

CRIMINAL DIVISIONS PRACTICE DIRECTIONS, 2018

In exercise of the powers conferred on me as the Chief Judge by Section 32 (1) (2) AND (3) of the High Court Law Cap. 65 Volume III, Laws of Bendel State of Nigeria 1976, applicable in Edo State of Nigeria by virtue of Section 4 of Act No. 41 of 1991; Section 6(1) (a) of the Magistrates' Courts Law, Cap 97, Volume IV, Laws of Bendel State of Nigeria 1976 applicable in Edo State of Nigeria and by Sections 32, 33 and 34 of the Customary Court Edict No2 of 1984 also applicable to Edo State and by virtue of all other laws enabling me in that behalf, I, **ESOHE FRANCES IKPONMWEN**, Chief Judge of Edo state of Nigeria, hereby issue the following practice directions:

WHEREAS BY ORDER 5 Rule 18 of the Practice Directions on the implementation of the Administration of Criminal Justice Law 2018 in the Courts of Edo State Judiciary issued by me as the Chief Judge of Edo State, which practice direction came into effect on the 1<sup>st</sup> Day of June 2018.

"The proceedings entitled "Trial within Trial" shall not be applicable in Criminal Proceedings in the High Court/Magistrate Court/Customary Courts: The Confessional statement or Oral admission of an offence by an arrested suspect shall be admissible in evidence. The weight to be attached to a confessional statement shall be considered by the Trial Judge or other presiding Officers of the lower Courts. Trial within Trial already commenced shall abate with the commencement of this Practice Direction".

ORDER 5 RULE 18 of the Practice Direction that came into effect on the 1<sup>st</sup> day of June, 2018 is hereby amended.

It is now directed that henceforth, Trial within Trial shall be Applicable in Criminal Proceedings in the High Court/Magistrate Court and Customary Courts in Edo State. Trial within Trial shall be commenced and concluded within thirty (30) days from the date of its order and may be extended for good reasons shown. All trials yet to be concluded for which a trial within trial ought to have been conducted but was not done due to the earlier Practice Direction should be conducted forthwith.

This Practice Direction 2018 shall come into effect on the 29<sup>th</sup> day of October, 2018

ISSUED UNDER THE HAND AND SEAL OF THE HON. CHIEF JUDGE OF  
EDO STATE, THIS 29<sup>th</sup> DAY OF October, 2018.

  
HON. JUSTICE E. F. IKPONMWEN, FCJEI

CHIEF JUDGE

EDO STATE

