen aged 44 years residing in , xxxxx , Nairobi County and earns a living as a Human Resources Representative and Writer. The Applicant was married from 2018 to 2020, when the marriage was dissolved. She states that she has no intentions of remarrying.
6. The Applicant has a biological child of the name A.A.W., who is 17 years old and has given her consent. The consent is attached to the Application.
7. The Applicant's desire to adopt a child is driven by her love for children and her want to provide a home for a less fortunate child in which she can grow and feel loved in. The Applicant confirmed that she understood the implications of an adoption order and that the same is irreversible.

The Adoption Application

8. I have considered the Summons, the evidence on record, as well as the various reports filed.
9. The duty of this Court is to analyse the material before it to determine whether the Applicant is a suitable adoptive parent. The Applicant stated that she is a committed Christian at xxxxxx and that she intends to raise the child in a Christian development to ensure full spiritual development.
10. The Applicant presented copies of property documents, bank statements, copies of payslips, Police Clearance Certificate as well as recommendations from friends and family, all pursuant to the provisions of The Children (Adoption) Regulations, 2020. These demonstrate that the Applicant is financially, socially, physically and mentally fit to adopt the child.
11. Additionally, pursuant to section 195 of the *Children Act*, the Applicant provided letters of consent from P.Z.O., agreeing to be appointed as the legal guardian of the child in the event that anything untoward happens to the Applicant. The proposed legal guardian is a friend to the Applicant.
12. From the material availed, I am satisfied that the Applicant is a suitable adoptive parent.

Analysis and Determination

13. The child herein was born in Kenya on 12 January 2023. She is, therefore, a citizen of Kenya by birth.
14. In deciding any matter involving a child, the court is obligated to give priority to the best interests of the child. Section 8 of the *Children Act* provides:
 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies–
 - a. The best interests of the child shall be the primary consideration;
 - b. The best interests of the child shall include, but shall not be limited to the considerations set out in the First Schedule;
 2. All judicial and administrative institutions, and all persons acting in the name of such institutions, when exercising any powers conferred under this Act or any other written law, shall treat the interests of the child as the first and paramount consideration to the extent that this is consistent with adopting a course of action calculated to:-



- a. Safeguard and promote the rights and welfare of the child;
 - b. Conserve and promote the welfare of the child; and
 - c. Secure for the child such guidance and correction as is necessary for the welfare of the child, and in the public interest.
15. I have considered the Reports filed by the Adoption Agency, the Guardian ad Litem, and the Director of Children Services, all of which were positive and recommended the adoption. I was able to see the child online. It is, therefore, my view that the adoption does serve the best interests of the child.
16. Accordingly, I allow the Summons and make the following orders:
- i. That the Applicant, G.P.W.M, is allowed to adopt the child currently identified as Baby J.G.;
 - ii. Upon adoption, the child shall be renamed T.N.K.;
 - iii. The child is declared to be a Kenyan citizen by birth, entitled to all the rights and privileges under the Constitution of Kenya and all applicable laws;
 - iv. is appointed as the legal Guardian of the child;
 - v. The Guardian ad Litem is hereby discharged;
 - vi. The Registrar-General is directed to make the appropriate entries in the Adopted Children's Register;

DATED AND DELIVERED AT NAIROBI THIS 12 DAY OF JUNE 2025

HELENE R. NAMISI

JUDGE

Delivered on virtual platform in the presence of:

Ms. Kemunto.....for the Applicant

Libertine AchiengCourt Assistant

