

Justice Watch NZ inc.- summary of:

The death of Steven Cranston



“The thing is, if we can make a change to save somebody else’s life down the track, to me that’s what it’s all about at this stage.”

— *Fraser Cranston*

“Where the State is aware of a person exposed to a clear and immediate risk of death, and has the lawful power to act, the failure to intervene must be examined, answered, and, if unlawful, held to account” - *Justice Watch NZ inc.*

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Introduction

This document presents an independent examination of the death of Steven Cranston on State Highway 23 on 4 September 2024. It is a summary of the investigation undertaken by Fraser Cranston and Andrew Major, based on witness evidence, scene assessment, and analytical reconstruction. The report sets out a detailed chronology of events in order to identify the sequence of events and the circumstances in which the death occurred. It further outlines the relevant legal duties and prosecution framework applicable to those events. It does not make findings of criminal liability but presents the available material in a structured form to enable proper assessment of the facts in accordance with the law.

Summary of Events

Steven Cranston died on State Highway 23, near Raglan, at approximately 6:50pm on Wednesday 4 September 2024.

In the days following his death, his father, Fraser Cranston, began making inquiries in Raglan to identify individuals who may have witnessed the events leading to Steven’s death. These inquiries resulted in several witnesses being located.

Fraser subsequently discussed the circumstances with a legal professional. As a result of those discussions, Andrew Major agreed to work with Fraser to undertake an independent investigation into the circumstances surrounding Steven's death.

During the course of that inquiry, Andrew and Fraser located and interviewed 28 witnesses. These included individuals who observed Steven on 4 September 2024, as well as individuals who had direct interaction or communication with him prior to his death.

Andrew and Fraser also attended and assessed the scene on State Highway 23 where Steven died.

Established Facts

As a result of these inquiries, the following facts were established:

- On 4 September 2024, Steven took an unplanned day off from his work as a farm manager.
- He travelled approximately 69 kilometres to Ngarunui Beach, near Raglan, driving his utility vehicle.
- Steven was accompanied by his large Rhodesian Ridgeback dog, "Hans," who was positioned on the back of the vehicle.
- Steven's utility vehicle was later located on Ngarunui Beach Road, near a one-lane bridge.
- The vehicle was found unlocked, out of fuel, and contained Steven's phone and wallet.

Several witnesses observed Steven in the vicinity of his vehicle. One witness observed Steven walking with Hans away from the vehicle and in a westerly direction toward the beach.

- Steven was walking near the centre of Ngarunui Beach Road.
- He appeared to be carrying and intently focused on his phone.
- He did not acknowledge approaching vehicles, which were required to manoeuvre around him.

Steven was later observed by several witnesses walking in a south-west direction away from the beach and back toward Raglan. He has likely revisited his ute and deposited his phone in the vehicle.

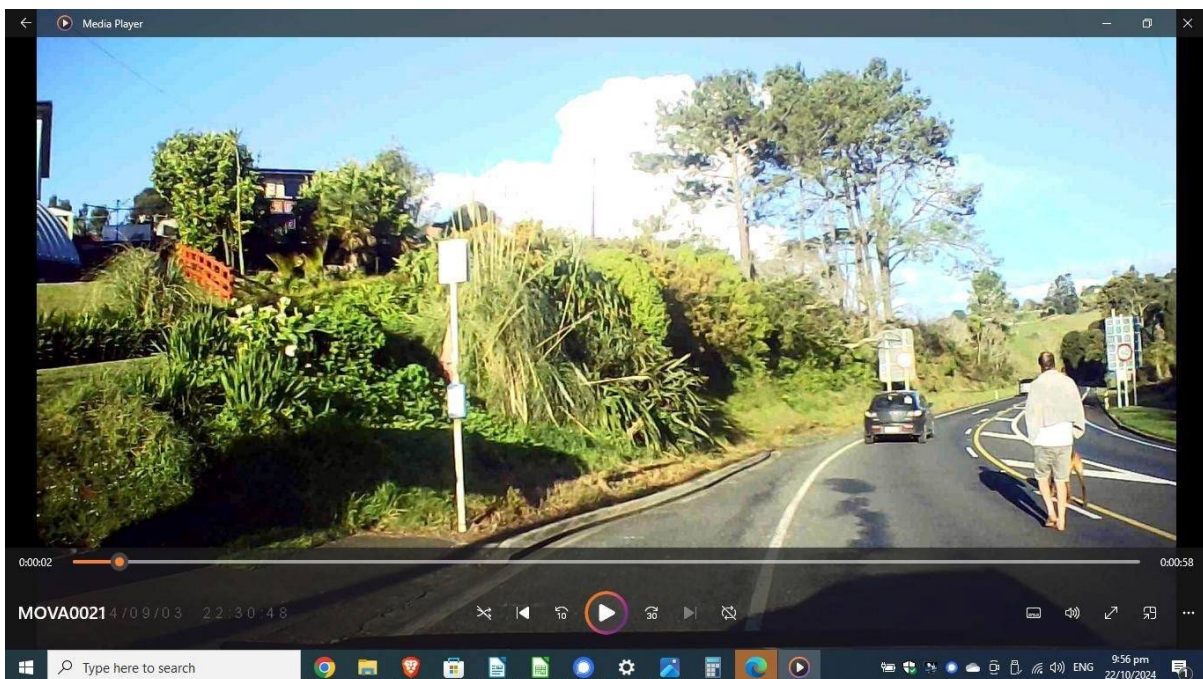
- He walked both on the roadway and on the adjacent footpath.
- Hans was not restrained and, at times, moved out onto the roadway.
- Motorists were required to take evasive action to avoid both Steven and the dog.

As Steven approached the one-lane bridge at Raglan, he and Hans were on the roadway, impeding traffic.

- Vehicles were required to slow or manoeuvre around them.
- Among the vehicles present at this location was a marked Police vehicle.

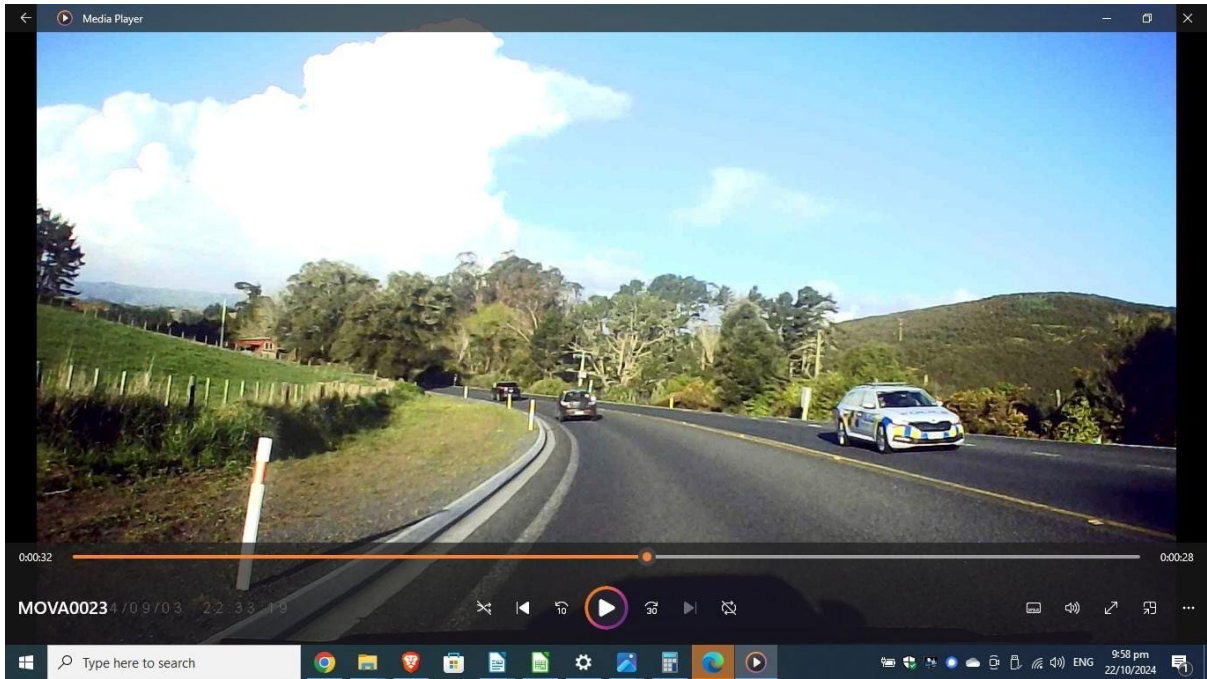
State Highway 23

At approximately 4:45pm, Steven and his dog were observed and recorded as walking in the middle of State Highway 23 near the intersection with Manukau Road, as they proceeded out of Raglan.



Further along State Highway 23, near the intersection with Maungatawhiri Road, a marked Police vehicle was observed and recorded travelling toward Raglan, and therefore in the direction of Steven.

- The distance between the Manukau Road intersection and the Maungatawhiri Road intersection is approximately 3 kilometres.
- At a travel speed of 80 km/h, this distance would be covered in approximately 2 minutes and 15 seconds.



Accordingly, this Police vehicle would have reached the location of Steven Cranston within a short time frame after he was observed walking in the middle of State Highway 23.

Confirmed Vulnerability and Public Concern

At about 5:15pm, Steven and his dog entered the rear garden of a residential property on State Highway 23.

- Steven appeared confused and disoriented.
- He told the occupants that he was “just following his dog” and that he did not know why he was there.

Steven then left the address shortly before 5:30pm and continued walking on and about the roadway with his dog, travelling in an easterly direction toward Hamilton.

At about 5:30pm, witnesses reported observing two Police vehicles travelling on State Highway 23 in the general vicinity of where Steven Cranston had been seen.

- It appears that, at or around the time Steven was at the residential address, Police vehicles may have driven past that location.
- On the available witness evidence, Steven was not identified by those Police units at that time.

A short time later, Steven had several interactions with concerned members of the public who attempted to offer him assistance.

- Steven was not confrontational.
- He again stated that he was following his dog.
- Witnesses described him as:
 - “dissociating”
 - “Polite, well spoken”
 - “Not wired or excited, clearly not 100% well”

Following these interactions, several calls were made to the Police 111 service.

- Callers expressed concern for Steven’s safety.
- Police acknowledged that they were aware of Steven and were attempting to locate a vehicle to respond.

After these interactions, Steven continued walking east toward Hamilton with Hans loose on the roadway.

- He arrived at the Maungatawhiri Road intersection.
- At approximately this time, he was observed sitting on the ground inside a bus stop shelter.
- He was seated cross-legged on the floor, despite a bench being available.
- The ground surface was dirty - strewn with dust and litter.

While Steven was around the bus stop, a witness spoke with him and offered assistance.

- Steven declined the offer of help.
- He stated that he was going to “hunker down for the night.”
- By this time, light conditions were deteriorating, and it was approaching dusk and darkness.

At approximately 6:30pm, Steven and his dog were observed further along State Highway 23.

- Vehicles were travelling with headlights on.
- Steven had reached the intersection with Okete Road.
- He was photographed at this location.
- Witnesses reported that Steven “looked lost” and appeared agitated.



Steven died on State Highway 23 approximately 500 metres beyond the Okete Road intersection.

Eyewitness Account and Roadway Analysis

From the outset of Fraser Cranston's investigation, it was determined that the inquiry would proceed to the penultimate point prior to Steven's death, as Police were understood to be conducting their own investigation into the fatal event.

Notwithstanding that position, a witness to the fatal incident was later identified who had not been interviewed by Police.

That witness reported observing:

- A vehicle travelling at speed
- Overtaking and passing approximately four vehicles in succession
- Undertaking that manoeuvre over a section of roadway extending approximately 500 metres from the Okete Road intersection

The witness described that:

- The overtaking vehicle passed four vehicles travelling in convoy
- As the vehicle completed the overtaking manoeuvre and returned to its lane, Steven Cranston was struck
- Steven was then thrown into a further vehicle before coming to rest on the roadway.
- He lay still was bleeding heavily, the witness believed Steven to be deceased.

Roadway Characteristics

The relevant section of State Highway 23:

- Extends approximately 500 metres from the Okete Road intersection to the point of impact
- Proceeds relatively straight and uphill
- The first approximately 250 metres is marked with double yellow lines, indicating a no-passing zone



Witness-Based Speed and Distance Analysis

A witness described the convoy of four vehicles as travelling at approximately 80–90 km/h, with spacing between vehicles of approximately 40–50 metres.

From that evidence:

- Total convoy length (vehicles + spacing) is estimated at approximately 150–160 metres
- At a representative speed of 85 km/h (≈ 23.6 m/s)

The time available to complete an overtaking manoeuvre within the 500-metre section is constrained.

Allowing for:

- safe pull-out distance
- clearance of all four vehicles
- safe re-entry into the lane

the overtaking vehicle would be required to gain significant relative distance within a limited time window.

Time–Distance Calculation

- Remaining distance from the lead vehicle to the end of the 500m section: approximately 347 metres
- Time available at 85 km/h: approximately 14.7 seconds

To pass the convoy within that time:

- Required relative speed gain: approximately 12.8 m/s
- Required total speed: approximately 36.4 m/s (≈ 131 km/h)

When allowing for more realistic safety margins:

- Required speeds increase to approximately 135 km/h or greater

Across the witness-estimated convoy speeds:

- At 80 km/h → required passing speed ≈ 123 – 127 km/h
- At 85 km/h → required passing speed ≈ 131 – 135 km/h
- At 90 km/h → required passing speed ≈ 139 – 143 km/h

Conclusion of Analysis

On the available evidence:

- A vehicle commencing an overtaking manoeuvre at the rear of a four-car convoy at the beginning of this 500-metre section could not complete the manoeuvre at or near the posted speed limit (100kph)
- Completion of the manoeuvre within that distance would require a speed substantially in excess of both surrounding traffic and the applicable speed limit

Additional Information (Unverified / Partially Corroborated)

During the course of the investigation, anonymous information was received alleging that, following the initial impact, Steven Cranston may have been run over a second time and it was further alleged that the vehicle may have intentionally wheel-spun on his body.

Elements of this information have been partially corroborated by a witness.

Legal Duties and Obligations

Police Powers to Temporarily Close Roads

Under the Policing Act 2008, Police may close a road where danger exists or may reasonably be expected.

On the available evidence, a situation existed in which a person was present on the roadway in a hazardous manner over a prolonged period, creating risk to themselves and to other road users. Police awareness of the situation is also evidenced.

Accordingly, it appears that the statutory conditions for exercising this power may have been engaged.

Police Powers in Relation to Persons in Mental Distress

Under the Mental Health (Compulsory Assessment and Treatment) Act 1992, Police may intervene where a person in a public place appears to be mentally disordered.

On the available evidence, Steven Cranston's behaviour gave rise to a reasonable belief that he may have been mentally disordered and at risk and that the police were aware of this.

Accordingly, it appears that the statutory threshold for intervention may have been met.

Driver Duties and Liability for Dangerous Driving Causing Death

Under the Land Transport Act 1998, it is an offence to drive in a manner that is or might be dangerous and cause the death of another person.

On the available evidence:

- the vehicle undertook an overtaking manoeuvre involving multiple vehicles
- the manoeuvre occurred in a restricted passing zone
- the speed required to complete the manoeuvre was likely in excess of the speed limit and may have been in the order of approximately 130–135 km/h or greater
- the manoeuvre occurred in conditions of reduced visibility

It is also noted that Steven Cranston was present on the roadway in a manner that created a hazard to approaching traffic, which is a relevant circumstance in assessing the events. However, that circumstance is not of itself capable of excusing driving that may be considered dangerous, particularly where the manner and speed of driving materially affect the ability to perceive and respond to hazards on the roadway.

Accordingly, it appears that the manner of driving described may fall within the conduct contemplated by section 36AA(1)(b) Dangerous Driving Causing Death.

Misconduct in Respect of Human Remains

Under the Crimes Act 1961, it is an offence to improperly interfere with human remains.

If the alleged post-impact conduct were established, it may fall within the scope of this provision.

Role of the Coroner

Under the Coroners Act 2006, the coroner must determine the causes and circumstances of death.

Principles and Functions of Policing

Under the Policing Act 2008, Police are required to maintain public safety, prevent harm, and provide community support.

The adequacy and timing of any Police response are matters that appear to fall within the scope of the coroner and relevant oversight bodies such as the IPCA. This would include both the police response to reports to Steven being in danger on roadway before his death and the police subsequent investigation of his death.

Application of the Solicitor-General's Prosecution Guidelines

Under the Solicitor-General's Prosecution Guidelines, a prosecution may only proceed where two conditions are satisfied:

- first, that the available evidence is sufficient to provide a reasonable prospect of conviction (the evidential test); and
- second, that the public interest requires that a prosecution be brought (the public interest test).

Both conditions must be met before a prosecution can properly proceed.

Evidential Test

The evidential test requires an assessment of whether the available evidence is capable of establishing the elements of an offence to the standard of proof required in criminal proceedings.

This includes consideration of whether the evidence is:

- available
- admissible
- credible
- reliable

and whether any reasonably anticipated defences may be rebutted.

If the evidential test is not met:

- a prosecution cannot properly proceed, regardless of the seriousness of the outcome.

Public Interest Test

Where the evidential test is satisfied, consideration must then be given to whether the public interest requires a prosecution.

Relevant considerations include:

- the seriousness of the alleged offending
- the extent of harm caused
- the level of culpability involved
- the need for accountability and deterrence

In cases involving the death of a person, the public interest in prosecution will ordinarily be significant.

Application to the Present Circumstances

Dangerous Driving Causing Death

In relation to the circumstances of the collision:

- if the available evidence were sufficient to establish that a person drove a motor vehicle at a speed or in a manner that, having regard to all the circumstances, was or might have been dangerous, and
- that such driving caused the death of Steven Cranston,

then, subject to the public interest test, a prosecution under the Land Transport Act 1998 may properly proceed.

Post-Impact Conduct

In relation to the alleged post-impact interaction with Steven Cranston's body:

- if reliable and admissible evidence were available to establish that a person intentionally drove over or otherwise interfered with the body in a manner constituting an indignity,

then, subject to the public interest test, such conduct may fall within the scope of section 150(b) of the Crimes Act 1961 and a prosecution could properly proceed.

Observations

In both instances:

- the threshold question is whether the evidential test is met, including whether the available evidence is sufficient to establish the relevant elements of the offence to the required standard.

If that evidential threshold is not met:

- a prosecution cannot properly proceed.

If both the evidential and public interest tests are satisfied:

- then a prosecution may properly be brought in accordance with the Guidelines.

It is not known on the face of the material available in this report how the evidential test under the Solicitor-General's Prosecution Guidelines was assessed or applied in this case.

Temporal Accountability – Available Time to Intervene (1 hour 23 minutes | 5:27pm–6:50pm)

The adequacy of the Police response must be assessed by reference to the time available to act. On the available evidence, at approximately 5:27pm a witness made an emergency call to Police stating: *“you’re dispatching someone immediately, right? ... because he is walking in the middle of the highway and is going to be killed or someone else is going to be,”* to which the operator responded, *“yes.”* This exchange evidences recognition of an immediate and foreseeable risk of death, together with an expectation that prompt intervention would occur.

In addition to this call, other witnesses report that they contacted Police regarding Steven’s presence on or about the roadway. Those witnesses describe that, during their communications, Police acknowledged that they were aware of Steven’s circumstances. Further, on the available evidence, it is possible that Police officers had earlier observed Steven on or about the roadway in the vicinity of the Raglan bridge and on State Highway 23 east of the Manukau Road intersection, as described in this report. Taken together, this material indicates that information concerning Steven’s presence and risk on the roadway was conveyed to, and known by, Police through multiple channels and at different points in time.

At approximately 5:30pm, several witnesses observed Police vehicles travelling in the vicinity of State Highway 23 in the general area where Steven had been seen. This places Police units within proximity to the developing risk at or about the time it was being actively reported. It is possible that those Police units were actively attempting to locate Steven. However, at or around that time, Steven had entered a residential property and was, for a short period, off the roadway. In those circumstances, it is conceivable that attending Police units did not observe him and may have formed the view that he was no longer present on the road.

This raises a serious issue of situational awareness, in that information being conveyed to Police regarding Steven’s presence and risk on the roadway may not have been adequately recognised or acted upon, with the result that the ongoing danger was not effectively addressed.

From approximately 5:27pm until the time of the collision at approximately 6:50pm, a period of 1 hour and 23 minutes elapsed during which Steven remained on or about the roadway. During this interval, his vulnerability was observed by multiple members of the public, and the risk to his safety was both apparent and ongoing.

The surrounding conditions further elevated that risk. The events occurred late in the day as light conditions deteriorated from dusk to darkness. The roadway was a State Highway subject to open road speed limits, with no footpath available for pedestrian use. Visibility was limited by the winding nature of the road, constraining driver line of sight. In such conditions,

a pedestrian positioned on or about the roadway was exposed to a clear and foreseeable risk of fatal collision.

In these circumstances, several members of the public attempted to assist Steven, while others have reported that they wished to assist but felt unable to do so given the risks involved. As a result, the practical ability to secure Steven's safety rested with Police, who were uniquely positioned to intervene pursuant to their powers under the Mental Health (Compulsory Assessment and Treatment) Act 1992.

Under that Act, Police are empowered to intervene where a person in a public place appears to be mentally disordered and at risk of serious harm to themselves or others. On the available evidence, Steven's behaviour—including disorientation, impaired awareness, and continued presence in a hazardous roadway environment—together with repeated public reports of imminent danger, provided a clear basis upon which that statutory authority could have been exercised.

In those circumstances, it appears that the threshold for intervention was met, and that a defined window existed within which Police could have located, engaged, and removed Steven from the roadway for his protection. The absence of such intervention, when measured against the time available to act, raises a serious question as to whether the response was sufficient to meet the obligation to prevent a foreseeable risk of death.

Causation and Observations

On the available evidence:

- it appears that the collision may not have occurred in the manner described but for the speed and manner of driving
- the temporal and spatial alignment between Steven and the vehicle was dependent on that speed
- Steven had been exposed to traffic for a prolonged period without collision
- the collision occurred at the point at which a vehicle approached at materially greater speed while overtaking

In addition:

- there is a credible basis to consider that the death of Steven may have been avoided had Police responded adequately to public reports of a person on the roadway, by exercising their lawful authority to intervene and remove him from the road for the purpose of mental health assessment and protection from harm

Conclusion

During the course of this investigation, Fraser passed away before the inquiry could be completed.

Approximately one week prior to his passing, New Zealand Police advised Fraser that no person would be charged in relation to the death of Steven.

- The rationale for that decision has not been disclosed.

This investigation was not conducted as a formal investigation of Justice Watch New Zealand.

- The work was undertaken independently by Andrew Major, who is a member of Justice Watch New Zealand, in conjunction with Fraser Cranston.

Following Fraser Cranston's passing:

- the investigation file and associated materials were transferred to Justice Watch New Zealand for continued consideration and appropriate use.

The investigation file, an extensive report was prepared and forwarded to the Waikato Coroner's Office and to the Independent Police Conduct Authority for their consideration.

SCHEMATIC

ENVIRONMENT

- State Highway (open road speeds)
- Predominantly no footpath
- Winding road / limited visibility
- Daylight / Dusk → Darkness
- Foreseeable risk of fatal collision

STEVEN

- Disoriented
- Impaired awareness

- On live roadway
- Unable to protect himself

PUBLIC RESPONSE

- Multiple witnesses
 - Attempts to assist
 - Others unable to safely act
 - Multiple 111 calls
- Risk clearly recognised

POLICE

Early Contact:

Raglan / Bridge Area:

- Police present in traffic while Steven obstructing roadway
 - ~4:45pm: Police vehicle travelling toward Steven on SH23
- ~5:30pm:
- Two Police vehicles in vicinity
 - Observing / travelling in area

Possible Misidentification:

- Steven temporarily off roadway (residential property)
- Police do not locate him

Situational Awareness Issue:

- Information received
- Risk identified
- Not effectively recognised or acted upon

→ No effective intervention

INFORMATION FLOW

Public → 111 Calls → Police Control

- Repeated reports:

- Person on highway
- Disorientation
- Risk of death

→ Police awareness established

TEMPORAL ACCOUNTABILITY

5:27pm → 6:50pm

(1 hour 23 minutes)

- Continuous exposure
- Multiple opportunities to intervene

→ Time available to act

LEGAL AUTHORITY (POLICE)

Mental Health Act 1992

- Power to detain
- Power to remove from danger

Policing Act 2008

- Duty to prevent harm
- Power to temporarily close road

→ Authority to secure safety

DECISION POINT

Time + Knowledge + Proximity + Legal Authority

→ No effective intervention

DRIVER ACTION

- High-speed overtaking
- Multiple vehicles passed
- ~130–135 km/h
- Reduced visibility

CAUSATION

- Steven remains on roadway
- No removal from danger
- High-speed vehicle arrives

→ Temporal and spatial alignment

OUTCOME

Initial Collision and Potential Subsequent Impact(s)

→ Death of Steven

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12th April 2026