



Judiciary of England and Wales

HER HONOUR JUDGE USHA KARU

REX – v - ELYAS MOUSSA

17 DECEMBER 2025

SENTENCING REMARKS

1. Elyas Moussa, on 3rd December 2025, you were convicted unanimously by the jury of the murder of Ricardo Clarke. He was aged 35 on 28th December 2024 when he was stabbed through the heart by you, which led to rapid and profuse blood loss and death. Yet another life has been tragically lost as a result of a knife being unlawfully carried and used in public.
2. Neither you nor Ricardo Clarke knew each other before the tragic events which occurred. You had been drinking brandy at a Bar in Walm Lane, Willesden, off the High Road, with friends for some 3 hours between 11pm on 27th December and 2am on 28th December, after which you spent just over another hour with them, sharing another bottle of brandy, and headed towards the High Road. You were in possession of a large kitchen knife which was concealed down your trousers. It does not appear it was sheathed but you were wearing a pair of pyjamas underneath to avoid being injured yourself by the knife. Your evidence was that you habitually carried a knife in public, whether during the day or night, as a deterrent, because you had been attacked by others with a knife and witnessed attacks with knives. The handle, you said in evidence, was tucked in the waistband, no doubt for easy reach.
3. By this time Ricardo Clarke was much further down in the High Road with his girlfriend, Kyra, and her brother, Khie. Unbeknown to you, just before 3am, Ricardo Clarke had got involved in an argument and confrontation with another

male, in a shop, by the name of AP Foods, on the High Road. The other male produced a knife and Ricardo Clarke armed himself with two bottles. That came to an end and Ricardo Clarke flagged down a passing police car and reported the other male, who was found with a knife, detained and arrested. Ricardo Clarke and Kyra moved away and into a side road (Lechmere Road). Whilst the police were still dealing with the incident you and your friends arrived, one of your friends became confrontational with the police, you attempted to calm things down but were also abusive towards the police. Later, after the murder, you were to apologise to the officer for your behaviour, saying you were drunk.

4. Ricardo Clarke and Kyra were stopped in Lechmere Road by police investigating another call and they were searched. Ricardo Clarke was excitable, voluble and agitated but no weapons were found on him and both, he and Kyra, were allowed to go on their way. They returned to the High Road where you were with your friends and Khie, and they joined the group. There was friendly chit chat within the group. Ricardo Clarke turned the baseball hat which you were wearing backwards; you did not like that. You said in evidence he did not have your permission to do that and it made you angry. When he said he was from Chile, you mocked him about not being able to speak Spanish and then the atmosphere between you and Ricardo Clarke changed and became hostile. Suddenly you punched Ricardo Clarke who retaliated by striking you on the head with a bottle, causing a cut. The group then split apart but you were not prepared to let it go.
5. Over the next 20 minutes a confrontation continued between the two of you, who were both armed with bottles. Kyra was attempting to keep you both apart. Then Ricardo Clarke and Kyra walked down to Linacre Road. After a short while, you went looking for Ricardo Clarke – you were captured on CCTV putting your head into a shop and peering through the window of a car to see if he was there. When you did not see him you went into Linacre Road where the confrontation continued. Both chased each other around a car and threw bottles at each other. This spilled out into the High Road and back. You can be seen on CCTV moving in and out of Linacre Road. Some of what happened was captured on a mobile phone by Amina Maki who was in Linacre Road. Kyra, too, was involved. At one stage at least one of your friends was with you. When he seemed to persist you

led him away and then returned to your mother's home with your friends in Walm Lane. Your evidence that you could not find the house keys to let yourself into the flat and that you returned to Linacre Road to look for them was not challenged by the prosecution.

6. However, when you returned to Linacre Road, on your own to look for the keys, you were still in possession of the large knife. Your evidence was that you found the keys almost immediately upon coming into Linacre Road. Ricardo Clarke and Kyra were in Linacre Road but some considerable distance from you – about 40 metres or so. Kyra was armed with a For Sale sign. Instead of leaving and returning home, you walked into Linacre Road, ignoring Kyra, intent upon confronting Ricardo Clarke and attacking him with your knife. You were captured on CCTV chasing Ricardo Clarke around a car and up the pavement. He was plainly running away from you, probably because you had taken out your knife. This would not have been able to be seen by Amina Maki as she was on the other side of the van on the other pavement. As he went around a parked van you stopped and returned towards him and either pushed him or he tripped and fell to the ground. You seized that opportunity to use the knife and delivered at least two strikes at him. One was an incised or slash wound to the underside of his right arm; the other was the fatal wound - a thrusting wound to the left side of his chest inflicted with at least moderate to severe force, which pierced his heart to a depth of at least 6.5cm, cutting a rib to a depth of 2-3mm in the process. Within a minute of entering Linacre Road you had stabbed Ricardo Clarke. This was witnessed by Miss Maki and a resident from the opposite side of the road, in fact the owner of the van. You then directed a third swing towards Ricardo Clarke which caused the blade of the knife to become embedded in the rear bumper of the van, breaking the handle in the process. In due course, it was found to have Ricardo Clarke's blood on the tip.
7. Then you fled the scene, with the broken handle in your hand, heading back in the direction of your home and where you had left your friends. You went round the back of some shops and a service road, disposing the handle at some stage. After that you left the area, returning about an hour later.

8. The emergency services were called to attend to Ricardo Clarke who had lost a lot of blood. On route to hospital an emergency thoracotomy was performed but was unsuccessful. Ricardo Clarke died at about 5.30am on his way to the hospital.
9. The post mortem examination revealed that death was as the result of a single stab wound to the left side of his chest, which had passed into the left side of his heart. This injury had caused rapid and profuse bleeding both externally and internally, as well as the development of a large pericardial tamponade (abnormal accumulation of blood) and loss of structural integrity of the heart, sufficient to account for his death. He was also found to have a defensive injury to his hand.
10. You had returned to the police cordon at about 7am enquiring whether “the person” had died but were not given any information. Later that evening you called 999, stating there was a murder enquiry going on and you wanted to hand yourself in. Police arrived and you were arrested. You made no comment to all questions in your interview. Your defence at trial was that in Linacre Road you were in fear of an ambush by Ricardo Clarke when he went round the van and you took out your knife to deter him; that Ricardo Clarke then approached you and there was a tussle between you. He was stabbed in the tussle. The wound was caused in lawful self-defence and/or by accident. By their verdict the jury were sure that was not the case and that you were the aggressor and deliberately stabbed Ricardo Clarke with the intention to cause him really serious harm.
11. Ricardo Clarke was aged 35 when he died, almost a year ago. He was working as a gardener at Kensington Palace, having applied for a gardening apprenticeship and beaten 500 others to secure the position. He took great pride in his job. He was part of a close-knit and loving family. I have read the moving VPS of his brother, sister, nieces, cousins and friends who are grieving for someone who was very much part of their lives and closely bonded to. He had a good sense of humour, was fun-loving, caring, strong and resilient and always there for those he loved. He is described as a “provider and protector”. The family will never be the same again. They are heartbroken and shocked by his loss in such a violent way. In particular, his two children, aged 11 and 7 years, have been severely

traumatised by the loss of their father. Their lives have been torn apart and their mental health has suffered greatly. Their mother, too, has lost the love of her life, had to seek medical attention and is now on anti-depressants.

12. There was no application for a Pre Sentence Report or any other report and one is not necessary.
13. You are aged 30 now, and were 29 at the time of the murder. It is submitted on your behalf, not as an excuse but by way of explanation and reason, that you carried a knife defensively and not offensively, as a result of having been stabbed in April 2023 and sustaining serious injuries. While that provides context, it is no justification for habitually carrying a knife in public. The reality is, that when a weapon such as a knife is carried, whatever the reason, there is an obvious risk that it will be produced and can be used to cause not just serious injury but with fatal consequences. That is exactly what happened in this case.
14. Further, it is submitted that the evidence (of Miss Maki) suggests that it did not appear to her that you intended to attack Ricardo Clarke and therefore the intention to use the knife must have been formed in the last few seconds of the confrontation. The fact is that when you returned to Linacre Road you were armed and you knew it. You instigated the violence there by chasing him and you took the knife out after Ricardo Clarke had either been pushed by you or he tripped and went to the ground. He did not really pose any danger to you at that time. Quite the opposite – it made him vulnerable to attack by you. I am prepared to accept that you did not intend to kill him. However, the umbrage you took to Ricardo Clarke touching your hat without your permission and the ensuing anger and background of the previous violence is what led you to not stand down, as it were, when you returned the second time to Linacre Road. The only sensible explanation for the knife blade being embedded in the rear bumper of the car is that you were about to deliver another blow, not because you stumbled; it certainly was not because you intended to leave the blade behind. Ricardo Clarke was able to move for a short while after he was stabbed and finally collapsed which explains why he was found lying in the middle of the road.

15. Whilst it is accepted that you do have previous convictions the submission is that it is not for very serious violence.
16. There is only one sentence that the law allows to be passed for the offence of murder, that is a mandatory sentence of imprisonment for life.
17. I am required to specify the minimum term which you must serve before you can be released on licence. In determining the minimum term, the court must take into account the seriousness of the offence and any associated offence (i.e other offences of which you are convicted or to be sentenced at the same time). You pleaded guilty to possession of a bladed article and are to be sentenced for that.
18. Pursuant to paragraph 4 of Schedule 21 of the Sentencing Act 2020, Parliament has set the minimum term where the offender took a knife or other weapon to the scene intending to commit any offence, or have it available to use as a weapon, and used that knife or other weapon in committing the murder, as 25 years. There is no dispute as to the starting point. Accordingly, I adopt 25 years as the starting point.
19. The second step is to identify the aggravating and mitigating factors. There are no statutory aggravating factors. The other aggravating factors which do apply are:
 - (i) Your previous convictions - you have 13 convictions for 19 offences, including robbery, theft, assault occasioning actual bodily harm, threatening behaviour, possession of cannabis/cocaine and specifically for possession of bladed articles in 2103, 2017 and 2019. You were sentenced to 16 months imprisonment for that in 2019;
 - (ii) the murder, and the previous violence linked to it, took place in a public place, late at night. I take into account that Ricardo Clarke was also involved in the earlier violence that night;
 - (iii) you disposed the handle of the knife knowing it had been used to cause injury to Ricardo Clarke and knowing that it was bound to be found as it

was embedded in the rear of the parked van with his blood on it and would be connected to you, and

- (iv) commission of the offence while under the influence of alcohol – you had been drinking during the evening and into the early hours and can be seen walking down the stairs of your mother’s flat before you returned to Linacre Road for the second time, with a glass of brandy in your hand.

20. The following mitigating features apply:

- (i) I accept that you did not intend to kill Ricardo Clarke;
- (ii) And that the murder was not premeditated or planned. However, in circumstances where you habitually carry a knife in public and went to Linacre Road armed with one, and then confronted Ricardo Clarke and chased him, the lack of premeditation and absence of an intention to kill provide little mitigation.
- (iii) You surrendered yourself to the police
- (iv) The possession of the bladed article offence to which you have pleaded guilty is subsumed in the murder.

21. No sentence that the court passes could reflect the loss of human life.

Stand up, Elyas Moussa–

22. Having regard to all the aggravating and mitigating features in your case, I will fix the minimum term for Murder which you will serve in custody, before the Parole Board may consider your possible release.

23. It is most important that you and everyone concerned with this case should understand what this in fact means. The minimum term is **not** a fixed term after which you will automatically be released but the **minimum** time that you will spend in custody before your case can be considered by the Parole Board and it will be for the Parole Board to say, at that time, whether you can leave custody at that stage, and if so on what terms. If you are refused parole at that time you will remain in custody, subject to regular reviews by the Parole Board. If and when you are released you will be on licence for the rest of your life. If you break

the terms of your licence you will be liable to return to custody. If for any reason your licence were to be revoked, you would be recalled to prison to continue to serve your life sentence in custody.

24. I intend to pass a concurrent sentence for having a bladed article as it is subsumed in the murder.

25. The aggravating features in your case leads me to increase the sentence from the starting point of 25 years to 28 years, but after taking into account the mitigating factors I reduce the period to 27 years.

26. There will be a concurrent sentence of 12 months imprisonment for count 2 – bladed article.

27. I sentence you to life imprisonment, with a minimum term of 27 years, less the 352 days spent in custody. The sentence is, therefore, 26 years and 13 days. If the number of days served in custody is incorrect the case must be listed under the slip rule for the days to be amended.

28. If appropriate the Victim Surcharge will apply.

29. I make a Forfeiture & Destruction Order in respect of the knife blade.

Her Honour Judge Usha Karu
17 December 2025