

## Steven Wallace's controversial shooting goes to UN after 25 years

*Mike White*

13–16 minutes



Steven Wallace was 23 when he was shot and killed by police in Waitara's main street. Supplied

This excellent piece is from The Sunday Star-Times. You can read more of their stories [here](#).

Steven Wallace was shot and killed by police in April 2000. His family has never stopped fighting for him. Now they are going to the United Nations, alleging the truth has never been told. Mike White reports.

It all happened in a minute.

Sixty-four seconds between two armed police officers arriving in Waitara's main street, and Steven Wallace lying dying in the middle of the road, his upper body punctured by four bullets.

Put your microwave on for a minute, says Wallace's mother, Raewyn.

That will show you how swiftly things devolved, how quickly deadly decisions were made, how long it took to kill a man walking up the road.

In the end, the shooting of Wallace, 23, happened in just a few seconds: a warning shot, a double tap, then two more shots fired from senior constable Keith Abbott's Glock 9mm pistol.

But it's what happened in the minute and minutes beforehand that have been questioned for 25 years.

A quarter century of fighting for justice, fighting to prove that people lied, and that her son didn't need to die, says Raewyn Wallace.

Despite all the official reports and numerous court hearings exonerating Abbott and finding he was acting in self-defence, Raewyn Wallace won't give up her quest to show what she claims really happened in one of New Zealand's most controversial and confounding cases.

She's 75. She's beaten cancer. She's survived a recent double-bypass operation.

She's not going anywhere, she says.

But she is.

She's taking her son's case to the United Nations in an attempt to show they never got justice.

"Because you've got to keep fighting."



Steven Wallace's mother, Raewyn Wallace. Lawrence Smith / Sunday Star-Times

Before dawn on April 30, 2000, Steven Wallace was wound up, and wild.

Carrying a golf club and softball bat, he marched along Waitara's streets smashing windows, including at the fire station, supermarket, and police station, and threatening people.

When a police car pulled up beside him at 3.57am, Wallace smashed its windows too, forcing the officers to escape in panic.

What triggered Wallace's angry rampage that Sunday morning still isn't known.

There was talk of arguments back at the family home where he lived, but Raewyn Wallace thinks he just got drunk.

But the cause of Wallace's violence wasn't what was immediately concerning the three police officers called to the scene.

As Abbott and Constable Jason Dombroski armed themselves with pistols at Waitara Police Station, their primary goal was to subdue or stop someone they believed was a dangerous "nutcase", a court later heard.

Turning left from Domett St on to McLean St, Abbott and Dombroski went about 100m, parked in the middle of the road and leapt out at 4.02am.

Steven Wallace was by this stage walking back up McLean St towards Domett St.

In just over a minute, he would be dead.

What the Wallace family allege happened when police shot Steven Wallace in Waitara April 30, 2000

At some stage, Wallace threw a golf club towards Abbott who was on the opposite side of the road.

Abbott said Wallace came towards him, softball bat raised, threatening to kill him.

Despite numerous warnings from Dombroski and Abbott, Wallace kept



walking, and Abbott fired a warning shot over his head.

Then: Bang bang ... bang, bang.

Four shots hitting Wallace's arms and torso, one ripping through his liver, the final shot striking Wallace in his back as he fell.

It was 20 minutes before an ambulance arrived. In that time, police did virtually nothing to help Wallace as he lay on the street, moaning and calling "help me", according to witnesses.

Bystanders implored Dombroski to tend to Wallace, but the constable initially refused, before taking a blanket from them to put over Wallace.

Wallace died in hospital, five hours later.



Flowers at the site of Steven Wallace's shooting. Trevor Read / Taranaki Daily News

The legal process that followed was a first for New Zealand.

A police report, approved by the solicitor-general, found Abbott acted appropriately and in self-defence.

When the Wallace family sought to bring a private prosecution against Abbott, an initial hearing dismissed it as having no chance of success.

This was overridden by Chief Justice Sian Elias, who said Abbott did have a case to answer, and the prosecution went ahead.

In the first case of its kind, Abbott was acquitted of murder by a jury in 2002.

In 2009, the [Independent Police Conduct Authority](#) exonerated Abbott and other officers.

In 2020, the Wallace family [brought a civil prosecution](#) against the police and Government for breaching Steven Wallace's right to life under the Bill of Rights Act.

After [initial success](#) in the High Court, the [Court of Appeal rejected the Wallace family's arguments](#), and the [Supreme Court refused another appeal](#).

Which is why the family's lawyer, Graeme Minchin, is now lodging a petition with the United Nations' Commissioner for Human Rights, claiming New Zealand's government has breached international covenants.

His petition alleges "a devious perversion of the course of justice"; a "clown show" immediately after the shooting; falsified scene diagrams; "incompetent" police investigations; and a "deceitful" policy to blame Wallace.



Senior constable Keith Abbott at his trial in 2002. Phil Reid / The Post

Minchin says:

- There was little gap between the warning shot and the next four shots that hit Wallace.
- Wallace was already incapacitated when the fatal shot was fired, and thus Abbott wasn't acting in self-defence at this stage.

- Abbott wasn't trapped and could easily have escaped back down McLean St the way he'd come.
- Wallace was "left to die like a dog in the middle of the road".
- Abbott's state of mind was questionable, given he thought the offender was a neighbour, David Toa, despite Toa and Wallace being dissimilar; didn't know how many shots he fired; and "inexplicably" couldn't remember a third officer being present, even though he gave the officer orders just before the shooting.
- Police never tested Abbott for alcohol despite this. (The IPCA found no evidence Abbott had been drinking.)



Lawyer Graeme Minchin, who has worked on the case of Steven Wallace's shooting for more than 10 years. Supplied

But after 25 years and so many investigations, what more can be said about the case?

What more could counter the view of a string of official bodies that have not found fault with Abbott or others for Steven Wallace's death?

Graeme Minchin alleges all the inquiries have ignored crucial eyewitness evidence that contradicts the accepted narrative of what happened that night.

"I don't agree the case has been dissected in great detail."

He says the IPCA report was "a blatant whitewash" containing "outright falsity".



Police versions of events were readily accepted by judges, and when there were contradictions between officers, they favoured Abbott's version.

So what does Minchin say happened?

After a decade poring over the case, Minchin is convinced Wallace's danger to the public has been exaggerated.

Sure, he'd been extremely violent earlier, but Minchin says by the time Abbott and Dombroski arrived, Wallace had calmed down, and was walking away, not engaging with Dombroski, Abbott, or others who tried speaking with him.

Hence, the situation could have been handled in a way where it didn't need to escalate, resulting in Wallace being shot within a minute, Minchin argues.



Steven Wallace's grave in Waitara. Lawrence Smith / Sunday Star-Times

Perhaps the most crucial new allegation in his UN petition is one that challenges Abbott's justification for the shooting - that he was being pursued by Wallace.

Minchin claims evidence shows Wallace wasn't chasing Abbott and Dombroski up McLean St as the officers back-pedalled, but rather it was the other way around: they were following Wallace, with their guns trained on him.

At one point, Minchin claims Abbott advanced several metres towards Wallace, and this caused Wallace to confront him.

One thing Minchin does accept is that after 25 years and so much argument, the case remains riddled with frustrating mystery.

Even the most basic elements, such as exactly where Abbott and Wallace were when the shots were fired, is uncertain.

Thus, it's impossible to know just how close Wallace was to Abbott when he was shot (Abbott and other officers say between 3-5m, Minchin estimates 7-10m), and how much of a threat he was.

And then police just left Wallace to die on the street, Minchin says, displaying “a level of brutality that, I think, shocked a lot of cops”. (Despite some disagreement between experts, courts and authorities accepted Wallace couldn't have survived his injuries.)



Keith Abbott, right, leaves Wellington's High Court after being found not guilty of murdering Steven Wallace, accompanied by then police commissioner Rob Robinson. Phil Reid / The Post

But surely it's too easy to sit in an office chair years later, and scrutinise the actions of a police officer in an intensely pressured situation, and find fault in their instantaneous decisions?

Minchin accepts he can be accused of exactly what he says the police and judges have done: cherry-picking witness evidence that suits his argument.



But he insists there's considerable agreement between witnesses for his scenario, and he truly believes this is what happened.

It's never been a fair fight, Minchin says, for a "little battler family doing hāngī and sausage sizzles to raise money".

More than 10 years of frustration and indignation swell and spill from Minchin as he recounts what he believes happened to Wallace.

Virtually all his work on the case has been [done for free](#), "because the truth never came out. There need to be consequences. And I'm not a quitter.

"There are two sorts of lawyers. There are lawyers that see it as a calling, and lawyers who see it as a business.

"I'm in the former group - I'm actually a very bad businessman.

"I think if there's an injustice, then you should do your best to rectify it. Which is what I've done - but I've been completely unsuccessful."



Police Association president Chris Cahill stresses officers have always been found to have acted lawfully over the shooting of Steven Wallace. Maarten Holl / The Post

Police, the Police Association, and through them, Abbott and Dombroski, were offered the opportunity to comment on the Wallace family's UN petition, and their allegations.

"Police extend our sympathies to the family of Mr Wallace, who are no doubt still suffering after the loss of a loved one," a police spokesperson

said in a statement.

“We note the findings of the Independent Police Conduct Authority, the Wellington High Court, and police’s own internal investigations, and have nothing further to add at this time.”

Police Association president Chris Cahill said: “This matter has been tested by all New Zealand legal processes, and police have been found to have acted lawfully on every occasion.”



Raewyn Wallace at her son's grave. MARK DWYER / Taranaki Daily News

Every year since her son was shot, Raewyn Wallace has gone to the intersection of McLean and Domett St in Waitara, at 4.03am - the exact time of the shooting.

“Just sit there and look at it, think about what happened, and how people could get away with that.”

Sure, Steven had his run-ins with police, had convictions for assault and drink-driving and cannabis, she says.

But he was a loving uncle and son, captained his college rugby team, and was studying towards an architecture degree at university.

So on April 30 this year, she'll be back where Steven was shot, still looking for answers, still seeking justice.

"I'm always thinking about it, because it was so wrong."

She still lives in the same home they shared, about a kilometre from where Steven was shot.

Since that day, she's lost her husband, Jim; her brother; and in September, her daughter Tracey died.

Sometimes Raewyn Wallace thinks she'll be the last one left standing, fighting.



Raewyn Wallace insists she won't stop fighting for justice. Craig Simcox / The Post

At 75, she's still working at a local hotel, cooking, and cleaning rooms, to help pay the bills and keep the case going.

In her house, there's a room full of documents and reports and opinions about the case. She doesn't like going in there, but has to, to help Minchin with the petition.

One of the things that riles Raewyn Wallace is how people's statements changed, how their memories remarkably improved over the following months, and details were added, and how Steven's anger and actions seemed to become embellished.

"Nothing adds up. It didn't happen like they said."



What's made everything worse was how she feels police demonised Steven and the family.

"They've never shown one scrap of sympathy. Not one scrap."

Raewyn Wallace's battles have seen her arrested for harassment, intimidation, and obstruction, but she stands by everything she's done to try to get justice for her son.

"I've always been brought up that if I believe I'm right, I'll fight to the end.

"A lot of times, when you get knocked back, you think, 'Oh my god, I can't keep doing this.' But then you think, this is crazy, the story has to be told.

"So you keep going."

And if she ever met Keith Abbott, what would she say?

"Sit down here and tell me what happened."

For more top class journalism from The Sunday Star-Times, click [here](#).