



REPUBLIC OF KENYA



**In re QI (Baby) (Adoption Cause E299 of 2025)
[2026] KEHC 1508 (KLR) (Family) (13 February 2026) (Judgment)**

Neutral citation: [2026] KEHC 1508 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

FAMILY

ADOPTION CAUSE E299 OF 2025

PM NYAUNDI, J

FEBRUARY 13, 2026

N THE MATTER OF THE CHILDREN'S ACT, 2022

AND

IN THE MATTER OF BABY QI

IN THE MATTER OF

SWM APPLICANT

JUDGMENT

1. Vide application filed by the Applicant on October 29th October, 2025 seeking the following orders that:-
 - a. She be authorized to adopt BABY QI a minor who is to be known as AN and the Registrar General be directed to enter this adoption into the Register of Adoptions.
 - b. JNM and STM be appointed as the legal guardians of the minor who shall be presumed to have been born in Kenya.
2. SWM is a single Kenyan Citizen residing in Kiambu County. She is the head of Sales for Colgate Palmolive representing Ethiopia and Kenya. She has the means to provide for the child. She has had custody of the child since 2nd July, 2025. The child is 4 years old. She fully understands the implications of an adoption order. She has no biological children of her own hence her desire to adopt.
3. BABY QI (the Child herein) is a female Child presumed to have been born on 2nd June, 2022. The child was found abandoned outside the gate of Imani Children's Home on 3rd August, 2022 by Imani Children's Home Team and a Social Worker. The child was rescued and the matter was reported to Soweto Police Station and recorded vide O.B No.15/03/08/2022. Subsequently, the Child was placed temporarily at Imani Children's Home as a Child in need of Care and Protection. That on 12th June



2025, the child was later committed to the said Home by Magistrate's Children Court in Nairobi Vide Care and Protection File P&C NO. 267/2025. In Addition, Soweto Police Station confirmed by their letter dated 17th October 2024, that nobody had claimed the child since she was abandoned. The search for her parents has been fruitless

4. Thereafter, the Applicant approached Buckner Kenya Adoption Services, she was taken through an explanatory memorandum and dully signed forms. Consequently, the child was declared free for adoption by the case committee on 11th October, 2024 vide freeing Certificate Serial No. 0919. The child was placed with the Applicant on 2nd July, 2025.
5. All the Statutory Reports that have been filed in respect of the proposed adoption of the child by the Applicant has recommended that this Court allows the Applicant to adopt the child. Sub County Children's Officer Kiambu, submitted a report dated 14th January 2026 where she confirmed that the Child and the Applicant has bonded well, Applicant is socially and financially capable of raising the Child. It also confirmed that the Applicant had a clean bill of health and that she had no criminal record as evidenced by copy of her certificate of good conduct and medical records attached. Another positive report filed by Patriciah Ndunge recommend the adoption proceedings.
6. Further proposed Legal Guardians JNM (Applicant's Mother) AND STM (Applicant's brother) consented to be the Legal Guardians in the event the Applicant is unable to discharge her responsibilities as they will assume full parental responsibilities according to adoption orders.
7. The Court interviewed the minor and it was evidenced that she recognized the Applicant as her mother.

Determination

8. The Court has evaluated the facts of this local adoption from the Reports filed. It is evident that the Applicant has fulfilled all the legal requirements of a local adoption as required under Section 184 of the Children's Act, 2022. All the necessary Reports and consents required for this Adoption have been filed. The consent of the biological parents of the child was dispensed with since the child was abandoned at birth. This Court has satisfied itself that the Applicant is qualified and able to take care of the child. The home visits conducted by the guardian ad litem and the representative of the Department of the Children's Services established that the Applicant has the financial and emotional capability to provide for the upkeep, care and education of the Child and that the Child has bonded well with the Applicant.
9. Article 14 (4) of *the Constitution* of Kenya 2010 provides that: -
 - “(4) A child found in Kenya who is, or appears to be less than eight years of age and whose nationality and parents are not known, is presumed to be a citizen by Birth.”
10. This court is therefore of the opinion that this Adoption would be in the best interest of the child and allows the Applicants' application that;
 - a. The Applicant, SWM is hereby allowed to adopt BABY QI.
 - b. Henceforth, the child shall be known as AM.
 - c. Her date of birth shall be 2ND JUNE, 2022 in KIAMBU COUNTY
 - d. She is presumed to be a citizen of Kenya by birth.
 - e. JNM and STM are hereby appointed as legal guardians of the child



- f. The Registrar General to enter this order in the Adoption Children Register.
- g. The Registrar General be authorised to issue the child with Birth Certificate.
- h. The Director Immigration be authorised to issue the child with a Kenyan Passport.
- i. The guardian ad litem is hereby discharged.

It is so ordered.

SIGNED DATED AND DELIVERED IN VIRTUAL COURT THIS 13TH DAY OF FEBRUARY, 2026.

P. M NYAUNDI

HIGH COURT JUDGE

In the presence of:

Fardosa Court Assistant

Ambaka for Applicant

