



# Andrew McRae

## Crown Solicitor - Timaru

Presentation to U3A : 23 March 2026

# What is a Crown Solicitor ?

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- A **private** legal practitioner appointed to prosecute under a warrant issued by the Governor-General.
- Independent of the Police.
- There are 17 individuals holding warrants across the country to conduct Crown Prosecutions on behalf of the Solicitor General.

# Crown Solicitors Cont'd

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- Tenure – now limited to 10 years
- Subject to regular review
- Individual appointments on selected criteria but ultimately key is the support behind the individual.

# Crown Prosecutors

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- Crown prosecutors work for Crown Solicitors in their firms.
- There are classifications for each prosecutor depending on degree of experience :
  - Junior
  - Intermediate
  - Senior
  - Principal

# What is a Crown Prosecution ?

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- Typically serious crime –
  - Matters carrying a maximum sentence of 14 years imprisonment or more; or
  - Where a Defendant has elected a jury trial (where the maximum sentence of an offence is over 2 years imprisonment).

# Trials

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- Jury Selection
- Opening
- Evidence in chief
- Reexamination
- Cross examination
- Closing
- Summing up
- Jury deliberation

# Burden and Standard of Proof

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The Crown carries the burden of proving the case.

The Crown has to prove the case **beyond a reasonable doubt**

This means you must be **sure** before you can convict the defendant.

# A day in the life ...

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- Advised of a crime
- Scene visit (if required)
- Court appearances following the charged person's first appearance which is dealt with by Police
- Police investigate and hand file to Crown
- Crown review, change charges (if necessary) and direct further enquiries (if necessary)
- Crown prosecute the matter to trial

# Cases of interest...

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Op Steelers

R v Dickason

Mama Hooch

Op Moana

# Operation Steelers

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# Lauren Dickason

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## Infanticide : s.178 of the Crimes Act 1961

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*“Where a woman causes the death of any child of hers under the age of **10 years** in a manner that amounts to culpable homicide, and where at the time of the offence **the balance of her mind was disturbed, by reason of her not having fully recovered from the effect of giving birth to that or any other child, or by reason of the effect of lactation, or by reason of any disorder consequent upon childbirth or lactation, to such an extent that she should not be held fully responsible,** she is guilty of infanticide, and not of murder or manslaughter, and is liable to imprisonment for a term not exceeding 3 years.”*

# Mama Hooch

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# Stupefaction

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Every one is liable to imprisonment for a term not exceeding 14  
years

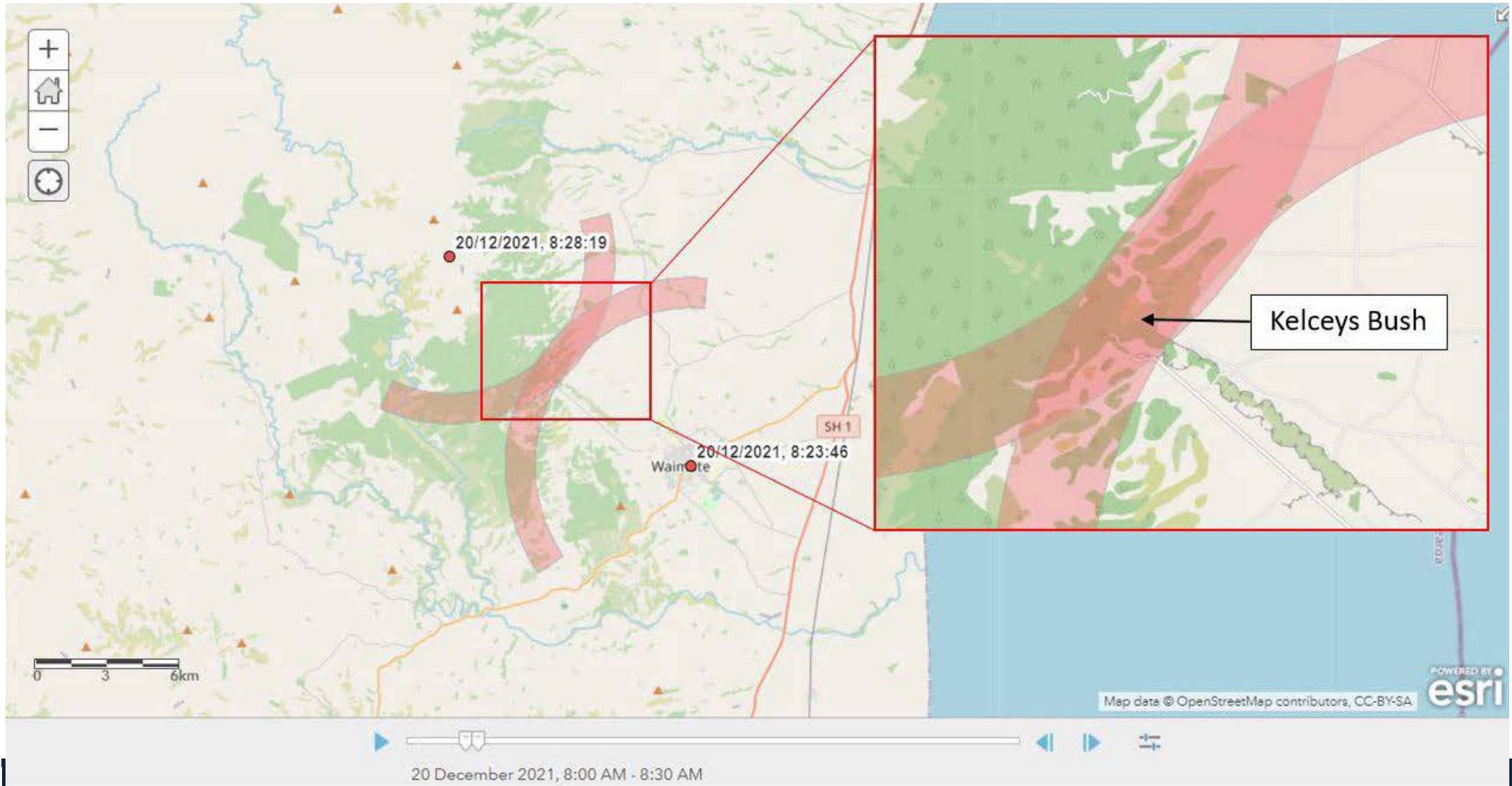
who with intent to commit or facilitate the commission of  
any imprisonable offence

stupefies or renders unconscious any person.

# Operation Moana



- Trial of Tribesmen Hayden Burt, Aaron Boden and Cody Boyes for the Murder of Anaru Moana
- Detective work meant getting alongside criminal associates and members of the underworld in Waimate and Oamaru.
- Mr Moana's body has never been found
- Cellphone geolocation data led to the Police focussing their attention on Aaron Boden.



# Sentencing

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# Sentencing

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- Relies on discretion of the Judge but also based on precedent (other cases) and considerations to be taken into account as provided for in the Sentencing Act 2002.
- The Court is required to impose the **least** restrictive outcome that is appropriate in the circumstances.
- Aggravating Factors
- Mitigating Factors
- Cultural Reports

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# Questions