

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NANYUKI

ADOPTION CAUSE NO 6 OF 2018

(IN THE MATTER OF TAMARA (A CHILD)

AND

IN THE MATTER OF AN APPLICATION FOR ADOPTION)

AWI.....APPLICANT

J U D G M E N T

1. This is an application for an adoption order. I have read Applicant's statement and supporting affidavit filed together with the originating summons. I have also perused all the documents annexed to the supporting affidavit.

2. Finally, I have read the three reports filed herein as follows -

(a) Dated and filed on 31st October, 2018 by the *Children's Department, Laikipia*.

(b) Dated 10th September and filed on 29th October, 2018 by the *Guardian ad litem* appointed for the Child by the court.

(c) Dated 27th March and filed on 11th April, 2018 by the adoption society, *Kenya Children Homes*.

All the three reports are favourable to the adoption order sought.

3. The Applicant, **AWI**, is a Kenyan citizen. She is a single mother of one biological child, **BMM**, born on **26th June, 2009**. The Applicant is now aged about 45 years, having been born on 22nd February, 1974. She is a business lady who resides in Nanyuki.

4. The Child sought to be adopted, **Baby T**, was born about **15th February, 2017** and was found abandoned near **Eldoret City**. She was rescued by good samaritans and the matter reported to **Eldoret Police Station** vide **Occurrence Book Number [xxxx]**. The Child was then taken to **Moi Teaching and Referral Hospital, Eldoret** and admitted there into the new-born unit.

5. The Child was subsequently committed to the care and protection of **Kenya Children's Home** on 14th March, 2017 after she was discharged from hospital. This was by an order of the **Children's Court, Eldoret**, vide its **Protection & Care Case No [xxxx]**.

6. On 15th November, 2017 the Child was declared to be free for adoption by the **Kenya Children's Home Adoption Society** vide **Certificate Serial Number [xxxx]**. Subsequently the Child was placed into care and custody of the Applicant. They have bonded well. Nobody has one has ever come forward to claim the Child.

7. Having considered all the material placed before the court, I am satisfied that there is no legal impediment to the adoption order sought. I am also satisfied that adoption of the Child by the Applicant will be in the Child's best interests and welfare. The Applicant will provide a loving and secure home for this Child who was so cruelly abandoned after birth. The Applicant has the wherewithal to educate the Child and give her a firm and fitting foundation for her future life.

8. In the circumstances I will grant the adoption order sought. I will also grant prayers 2, 3, 4, 5, 6 and 7 of the originating summons. It is so ordered.

DATED, SIGNED AND DELIVERED AT NANYUKI THIS 16TH DAY OF MAY 2019

H P G WAWERU

JUDGE