



**In re HM (Child) (Adoption Cause E010 of 2025)
[2025] KEHC 11524 (KLR) (31 July 2025) (Judgment)**

Neutral citation: [2025] KEHC 11524 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E010 OF 2025**

EN MAINA, J

JULY 31, 2025

IN THE MATTER OF THE CHILDREN ACT, 2022

AND

IN THE MATTER OF AHM (CHILD)

AND

IN THE MATTER OF

FNN APPLICANT

JUDGMENT

1. The child in these proceedings is a male child now aged two years and three months old. He was born to ALM at Juja Road Hospital in Strarehe Nairobi on 20th April 2023 as per the child's birth notification serial No. XXXXXX. ALM the child's biological mother had earlier approached the Kenya Children's Homes Adoption Society where she had made clear her intention of offering her son for adoption after birth stating that the conception was not planned for and the child's father's whereabouts were unknown. Subsequently, after being taken through the process, she signed the Certificate of acknowledgement. Later on she swore and signed an affidavit before a Commissioner for oaths confirming that she had given her final consent towards the intention to give up her son for adoption.
2. The child was admitted to New Life Home Trust on 13th June 2023. Subsequently, the Children's Court in Milimani committed the child to the New Life Home Trust for care and protection *vide* Care and Protection Case No. E503 of 2024 on 15th November 2023.
3. The child remained in the care of New Life Home Trust until 13th December, 2024 when he was placed in the care of the Applicant FNN.



4. In a meeting held on 20th November, 2024 the case Committee of Kenya Children's Home Adoption Society's declared the child free for adoption and issued a certificate No. 1023 to that effect.
5. The Applicant herein FNN made an application to Kenya Children's Homes Adoption Society with an intention of being ratified for placement with two children, male and female aged below two years with a view of eventually adopting the children. Home assessment visits were carried out to assess the Applicant's suitability to adopt. The Kenya children's Homes Adoption Society in their Case Committee sitting on 20th March 2024 approved the Applicant as a suitable potential adopter. The child was subsequently placed with her by New Life Home Trust on 13th December, 2024. The Applicant has been fostering the child since then and according to the reports the two have bonded well.
6. The Applicant is a resident of Machakos Town within Machakos County. She is currently not in any marital relationship but is open to marriage. The Applicant does not have any biological children and her motivation for adopting this child is so as to start a family of her own while she is still young. She lives in a permanent rental one bed roomed house in a secure environment which has water and electricity. The Applicant is a teacher by profession therefore she has a stable income from employment and she also engages in small scale businesses for extra income.
7. The Applicant's extended family are supportive of the adoption and they are all positive about it. They have offered a lot of support to the Applicant. The Applicant has proposed her younger sister AWN as the Legal Guardian of the child.
8. The following reports have been duly filed in regard to the adoption.-
 - a. Report of the *Guardian Ad Litem*.
 - b. Reports from the Kenya Children's Home Adoption Society declaring the child free for adoption and also recommending the adoption.
 - c. Report of the Directorate of Children's Services – Sub County Children Services – Machakos Town Sub-County Also recommending the adoption.
 - d. Affidavit & Consent of AWN to act as the Legal Guardians.
9. All the reports recommend this adoption which is a family based and domestic adoption. The child has been under the continuous care of the Applicant since 13th December, 2024 and they have bonded well and the Guardian ad litem highly recommends her as an adopter.
10. Having carefully considered all the material before me, I am satisfied that the adoption meets the conditions of part XIV of the [Children Act](#) and is in the best interest of the child. The Applicant fully understands the implications of an order of adoption and has already assumed her responsibilities. She has met all the conditions of an adopter as set out in the [Act](#).
11. Accordingly, the application is allowed and orders are granted as follows: -
 1. That the Applicant be and is hereby allowed to adopt the child and an adoption order shall issue.
 2. That the child shall now be known as AK.
 3. The child's date of birth shall be 20th April 2023.
 4. That AWN be and is hereby appointed as the Legal Guardian of the child.



5. That the *Guardian Ad Litem* is hereby discharged.
6. That this adoption order shall be lodged with the Registrar General and the Registrar General is hereby directed to enter the adoption in the Adopted Children Register.

It is so ordered.

JUDGMENT DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 31ST DAY OF JULY, 2025.

E. N. MAINA

JUDGE

In the presence of:

Miss Mbuvi - for the Applicant

Geoffrey - Court Assistant

