

# **R v Jay Emmanuel-Thomas Sentencing Remarks**

**HHJ Alexander Mills**

**Chelmsford Crown Court**

**5 June 2025**

Jay Emmanuel-Thomas I must sentence you today for your role in the fraudulent evasion of the prohibition on the importation of cannabis into this country. I have considered with care the sentencing notes submitted by both counsel, the references provided for you and the letter that you have written to me. I have also listened with care to the submissions made by counsel for the prosecution and on your behalf.

## **Background**

On 2 September 2024 two women brought 60kg of cannabis into Stansted Airport through a route that is all too becoming all too familiar - from Thailand to the UK via Dubai. As is increasingly common there were Apple Air Tag devices in the cases to track the cannabis.

One of those women was someone who the prosecution termed to be your girlfriend at the time. Your counsel accepts that the messages suggest that you were more than friends. The two women were good friends. You recruited them to bring cannabis in to this country from Thailand and acted as an intermediary between them and the cannabis suppliers in Thailand. You arranged for their business class flights to and from Thailand and their hotel costs in Thailand, essentially, turning the importation of cannabis into all expenses paid holiday in the Far East.

I have seen the messages between you and your girlfriend from the start of August 2024, where there were discussions about flights to Bangkok and about how to maximise their time on the island of Koh Samui. There are screenshots relating to upgrades to business class. You sent messages about upgrades to the accommodation. I have read the continued correspondence set out in the lengthy sequence of events throughout the relevant period.

The return journey did not go to plan. The Emirates flight from Dubai to London was cancelled. Your girlfriend raised concerns about having to re-check the suitcases in Dubai, because she said she was “too fragile for prison”. You got these women involved. You put them into a position where they were taking the primary risk of immediate imprisonment, either in this country or overseas where they would be thousands of miles away from their families.

The correspondence also involved another individual who appears to have been involved in these arrangements. He told the women that to say that they had flown in from Dubai if challenged upon their arrival in the UK.

Having been stopped by the authorities at Stansted Airport your girlfriend sent you a series of messages saying *“we’ve been stopped”, “they’ve stopped us”, “Fucking arrested”*. You told her to *“Delete everything from our chat if you can...because this is impossible I’ve never been involved in this in my life” ... “You know it should only be gold or cash in that bag”*.

By your Guilty plea you have accepted that this was a lie. You knew precisely what you were involved with and what you had gotten them involved with. Attempting to destroy the evidence of your involvement and set up a defence based on their being different items within the bags.

Clearly, you were aware of the importation of cannabis from Thailand and the seemingly inexhaustible availability of it. Early on in the messages with your girlfriend you also made reference to what *“...some of the mandem are bringing over from Thailand...”*, before sending her an image of a quantity of vacuum packed cannabis on a kitchen counter. You went on to say *“That’s what’s coming from Thailand to here. So these lot distribute a lot of weed to everybody in London that sells weed and people bring that just in the, just from Thailand to here, just normal. They just bring it in, it gets dropped off at the yard, just bags and bags and bags, and that’s one. He gonna get one of those every day this week”*.

I have heard that you needed money at the time. It is clear that this was about money on your part, despite you being in a position where you had the privilege of playing football for a living. On 26 July 2024 you had been signed as a striker by Greenock Morton Football Club in Scotland. You had played 5 games for this new side before your arrest. According to the General Manager of Greenock Morton Football Club you had signed on a contract of £600 per week, together with various bonuses for any and the number of goals scored. You had played for numerous English and Scottish football teams since 2008, including Arsenal, Ipswich Town, Bristol City and Queen’s Park Rangers. In 2019 you played 11 matches for PTT Rayong in Thailand. It is through your own actions that you will no longer be known for being a professional footballer. You will be known as a criminal. A professional footballer who threw it all away and who put others at risk of imprisonment in pursuit of what you considered to be easy money.

Whether it was because of what was going on in your family life (and I accept that there were matters going on with your family at the time) or because of the need for money, or both, your judgment lapsed catastrophically. It has had impacts on you and all of those around you.

## Application of the sentencing guideline

In sentencing you I must apply the Sentencing Council's guideline for this offence. The prosecution and defence agree that you fall into the significant role category for culpability. You were:

- (i) acting in an operational or management function within the importation and supply chain;
- (ii) involving others in the operation through influence, namely your status as a professional footballer and financial reward in the form of £2,500 and a free holiday to Thailand.
- (iii) expecting a significant financial advantage (£5,000 for the importation);

and that you had some awareness and understanding of the scale of the operation.

As to harm you fall into category 2. The starting point is based on 40kg of cannabis.

Category A2 has a starting point of 4 years' imprisonment and a range of up to 5 years.

I apply an uplift to that starting point to reflect the fact that you fulfil all of the factors identified as indicating a significant role. Leaving aside anything that has been said about any connection with the domestic supply of cannabis, having seen the factors set out in the guideline and having read the papers in this case it is clear that you fall towards the top of the significant role category. There are arguably a key leading role feature of having had substantial links to and influence on those who you involved. I also apply an uplift for the amount of cannabis involved given that the starting point is for 40kg. I note what is said about the case of *R v Boakeye* [2012] EWCA Crim 838, that the starting points are an indication of a general weight that goes into the relevant category and calculation is not a simple arithmetical process. However, this is not a case where there is a few kilograms difference. 60kg is half as much again as the starting point. In considering that uplift I bear in mind that the starting point for category 1 is 18 months longer for 200kg of cannabis, an additional 160kg of cannabis above the 40kg starting point for category 2. Here the amount is an additional 20kg of cannabis above the starting point for category 2. In my judgment although an uplift is appropriate it must be modest.

Involving innocent agents in the commission of the offence is an aggravating factor identified in the guideline. However, as the Crown properly point out I must guard against double counting as has been taken into account already when identifying your significant role.

I must make a downward adjustment to reflect the fact that you have reached the age of 34 years with no previous convictions recorded against you. This is not only your first conviction but your first custodial sentence. I bear in mind the impact that that has on you and those around you. I have read with care the reference provided about you from your agent, which sets out your past as a footballer and all of the good and positive things that you had done whilst a part of that world.

As I have already said, your transition from professional footballer to criminal represents a substantial fall from grace. One that effectively ends the only career path that you have ever known.

Bear in mind your remorse, your reflections and the insight that you have shown in your letter to me. I also bear in mind the reference from the Diversity and Inclusion Lead at Chelmsford Prison, who makes it clear that you are engaging positively and productively in prison, which is very much to your credit and bodes well for rehabilitation. That reinforces what is said about you in the reference from your agent.

The least that I could impose had you contested the matter to trial would have been **4 years and 6 months imprisonment.**

### **Reduction for guilty plea**

I must reduce that in light of your guilty plea. The matter was listed for trial on 6 May of this year when it was stood out due to a lack of court time. The matter could not be relisted for trial for some time. Discussion of pleas with the Crown began on what would have been the first day of your trial and pleas were entered the following day. The Sentencing Council's guideline makes clear that pleas entered on the first day of trial and before the trial begins should attract no more than 10% reduction for plea. I accept that this applies here. Pleas were entered at the time when the trial had been scheduled to take place. Whether or not the prosecution were investigating the contents of your phone, you did not offer the pleas any earlier. I hear what is said about you needing to come to terms with what you had done, but the sentencing council's guidelines are clear about what reductions can apply when and credit for plea and your understanding of it must be explored at the PTPH. I have no doubt that it would have been. You had a considerable period to reflect upon your actions in prison before you ultimately did so. Further the letter that you wrote to me today suggests that you realised your foolishness from the moment that there was a knock on the door from the police.

Even if I were to award a slightly higher reduction to acknowledge the fact that the trial would otherwise go off to a future date, I would have to bear in mind that the Sentencing Council's Guideline on reduction in sentence for plea makes it clear that the amount of any reduction after PTPH requires the court to have regard to the time when the guilty plea is first indicated to the court relative to the progress of the case and the trial date. It also states that the 10% on the first day of trial is the maximum that can be afforded at that time. PTPH in this case was on 25 October 2024. The guilty plea was entered on 7 May 2025, well over six months after the PTPH and on the day after the trial was due to be heard, a trial that had been prepared and was ready to be heard. I am satisfied, having read the schedules and other documents in this case that it had required a significant degree of preparation. The plea followed discussions on the day that the trial had been due to be heard. Even if I could have been persuaded to allow more than 10% the most that I would have been prepared to allow would have been 11%, which makes no ultimate difference to the overall reduction when rounded down to the nearest month.

Applying the 10% discount and rounding down to the nearest month the sentence becomes one of 4 years' imprisonment.

### **Imposition of the sentence**

Jay Emmanuel-Thomas, your offence of fraudulently evading the prohibition on the importation of cannabis is so serious that neither a fine alone nor a community sentence can be justified. Your sentence is one of 4 years' imprisonment. That is the least sentence that can be imposed upon you commensurate with the seriousness of your offending.

The law states that you will serve no more than 40% of that sentence in custody (approximately 1 year and 7 months). Any time that you have spent on remand will count automatically towards that sentence. You have been on remand since September of last year, so you have served nearly 9 months of that 1 year and 7 months. You will then be released on licence. You must comply with the terms of the licence and commit no further offences or you will be liable to recall to prison to serve a further period in custody.

I order forfeiture and destruction of the drugs and the suitcases that were involved. I order forfeiture of his telephone. Counsel are to have discussions about extracting personal content from his telephone and to contact the court within 14 days so that the issue of destruction can be considered.

The victim surcharge applies and the order will be drawn up in the appropriate amount..

I make no order as to costs.

**HHJ Alexander Mills**

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