

REPUBLIC OF KENYA

High Court at Nairobi (Nairobi Law Courts)

Adoption Cause 193 of 2012

IN THE MATTER OF THE CHILDREN ACT, 2001

AND

IN THE MATTER OF BABY G.N alias BABY F

A. W. G.....APPLICANT

J U D G M E N T

The applicant, A.W.G is a sole female applicant. She is a civil servant. The applicant has not been married. She wishes to adopt a child, in this case Baby G.N alias Baby F. The child, Baby G.N alias Baby F was presumed to have been born on 14th October 2009. She was found abandoned on 22nd October 2009 at [particulars withheld] Estate in Nakuru. She was rescued and taken to Provincial General Hospital Nakuru. The matter was reported to Nakuru Police Station on the same day. The child was admitted to African Gospel Church Baby Centre for care and protection. The Nakuru Children's Court did place the custody of the child to the said children's home pending formal adoption proceedings. The child was placed with the applicant on 22nd October 2010 for mandatory bonding pending these proceedings. Since then, the child has been under the care and custody of the applicant. The child was declared free for adoption on 13th October 2010 by Little Angels Network Adoption Society. A certificate to that effect has been issued.

Prior to the hearing of the adoption, the Little Angels Network, an adoption society prepared a report which is filed in court. The Director of Children's Services has also prepared a report which is on record. The guardian ad litem, L.W.A, prepared a report which has been filed in court. All the reports are favourable and recommend that the court allows the applicant to adopt the child. I have evaluated the facts of this adoption. This is a local adoption. It is evident that the applicant has fulfilled all the legal requirements relating to the adoption of the child. The consent of the biological parents of the child has been dispensed with since the said biological parents cannot be traced to give their consent. This court is satisfied that the applicant is qualified and able to take care of the child. The home visits by the guardian ad litem, the Adoption Society and the Director of the Children Services established that the applicant has the financial capability to provide for the upkeep and education of the child. This court observed that the applicant with the child in court. It was evident that in the period that the applicant has had the custody of the child, the child has bonded well with her. The child considers the applicant her parent.

This court formed the opinion that it would be in the best interest of the child to be adopted by the applicant. I allow the application for adoption. The applicant, A.W.G, is hereby allowed to adopt Baby G.N alias Baby F. She shall henceforth be known as J.G.N. Her date of birth shall be 14th October 2009. F.M. C and S.C, shall be the legal guardians of the child should such eventuality arise. I direct the Registrar General to enter this order in the adoption register. I hereby discharge the guardian ad litem. It is so ordered.

DATED AT NAIROBI THIS 4TH DAY OF APRIL, 2013

L. KIMARU

JUDGE