

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

AND

IN THE MATTER OF BABY B.M.M.

RULING

I have examined the child in this adoption cause **Master B.M.M.** who is over 14 years old. He is 16 years old and happy to be under the care and custody of the applicant. He understands fully why he is before court and consents to the adoption order being made in his case.

Having perused the reports filed by the **Guardian Ad Litem on 24th February 2012** and that of the **Director of Children's Services dated 6th June 2011**, I am satisfied that the applicant is suited to adopt the child and that special circumstances do exist for her adopting him despite her being a single female. The happy bond between the applicant and the child is clearly evident and there is no doubt that the applicant continues to provide a happy home for **Brian** who is reported to recognize her as a mother and her only daughter as a sister. The applicants motive to adopt **B.M.M.** is noble and I am satisfied that the adoption is in the best interests of the teenage child, who has confirmed his consent to the same here in court. For this reason I deem the consent of the biological father who is known, but has not shown interest in the child, to be unnecessary, since, from the facts presented before court he appears to have disowned any claim to parental custody.

Accordingly the Originating Summons is allowed in terms of prayer 2 with an order that the Registrar of persons do make the requisite entries in the register in recognition of this adoption order.

Even as this court grants the applicant the right to the sole custody of the child, over and above any claim the biological father might have had, the father is not discharged from his parental responsibility towards **Master B.M.M.** Master **B.M.M.** and the applicant are still entitled to move the court for appropriate orders in that regard should they wish to do so at the appropriate time.

Orders accordingly.

Delivered in open court this 2nd day of March 2012.

M.G. MUGO

JUDGE

Mrs. Njeri Onyango for the applicants.