



**In re Baby JL alias LKG (Adoption Cause E001 of 2021)
[2023] KEHC 20024 (KLR) (12 July 2023) (Judgment)**

Neutral citation: [2023] KEHC 20024 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NANYUKI
ADOPTION CAUSE E001 OF 2021
AK NDUNG’U, J
JULY 12, 2023**

IN THE MATTER OF

WGK 1ST APPLICANT

SWK 2ND APPLICANT

JUDGMENT

1. The Applicants herein, WG Ole K and SWK, have applied by originating summons dated August 11, 2020 for an adoption order in respect to the Child known as baby JL. Other consequential orders are also sought, including the order that if the adoption order sought is granted, the Child be henceforth known as LKG
2. The Applicants are a married couple who got married in the year 2011 under customary law and later solemnized their marriage at the DCC’s office in the year 2018. They are Kenyan citizens and living in Kenya. The couple has no biological child of their own.
3. The Child sought to be adopted was abandoned at Tena Estate on February 6, 2017 and was estimated to be a month old. The matter was reported at Buruburu Police Station on the same day. On the same day, the child was admitted to Imani Children’s Home. The child was formally committed to that children’s home vide Milimani Children’s Court Protection and Care Case No. XX of 2017 on September 13, 2017.
4. On February 13, 2019, Buruburu Police Station gave Imani Children’s Home a go ahead to release the child through the legal process. On August 25, 2019, the Child was placed under the care, protection and custody of the Applicants, and has been in their continuous and unbroken care, protection and custody up to the present. He is now about 6.5 years old and nobody has ever come forward to claim the Child who was declared free for adoption by a certificate dated August 7, 2019.
5. Upon perusal of all the material placed before the court, I am satisfied that all legal requirements for the adoption order sought have been met. I have also read all the necessary reports filed herein, including-



- i. The Guardian ad Litem report dated October 15, 2022
- ii. The Adoption Society, Buckner Kenya Adoption Services report, dated April 26, 2022.
- iii. The Directorate of Children Services, Laikipia County report, dated January 17, 2022.

All these reports are favourable to the adoption order sought.

6. I have considered the personal circumstances of the Applicants, including their current occupations, incomes and social standing. From the material placed before this court, the Applicants have no history of any medical complications that can hinder them from giving the child quality upbringing. The Applicants are also said to be committed Christians. They promise to bring up the child in a Christian manner. They are described by the Adoption Society as hardworking, humble, God fearing and social people who seem prepared to give a child in need of a family a safe refuge. That they are financially capable of accommodating a new member in their family. The Children's Officer also described them as socially, financially and emotionally stable couple whose care, love and attachment to the child is not in doubt. The attached criminal citation search shows that the applicants have no past criminal record.
7. The Children's Officer was satisfied that the general environment in which the child lives was conducive for his upbringing and based on their findings and observations, the Children's Officer recommended that the Applicants be allowed to adopt the child.
8. I am persuaded that the Applicants not only have the will to adopt the child as their own biological child, but they have also demonstrated that they have the means to provide him with shelter, clothing, food, education and, most importantly, the parental care and protection that he needs and deserves. I have no doubt at all that they have provided and will continue to provide to the Child a conducive home for wholesome upbringing.
9. Finally, I am satisfied that the Applicants are financially and materially capable of giving a good and proper upbringing to the Child, and are already providing him with a conducive and loving home. The adoption order sought is in the best interest of the welfare of the Child.
10. I will in the circumstances grant the adoption order sought. The Applicants be and are hereby authorized to adopt baby JL who shall henceforth be known as LKG. The Child having been born in Kenya, is obviously a Kenyan citizen. The Child's birth date shall be January 6, 2017 at Nairobi County. The Registrar-General is hereby directed to enter this adoption order in the Adopted Children's Register. The guardian ad litem is hereby discharged and HTK is hereby appointed as the legal guardian of the Child. It is so ordered.

DATED SIGNED AND DELIVERED AT NANYUKI THIS 12TH DAY OF JULY 2023

A.K. NDUNG'U

JUDGE

