

JERSEY / JUDGMENT

The Attorney General v Elliot Victor Potier Gomes

Source: jerseylaw.je · Research copy typeset by Esheria. Not court-issued or certified.

Application by the Crown to amend the Indictment and decision on mode of trial [2025]JRC284 Royal Court (Samedi) 29 October 2025 Before : R. J. MacRae, Esq., Bailiff, sitting alone The Attorney General -v- Elliot Victor Potier Gomes Ms C. L. G. Carvalho, Crown Advocate. Advocate A. T. H. English for the Defendant. ex tempore JUDGMENT THE BAILIFF: 1. I have looked at the footage that has been uploaded and read the statements at J which I had not hitherto had the time to read. There have been delays in this case but not delays that are extraordinary bearing in mind that the last allegation on the Crown's case took place in July 2025 and the last ABE was recorded as recently as August, and in that ABE the Complainant gave a history of the relationship and that ABE was provided to the LOD in September. 2. In the circumstances I grant the Crown leave to amend the Indictment in accordance with the document at A2 which contains an Indictment containing six counts, and in a moment the Defendant will be arraigned on that Indictment. 3. There is a trial listed in this case for 17 November with a time estimate of three days which is less than three weeks away and I am persuaded that if this was a jury trial then there is risk that the case might run into a second week, although I do not think by more than a day or two. More importantly there is outstanding disclosure and a further defence case statement to be filed by the end of this month, and indeed the Defence ask for an extension of time to file a defence case statement later than that which I have not yet determined. In the circumstances I vacate the trial listed for 17 November. 4. The Indictment is a mixed indictment so the question of the tribunal that will try the case is now an open one. Had this been a case where trial dates for a jury trial and an Inferior Number trial were both reasonably proximate then I probably would have determined that it was appropriate for this case to be tried by a Jury. Having said that, the count of domestic abuse - the statutory offence - is by no means a makeweight as it is the account which particularises in some detail features of the whole relationship which give rise to the Crown's assertion the Defendant's behaviour towards the Complainant was abusive. 5. In any event the position in relation to listing is as follows. The Court has said on more than one occasion recently that we are faced with an unprecedented demand for listing of jury cases. On top of that it is difficult to list trials for more than a week as that effectively is a two week listing as we only currently have one jury court. The earliest we could accommodate a seven or eight day jury trial is mid to late June 2026. It would be wrong to list a case at that distance from today with the Defendant in custody and a complainant and other lay witnesses anxious to give evidence. 6. There is no reason in my judgment, bearing in mind that Jurats can sit later, take shorter lunch hours, always deal with the evidence slightly more swiftly and do not require to be directed by the

judge as to the facts, collectively making for a shorter trial that this case should not be determined by the Inferior Number with a time estimate of five days – a full week – and there are many slots available for that, for example the 12 January, 26 January and 2 February and the case will be listed for one of those three dates depending upon the availability of witnesses and counsel and counsel can let the listing officer know by the end of today which of those dates is most appropriate, 12 January, 26 January or 2 February 2026. 7. The Defendant will now be arraigned on the six count Indictment. No Authorities

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.jerseylaw.je/judgments/unreported/Pages/%5B2025%5DJRC284.aspx>

CASE PAGE <https://chat.esheria.ai/case-law/jersey/the-attorney-general-v-elliott-victor-potier-gomes-2025>

Prepared on 23 October 2026 · Esheria