

## **Rex v. Justin Clarke-Samuel**

### **Sentencing Remarks**

1. On 8<sup>th</sup> December 2025, at the Plea and Trial Preparation Hearing in this case you pleaded guilty to dangerous driving and to causing death by dangerous driving. Those two matters on the indictment (counts 1 and 2) cover episodes of your driving the evening of 18<sup>th</sup> October 2025, between 11pm and 11:30pm when you drove from Central London to Roding Lane South in Redbridge, and secondly when on Redbridge Lane, you hit and killed Yubin Tamang as he was crossing that road.
2. Counts 3 and 4 of the same indictment alleged that at the time of causing the death of Yubin Tamang, you were driving whilst over the prescribed limit for alcohol, and lastly, after causing his death, you embarked on a further episode of dangerous driving as you made off from the scene of the fatality to your home.
3. On your behalf a written ‘Basis of Plea’ document was provided. The document is dated 8<sup>th</sup> December 2025. In that document you set out that your pleas of guilty to counts 1 and 2 were on the basis that you drank 3 glasses of brandy and coke whilst having a meal in central London. When you went to drive home, you claimed you saw four people in a Mercedes A class who you say looked suspicious and who may pose a threat to you or your car. The Basis of Plea speaks of an incident some 7 years before when you had been approached at gun point and your vehicle taken. You said that on 18<sup>th</sup> October 2025, you believed you were under threat and were being followed and this led to your erratic and dangerous driving. It is also said this led to the sudden increase in speed before the collision in count 2. You then wanted to get home as quickly as possible as you thought you were still under threat. Once home you said you consumed 6 to 7 shots of ‘Cîroc’ vodka mixed with ginger beer and had a cannabis cookie. You say you then dozed off before being woken by the police. At the police station you say you told a legal representative that you had drunk vodka in the hour or two before your arrest, had consumed a cannabis cookie and signed a written document to

that effect at the police station. You do not understand why police records show something different. You accepted that you may well have been over the drink drive limit when you got into your car from the restaurant, but if so it would not have been by much.

4. A timetable was set for matters in the 'Basis of Plea' to be considered along with further consideration of the evidence in support of counts 3 and 4. Having permitted time for enquires to be made by your solicitors and for the CPS to consider the account set out in the written Basis of Plea, no vehicle can be seen on any available CCTV to follow your car. You said you had been at the 'Omi' lounge and at no point can any car be seen to follow as you suggested. On your behalf it is said that you maintain that you believed you felt under threat, albeit it is accepted there is no independent evidence of that and no evidence has been called on that issue on your behalf. Whilst I can accept what happened in 2017, having viewed the footage that has been collated I do not find your belief to be one that mitigates this driving or the seriousness of it. Separately I note, evidence of the state of your car following the collision was provided and it shows significant damage to the windscreen.
5. An addendum Basis of Plea document was provided on 2<sup>nd</sup> March. In that document you accept that at the time of the collision with Yubin Tamang your blood alcohol reading was 45 microgrammes of alcohol per 100 millilitres of breath. The limit is 35 micrograms and so you accept being over the limit for driving – and by a significant margin.
6. As you now accept the alcohol level and also that you failed to stop after the collision, it is not necessary for there to be a trial on counts 3 and 4 and those counts will lie on the court file with the usual direction not to be proceeded further without the leave of this court or the Court of Appeal.

#### **The events of Saturday 18<sup>th</sup> October 2025.**

7. In the early evening you drove into central London from your home in Woodford. You were driving your BMW M5, a high performance vehicle. The journey took about an hour and you arrived in the Bloomsbury area just after 8:30pm. As you were later to accept, whilst in central London you consumed alcohol before then returning home. Your return journey started at about 11pm. Much of the journey is captured on CCTV.
8. A chef, Nico Sagarra, was riding his motorcycle along Goodge Street. As you drove past him your car brushed his leg causing him to stop and put his foot to the ground. You did not stop, drove on and drove through a red traffic light. When the lights changed to green, the

motorcyclist followed your vehicle. When he did so he observed you drive through two further sets of traffic lights at red. You turn left into Gower Street and then right into Torrington Place, again passing through a red traffic light. You then continued along Byng Place into Gordon Square, passing through yet another red light as it drove into Tavistock Square, where there was slow and stationary traffic. You then drive onto the pavement outside the Tavistock Hotel to pass the line of stationary vehicles waiting at the red traffic light.

9. You then drive through yet another set of traffic lights at red and collide with a Mercedes car. You continue into Tavistock Place, stopped momentarily but then drive away. The motorcyclist, Mr Sagarra, stopped to speak with Mr Ansari. He checked that he was uninjured and then continued to follow your car. When you stopped at a red light in Sidmouth Street close to Gray's Inn Road, a photo was taken of the registration plate of your vehicle.
10. Mr Ansari was driving his car as a taxi that night and had a passenger. He was driving towards Holborn. He recalls travelling slowly in Tavistock Square at the junction with Gordon Square. He saw your car come towards him, having passed through a red traffic light. You tried to get across the road in front of Mr Ansari but stopped. Mr Ansari continued to drive forward. As he passed, you drove on and collided with the back of his car on the driver's side, close to the rear wheel, before then driving away at speed. Mr Ansari called the police at 11:03pm. He later took a video of the damage caused to his car.
11. After this collision you continued in the direction of your home in Woodford. Analysis of your mobile phone shows that you made 5 voice calls to the same number in this period. The calls of various duration up to 1 minute 21 seconds.
12. CCTV footage captures you driving often at speed between 11.21 and 11.27pm. At 11:21pm you are on the Balls Pond Road on the wrong side of the road and turn left, continuing along Dalston Lane. A minute later, you drove around two cars travelling along Dalston Lane by moving onto the wrong side of the road. You pass four cyclists travelling in the opposite direction in that lane, causing two of the cyclists to swerve in order to avoid a collision. At 11.23pm you overtook another car by moving onto the wrong side of the road. Later, as you are on Graham Road, you move again onto the wrong side of the road and drove through another set of traffic lights at red. At 11:24pm you accelerate around a lorry travelling along Morning Lane. Further along Morning Lane, at the junction of Ponsford Street, a car stopped at a red traffic light. You crossed onto the wrong side of the road. At 11.25pm still driving

along Morning Lane, you crossed the junction at Well Street and moved into the opposite lane narrowly missing a car travelling in the opposite direction.

13. By 11.30pm CCTV shows you driving along Roding Lane South, towards Redbridge Lane East. Redbridge Lane East runs between the North Circular Road at Redbridge and the A1400 Woodford Avenue. The road is in a residential area and is a road with a single lane for traffic in each direction. The speed limit is 30 miles per hour. At the time of the incident, it was dark, but the road lit by streetlights on both sides. The road was dry.
14. Yubin Tamang, a 20 year old man from Nepal, a university student living in Bergholt Avenue near to where he was killed, was walking along the pavement of Redbridge Lane East. He looked and checked the road was clear before crossing the road. As he was crossing, he was hit by your car. You were driving at a speed significantly in excess of the speed limit. Yubin was catapulted into the air before crashing on to the roadway. He sustained catastrophic injuries.
15. Camera footage shows the lead up to impact and the impact itself. On the audio the noise of the engine of your car can clearly be heard as it approaches at speed. After impact, your rear brake lights can be seen, but you then drive on and leave the scene without stopping. The footage of the impact is shocking.
16. Images of the state of your car show it was not in a fit state to be driven safely, but nonetheless you continue for another 8 miles over some 15 minutes or so to a location close to your home on King's Avenue. You make another phone call just after the collision to the same number as the earlier 6 calls – this one for 33 seconds. I note that there is no call to the emergency services. It is of note that you do not park outside your home, but a short distance away. You have been in the car alone. The windscreen of the car had been shattered. I mentioned earlier the journey into central London was an hour: the journey home took half that time. After getting home, you are seen running and returning to the car half an hour later for some reason.
17. Expert analysis of the Event Data Recorder in your BMW shows that in the 5 seconds before the collision the speed of your car went from 36 mph to 74mph. Speed at impact is 67mph and so at the point of impact with Yubin's body you were driving at a speed more than double the speed limit.

18. Although you had left the scene where Yubin had been hit, other drivers stopped, attended to him and sought to administer first-aid. They called 999 and sought to give CPR. The HEMS [Helicopter Emergency Medical Services] team arrived and attended to Yubin. He was taken to the Royal London Hospital. It was clear that he had sustained extensive and catastrophic injuries: multiple fractures, multiple organ damage including damage to the brain. He was placed in the intensive care unit but remained unresponsive and his injuries were deemed to be unsurvivable. During the course of the 19<sup>th</sup> October his condition deteriorated and he died just after 1pm on 20<sup>th</sup> October.

### **Victim impact.**

19. There are a number of victim impact statements. One is from Yubin’s close friend, roommate and university classmate, Sushant Khadka. He speaks about the impact on him of the loss of his close friend and the impact on his own education, relationships and family. He says Yubin was like family to him. As he says: *“Yubin was only 20 years of age. He had dreams ambitions and plans for his future. His loss has not only taken a life full of promise but has permanently affected mine and my family’s lives. The emotional, psychological and practical impact continues every day.”* There is a statement from Autar Shrestha who has supported the family since the death of Yubin.
20. Yubin’s mother travelled from Nepal and read her moving statement to the court. Part of the written statement reads: *“This incident has not only taken our son away, but it has left us in a state of unrest. .... We feel extreme pain and an unimaginable sense of loss. What we have felt is something that we have to endure. My son had dreamed of further education and had come to the UK. He wanted to gain a degree from here because it is well recognised in the world. Unfortunately, this tragic event happened near our home while he was returning home from work.”*
21. No sentence a court can pass can ever equate to a life lost – the life of a young man mourned by those who knew and loved him, and with so much ahead of him.

### **The police arrival at your home.**

22. Returning to the facts, the police arrived at your home address just before 4:30am on the Sunday morning. On arrest and caution, you make ‘no reply’ responses. You asked the police what car you were meant to be driving, but at that stage the police did not say anything

just that you would be interviewed. You were told your house would be searched and when you asked why, the police said they were looking for a car key. You spoke to your partner about what you called the ‘bimmer’ key – the BMW key but when police asked you for the BMW key, you made no reply. Your mobile phone was seized.

23. When the police searched your home they found various documents for the BMW including a notice of intended prosecution the log book and keys.
24. At the police station the drink and drugs drive procedure was completed. You were asked when you had last consumed alcohol and you said at 9pm – a Hennessy and coke. From the documentation completed at the time of the process you said nothing about any post-incident consumption of drink or drugs. The breath test procedure gave a lower reading of 45 micrograms of alcohol per 100 millilitres of breath – the limit being 35 and a drug swipe test showed a positive reading for cannabis. Later analysis shows some impairment at the time of the driving and with both drink and drugs, the impact may have been greater.
25. When interviewed under caution, you made ‘no comment’ responses to all questions. It is of note that when asked to explain why you had driven in a dangerous manner and whether there had been any distractions, you made ‘no comment’ responses.
26. In the initial ‘Basis of Plea’ document you set out the consumption of post-incident alcohol. As is clear from the joint report of the experts instructed by the prosecution and by your solicitors, none of the accounts you have given could account for the measured evidential breath alcohol level, and all indicate that you must have consumed more alcohol than you have declared and from the calculations alone it is not possible to say whether the ‘missing’ alcohol was consumed pre-incident, post-incident or a combination of the two. As set out in the Addendum Basis of Plea, you now accept a reading of a minimum of 45µg (of alcohol) per 100 millilitres (of breath) at the time of the fatal collision.

### **Driving record and antecedents.**

27. You are now aged 41. There are a number of convictions recorded against you. They go back to 2000 when aged 16, you were convicted of robbery. In 2001, for a number of driving offences committed in September, October, November and December 2000 (aggravated vehicle taking, dangerous driving, taking a vehicle without consent, driving other than in accordance with a driving licence and driving without insurance) you received a detention and training order. In April 2002, for further driving offences as well as burglary a further

detention and training order. In 2004 and 2005, for offences of driving whilst disqualified and driving whilst uninsured, you were initially made subject to a community order, and then a suspended sentence order. There were breaches of that suspended sentence order in 2006 and 2007. In 2010 further offences of driving whilst disqualified and driving without insurance led to a community order and a further period of disqualification from driving. As is clear, all of those driving convictions are at least 15 years ago – the most recent when you were 25.

### **Sentencing guidelines.**

28. The maximum sentence for dangerous driving is 2 years imprisonment, and for causing death by dangerous driving, it is life imprisonment.
29. Within the relevant sentencing guidelines for causing death by dangerous driving, in terms of Culpability this was a prolonged, persistent and deliberate course of dangerous driving. Your driving was impaired by the consumption of alcohol and in the period immediately before the impact you were driving at a speed significantly in excess of the speed limit. In my judgment this case comes within category A. On your behalf that categorisation is accepted. Whilst there are the two counts on the indictment I need to have regard to your overall driving and conduct. For an offence within Category A, the start point is one of 12 years' custody and the range 8 to 18 years' custody.
30. For the episode of dangerous driving before the fatal incident, your driving involved a series of deliberate decisions to flout the normal driving rules and a deliberate disregard for the safety of other road users. You brush the leg of a motorcyclist, drove through numerous sets of traffic lights at red, overtook other road users, drove on the wrong side of the road causing others to take evasive action and collided with another car. The footage shown as part of the hearing shows a quite appalling litany of incidents of dangerous driving leading up to the incident that leads to death. On the guidelines for dangerous driving, the factors identified place this offence into the highest category. As such the start point on count 1 would be one of 18 months' imprisonment and a range of sentence of between 1 and 2 years' imprisonment.
31. Moving next to aggravating factors, you have previous convictions for driving offences. Whilst they are some years ago, they cannot be ignored. On count 1, a motorcyclist and the pedal cyclists had to swerve to avoid you. You failed to stop having hit Mr Ansari's car – you may not have realised you had made contact with Mr Sagarra. In relation to both counts you were driving having consumed alcohol in excess of the legal limit. With count 2, you

failed to stop at the scene of the fatal crash and whilst in your initial Basis of Plea you have sought to suggest a reason for driving as you did through fear or threat from others, I reject that feature of the matters put forward. I propose to impose concurrent sentences on the two counts here and so there will need to be some upward adjustment to the notional sentence on count 2 to reflect the overall conduct.

32. In terms of factors reducing seriousness or reflecting personal mitigation, I note your expressions of remorse. I have no doubt that the regret and remorse you have now expressed is entirely genuine.
33. There are moving letters from many who know you and the many good things you have done. Your partner and the mother of your two children speaks about the difficult start you had and how you had turned that round for good and the ways in which you have supported others – giving talks in prison to motivate young men, and in your support for the homeless through your work in the music industry. Your mother speaks of the changes she has seen in you from the teenage years to you being a father of your own children and the support to the wider family.
34. Others, Jakaan Prince, Kairo Miller, Nathan Clark speak of your role as a mentor or guide to them – giving encouragement, support and motivation to them in music. Laverne Cole speaks of the work you have done with the St Christopher’s Fellowship and Sherie Jackson, Parent Director of the Achim Community Mime and Dance Group sets out the physical and financial support you have provided to that non-profit community group over a number of years. Timothy Pabifio speaks of the support and encouragement you have given to him.
35. Your music has provided you with a following and with a significant financial rewards and I acknowledge that you have used both the music and the money it has given you to good effect and have done much to support many others. I have read carefully the letter you have written to me. In the letter you express your genuine regret and remorse for your actions on 18<sup>th</sup> October 2025. As you set out, you have done much to help others over the last 10 years and all that good work is marred by driving in drink and taking the life of another young man.
36. You pleaded guilty and in my judgment credit in the region of 25% is appropriate and will be given for your pleas of guilty. As well as a disqualification until an extended test is passed there has to be a disqualification from driving and for a minimum period of 5 years.

### **Mitigation**

37. On your behalf I have seen and read a sentencing note that has been prepared on your behalf. It is accepted that this is a Category A1 case and with aggravating features that may have a starting point for sentence in double figures for sentence. It is submitted the court may be able to reduce that sentence to within the single figure range.
38. Through Mr Aina a full apology has been made, and a full acceptance of the sequence of events in the course of your driving that evening that are clear aggravating features of your driving. As I have said, a quite appalling litany of events.
39. He also expresses your apology to the many others you have let down. Your letter and those of the many who have written about you, are ones I have read and digested. Laverne Cole gave evidence to further highlight the work you have done to assist those the St Christopher's Fellowship supports with issues around the impact of their own offending behaviour. Those you met valued what you said about your own experiences. In your own letter to me you state: *“The dedication it took to establish myself professionally has not only shaped my character but has also strengthened my ability to reach out to others and positively influence them. The career I have built reflects not only my commitment to self-improvement but also my desire to make a constructive and lasting contribution to my community. I am committed to being a positive member of society and will continue to do my part in trying to create positive outcomes for young people in my community.”*
40. Mr Aina has highlighted some parts of the letters of character that I have referred to. It is clear that you have done much to support others. As I have indicated, it is a real shame that all of that work has been impacted by your dangerous, and ultimately fatal actions last October.

### **Sentence.**

41. On count 2 (causing death by dangerous driving), applying the guidelines as set out and making allowance for the aggravating and mitigating features identified the sentence before plea would have been one of 16 years' imprisonment. In my judgment the aggravating features set out would take the sentence to the top of the identified range of sentence before the mitigating features identified then bring it down to the sentence I have indicated. Making allowance for your plea, a sentence of 12 years' imprisonment. On count 1 (dangerous

driving), a concurrent sentence of 15 months. (Before plea on count 1, there would have been a sentence of 20 months' and so making allowance for plea, 15 months.)

42. Your licence will be endorsed with the particulars of the convictions for dangerous driving and causing death by dangerous driving. There will be an order for disqualification until you pass an extended driving test.
43. In terms of disqualification from driving, the minimum period is one of 5 years and here in light of the facts and your driving record, a disqualification for 9 years. In light of the custodial period I have imposed, there must be an extension period to that period of disqualification and that has to be two-thirds of the custodial term I impose as the custodial period is to be one over 7 years. The extension period is one of 8 years. So there will be a disqualification from driving for a period of 9 years and an extension period of 8 years making a total period of 17 years.
44. On the sentence of 12 years, you will serve two-thirds of that term and then be released on licence for the remainder of it – whilst on licence you must comply with the terms of that licence. At any stage the licence may be revoked and your return to custody ordered.
45. There will be an order that you pay the prosecution costs of £1,630. That sum to be paid within 1 month of today's date. If the statutory surcharge applies the appropriate order may be drawn up.

Recorder of London  
His Honour Judge Mark Lucraft KC,  
Central Criminal Court  
Old Bailey, London EC4M 7EH  
March 3<sup>rd</sup> 2026.