A’Court nullifies Lagos doctor, Olaleye's rape conviction

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The Appeal Court, Lagos Division, on Friday nullified the conviction of Dr Olufemi Olaleye, the Medical Director of Optimal Cancer Care Foundation, who had been convicted and sentenced to life imprisonment for raping his wife’s niece.  
  
The court discharged and acquitted Olaleye after finding the judgement of the trial court to be faulty.  
  
The appellate court held that “the prosecution’s case was bereft of any credible evidence that she was a child. Credible and reasonable doubt was created in the prosecution’s case.”  
  
“It is on record that the trial court concluded on the age of the victim based on the evidence of witnesses, even though none gave evidence of experiencing PW2’s birth,” the court added.  
  
Delivering the judgement on Friday, the lead judge of the three-judge panel, Justice Olukayode Bada, stated that the trial court had erred in convicting Olaleye based on the “tainted” and “unreliable” evidence of his estranged wife, Oluremi, and the alleged survivor (names withheld).  
  
The court found that there were material contradictions in the evidence presented by the prosecution, which should not have been relied upon by the lower court.  
  
Justice Rahman Oshodi of the Lagos State Sexual Offences and Domestic Violence Court had, on October 24, 2023, convicted and sentenced Olaleye to life imprisonment for raping his wife’s teenage niece.  
  
Oshodi had ruled that the prosecution proved the two counts of defilement and sexual assault by penetration against Olaleye.  
  
He stated that the evidence presented before the court was compelling and proved the charges beyond reasonable doubt.  
  
Oshodi also noted that the convict’s confessional statement made before his former counsel, Mr Olalekan Buruji, and the DPO of Anthony Police Station, Patricia, where he expressed regret for his actions, was key to proving his guilt.  
  
The judge further remarked that Olaleye’s denial of the statement he made at the police station was unconvincing, as the document he signed bore the seal of his counsel, Buruji, from the Nigerian Bar Association.  
  
“The convict is a dangerous offender who should be ashamed of himself, as he showed no sign of remorse,” Oshodi said.  
  
He described the horrific nature of Olaleye’s actions, including forcing the survivor to watch pornography and subjecting her to repeated sexual assault, acknowledging the convict’s confession that he was a sex addict.  
  
However, dissatisfied with the verdict, Olaleye, through his lawyer, Kemi Pinheiro (SAN), filed an appeal on November 24, 2023, seeking to overturn Justice Oshodi’s judgement.