

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA AT JINJA**

**MISC. CAUSE NO. 025 OF 2012**

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**IN THE MATTER OF HANNAH LAURA MIREMBE FROESE (AN INFANT)  
AND  
IN THE MATTER OF A PETITION FOR ADOPTION OF THE INFANT BY DR.  
JEAN CHAMBERLAIN AND THOMAS FROESE**

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**BEFORE: THE HON. JUSTICE GODFREY NAMUNDI**

**RULING**

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In this petition, the Applicants seek an Adoption Order in respect of Hannah Laura Mirembefroese.

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This child is said to have been abandoned by her mother one Jamira in February 2006 and no person has claimed parentage or relationship to the child.

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The petitioners are Canadian citizens who currently live in Uganda at Uganda Christian University Mukono. They have been married since 2001 and are both in their late 40s by age.

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The first Petitioner is an Obstetrician and Gynecologist attached to Uganda Christian University while the 2<sup>nd</sup> petitioner is a Journalist also based at the same University. They have 2 biological children. The Petitioners have fostered and cared for the child since 2009 and is now aged 7 years.

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In 2010, under Family Cause No. 38 of 2009, the Petitioners were granted Legal Guardianship over the child by Lady Justice Irene MulyagonjaKakooza. They have now fostered the child for over 3 years and depending on their conduct since then and recommendations as to suitability, are entitled to seek an Adoption Order.

The said recommendations as well as the report of the Probation Officer have been filed on court record.

The further qualification is that they have stayed in Uganda since 2005 more than the minimum 3 years required by our Laws.

5 In applications of this nature, the welfare principle is the determining factor. **(Section 3 (1) of Cap.59)**.The best interests of the child will be considered above and over all other interests and considerations.

10 The same above principles have been upheld in various authorities including **Family Cause 86/2011** and **Court of Appeal Civil Appeal No. 33 of 2006**.

The infant has no other known relative and has grown up in the hands of the Petitioners.

15 I briefly watched the infant in Court and its interaction with the Applicants who were both in Court, the child looked happy in their company.

I am accordingly satisfied that the best interests of this child points towards granting the order for adoption.

20 The Petition is accordingly allowed and the Petitioners are granted an order of this Court for the adoption of Hannah Laura MirembeFroese as their child.

25 **Godfrey Namundi**  
**JUDGE**  
**10/01/2014**

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