Appeal Court to rule on Lagos doctor’s rape conviction

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The Lagos Division of the Court of Appeal has reserved judgment on the appeal filed by the Medical Director of Optimal Cancer Care Foundation, Dr. Olufemi Olaleye, who is challenging his rape conviction and life imprisonment sentence.  
  
Justice Rahman Oshodi of the Lagos State Sexual Offences and Domestic Violence Court convicted Olaleye in October 2023 of raping his wife’s teenage niece.  
  
The judge, in his judgment said he found the case of the prosecution compelling.  
  
But displeased with the verdict, Olaleye, through his lawyer, Kemi Pinheiro (SAN), filed an appeal in November 2023, seeking to overturn Justice Oshodi’s judgment.  
  
In his 35 grounds of appeal, the convict, through his lawyer, contended that there was no direct evidence confirming the alleged victim’s age, asserting that the prosecution failed to provide any documentation to support its claim that she was 16 years old at the time of the offence.  
  
Pinheiro contended that the alleged victim’s testimony was riddled with inconsistencies, noting that she did not initially accuse Dr. Olaleye of rape when making her statement to the police.  
  
“Her testimony is full of contradictions,” the defence argued.  
  
In response, the prosecution maintained that it had established the offences of defilement and sexual assault by penetration beyond a reasonable doubt, which justified the conviction.  
  
The prosecution asserted that to prove the offence of defilement, it must be established that the child was underage and that the accused engaged in sexual intercourse with the child, regardless of consent.  
  
The prosecution argued that all elements had been proven during the trial and that the trial judge relied on this evidence to convict the appellant.  
  
They further insisted that there were no contradictions in the testimonies of their witnesses.  
  
The appellate panel, comprising Justice Olukayode Bada, Justice Mohammad Sirajo, and Justice Folasade Ojo, listened to the arguments from both sides and subsequently reserved its judgment.