

**IN THE HIGH COURT OF NEW ZEALAND  
CHRISTCHURCH REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
ŌTAUHAHI ROHE**

**CRI-2019-009-9721  
[2024] NZHC 872**

**THE KING**

v

**REBECCA ELIZABETH JANE WRIGHT-MELDRUM  
DAVID PETER HAWKEN**

Hearing: 19 April 2024

Appearances: P A Currie and M G McClenaghan for Crown  
S M Grieve KC, P J Shamy and K M Barker for Wright-Meldrum  
M A Stevens KC for Hawken

Judgment: 19 April 2024

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**SENTENCING REMARKS OF DUNNINGHAM J**

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[1] Rebecca Wright-Meldrum and David Hawken, you are both here for sentence having been found guilty, by a jury, of the murder of Angela Blackmoore in 1995.

**Factual circumstances**

[2] At the time of the murder, Mr Hawken, you were running a debt collection business from a property owned by your friend, William Blackmoore, at 445 Cashel Street, Christchurch. Mr Blackmoore had separated from his wife Angela and she was living at 48 Vancouver Crescent with her new partner Laurie Anderson. The Blackmoores also owned a section at Ferry Road.

[3] At the time, Mr Hawken, you were experiencing considerable financial difficulties and yet you had ambitions to both buy 445 Cashel Street, and to pursue other property development opportunities. At the time Mr Blackmoore was also in financial difficulties. He was in arrears with his mortgage and making no progress with resolving the division of property with Ms Blackmoore. It was clear, from the evidence, that Mr Blackmoore was unsophisticated in business matters, and despite your relative youth, he trusted you to manage his affairs, and he authorised you to discuss his position with the bank.

[4] In mid-1995 you met with Ms Blackmoore and arranged for her to sign an authority to sell the section at Ferry Road. You also put an informal proposal to her for resolution of the matrimonial property. However, at some point your plan became more sinister and you met with Ms Wright (as Ms Wright-Meldrum was known then), and her then boyfriend Jeremy Powell. You offered them \$10,000 to murder Angela Blackmoore. When they failed to follow through with an initial attempt, you then threatened Mr Powell, saying that you would kill Ms Wright and his family if they did not go through with the plan.

[5] On the night of 17 August 1995, Mr Anderson had to go to work at short notice. He left his partner, who was nine weeks pregnant, and her two year old son at home for the evening. Ms Blackmoore was very security conscious and would not let anyone into the house if she did not know them. However, because you, Ms Wright-Meldrum, were a friend of Ms Blackmoore, she allowed you and Mr Powell into the house that night. Mr Powell was armed with a bat and a large Bowie knife which he hid in a trench coat he was wearing. Ms Wright-Meldrum, you encouraged Ms Blackmoore to go into the kitchen and it is there that Mr Powell struck her around three times in the head with the bat and then stabbed or cut her multiple times with the knife. Ms Blackmoore sustained a total of 39 wounds to her head, neck and arms as she tried to defend herself from the brutal attack. Mr Powell admitted to the murder in 2019 and he was sentenced by Justice Mander in 2020.

[6] Shortly after Ms Blackmoore's death, Mr Hawken, you presented documents listing the Blackmoores' properties as assets in order to try and obtain finance for a property development you hoped to pursue. I am satisfied that this was the purpose

of the killing. You wanted Ms Blackmore out of the equation so that you only had to deal with Mr Blackmoore over his assets and, at that stage, he trusted you implicitly. However, like most of your business ideas at the time, it did not bear fruit. You also never paid the \$10,000 which was promised to Mr Powell and Ms Wright-Meldrum.

### **Victim Impact Statements**

[7] That brief outline of the facts relating to the murder does not convey the devastating impact this murder has had on Ms Blackmoore's family and, in particular, on her fiancé, Mr Anderson. That hurt has been exacerbated by the fact the murder remained unsolved for so many years and family members have passed away without ever knowing who murdered her or why.

[8] Mr Anderson, your steadfast devotion to see justice for Ms Blackmoore is nothing short of inspirational. You have honoured her through your ongoing support of the long police investigation, and then your commitment to attending, first, the aborted trial and then the full trial which covered the facts of Ms Blackmoore's life and her brutal death in unflinching detail.

[9] I also acknowledge Ms Blackmoore's adult son, who reminds us in his victim impact statement that he lost not just a mother but a brother that he would never meet. He has also lost the chance to grow up in a normal family structure as he should have done, leaving him with an understandable sense of isolation and confusion.

[10] We have heard from other family members. Jillian Purvis, Leanne Keen and Stacey Brosnan, all of whom speak of the loss of a young woman who was happily moving on in life and looking forward to an amazing future with her new baby.

[11] All of you, by giving your victim impact statements, have honoured Angela and the huge steps that she had made to get her life back on track.

## The sentencing exercise

[12] I now turn to the sentencing exercise.

[13] As you have heard the lawyers explain, this is an unusual one, because I must sentence in accordance with the law in 1995 when the murder was committed. The higher non parole period that would presumptively apply now under sentencing laws is expressly excluded.<sup>1</sup> All the lawyers are agreed on the applicable sentencing regime. That is, life imprisonment with a non-parole period of at least 10 years.<sup>2</sup>

[14] The law in 1995 also allowed for higher non-parole periods to be imposed, but only in very limited circumstances. The relevant law said that the Court cannot impose a higher minimum period “unless it is satisfied that the circumstances of the offence are so exceptional that a minimum period of imprisonment of more than 10 years is justified”.<sup>3</sup>

[15] That requires me to consider two questions. The first is whether to extend the minimum non parole period at all having regard to the circumstances of the offence and then, if I think it is warranted, to consider how long that should be in light of all the relevant circumstances, including those of the offender.<sup>4</sup> However, the cases make it clear that the decision to impose an extended period “should not be lightly reached. The need for extra denunciation must arise clearly from the exceptional circumstances”.<sup>5</sup>

[16] You have heard counsel in their submissions referring me to cases which demonstrate how high that threshold was.<sup>6</sup> In particular, in *R v Parsons*, it was said that the power is “to be exercised only in the exceptional case which is so horrendous or repugnant as to justify an additional denunciation”.<sup>7</sup>

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<sup>1</sup> Sentencing Act 2002, s 154(3).

<sup>2</sup> Crimes Act 1961, s 172 and Criminal Justice Act 1985, s 89(1).

<sup>3</sup> Criminal Justice Act 1985, s 80(2).

<sup>4</sup> *R v Sibley* CA290/97, 15 October 1997.

<sup>5</sup> At 5.

<sup>6</sup> *R v Yorke* CA261/96, 23 October 1996; *R v Parsons* [1996] 3 NZLR 129; *R v Wilson* [1996] 1 NZLR 147; *R v Manihera* CA40/98, 22 June 1998.

<sup>7</sup> *R v Parsons*, above n 6, at 131.

[17] That case involved an adult son killing his father to hide the fact he had stolen significant sums of money from his father's business. He then hid the body and it was not discovered for over a week. However, in that case, the Court of Appeal reduced the 13 year minimum non parole period on appeal, and said:<sup>8</sup>

Murder is of its nature a crime which more often than not involves the premeditation and brutality or callousness of one kind or another. Often the victim is a member of the offender's family. Often the offence is committed for the purposes of or arising out of some other crime. A combination of the relatively common factors present here does not of itself create circumstances so exceptional the minimum parole period of more than 10 years is justified.

[18] Of course, Mander J had to confront the same issues when he was sentencing the co-defendant, Mr Powell.<sup>9</sup> He quite rightly described the case as a "dreadful and monstrous killing, involving as it did the planned and coldblooded execution ... of a defenceless woman in her own home".<sup>10</sup> However, in sentencing Mr Powell, it was not necessary to resolve whether the threshold for a higher minimum term was met because there the Crown acknowledged that even if a minimum period of imprisonment in the range of 11 to 12 years was appropriate, factors personal to Mr Powell, including his guilty plea and the assistance he provided to the authorities, would result in a necessary reduction to the mandatory minimum period of 10 years and that was the sentence imposed.<sup>11</sup>

[19] The Crown here, takes the same starting position, which is that the minimum period of imprisonment in the range of 11 to 12 years may be appropriate. While in *Parsons*, 10 years was imposed, the Crown says this case could be considered more serious than it, with particular reference to the planning which took place, and the arrangements that had been made for money to be paid in consideration for the murder.

[20] The Crown then acknowledges that, as Ms Wright-Meldrum has no other criminal history and has provided evidence of her positive contributions to society, there may be a modest discount on any uplift to reflect these matters.

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<sup>8</sup> At 131.

<sup>9</sup> *R v Powell* [2020] NZHC 1285 at [20].

<sup>10</sup> At [21].

<sup>11</sup> At [21].

[21] The Crown notes the various mitigating factors that are raised on behalf of Mr Hawken. They accept, too, that those matters could reduce the minimum period of imprisonment, but they say that they could not support anything less than a sentence of life imprisonment.

[22] So, I now turn to the submissions that were made by each of your lawyers.

### **Submissions for Ms Wright-Meldrum**

[23] Speaking first for you, Ms Wright-Meldrum, your lawyers acknowledge the sentencing principles that apply. However, Ms Barker says there is no reason to distinguish this case from that in *Parsons*. Ms Barker says in *Parsons* there was callousness in the disposal of the body and the killing was to hide the defendant's own criminality and these are aggravating features that are not present in this case. She also says that the other cases the Crown referred to in their written submissions are more serious than the offending here. In short, she says that the offending here is not so exceptional as to warrant an MPI of more than 10 years.

[24] Furthermore, even if I consider that the circumstances of the offence may warrant an MPI of more than 10 years, she submits that considerations of parity and your personal circumstances mean the MPI should not exceed 10 years.

[25] In terms of parity, that is, consistency with Mr Powell's sentence, Ms Barker notes that it was Mr Powell who took the weapons to Vancouver Crescent and who carried out the physical aspects of the murder and who elected to do it in such a brutal manner. While your lawyer accepts that there were mitigating factors applying to Mr Powell that do not apply to you (being his guilty plea and his assistance to authorities), she submits it would be wrong in principle for you to receive a lengthier minimum period of imprisonment than him, when you could not be considered more culpable than him.

[26] Ms Barker also provided extensive submissions about your personal mitigating factors. These include your difficult upbringing, noting your mother died when you were just six years old and your sexual abuse by an immediate family member from the age of eight. You left school without any qualifications and started working as a

stripper when you were only 17. You also had brief stints undertaking factory jobs, farm work and sex work.

[27] Your life during this period was not happy. You had miscarriages and terminations and then your first child was born when you were only 20, but she was removed from your care. Your second child was born when you were 22, but his father was granted custody of him at three months old. Your life then continued to be disordered and including you being hospitalised for overdoses.

[28] You met your first husband when you were pregnant with Mr Powell's child. You subsequently married and were together for 18 years which resulted in your life stabilising significantly. You are now in a relationship with another person who has also been supportive of you throughout this process.

[29] Your lawyer points to how you have managed to rehabilitate yourself despite your disruptive upbringing and the trauma you have experienced. You have no other criminal convictions and you have contributed to the local community in a number of ways over the years, including assisting with charities such as the City Mission, St Vincent De Paul, Red Cross, and the like. I also have been provided with letters from people whom you have supported during difficult periods in their life.

[30] So, in summary, Ms Barker says if I take into account:

- (a) your relative youth at the time of the murder;
- (b) your troubled background which made you vulnerable to exploitation by others;
- (c) your otherwise good character and lack of convictions both before and after the murder;
- (d) your compliance with bail conditions for four years; and
- (e) your enduring psychological issues which, at your stage in life, will make a lengthy prison sentence difficult,

there is no need to impose a higher minimum parole period.

### **Submissions for Mr Hawken**

[31] Mr Hawken, your lawyer, Mrs Stevens KC, also submits that the very high threshold required is not met in this case and the circumstances do not warrant a minimum period of imprisonment of more than 10 years. This submission is advanced by reference to a combination of what are submitted to be mitigating factors.

[32] The first is your youth at the time of the offending. You were only 22 years old and, though you had other criminal offences, you have not offended since then, other than two relatively minor driving convictions. More importantly, Mrs Stevens points to the extensive evidence she has provided of you having rehabilitated yourself over the years and indeed that you have become a positive force for good, particularly amongst young people whom you perceive as disadvantaged by life's circumstances as you were.

[33] In terms of your background Mrs Stevens points to significant family violence perpetuated by your father against both you and your mother. You were sent to boarding school at age 13, but were asked to leave after a year. You then went to Hamilton High School where you met William Blackmoore. At aged 15, your father effectively kicked you out of home, dropping you off on the far side of school with two suitcases and then driving off. You were on your own from then, pairing up with William Blackmoore and needing to give up school in order to support yourself. When Mr Blackmoore headed off to Christchurch, you followed a little later, and started working at a bar, even though you were underage. In short, your childhood was unhappy, and your memories are of anger, violence and rejection.

[34] On the positive side though, your lawyer points to your life in the 20 years since you have lived in Wanaka where she says you have rehabilitated yourself and made a significant contribution to the community. You have created a firewood business, done farm contracting, supported local community projects and organisations and provided internet connection to the community by building and installing transmitters to provide that to remote households. Numerous local people from all walks of life have provided written references to the Court which speak



positively of your personal characteristics and your contribution to the community, particularly to young troubled teenagers, such as you were yourself.

[35] The fourth consideration your lawyer raises is the impact of imprisonment on your physical health. She notes that you suffer from abdominal pain and, to a lesser extent, diverticulitis, as is outlined in a letter from your doctor. Your lawyer says that in the community you were prescribed a drug to relieve the pain, but that is not a drug which is permitted to you in prison and you have not found a suitable substitute.

[36] Finally, your lawyer points out that you have spent three and a half years on restrictive EM bail and this, in itself, is the equivalent of a substantial prison term and should be taken account of when deciding whether any uplift is required to the presumptive minimum period of imprisonment.

## **Discussion**

[37] The starting point is to consider whether the circumstances here, are so exceptional that a minimum period of imprisonment of more than 10 years is justified. I acknowledge this is a difficult exercise. The murder of anyone, but particularly a defenceless woman in her home, is inevitably an exceptional circumstance. However, the real issue is whether it meets the higher threshold required.

[38] I accept the benchmark is set by the decision in *R v Parsons*, and assistance is gained by comparing that case to this. That case had the aggravating feature of murdering a family member which is not present here. However, in both cases there was a significant degree of premeditation and deliberation. The evidence here is that there were several meetings at Cashel Street before the murder. Here, the fact that Ms Blackmoore was a friend of yours, Ms Wright-Meldrum, and it was that friendship which was exploited to gain access to the property on the night of the murder, is a significantly aggravating factor.

[39] Both the murder in *Parsons* and here, involve callousness. While it was Mr Powell who carried out the physical act of killing, neither of you could said to be unaware of the level of brutality that would be required to achieve that end with the use of a knife and bat. In a way, this killing, involving a physical attack which the

victim was clearly aware of that it had happened, is worse than the execution style killing using a firearm in the *Parsons* case. While this case does not have the feature of the killing being to conceal the defendant's own criminality, the motive here was equally repugnant, being financial gain. Neither of you had any reason to want Ms Blackmoore dead, apart from this.

[40] Furthermore, unlike Mr Powell, both of you knew that Ms Blackmoore was pregnant. This, too, augments the seriousness of the crime. In all these circumstances, I consider the case does reach the threshold of being so exceptional that a minimum period of imprisonment of more than 10 years could be justified. However, whether in fact that is applied and how long it is, depends on other factors including those circumstances that relate to you personally.

[41] In this case, I accept that you both had really difficult upbringings. In particular, Ms Wright-Meldrum, your background was clearly traumatising. As the letter from Dr Nuth, the clinical psychologist says, "it would have taken an extraordinary person to come through her experiences unscathed".

[42] In respect of your upbringing, Mr Hawken, I accept that you were exposed to high levels of brutality and parental indifference, leaving you with no moral compass or structure to your life in your late teens and early adulthood. I also accept that you have demonstrated some contrition for what you did in this period of your life (although not, of course, accepting responsibility for the current crime). I note particularly that one of your referees recalls you saying "I was a bad bastard for 10 years and I've got another 15 of being a good bastard to even it out", and I accept that the various community groups you have become involved in Wanaka and the support you have shown to people in the local community show you in a positive light. It also satisfies me that you are not a danger to the community now.

[43] Similarly, Ms Wright-Meldrum, while your community networks are not as wide, I accept that you, too, in adulthood, have made contributions to the community as are set out in your lawyer's submissions. While you are experiencing enduring psychological issues, you, too, are no longer a danger to the community.

[44] A further unusual aspect in this case is that, unlike Mr Powell, you both have spent extensive periods on bail. This was exacerbated by the COVID lockdowns and then the first trial having to be aborted part way through. For Ms Wright-Meldrum, this meant that you were on ordinary bail for almost all the period between your arrest and conviction. Mr Hawken, you were admitted to electronically monitored bail. Initially this was imposed with a 24 hour curfew, but that was subsequently varied, on a number of occasions, to enable you to work, on various farm locations in the central Otago area. That said, I acknowledge that EM bail was a more restrictive regime to be under and the only breach was, as your lawyers explained, brief, and associated with your medical conditions. There is no suggestion that you did not generally comply with the requirements of EM bail.

[45] So I accept that both the four years Ms Wright-Meldrum has spent on bail awaiting trial without incident and the three and a half years that you, Mr Hawken, have spent on EM bail should be taken into account in deciding what, if any, extension to the mandatory minimum period of imprisonment is required.

[46] Had there been no mitigating features, I would have uplifted the minimum period of imprisonment of 10 years to 11 years. However, given the various mitigating factors personal to you, as outlined in counsels' submissions, in the circumstances, the appropriate sentence is one of life imprisonment with a minimum period of 10 years. That said, whether you are released after the expiry of 10 years will be a matter for the Parole Board to determine. You will remain subject to recall for the rest of your life.

[47] I now ask you both to stand.

### **Sentence**

[48] Ms Wright-Meldrum, for the murder of Angela Blackmoore, you are sentenced to life imprisonment with a minimum period of imprisonment of 10 years.

[49] Mr Hawken, for the murder of Angela Blackmoore, you are sentenced to life imprisonment with a minimum period of imprisonment of 10 years.

[50] You may now both stand down.

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