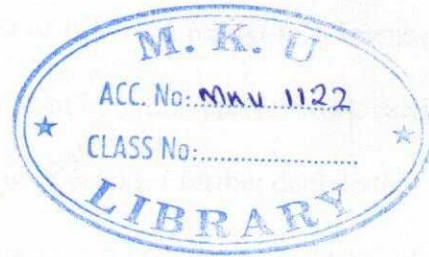


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ANALYSIS OF THE ADOPTION LAWS IN KENYA



BY

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ABSTRACT

This is a legal research on the adoption laws of Kenya seeking to establish whether or not the laws in part are discriminatory towards single applicants of adoption. This project will rely wholly on Section 158 Children Act which lays out the requirements that one needs to satisfy so as to qualify to adopt in Kenya. In seeking to establish the same, a comparative analysis is conducted to prove or disapprove that the laws are discriminatory. The research further expounds on the legal and institutional framework of adoption in Kenya according to Act putting to recognition that adoptions are carried out by licensed adoption societies who are mandated by law to start such a process and the process is culminated at the high court which issues an adoption order and subsequently an adoption certificate is issued to the adopted child. The issuance of the adoption certificate as opposed to birth certificate forms the basis of the second research question that the project will seek to establish whether or not it's discriminatory.

In view of the research questions and statement of problem, the research comes to a conclusion that the requirements for qualification are discriminatory but are in the best interest of the child and it recommends that the law makers come up with a mechanism to vet potential applicants. The research also finds that the issuance of adoption certificates as opposed to birth certificates to be discriminatory a position that was reviewed by the High Court in Kenya.