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Richard Sivell jailed for death threats against former PM Jacinda Ardern



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A man who made online threats to hang former Prime Minister Jacinda Ardern says he's "horrified" to be in jail and finding it "terrifying".

Richard Trevor Sivell has been sentenced after being convicted at trial last October of a charge of threatening to kill Ardern between November 2021 and January 2022 – a heightened period of her time as Prime Minister just before the Parliament protest began.

Sivell was also convicted on two charges of obstructing police.

He refused to come out of his caravan when officers went to his Te Puke property in March 2022, or give his PIN for his seized mobile phone.

He was granted bail after his arrest and went on the run for 20 months.

At trial, police said Sivell made repeated death threats towards Ardern in posts on the social media platform Telegram, to influence others to share his views.

The platform was popular with conspiracists and anti-Government protesters.

The threats happened during a heightened period of the Covid-19 pandemic response just before the Parliament protest began in February 2022.

The trial heard Sivell wrote he'd be "quite happy to execute" Ardern, would make the gallows if needed and wanted to hear her "neck snap".

He also made verbal threats in the channel aimed at Ardern – often referred to as "Jezebel" – and other senior politicians of the time.

After his conviction, Sivell failed to appear for sentencing in January and a [warrant was issued for his arrest](#). He advised he had moved to Taupō.

Sivell, 43, appeared in the Tauranga District Court on Wednesday by audio-visual link from prison.

Judge Christopher Harding asked Sivell, who represented himself, what he wanted to say about his offences before being sentenced.

Sivell said he wanted "the whole matter over" and to be allowed to go home.

"I'm horrified that I'm in prison. I never thought I would end up in prison. It's a terrifying experience."

Judge Harding also asked what sentence should be imposed. Sivell responded, "Your honour, I don't think I should be sentenced at all."

He said he had been falsely accused and wanted the charges dismissed.

Sivell claimed he had not seen the Probation Service's pre-sentence reports, and said there were false allegations in documents he received from the officer-in-charge and another prosecution witness.

Judge Harding pointed out Sivell had received one of the pre-sentence reports, which recommended a prison sentence.

Sivell said there were two reports, one was dated the same day he was "kidnapped from Taupō" and taken to prison.

"So from my perception, there's a conspiracy going on."

He said he had never met or spoken to Ardern, nor made any threats directly to her.

"I was simply sharing an opinion on an online forum. Your Honour, I just would like to go home. I believe I was falsely imprisoned, and I haven't hurt anyone.

"I'm just gutted that our country has gone this far down the tubes in such a short time, but I'm not here to tell Your Honour about communism."

Judge Harding said documents Sivell filed with the court were "pseudo-legalese nonsense" linked to sovereign citizen beliefs.

The judge said this was "premeditated offending" and there was "more than one such post" that threatened the Prime Minister at the time, and others.

He said the threats being made against a public official, "the highest public official, the Prime Minister", and on a publicly accessible website were aggravating features of the offending: "But you are to be sentenced consistently with other people who have committed similar offences, and also to the least restrictive outcome."

Judge Harding said he took into account that Sivell spent 18 months on restrictive bail conditions.

Although Sivell had several prior convictions, none were relevant to these charges.

Judge Harding said there was no suggestion Sivell had the ability to carry out these threats or had access to any gallows.

"There is no evidence of actual danger to the victim ... The police acknowledge there was no known effect on the victim."

He took into account the Court of Appeal's guidance for sentences imposed in similar cases, where offenders received prison terms.

Judge Harding also noted Sivell chose not to participate in the pre-sentence report process.

He sentenced Sivell to 11 months in prison, with no special release conditions.

He said if he had imposed release conditions, the chances of Sivell complying with them were "basically non-existent".

Sandra Conchie is a senior journalist at the Bay of Plenty Times and Rotorua Daily Post who has been a journalist for 24 years. She mainly covers police, court and other justice stories, as well as general news. She has been a Canon Media Awards regional/community reporter of the year.
