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**MEDIA STATEMENT
FOR IMMEDIATE RELEASE
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HIGH COURT DISMISSES PRETORIA DOCTOR'S ATTEMPT TO INTERFERE WITH SIU'S NLC INVESTIGATION

The High Court of South Africa: Gauteng Division, Pretoria, has dismissed, with costs, an application brought by Dr. John Marite to compel the Special Investigating Unit (SIU) to change its National Lotteries Commission (NLC) investigation team and interfere in the way the SIU conducts its investigations.

In a judgment handed down on 5 September 2023, Acting Judge Hein Snyman said that the application against the SIU by Dr. Marite "amounted to an abuse of process".

An SIU investigation in the affairs of NLC had revealed that Dr Marite's company, Right Play Health Services, received approximately R7.2 million from Zibsimode NPC, non-profit organisation with links to former NLC board chairperson Alfred Nevhutanda. Zibsimode received grant funding of approximately R20.2 million from NLC for the roll-out of a public campaign and culturally sensitive medical intervention projects aimed at achieving traditional circumcision practice. The non-profit organisation contacted Dr. Marite, a medical doctor based in Pretoria, and his Right Play Health Services to perform the male circumcision service.

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In addition to the R7.2 million paid to Dr. Marite's company, Zibsimode made payment of approximately R3 million towards the construction of a house belonging to South African actress Moitheri Pheto.

On 31 May 2017, Dr. Marite invoiced Zibsimode and a payment of R7 292 700 was made into the bank account of Right Play Health Services. Two days later, Right Play Health Services deposited approximately R 2 009 700 to an entity called Ironbridge Travel Agency without a sign of any work being done. The directors of Ironbridge at the time were all linked to the then-Chief Operating Officer of NLC, Phillemon Letwaba. The directors were Karabo Sithole (Letwaba's cousin), Rebotile Malomane (Letwaba's wife), Relebogile Constance Maboa (Sithole's wife) and Thabo Letwaba (Letwaba's brother).

On the same day, Right Play Health Services further transferred R 2 013 000.00 to Ndzuku Trading entity owned by Malwandla Solly Siweya, a respondent in the Dr. Marite's court application against the SIU. He wanted the court to order Siweya to stop harassing him. Siweya's Ndzuku Training also received three payments from Zibsimode totalling R4.1 million.

The SIU interviewed Dr. Marite on the payment he received from Zibsimode, and payments he made to Ironbridge Travel Agency and Ndzuku Trading. When he failed to answer questions from SIU investigators, he approached the High Court to seek an order for SIU to change its NLC investigation team and interfere in the way the Unit conducts its investigations.

The SIU welcomes the High Court's ruling and views the court challenge by Dr. Marite as an abuse of process, something the judge agreed with, and an attempt to avoid accountability. The ruling paves way for the Unit to finalise its investigation relating to R7.2 million received by Dr. Marite and ensures the independence of the SIU is not compromised.

The SIU was, in terms of Proclamation R32 of 2020, authorised by President Cyril Ramaphosa to investigate allegations of corruption and maladministration in the affairs of NLC and the conduct of NLC officials, and to recover any financial losses suffered by the State.

The SIU is empowered to institute civil action in the High Court or a Special Tribunal in its name, to correct any wrongdoing uncovered during its investigations caused by acts of corruption, fraud, or maladministration. In line with the Special Investigating Units and Special Tribunals Act 74 of 1996, the SIU refers any evidence pointing to criminal conduct to the National Prosecuting Authority (NPA) for further action.

END

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