

# Crime

Taiwo Jimoh

## Man spends one year in SARS cell, six years awaiting trial ...girlfriend gang-raped, impregnated, dies

**T**hirty-one-year-old Mr Raphael Ashy choked on emotion as he tried valiantly not to break down.

"I've spent seven years between police detention and Kirikiri Prison for committing no crime. These days, I pray every day for God to bring someone to rescue me out of this hell that has become my life. I can't even begin to imagine what my aged mother has been going through all these years. I don't even know why I'm in this prison," he said.

Ashy is an inmate of Kirikiri Prison and has been there now for six years. How he was able to get a phone to call our correspondent to tell his story of alleged injustice and suffering is best imagined.

According to him, on the day that his trouble started, leading to his becoming a guest at the police station, was also the day that those who caught him and labelled him an armed robber, gang-raped his girlfriend, Balikis Lawal. The rape of the girl, who eventually got pregnant and died, psychologically traumatised him, he said. Ashy added that he was framed by some boys residing at the Railway Station area of Ebute-Metta, Lagos State.

He disclosed that it was the same set of boys, who gang-raped his girlfriend, who became pregnant. Ashy said that he couldn't understand why he was languishing in prison, while those who gang-raped Lawal put her in the family way and then caused her subsequent death, were still walking the streets as free men.

Ashy explained that he and Lawal were sleeping in their house, at Abule Baba-Egun, Ebute-Metta area when the hoodlums invaded the place and abducted the two of them. They were taken to the hoodlums' community where they repeatedly gang-raped Lawal.

The incident occurred on October 1, 2013, about 12am. He recalled that Lawal was whisked away to a nearby bush, where she was subdued and raped. Ashy said he was then taken to a police station and labelled an armed robber.

He said: "The hoodlums beat, tied my hands and legs before handing me over to the then Divisional Police Officer (DPO) in charge of Denton Police Station. The DPO transferred me to the Special Anti-Robbery Squad (SARS) office at the Police Command Headquarters, Ikeja. I spent a year in SARS detention before being charged to court."

Ashy's friend, Emmanuel Kalejaiye, said it was not only Ashy who was imprisoned. He disclosed that another of their friend, Taiwo Idowu, was also remanded in Kirikiri Prison after being charged to court by SARS operatives.

"What led to the incarceration of Ashy and Taiwo Idowu in Kirikiri Prison since 2014 was caused by a mere street fight. It was just a fight between Ashy and a boy from the Railway Station area. The fight started with an argument and snowballed into a fight. People intervened and tried to stop them from continuing with the fight. After we had settled the fight, both parties left. We all thought that was the end of it. But to everyone's shock, the guy who fought with Ashy left to reinforce. He returned with some boys from his community. They were all armed with dangerous weapons. My friends and I



Idowu, one of the inmates in Kirikiri Prison

stopped them from attacking Ashy. We were still trying to pacify both parties, when policemen suddenly appeared on the scene and everyone scamped. The police left when they couldn't arrest anyone," Kalejaiye said.

Kalejaiye further recalled that two hours after the police left, he and his friends came out of their hiding. A few minutes after this, they took a walk and walked into policemen, who decided to frisk every one of them.

He added: "They searched my bag and saw my dad's military uniform. They asked where I got the uniform; I told them that it belonged to my father. They didn't believe me and then arrested me. Our friends later came to bail us with N27,000. Immediately we were bailed, I left the community. I left the community for Agbado area, because I knew the Railway Boys would definitely come back for a reprisal. I was at Agbado when information got to me that Railway Boys and Boola Boys invaded our street at night and abducted Ashy and his girlfriend from where they were sleeping. They dragged them to their community and tied Ashy's legs and hands and placed some weapons before him. They then said they had arrested armed robbers, who had been disturbing their community. They bundled him to Denton Police Station and from there he was taken to SARS office at Ikeja, where he spent a year. It was after a year that he was charged to court and then remanded in prison, where he has now

spent six years.

"Taiwo Idowu was also caught by the Railway Boys in our community, where he was playing, and handed him over to the Denton Police Station. The Railway Boys accused Idowu of supporting Ashy to beat one of them.

They also accused him of robbery and handed him over to the police. When they were charged to court, the policemen from Denton Police Station said they found guns and other weapons on Ashy and Taiwo. The police further claimed to have recovered guns from them which they were using in fighting. But the truth is that during street fights, we don't use guns, but bottles and stones. I don't know where police or the Railway Station Boys got the guns they claimed were found on Ashy and Taiwo. The whole false allegations were not just from Railway Station Boys, but also from the Investigating Police Officer (IPO) at Denton Police Station. I'm begging human rights lawyers to intervene in this case. These guys didn't rob anyone and are not armed robbers."

Ashy said: "I'm rotting away in prison. Those of us at Abule Baba-Egun and the Railway Station Boys used to be friendly until 2008 when they were chased away from the land by a developer who built an estate on the land. Since then, we and Railway Station Boys had not been relating well."

Ashy also recollected his journey to Kirikiri Prison.

He said: "On that fateful day, I was

going home when some guys attacked me. When I realised I couldn't handle them, I had to call my friends to come and rescue me. We left the scene and went to our area, unaware that the case had not been settled. Two days later, my girlfriend and I were sleeping, when the Railway Station Boys stormed my house and abducted the two of us. My hands and legs were tied after I had been beaten. My girlfriend was taken into a nearby bush and gang-raped. While they were raping her, I heard her screaming and begging them to release her. She also called my name several times, begging me to come to her rescue. I couldn't rescue her because of my situation. She was freed that night, but she had nowhere to go and stayed with me in the cold where I was tied. While taking me to Denton Police Station in the morning, I asked her to go home and take care of herself. While at SARS office, we were unable to talk. I was later told that she died as a result of the pregnancy from the gang-rape. I couldn't sleep when I heard about the incident and up till this moment, I'm plagued by nightmares of her being gang-raped and screaming. She was dear to me. After spending a year in SARS's detention, I was charged to court and from there remanded in this Kirikiri Maximum Prison.

"I was tortured in SARS cell at Ikeja, before I was charged to court after a year in detention. I was beaten mercilessly. Even when I told the police that I was not an armed robber, they didn't listen. I will never forget the days, weeks and months I spent in SARS detention. I was beaten on a daily basis to admit to being an armed robber. There were some suspects who lost consciousness while being beaten to confess to crimes. I don't pray my enemy to be detained in SARS cell."

Idowu, who also spoke from the prison, said he was always the one being taken to court, while Ashy would be left behind. However, whenever he was taken to court and the case was called, his name and that of Ashy would be called on the same case.

He said: "When I told my lawyer that the person they always call his name along with mine during court hearing, was in the same prison with me, my lawyer advised that whenever they call my case in the court, I should raise up my hand and tell the court that Ashy was in prison. The lawyer's suggestion worked and since then, both of us have been going to court together."

A lawyer, Lukman Agbelu, while reacting to Ashy's long detention in SARS facility, said: "Police do not have the right to detain any suspect beyond 14 days. There is what is called Remand Warrant, but after its expiration you can't renew it anymore and such a suspect would be charged to court for trial."

Asked if there are consequences for detaining suspect beyond 14 days, the lawyer said that such a suspect had the right to sue for violation of his fundamental rights.

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