Judiciary of England and Wales

IN THE CROWN COURT SITTING AT WOOLWICH

BETWEEN:

THE CROWN

-v-

JOSHUA AJAI

SENTENCING REMARKS

OF

HIS HONOUR JUDGE GROUT

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1. Joshua Ajai, you are 32 years' old, and I must sentence you in respect of two offences of sending communications threatening death or serious harm and one offence of putting a person in fear of violence by harassment, matters which you pleaded guilty to at your adjourned PTPH on 16 September 2026. Guilty pleas had not been entered or indicated at an earlier stage because your solicitors, understandably in light of what I have been told and what I have read, were exploring the issue of fitness to plead. Once it became apparent that you were fit to enter pleas, you promptly pleaded guilty. In those circumstances, you are entitled to full credit for your pleas.

The Facts of the Offending

2. The facts of the offending are extremely serious. At about 11:20am on 30 June 2026 you placed a call to Plumcroft Primary School. When your call was answered, you said, "When your children leave school tell them to watch their backs."

3. As a consequence of what you said, the school was placed into lockdown. The children were kept inside. Only parents and carers were able to collect the children after school. Ms Adams, the receptionist who took the call, said in her witness statement,

> "This triggered a great degree of panic in the parents and resulted in many of them calling the school worried…some parents did not feel safe sending their children into the school. As a result, some children missed bits of their education."

4. Ms Adams also explains how extra security measures were taken such as only opening one of the two security gates in the morning. This, she said, lasted for several days.

5. Fast-forward to the 7 July 2026. On that day, at about 11:36am, you called Star Day Nursery. The call was answered by the manager, Ms Bartlett. You checked that the number you were calling from was displaying as withheld, which it was, before saying "I'm going to come and murder all the members of staff and the children". Ms Bartlett ran to the back door to close and lock it. She says that you kept repeating "I'm going to murder the staff and children". She asked you some questions, and you told her that, the week before, you had tried it with Plumcroft but had been unsuccessful because you were not able to get into the school. You further told Ms Bartlett that you would attend the nursery at 5pm and would be wearing a black hoodie and a mask.

6. Ms Bartlett called her area manager, Ms Bothwell, to report what had happened. She, in turn, called the police. Later that afternoon she answered another call from you whereupon you asked her if you could come and meet the children. You said that you wanted to haunt them in their nightmares. You told her that you were at a nearby library and that you were going to come and murder the staff and children. You again said that you had been to Plumcroft the week before but had not been able to gain access. When

challenged about the things you were saying, you responded stating that you were having a laugh. Ms Bothwell called the police again and put the nursery into lockdown. Whilst on the phone to the police, a withheld number made a number of calls to the nursery one of which Ms Bothwell answered. It was again you. You said similar things to that which you had said before.

7. You were arrested the following morning at your home address. It appears that you were not interviewed by the police in relation to these matters.

8. Ms Bothwell and Mr Witham, who is the headteacher at Plumcroft Primary School, have provided Victim Personal Statements. Ms Bothwell makes clear that what you did has had a lasting impact on the staff, children, parents and the wider community. She says that a place that should always feel safe was, for a time, overshadowed by fear. In his statement, Mr Witham sets out, in some detail, the steps that he put in place to protect the students and staff once he had been alerted to the nature of the threats made by you. School events were, for a period after this incident, cancelled, which of course had an impact on the students and their families. Members of staff needed to be consoled, and teaching hours were lost as the school had to respond to the threats that had been made to it. Mr Witham says that the incident ultimately impacted around 1600 children and their families.

Approach to Sentencing

9. In sentencing you, I have had regard to the relevant offence specific guidelines, where they exist, as well the guidelines on the imposition of community and custodial sentences, credit for guilty pleas and totality. Totality is particularly important in your case. Although you have committed three offences against two different educational establishments, I must past an overall sentence which is just and proportionate and which reflects all of the offending behaviour with reference to overall harm and culpability, together with the aggravating and mitigating factors relating to the offences as well as those personal to you. In addition, and for reasons which will become clear in a moment, I have also had regard to the guideline on sentencing offenders with

mental disorders, developmental disorders, or neurological impairments (the "mental health guideline").

10. In respect of the two threatening communications offences, there is no offence specific sentencing guideline at present. The maximum sentence for a single offence is 5 years' custody. In relation to the harassment offence, there is a sentencing guideline. The maximum sentence for a single offence is 10 years' custody. I intend to take that offence as the lead offence and will take into account the totality of your offending when passing sentence in respect of it. I will then pass concurrent sentences in relation to the other two offences.

11. The first thing I must do is assess your culpability. In this case, that is not straightforward. On the one hand, there is, on the facts as I have set out, evidence of very high culpability, best demonstrated by the extreme nature of a category B factor, namely conduct which was intended to maximise fear or distress. It is difficult to imagine, in the context of an offence such as this, graver and more extreme conduct than calling a nursery and making repeated threats that you were going to come and murder the staff and children. Aspects of the evidence which tend to indicate that you intended to cause such fear and distress are apparent not only from the repeated nature of the threats but also from the additional detail you provided to the nursery whilst making the calls, such as that you had unsuccessfully tried to execute a similar plan at a local school but failed, by saying where you were (i.e., close to the nursery), providing a time that you would be attending, as well as a description of what you would be wearing. On one view, this was all said with an intent to maximise fear and distress and it succeeded in doing so.

12. However, as the prosecution itself points out, there is also the lesser culpability, or category D factor, that the harassment against the nursery was limited in scope and duration. Although there were a number of calls, it was confined to a single day. The situation regarding your mental health is less straightforward. I have read the psychiatric report of Dr Tim Rogers, dated 29 August 2026, the psychological report of Dr Michael Watts, dated 2 September 2026, and the psychological report of Dr Gillian Merrill, dated 18 November 2026.

13. Dr Rogers identifies you as a "vulnerable defendant" who has a "mild disorder of intellectual development". He says that you are someone who self-reports

> "…difficulties with emotional regulation and the control and expression of anger and frustration. The origins of this seem complex and to also reflect his enduring character and personality. There may be more to be understood about Mr. Ajai and his family system: the stressors and support that arise here in terms of conflict, culture, faith and more. Additional corroborative information may assist, particularly if Mr. Ajai were to plead or be found guilty."

14. In his report, Dr Rogers sets out at some length matters relating to your personal background, including your mental health history. He relays your account of the incidents to him which includes you saying to him that you sometimes say things without thinking, that you did not mean to make threats, and that you were unsure why you had done it. You remembered making the threats to the nursery although not to the school. You acknowledged the fear you must have caused. Dr Rogers noted that a structured diagnostic autism assessment was outside the scope of his report (which was focussed on the issue of whether you were fit to plead). Dr Watts, in his report, also set out matters relating to your personal background and mental health. He concluded that, although you may present with "an uneven intellectual profile", he was confident that you do not suffer from a global Learning Disability. He did, however, note that you have a "pattern of emotional disturbance and dysregulation…which is difficult to explain".

15. Dr Merrill conducted an "Autism Spectrum Disorder Assessment" and concluded, for the reasons set out in her report, that you do meet the diagnostic criteria for an Autistic Spectrum Disorder. She did not identify any other psychological conditions.

16. As the mental health guideline makes clear,

> "Culpability will only be reduced if there is sufficient connection between the offender's impairment or disorder and the offending behaviour."

17. Having carefully considered the content of the three reports, as well as your other mitigation to which I shall return in due course, I am not persuaded that there is a sufficient connection between your mental health diagnoses and the offending behaviour. In particular, nothing that I have heard or read suggests that at the time of the offending, any mental health impediment you may have impacted your ability to exercise appropriate judgement, make rational decisions or understand the nature and consequences of your actions. As Dr Merrill points out, neither you, nor your mother, suggested to the doctor that your mental state at the time of the offending was any different to your usual presentation. The doctor notes that you had seemingly been frustrated for some time in not being able to gain employment and that this may have impacted your mental health. Whilst no reason was identified for your offending, Dr Merrill states that your mother told her that you had been advised to apply for jobs at nurseries, but you were rejected from them. It is suggested that, assuming that to be true, it is possible that you felt rejected and angry and that that might have led a further reduction of self-esteem. Dr Merrill says that it is possible that this was the catalyst for making the calls, but she puts it no higher than that.

18. I acknowledge that Dr Merrill does say that at the time you made the threats you say that you had no intention of carrying them out, but you appeared to not appreciate that the nursery staff would not know that. But even if that is right, it falls far short of amounting to a sufficient connection between your mental impairment, such as exists, and your offending behaviour. I am satisfied that you knew very well that what you were doing was wrong but that you chose to do it anyway.

19. I have reached the conclusion that, in light of the category D factor that does exist, namely the limited scope and duration of the offending, as well as the fact that there are features of the offending which puts it into category A, the appropriate course is to place culpability into category B.

20. As to harm, this falls into category 1. Quite apart from the fact that very serious distress was caused to Ms Bothwell, who says that she believed that you were going to attend the nursery to carry out your threats, the harm you caused went well beyond that, impacting the children, their families, other staff at the nursery and the wider community.

21. A B1 offence has a starting point of 2 years 6 months' custody with a range of 1 – 4 years' custody.

22. Insofar as factors which increase the seriousness of the offence are concerned, the prosecution points out that your offending had an impact on others, in particular young children. I acknowledge that although, to some extent, I have already taken it into account when assessing harm and it is important that I do not take it into account twice. The offence was committed against those providing an important service to members of the public. Members of the public place huge trust in nurseries to look after their young children, which is precisely what the staff did. However, actions such as yours risks undermining the good and important work that people in the childcare and education sector perform because parents will undoubtedly become anxious and concerned about leaving their children in the care of others when incidents such as this occur. Moreover, I must take into account your similar, although quite separate, offending against Plumcroft Primary School.

23. Insofar as factors which reduce the seriousness of the offending are concerned, along with your personal mitigation, I have listened very carefully to everything that your advocate has said today and I have read, with equal care, not only the various medical reports to which I have referred but also the pre-sentence report prepared by the probation service. I take into account, in particular, all that has been said about your personal circumstances, your mental health, your expressed remorse and the fact that you have no previous convictions. In addition, I take into account the content of the character reference provided on your behalf and that you have a family who is very supportive.

24. It seems to me that the aggravating features of the offending, along with the additional offending reflected by the offence committed against the school, is balanced by your not insubstantial mitigation. As a consequence, I consider that the appropriate overall sentence after trial would have been one of 2 ½ years' custody.

25. You are, however, entitled to a one third reduction to reflect your pleas of guilty. That reduces the overall sentence to one of 20 months' custody which I consider to be the shortest sentence commensurate with the seriousness of the offending in this case.

The Sentence

26. Accordingly, the sentence I impose is as follows:

Count 3- Putting a person in fear of violence by harassment- 20 months' custody
Count 1- Sending a communication threatening death or serious harm- 20 months' custody (concurrent)
Count 2- Sending a communication threatening death or serious harm- 20 months' custody (concurrent)

Should the sentence be suspended?

27. I have considered whether that sentence ought to be suspended. On the one hand, I acknowledge that you do have strong personal mitigation and that you will, for the reasons set out by the experts and probation service, find a period of immediate custody more difficult than some. In other circumstances, that may have persuaded me that suspending the sentence was the appropriate course. However, I do consider that you pose a serious risk to children. Whilst I acknowledge that there is no evidence to suggest that you would have carried out your threats, the fact remains that you made two sets of targeted threats to educational establishments on two separate days. The threats you made were serious and had a huge impact not only on the people who you directed them towards, but also on the children, their families, the staff and the community. Other than, possibly, your upset at not gaining employment, no real reason has been identified as to why you did this. I am not persuaded that the risk you pose can be safely managed in the community. In any event, I have reached the firm conclusion that the seriousness of these offences means that appropriate punishment can only be achieved by immediate custody. Threats of murder and violence made against children and staff at nurseries and schools can, in my view, only be met with immediate custody. Not only is that the appropriate punishment but it sends a message to others that such behaviour will not be tolerated.

28. Accordingly, the sentence will remain one of 20 months' custody. Subject to any alternative provisions which might apply, you will be released no later than after you have served one-third of that sentence, less any days you have already spent in custody in relation to this matter, and the remainder of the sentence will be served in the community. I certify that you have spent 113 days on a qualifying curfew and I direct that 57 days will count towards the custodial term of your sentence. If this calculation is later found to be wrong, it will be put right by correcting the record administratively without any further hearing. On your release from custody, you will be subject to post-sentence supervision. You must comply with all the instructions given to you, failing which you will commit a further offence punishable by imprisonment.

Ancillary Matters

29. I impose the statutory surcharge in the sum of £187 but make no other order as to costs given the sentence I have just imposed.

30. Finally, I wish to express my admiration to all the staff at both Plumcroft Primary School and Star Day Nursery who not only had to take the calls which have been the subject of this case but also had to respond immediately in order to protect the children of these two educational establishments. On behalf of the High Sheriff of Greater London, I make justice awards to Caroline Bartlett, Elly Bothwell, Chynna Adams and David Witham for the actions they took on the days in question to protect the children and staff.

HHJ Grout

27 November 2026