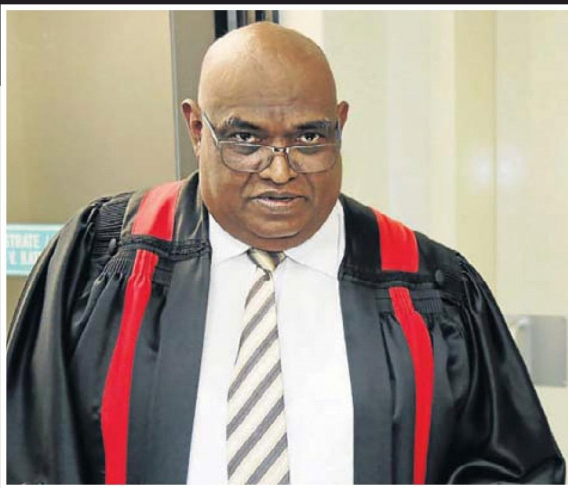




FATHER'S PLEA: Xolisile Sotshange wants to keep his son in South Africa

Abandoned at birth

‘Latrine baby’ in adoption tug-of-war



STOPPED ADOPTION: Magistrate Vallaraman Kathuravaloo
Picture: JACKIE CLAUSEN

SUTHENTIRA GOVENDER, BONGANI MTHETHWA and TASCHICA PILLAY

A BABY rescued from a pit latrine two years ago is now at the centre of a legal dispute between a magistrate and the director of a children’s shelter.

The case centres on the attempted adoption of the baby by a Canadian couple, who were raising R56 000 for the two-year-old boy.

The boy’s father, Xolisile Sotshange, 34, a security guard from Mbotyi village in Lusikisiki in the Eastern Cape, said his wife had gone to work in Durban, where she gave birth to the boy. She called him to say she and the boy were coming home.

But a week after his wife had called him, Sotshange said his wife’s relatives had told him she had thrown the child, known as Baby S, into a pit latrine, from which the child was later saved.

“When she came back, I spoke to her to find out what had happened and she told me

she didn’t know what had happened, and she believed she may have been bewitched,” he said.

The mother was convicted of attempted murder and received a suspended sentence.

Sotshange said he had only heard of his son being adopted by Canadians when he was phoned in March by Vallaraman Kathuravaloo, a magistrate in the Verulam Children’s Court.

The boy had ended up in a shelter for abandoned children near Durban.

The adoption was being facilitated by social worker Robyn Shepstone and the director of the shelter, Ruth Grobler.

When the adoption application came before him, Kathuravaloo insisted on summoning the child’s maternal grandmother, Nofikile Ngwevu, from whom he obtained Sotshange’s phone number.

He personally called Sot-

Magistrate halts R56 000 bid by Canadians for two-year-old



GRANNY CARE: Nofikile Ngwevu, right, and Kiviet Ngwevu, Baby S’s grandparents. Nofikile said she would be willing to care for her two-year-old grandson
Pictures: MATT KAY

shange, who told him that he and Ngwevu wanted to keep the child. Sotshange has five other children.

“It would have been better if his mother had given him back to me after giving birth and we could have taken care of him. It’s painful that my child is not

with me,” Sotshange said this week.

After Kathuravaloo halted the adoption process, Grobler approached the High Court in Durban in May to obtain an interim order allowing her to keep the child.

Last month, Kathuravaloo

filed an affidavit in opposition to the order.

The matter will be heard again in October.

Kathuravaloo said Shepstone and Grobler should have reunited the child with his father or maternal grandmother. Instead, they chose to “exploit the adoption system for commercial gain” and send Baby S to a Canadian couple who are raising about R56 000 according to their website.

Timothy and Heidi Penner, of Manitoba, were described as a devout Christian couple by Grobler.

Kathuravaloo said he was not a crusader and that he only wanted to see that the best interests of the child and family were served and that financial gain was not the criteria for intercountry adoption.

Kathuravaloo’s attorney, Godfrey Pillay, said: “He is going by what the Hague Convention says: you keep the child in its social set-up.

“For example, you don’t grab a child from the Eastern Cape and send him to Canada. Where’s the cultural thing?”

For now the boy is living in Grobler’s shelter until the case goes back to court in October.

Grobler, Shepstone and the Penners did not respond to questions.

The case has highlighted the debate over international adoption at a time when the number of children adopted in South Africa has almost halved in the past five years.

Intercountry adoptions dropped from 293 to 250 between 2010 and 2015, while adoptions within South Africa declined from 2 602 to 1 401, according to the National Adoption Coalition of South Africa.

From 360 000 orphans in 2002, South Africa now has 770 000 children who have no parents.

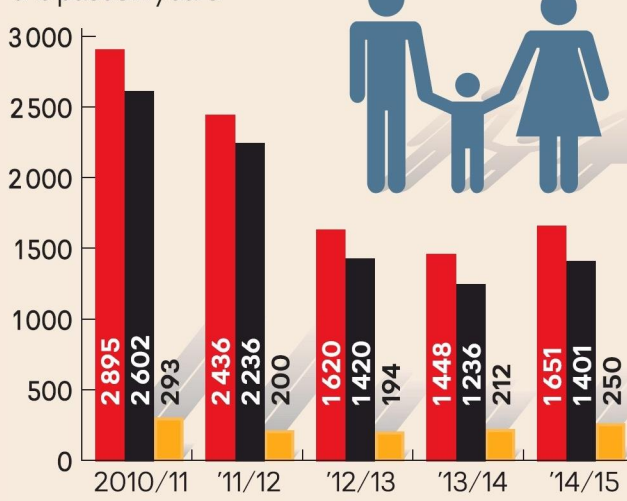
Despite this, only 515 children are “legally adoptable and listed on the register for adoptable children and parents”, according to the coalition.

Adoptions in South Africa: 2010 – 2015

Legal adoptions have declined by almost half in the past six years according to the National Adoption Coalition of South Africa

■ Total ■ National ■ International

Number of legal adoptions registered in SA over the past six years



Graphic: MATTHYS MOSS Source: DEPARTMENT OF SOCIAL DEVELOPMENT, NATIONAL ADOPTION COALITION OF SOUTH AFRICA

Pam Wilson, a social-work manager at Gauteng-based Impilo Child Protection and Adoption Services, said there had been a marked decline in the number of adoptions over the past few years.

“It has become increasingly difficult to do an adoption in South Africa.”

She said the Children’s Act was “an excellent piece of legislation”, but it had added many more administrative steps to the adoption process that could cause delays.

“There is insufficient infrastructure to effectively carry out the new processes required by the legislation,” she said.

Tebogo Mabe, the Department of Social Development’s director of adoptions and international social services, said: “There are no adequate families nationally.

“It is for this reason that more children are adopted into foreign adoptive families each year.”

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