HOW AND WHY THE SUPREME COURT BREATHED LIFE TO THE PROVISIONS OF *SECTIONS 15(4) AND 17(2)* OF THE ACJA, 2015 IN *FRN V AKAEZE* (2024) LPELR-62190(SC)

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Abstract

Prior to the latest 2024 judgment of the Supreme Court in *FRN v Akaeze*, the position of the law based on the judgment of the same Supreme Court was that the provisions of *section 15(4) and 17(2)* of the ACJA, 2015 on the procedure for obtaining confessional statement were not mandatory. The Supreme Court had interpreted that the word "May'" in those provisions cannot be interpreted as compulsory. This worked a lot of mischief on defendants as it also defeated the purpose of the ACJA. In an obvious shift in position, the Supreme Court, in its latest judgment in *FRN v Akaeze* applied the mischief rule to hold that the provisions of *section 15(4) and 17(2)* are mandatory. Against this backdrop, the paper adopted the doctrinal research method and critically examined relevant statutory provisions on confessional statement as well as previous and current judgments of the apex Supreme Court on the vexed subject matter in order to explicate the reasons why the paradigm shift in the law was recorded and why it remained preferable. As it is hornbook law that where there are two or more conflicting judgments, it is the latest in time that constitutes res judicata, it was recommended among other things that the progressive position of the law recorded in the latest judgment in *FRN v Akaeze* should be rigidly maintained and followed. Any confessional statement obtained in violation of the minimum procedural standard erected under the ACJA should remain involuntary inadmissible and rejected.

Keywords- audio, confession, inadmissible, virtual, voluntariness,

Introduction

This paper seeks to explicate and amplify how and why the recent the decision of the Supreme Court in *FRN V Akaeze*[1] introduced a paradigm shift in the law regarding the recording of confessional statement of a defendant through progressive interpretation of the provisions of *sections 15(4) and 17(2)* of the Administration of Criminal Justice Act, 2015[2]. For ease of understanding, the paper is divided into convenient parts or segments namely- provisions of the law on confessional statement, facts of the case and judgment of the Supreme Court in *FRN v Akaeze*, implications of the decision, recommendations and conclusion.

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1 (2024) LPELR-62190(SC). Delivered on Friday, the 1st day of March, 2024 in Suit No: SC.355C/2019 before Their Lordship Okoro, JSC; Ogunwumiju, JSC; Saulawa, JSC; Abubakar, JSC; Agim, JSC.

2 Hereinafter referred to as "ACJA".

Provisions of the law on confessional statement- *sections 15(4) and 17(2)* of the ACJA, 2015 and *sections 28 and 29* of the Evidence Act, 2011

It is provided under *section 15(4)* of ACJA, 2015 that

> *Where a suspect who is arrested with or without a warrant volunteer to make a confessional statement, the police officer shall ensure that making and taking of the statement shall be in writing and may be recorded electronically on a compact disc or some other audio virtual means.*

On the other hand, the verbatim provision of *section 17(2)* of ACJA, 2015 is that

> *Such statement may be taken in the presence of a legal Practitioner or his choice, or where he has no legal Practitioner of his choice, in the presence of an officer of the Legal Aid Council of Nigeria or an officer of a Civil Society Organization or a Justice of the Peace or any other person of his choice, provided that the Legal Practitioner or any other person mentioned in this subsection shall not interfere while the suspect is making his statement, except for the purpose of discharging his role as a Legal Practitioner.*

It is instructive to highlight that what constitutes "confession" and the criteria for determining the voluntariness or admissibility and involuntariness or inadmissibility of confessional statement is generally governed by the provisions of *sections 28 and 29* of the Evidence Act, 2011. *Section 28* of the Evidence Act, 2011 defines a "confession" as "an admission made at any time by a person charged with a crime, stating or suggesting the inference that he committed that crime". It is further provided in *section 29(1)* of the Evidence Act, 2011 that in any proceedings, a confession made by a defendant may be given in evidence against him in so far as it is relevant to any matter in issue in the proceedings and is not excluded by the court in pursuance of this section. With respect to admissibility or inadmissibility of confessional statement, it is provided in *section 29(2)* of the Evidence Act, 2011 that

> *If, in any proceedings where the prosecution proposes to give in evidence a confession made by a defendant, it is represented to the court that the confession was or may have been obtained-*
> *(a) by oppression of the person who made it; or*
> *(b) in consequence of anything said or done which was likely, in the circumstances existing at the time, to render unreliable any confession which might be made by him in such consequence, the Court shall not allow the confession to be given in evidence against him except in so far as the prosecution proves to the court beyond reasonable doubt that the confession (notwithstanding that it may be true) was not obtained in a manner contrary to the provisions of this section.*

Before the passage of the ACJA, 2015, the test of voluntariness or involuntariness of confessional statement was determined solely by the provisions of *section 29(2)* of the Evidence Act, 2011.[3] When objection to the involuntariness and admissibility of a confessional statement was raised timeously, the Court would usually determine the matter through a trial within a trial. As held in *Kamila v State*,[4] it is because of the strategic position of a confessional statement that there is no getting away from it that once there is a challenge to the voluntariness of confessional statement that the trial Court faced with this challenge is bound to conduct a trial within trial to determine the voluntariness or otherwise. Once that trial within trial has been carried out and the Court rules that the confession was voluntarily made, the appellant can no longer argue that he did not make the confession voluntarily without first impugning the trial within trial. Following the passage of ACJA, 2015, the question raged whether admissibility of a confessional statement is dependent on the presence of counsel or relation at the time of making the confession as required by *section 17(2)* of ACJA, 2015 or whether it is to be governed by the provision of *section 29(2)* of the Evidence Act, 2011. Thus, the question whether the said *section 17(2)* of the ACJA, 2015 can override the clear provision of the Evidence Act, 2011 on admissibility of confessional statement became contentious.

Judicial pronouncements differed whether the absence of making the confessional statement in the presence of a Legal Practitioner or in a video recording will render the confession inadmissible since these are not requirements of *sections 28 and 29* of the Evidence Act, 2011. Initially, there were conflicting decisions of the Court of Appeal on the effect of non-compliance with the provisions of *sections 15(4) and (17(2)* of ACJA, 2015 in recording a confessional statement. For example, in *Charles v FRN*[5] decided in 2018, the Court of Appeal held that sections *15(4) and 17(2)* of the ACJA, 2015 impose a duty on public functionaries (police officers and other officers of any law enforcement agency established by an Act of the National Assembly and this includes the EFCC) to record electronically on retrievable video compact disc or such other audio visual means, the confessional statements of a suspect and to take statements of suspects in the presence of the person or person/s set out in *section 17(2)* of the ACJA and that the use of the word "may" in those provisions are in those circumstances mandatory and not permissive. Consequently, the confessional statement of the appellant was expunged from the record of appeal on the basis of non-compliance with the provisions of *sections 15(4) and 17(2)* of the ACJA. This was also the line of reasoning of the Court of Appeal in *Nnajiofor v FRN*[6] decided in 2018.

However, on the contrary, later decisions of the same Court of Appeal became emphatic that without a doubt, the enactment dealing with the admissibility in evidence of a confessional statement is *section 29* of the Evidence Act, 2011 as it provides the circumstances in which a

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3 An involuntary confessional statement remains inadmissible while a voluntary confessional statement admissible and so potent that it is sufficient without more to ground a conviction. This is validated in a long line of decided cases which include but are not limited to *State v Fafuru* (2022) LPELR-58482 (SC); *Muhammed v State* (2023) 18 NWLR (Pt. 1865) 371; and *Olanrewaju v State* (2022) LPELR-57788 (SC).

4 (2018) LPELR-43603(SC) (Pp. 33-34 paras. F). The old case of *Bouwor v State* (2016) LPELR-26054 (SC) was cited in support.

5 (2018) LPELR-43922(CA).

6 (2018) LPELR-43925(CA). it was held in that case that this accords with the views of Lord Hudson in his speech in the House of Lords in *The Secretary of State of Defence v Warn* (1968) 3 W.L.R. 609 at 614 where he stated: "Procedural sections are usually mandatory and there is nothing which points to the contrary in this case. Procedural provisions are, as here, often inserted for the benefit of accused persons. See also *Oluwatoyin v State* (2018) LPELR-44441(CA).

confessional statement shall not be allowed to be given in evidence. Thus, in *Enang v The State,*[7] decided in 2019, the Court of Appeal held that non-compliance with the provisions of *section 15(4) and 17(2)* of the ACJA, 2015 will not render the confessional statement inadmissible. It held clearly that it is the Evidence Act, 2011 that governs admissibility of any documents or piece of evidence and not the ACJA, 2015 (which is a subsidiary legislation on matters of admissibility and evidence generally). This was also the line of reasoning in *Godwin Elewanna v The State.*[8]

Subsequently, in the 2022 decision of the Supreme Court in *Taiwo v FRN*[9] the stance taken by the appellant that *section 17(2)* of the ACJA, 2015 was not complied with and so the conviction a nullity was flatly rejected. In that case, the appellant was alleged to have sold Cannabis Sativa at Tipper Garage Ojodu Berger. He was charged before the trial Court on a one-count charge of dealing in 2.0 kilograms of Cannabis Sativa (otherwise known as marijuana). The appellant pleaded guilty to the one count charge. The respondent or prosecution tendered the substance and other relevant materials as exhibits among which was the confessional statement made by the appellant in Pidgin English and translated in English language. At the conclusion of trial, the appellant was convicted of the charge and sentenced to 25 years imprisonment with hard labour. Aggrieved by the conviction and sentence, the appellant appealed to the Court of Appeal. The Court of Appeal dismissed the appeal and affirmed the conviction and sentencing of the appellant to 25 years imprisonment. Still dissatisfied, the appellant further appealed to the Supreme Court.

In the Supreme Court, the three issues formulated for determination by the appellant were (1) whether the Court below (Court of Appeal) was right to uphold the Appellant's conviction on the strength of Exhibits PD3A and PD3B having misconceived the issue of its legal validity under *section 17(2)* of the ACJA, 2015 with the issue of admissibility under the Evidence; (2) whether the Court below was right to have affirmed the Appellant's conviction based on his plea of guilty when the mandatory provisions of the ACJA, 2015 were not complied with; and (3) whether the prosecution discharged the burden of proof against the Appellant beyond reasonable doubt notwithstanding his purported plea of guilty? The Supreme Court determined the appeal on the said issues.

In a unanimous decision, the Supreme Court dismissed the appeal as lacking in merit and upheld the judgment of the Court of Appeal which affirmed the judgment of the Federal High Court that admissibility of a confessional statement is not dependent on the presence of counsel or relation of the suspect at the time of making the confession. It was also stated that *section 17(2)* of the ACJA, 2015 which makes this a condition precedent cannot override the clear provision of *section 29* of the Evidence Act, 2011 which provides for how to test the voluntariness of a confessional statement. Specifically, the Supreme Court further upheld the judgment of the Court of Appeal that the word "may" as used in *section 17(2)* of the ACJA, 2015 as regards the taking and recording of a confessional statement is permissive and not mandatory and that the admissibility of a confessional statement is not dependent on the presence of counsel or relation at the time of making the confession, *section 29(1)* of the Evidence, 2011 Act must be satisfied. The said *section 17(2)* of the ACJA, 2015 cannot override the clear provision of the Evidence Act, 2011. Delivering the leading judgment, while resolving the issue whether the word "may" as used in *section 17(2)* of the ACJA, 2015

[7] (2019) LPELR-48682(CA).
[8] (2019) LPELR-47605(CA.
[9] (2022) LPELR-57826(SC). Delivered on Friday, the 8th day of April, 2022 in Suit No: SC.980C/2018 before Their Lordship Peter-Odili, JSC; Kekere Ekun, JSC; Okoro, JSC; Aboki, JSC; Saulawa, JSC.

with respect to the taking and recording of a confessional statement is permissive or mandatory, Peter-Odili, JSC[10] held as follows

> *The Court below stated the several options in implementation of section 17(2) ACJA and stated that the word 'may' used therein cannot by any stretch of the imagination be interpreted to mean mandatoriness, 'May' can be interpreted as compulsory in penal provisions and not otherwise, particularly in criminal procedure legislations. Indeed, the said section 17(2) of the ACJA is not a penalty section and in any event the issue of evidence is under a substantive law of Evidence and the Evidence Act provides for how to test the voluntariness of a confessional statement. The question may now arise as to whether the Administration of Criminal Justice Act being a Procedural Law can take precedence over the Evidence Act. It is a procedural breach which in most cases would not vitiate the trial. See Emedo v The State (2002) 15 NWLR (Pt.789) 196 wherein the Supreme Court held that an irregularity is not a factor that would justify the setting aside of a verdict or decision unless a miscarriage of justice is established as propelling that decision of the Court. The question of whether an extra statement is confessional or not depends on the facts surrounding a given case since the test of voluntariness of a confession must be carried out before its admissibility. That is what informs the necessity of a trial within trial once the voluntariness of the statement is challenged by the accused that makes the word 'may' in section 17(2) of the ACJA permission (sic) and not a mandatory word.*

The above was the state of the law before the 2024 judgment of the Supreme Court in *FRN v Akaeze (supra)*. The analysis to follow will show how the judgment of Supreme Court in *FRN v Akaeze* erected a new paradigm shift in the law by holding that the word "May" in *section 17(2)* of ACJA, 2015 is mandatory and not permissive.[11]

Facts of *FRN v Akaeze (supra)* and judgment of the Supreme Court

This was an appeal to the Supreme Court against the judgment of the Court of Appeal, Lagos Judicial Division, delivered on March 19, 2018 in Appeal No. CA/L/727CA/2017. The Respondent and two other persons were arraigned before the trial Federal High Court upon a two count charge of conspiracy and failure to declare the sums of money to the officers and men of the Nigeria Customs Service at the Murtala Muhammed International Airport, Lagos, contrary to *sections 2(3), 8(5) and 18* of the Money Laundering (Prohibition) Act, 2011 (as amended) by Act No 1 of 2012. During the course of the trial, the prosecution sought to tender the extra- judicial statements of the Respondent through the prosecution witness. Objection was taken by the Defence Counsel on the ground that the purported extra-judicial statement was confessional statement made involuntarily and without complying with *sections 15(4) and 17(2*) of ACJA, 2015. Thus, the Learned trial Court ordered for a trial-

[10] (Pp. 6-10, paras. C-A) per Peter-Odili, JSC.

[11] This is also the decision of the Supreme Court in *FRN v Nnajiofor* (2024) LPELR-62599(SC). This is a sister appeal to *FRN v Akaeze (supra)* delivered on Friday, the 1st day of March, 2024 in Suit No: SC.353C/2019 before Their Lordship Okoro, JSC; Ogunwumiju, JSC; Saulawa, JSC; Abubakar, JSC; Agim, JSC.

within-trial. The trial Court in its ruling on the trial within trial held that there was no evidence of torture or coercion in the taking of the Respondent's statements. The trial Court therefore admitted the said statements in evidence and same were marked as exhibits. Dissatisfied with the ruling of the trial Court, the Respondent appealed to the Court of Appeal. The Court of Appeal held in favour of the Respondent and the Ruling of the trial Court admitting the extra-judicial statements of the Respondent was thereby set aside. Consequently, it was directed that the case file be remitted to the Chief Judge of the Federal High Court for assignment to another Judge other than the trial Judge for hearing and determination. Dissatisfied with the decision, the Appellant appealed to the Supreme Court.

In the Supreme Court, some of the issues formulated by the appellant for determination (relevant to the topic under discussion) were- (i) whether there is any ambiguity in the provisions of *sections 15(4) and 17(2)* of ACJA, 2015 to warrant the lower Court adopting the mischief rule of interpretation of statutes instead of the literal rule of interpretation of statute and thereby came to the conclusion that the use of the word may in the aforementioned sections imposes mandatory and not permissive duty on law enforcement officers; (ii) whether the learned lower Court (Court of Appeal) was not wrong in holding that the extra-judicial statements of the Respondent dated 9/10/2015 and 19/1/2015 shall be rejected in evidence and be so marked for failure to comply with *sections 15(4) and 17(2)* of ACJA, without having regard to the general provisions of the ACJA and the particular provisions of *sections 492(3) and 491* of ACJA, 2015; (iii) whether the learned lower Court was right to set aside the Ruling of the trial Court admitting the extra-judicial statements of the respondent made on the 9/10/2015, and 19/1/2015 and marked them rejected on the ground of non-compliance with *sections 15(4) and 17(2)* of ACJA without taking into account the provisions of *section 14* of the Evidence Act, 2011. Relevant to the topic under discussion, the issue formulated for determination by the respondent was whether having regards to the provision of *sections 1, 15(4) and 17(2*) of ACJA the lower Court was not right in interpreting the Word "may" to be mandatory.

In a unanimous judgment, the Supreme Court dismissed the appeal and the kernel of the appellant's issue that the provisions of *sections 15(4) and 17(2)* of the ACJA, 2015 are rather permissive and not mandatory. The Supreme Court upheld the finding of the Court of Appeal that *sections 15(4) and 17(2*) of the ACJA, 2015 impose on public functionaries (police officers and other officers of any law enforcement urgency established by an Act of the National Assembly and this includes the EFCC) to record electronically on retrievable compact disc or such other audio visual means, the confessional statements of a suspect and to take statements of suspects in the presence of the person set out in *section 17(2)*. The provisions are for the benefit of private citizens who are suspected of committing crimes so that the enormous powers of the police or other law enforcement agencies may not be abused by intimidating them or bullying them in the course of taking their statements.

On the use of the word ‘May' in *sections 15(4) and 17(2)* of ACJA, 2015, the Supreme Court agreed with the judgment of the Court of Appeal that it carries a mandatory meaning. They held that by reason of teleological or purposive approach, legislative provisions are applied to realise their objective or purpose. Saulawa, JSC, delivering the leading judgment held that one of the fundamental guidelines to interpretation is the “Mischief Rule”, which considers the state of the law prior to the enactment, the defect which the statute sets out to eradicate or prevent, the remedy adopted by the legislature to cure the mischief, and the actual reason

behind the remedy citing *Ugwu v Araraume*[12] and *Savannah Bank of Nigeria Ltd* v *Ajilo*[13] in support. Relying on the mischief rule of interpretation, the Supreme Court agreed with the Court of Appeal that

> *... to hold that the word "may" in the said provisions carry a discretionary or permissive meaning would not suppress the mischief the provisions are aimed at curing nor would it advance the remedy for it. It would also not add force and life to the cure, rather it would add strength to the mischief and that would not be pro bono publico. Given the objective of the provisions, to give a permissive colouration to the provisions would mean that the Legislature gave a cure to the mischief with one hand and also took away the cure with the other hand. That would reduce the provisions to futility and defeat their purpose. Courts are to adopt construction that would bring out the purpose of legislation. See Coca Cola (Nig.) Ltd v Akinsanya (2017) 17 NWLR (Pt. 1+593) 74, 123.The Court held that the use of the word "may" in those provisions are in those circumstances mandatory and not permissive and I could not have agreed more. I adopt the above brilliant reasoning as mine.*

Conclusively, the Supreme Court held that the Economic and Financial Crimes Commission authorities having failed to obey the strict letters of *sections 15(4) and 17(2)* of the ACJA, 2015, the Federal High Court was obliged to reject the confessional statements as having been involuntarily made. The provisions of *sections 15(4) and 17(2*) of ACJA, 2015 have strictly provided for recording the statement of the defendant. Thus, there is no gainsaying the fact, that failure to perform the act in accordance with the dictates of those provisions of the law would be deemed to be a flagrant non-compliance with the law. In such a situation the Court would be entitled to invoke its interpretative jurisdiction to hold that the non-compliance with the law is against the recalcitrant party. Consequently, it was directed that the case file shall be remitted to the Chief Judge of the Federal High Court for assignment to another Judge other than the learned trial Judge for hearing and determination.

Implications or effects of the judgment of the Supreme Court in *Akaeze v FRN (supra)*

In *Ikeni & Anor v Efamo & Ors,*[14] the Supreme Court, per Ayoola, JSC, held that "the law is well settled in this jurisdiction that where there are two or more conflicting judgments, it is the latest in time that constitutes res judicata" citing *Seriki v Solam,*[15] and *Ikeakwu & Ors v Nwamkpa*[16] in support. It is therefore beyond doubt that the latest judgment of the Supreme Court in *FRN v Akaeze* is what constitutes the res judicata on the mandatoriness of procedure for obtaining confessional statements under the ACJA, 2015 contrary to its earlier position in *Taiwo v FRN.*[17]

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12 (2007) 12NWLR (Pt. 1048) 367

13 (1989) 1 NWLR (Pt. 97) 305.

14 (2001) LPELR-1474(SC).

15 (1965) 1 NMLR 1.

16 (1967) NMLR 224.

17 (2022) LPELR-57826(SC). Delivered on Friday, the 8th day of April, 2022 in Suit No: SC.980C/2018 before Their Lordship Peter-Odili, JSC; Kekere Ekun, JSC; Okoro, JSC; Aboki, JSC; Saulawa, JSC.

Hence, the judgment of the Supreme in *FRN v Akaeze (supra)* has many revolutionary effects. One of the implications is that the provisions of the ACJA, 2015 on procedure for obtaining confessional statement are mandatory. As stated by Agim, JSC in *FRN v Akaeze,*[18] *sections 15(4) and 17(2)* of the ACJA, 2015 have taken the guarantee of the voluntariness of a confession beyond the Judges Rules that Courts apply permissively and the police in-house procedures which consist only of assurances by the same investigating and prosecuting officers that they complied with the Judges Rules and their in-house procedures in obtaining the confession of an arrested suspect. To establish more clear cut, certain, and easily verifiable criteria, *sections 15(4) and 17(2)* of the AJCA, 2015 prescribe that such confessions be video recorded and be taken in the presence of independent persons such as a legal practitioner of the suspect's choice, officer of the Legal Aid Counsel, officer of a Civil Society Organisation, a Justice of the Peace or any other person of the suspect's choice. These provisions are mandatory. Any confessional statement obtained in violation of these provisions remains inadmissible. In addition to the mandatory nature of those provisions, *section 3 of* the ACJA, 2015 mandatorily requires that the suspect be arrested, investigated and tried in accordance with the ACJA, 2015. With this latest judgment, all other earlier judgments of the Supreme Court such as *Taiwo v FRN,*[19] including all judgments of the Court of Appeal such as *Tijani v COP*[20] and *FRN v Mamu*[21] which did not recognise the mandatoriness of the use of the word "May" in the provisions of *section 15(4) and 17(2)* of the ACJA, 2015 are no longer good law and stand overruled.

Another effect or implication of the judgment is that there may be little or no need for recourse to the time wasting procedure of trial within trial before a Court comes to the reasoned conclusion whether a confession is voluntary or involuntary. Contributing in the unanimous judgment, Ogunwumiju, JSC,[22] observed that usually, objections raised as to the admissibility of confessional statements pose one of the greatest challenges to criminal trials as it slows down the pace of the proceedings when there is a trial within trial. It is for this reason that *section 9(3)* of the Administration of Criminal Justice Law of Lagos State 2011 and *sections 17(2) and 15(4)* of the ACJA, 2015 have been put in place to ensure that the Police and other agencies who have the power to arrest, obtain confessional statements from suspects without any form of oppression or illegality. The effect of the said provision is that every confessional statement must be recorded on video so that the said recording can be tendered and played in Court as evidence to prove voluntariness or a legal practitioner or any person as specified under *section 17(2)* of the ACJA, 2015 must be present. The essence of the video/audio-visual evidence is obviously so that the Court will be able to decipher from the demeanor of the Defendant and all other surrounding circumstances in the video if he or she voluntarily made the confessional statement. Alternatively, where a video facility is not available, the Police must take the confessional statement in writing and must ensure that while same was being taken, the Defendant had a Legal Practitioner of his choice present.

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18 *FRN v Akaeze* (2024) LPELR-62190(SC) (Pp. 28-30 paras. F).

19 (2022) LPELR-57826(SC). Delivered on Friday, the 8th day of April, 2022 in Suit No: SC.980C/2018 before Their Lordship Peter-Odili, JSC; Kekere Ekun, JSC; Okoro, JSC; Aboki, JSC; Saulawa, JSC.

20 (2022) LPELR-58173(CA).

21 (2020) LPELR-50293(CA).

22 (Pp. 16-26, para. C-C).

Recommendations

To give needed impetus to this new legal development, it is recommended that the apex Supreme Court should continue to maintain its position in *FRN v Akaeze* (supra) by being insistent in its judgments that the provisions of the ACJA on procedure for obtaining confessional statements are mandatory as it also accords with the provision of *section 35(2)* of the CFRN, 1999 as amended which guarantees that any person who is arrested or detained shall have the right to remain silent or avoid answering any question until after consultation with a legal practitioner or any other person of his own choice. Furthermore, it is recommended that members of the public should be made to become aware of this legal development hence relevant stakeholders in the justice sector particularly the Nigerian Bar Association and Civil Society Organisations should intensify efforts to inform educate and enlighten both the law enforcement agents and the public on the need to comply and obey the provisions of the law.

Conclusion

The judgment in *FRN v Akaeze* (supra) requiring mandatory compliance with the procedure for recording extra-judicial statements of defendants is a progressive and welcome development. It accords with the purpose of the ACJA, 2015 which is to ensure that the system of Administration of Criminal Justice in Nigeria promotes efficient management of criminal institutions, speedy disposing of justice, protection of the society from crime and protection of rights and interests of the suspect, the defendant, and the victim. Thus, the Courts, law enforcement agencies and other authorities or persons involved in Criminal Justice administration should not hesitate to ensure compliance with the provisions of the ACJA, 2015 for the realisation of its purposes.[23]

[23] *Section 1* of ACJA, 2015.