

CONFESSION

CONFESSION – STATEMENT ALONE CAN GROUND CONVICTION – RV SYKES 1913 8 C.A.R 233 at 236 – 237; YESUFU V STATE 1975 5 S.C. 167; ACHABUA V STATE 1976 12 S.C. 63 Even where the Accused has retracted same – RV ITULE 1961 ANLR 462; SALAWU V STATE 1971 NMLR 249; GODWIN IKPASA V A.G. BENDEL STATE 1981 9 S.C. 7; AKINFE V STATE 1988 3 NWLR Pt. 85 729; HASSAN V STATE 2001 90 LRCN 2836;

CONFESSION – NEED TO TEST CONTENTS BY FACTS OUTSIDE THE STATEMENT – GODWIN IKPASA V STATE supra; HASSAN V STATE supra.

CONFESSION – Once a confessional statement is admitted in evidence, it becomes part of the case for the prosecution which the judge is bound to consider for its probative value – EGBOGHONOME V STATE 1993 13 LRCN Pt. A. 761; 1993 7 NWLR Pt. 306, 383; HASSAN V STATE supra EDET OFFIONG EKPE V THE STATE 1994 9 NEWLR 263

CONFESSION – WHEN OBJECTION CAN BE RAISED – When it is sought to be tendered – AKPAN V STATE 1991 3 LRCN 800; 1992 6 NWLR Pt. 248, 439, MOHAMMED V STATE 1991 4 LRCN 1406; 1991 5 NWLR Pt. 192 438 at 457.

CONFESSION PER SE CAN SUSTAIN CONVICTION – IDOWU V STATE 2000 80 LRCN 2788.

CONFESSONAL STATEMENT – CONFIRMATION BEFORE SUPERIOR POLICE OFFICER – Is a desirable practice but not a requirement of law – RV SAPELE 1957 2 FSC 24;

NWIGBOKE & ORS V R 1959 4 FSC 101

ALARAPE V STATE 2001 84 LRCN 600.

CONFESSONAL STATEMENT – INCREIMINATION CO-ACCUSED – Confession is only against the maker. It is not admissible against other accused unless corroborated by other evidence – EMEKA V STATE supra.

CONFESSON – NEED FOR TRIAL WITHIN TRIAL – When the voluntariness of a confession is raised the court must conduct a trail within trial – EMEKA V STATE supra.

CONFESSON – TRAIL WITHIN TRIAL – IRREGULARITY – Where the trial court wrongly calls upon the Accused to start in a trial within trial, it amounts to an irregularity. If it does not cause a miscarriage of justice the conviction will not be set aside – EMEKA V STATE supra.

CONFESSONAL STATEMENT – TRIAL WITHIN TRIAL WHEN REQUIRED – MADJEMU V STATE 2001 87 LRCN 1503