



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

ADOPTION CAUSE NO. 19 OF 2018 (OS)

IN THE MATTER OF THE CHILDREN'S ACT NO. 8 OF 2001

IN THE MATTER OF ADOPTION OF FA

BY

VRI (APPLICANT)

JUDGEMENT

1. The Applicant **VRI** moved this court by way of an Originating Summons dated 4th March 2019 seeking for the following orders; -
 - a. That she be authorised to adopt **FA** a minor
 - b. The minor upon adoption be known as **MIR**
 - c. That the Registrar General do enter the adoption in the Adoption Register.
2. Though not forming part of the prayers in the application herein above referred to, the applicant in her statement in support of the said application, proposed **MKM & GK** to be Legal Guardians of the child in case of any eventuality that may leave her incapacitated. The consent of the proposed Legal Guardians was attached.
3. On the 28th of March 2019 the court appointed **JROO** as *Guardian ad litem*. The *Guardian ad litem* as appointed by court and the Department of Children's Services were required to investigate and file their respective socio inquiry reports on the applicant's suitability and fitness to adopt.
4. The *guardian ad litem* in her report filed on 8th July, 2019 reported that the child has had healthy growth since she was placed with the applicant, is well catered for and is close to the applicant and her other adopted child. She recommended the applicant as a fit person to adopt the child.
5. In his report filed on 10th July, 2019 the Director of Children's department echoed the sentiments of *the guardian ad litem*. Further the report found the applicant able and willing financially to support the child and recommended the adoption of the child by the applicant.
6. The applicant is aged 44 years and is a Finance Information Management Manager with [Particulars Withheld] in Nairobi. She is single, and resides in in a three bedroomed house along Wambugu road, Westlands in Nairobi. Her reason for adopting the minor herein is philanthropic and for purposes of expanding her family. She has one other adopted child since 2013.
7. The child was placed with the Applicant on the 11th of May, 2018. He is about 2 years now. The child is said to have bonded well with the applicant whom he refers to as 'mum' as well as the other child in the family.
8. The child was born on 16th of December, 2017 and was given up for adoption by his parents both of whom were barely 18 and related. Both their consents were obtained. The child was declared free for adoption by Little Angels Network on 31st May, 2018, vide Certificate Number [...].
9. Against the above background the court finds the applicant is a proper and fit person to adopt the child. She has met all the necessary requirements of the law, has been highly recommended by the Guardian ad litem and the Director of Children Services and this adoption

would be for the best interest of the child. Consequently, the following orders issue;

- a. The Applicant, **VRI** be and is hereby authorised to adopt **FA** who will upon this adoption be known as **MIR**
- b. **MKM & GK** be and are hereby appointed as the child's legal guardians in the event the applicant dies or is incapacitated before the minor attains the age of 18 years.
- c. The Registrar General do enter this adoption I the Adoption Register.
- d. The *guardian ad litem* **JRAO** be and is hereby discharged from the duties that had been bestowed upon her by the court.

Dated and Delivered in Nairobi this 16th day of January, 2020.

ALI-ARONI

JUDGE