



Te Pā Whakamarumarū
New Zealand Security
Intelligence Service

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4 May 2023

s 9(2)(a)

Tēnā koe s 9(2)(a)

Official information request

Thank you for your Official Information Act 1982 (OIA) request dated 7 March 2023, partially transferred to the New Zealand Security Intelligence Service (NZSIS) on 15 March 2023. The parts of your request transferred to the NZSIS were for copies of the following:

1. *The November 8, 2022 document "Aide Memoire: Ministerial Meeting on Government Response to the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques"*
2. *The November 25, 2022 document "Threat Assessment - New Zealand national terrorism threat level review"*
3. *The November 25, 2022 document "Briefing note: Annual Threat Level Review"*
4. *The November 30, 2022 document "Threat Assessment - New Zealand Terrorism Threat Level revised to LOW"*

I note you were advised on 14 April 2023 that the time limit for responding to your request had been extended to 15 May 2023 because the consultations necessary to make a decision on your request were such that a proper response could not reasonably be made within the original time limit.

In addition to this, you were advised that parts 2 and 4 of your request refer to the same document, and that this document needs to be withheld under section 6(a) of the OIA, as the making available of the information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand. In accordance with section 16(1)(e) of the OIA, a summary of this document was produced to protect the interests of section 6(a), previously provided to you with a different title to those given above. Thank you for confirming that you already hold a copy of this summary.

Response

With regard to the remaining parts of your request, for copies of the following documents:

1. *The November 8, 2022 document "Aide Memoire: Ministerial Meeting on Government Response to the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques", and*
3. *The November 25, 2022 document "Briefing note: Annual Threat Level Review"*

Please find copies of these items enclosed. A small amount of information in these documents has been withheld under the following section of the OIA:

- section 6(a), as the making available of the information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand.

You will note that *Briefing note: Annual Threat Level Review* refers to our first annual unclassified threatscape report, also known as a threat environment report. At the time this briefing was written, the report was planned to be published in February 2023. The report is still under development, with publication intended later this year.

Review

If you wish to discuss this decision with us, please feel free to contact uia.privacy@nzsia.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that the NZSIS proactively publishes OIA responses in accordance with the expectations of Te Kawa Mataaho/the Public Service Commission. We intend to publish this letter (with your personal information removed) and enclosed documents on the NZSIS website. Publication of such responses is done on a quarterly basis.

Ngā mihi



Andrew Hampton

Te Tumu Whakarae mō Te Pā Whakamarumarū
Director-General of Security



GOVERNMENT
COMMUNICATIONS
SECURITY BUREAU
TE TIRA TIAKI



New Zealand
Security Intelligence
Service
Te Pā Whakamarumaru

Aide Memoire: Ministerial Meeting on Government Response to the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques

Date 8 November 2022

To Hon Andrew Little, Minister Responsible for the GCSB and the NZSIS

From Bridget White, Deputy Director-General Strategy, Performance and Governance

For your Information

Purpose

1. You are chairing a Ministerial meeting on 9 November 2022, in your role as Lead Coordination Minister for the Government's Response to the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Masjidain (RCOI). This aide memoire provides you with information on the New Zealand Security Intelligence Service (NZSIS) and Government Communications Security Bureau (GCSB) contributions to the Government response to the recommendations of the RCOI.

Background

2. While you are supported by the Department of the Prime Minister and Cabinet (DPMC) in your role as Lead Coordination Minister, there are a number of considerations relevant to your role as Minister Responsible for the GCSB and the NZSIS. These considerations and the agencies involvement in work to be discussed at the meeting is outlined under the relevant agenda item.

Item two: Stocktake

3. This item allows for reflection on key pieces of work and progress against recommendations. The item will be informed by the paper provided by the DPMC.

4. For the NZSIS a key deliverable from the RCOI report was the public release of the indicators of violent extremism. *Kia mataara ki ngā tohu Know the signs – a guide for identifying signs of violent extremism* was made available to the public in the last week of October. The guide was presented to the *He Whenua Taurikura Countering Terrorism and Violent Extremism Hui* in October and received some positive media attention.

Item three: Engagement and what we have heard

5. This item allows for feedback from the Ministerial Hui on 3 September 2022 and the feedback from Kāpuia in its formal advisory role.
6. The NZSIS has engaged with various communities on the presentation of the indicators resource and more generally. The ^{s6(a)} [REDACTED] Director-General of Security has presented at the Crowded Places Conference and the Post Primary Teachers Association's National Secondary Education Leadership Summit. These presentations provided opportunities for discussions on the signs of violent extremism with key groups who may be in a position to identify those signs.
7. In discussing the indicators, the NZSIS has had the opportunity to listen to communities as well as answer questions about the role of the NZSIS under the Intelligence and Security Act and how it goes about its work. These discussions also provided an opportunity to reinforce the message that our security is a collective effort and promote the importance of being able to talk about security issues with confidence and a sense of inclusion.

Item four: Specific focus areas

Police progress on Recommendation 12

8. This item will provide Ministers with an update on progress to date on Recommendation 12:
Develop and promote an accessible reporting system that enables members of the public to easily and safely report concerning behaviours or incidents to a single contact point within government.
9. In August 2022 Cabinet agreed to the development of a business case for a public reporting and response system for concerning behaviours and incidents (ERS-22-MIN-0031). The NZSIS has been working with Police as they develop the Business Case for this system.

Ministry of Justice progress on Recommendation 18, 39 and 40

10. Recommendation 18 focuses on a review of counter terrorism legislation. The Ministry of Justice (MoJ) has concluded the first round of agency consultation to develop a high-level issues register. The NZSIS and the GCSB have contributed to this work to date.

12. The MoJ is now considering options for the next steps in this work programme, set within the context of work already done towards recommendation 18 (i.e. the urgent amendments to the designations scheme) and upcoming work (i.e. review of Control Orders). This includes what packages of work could be sequenced and delivered in the next term.
13. The NZSIS and the GCSB will continue to support this cross agency work as the options develop.
14. The NZSIS also contributes to work on Recommendation 39 and 40 and has been consulted on the Department of Internal Affairs on the Content Regulatory Review and recommendation 36 to amend the definition of "Objectionable" in the Films, Videos, and Publications Classification.

Item five: Response Outcome Framework

15. This item will inform Ministers of the work underway to develop a Response Outcome Framework and of the overall approach being taken. The DPMC will provide a paper to support this item. The NZSIS and the GCSB expect to be involved in this work as it progresses.



New Zealand
Security Intelligence
Service
Te Pā Whakamarumaru



DEPARTMENT OF THE
PRIME MINISTER AND CABINET
TE TARI O TE PIRIMIA ME TE KOMITI MATUA

Briefing note - Annual Review of Terrorism Threat Level

Date 25 November 2022

To Rt Hon Jacinda Ardern, Prime Minister
Hon Andrew Little, Minister Responsible for NZSIS

From Brook Barrington, Chair of ODESC (Officials' Committee for Domestic and External Security Coordination)
Rebecca Kitteridge, Director-General of Security

For your Information and decision

Purpose

1. In accordance with the process set by Cabinet, this briefing:
 - a. informs you that the annual process for reviewing the National Terrorism Threat Level has been completed and that, on the basis of advice from the Combined Threat Assessment Group (CTAG), the Director-General of Security has revised the National Terrorism Threat Level from MEDIUM to LOW;
 - b. suggests some options for communicating the outcome of the review publicly, taking into account the views expressed by the Royal Commission of Inquiry, and the work that is ongoing regarding public communications about counter-terrorism and violent extremism.
2. NZSIS would be happy to provide you with a further briefing if required.

Background

3. The National Terrorism Threat Level is reviewed annually, and the decision about setting the Threat Level is made by the Director-General of Security, following a process agreed by Cabinet in September 2019 (ERS-19-MIN-0020 refers, attached for your reference). The annual review may result in a change to the Threat Level, or it may remain the same. It is important to note that CTAG continually monitors the threat from terrorism in New Zealand and the impact of global terrorism trends. If there are significant developments, the National Terrorism Threat Level may change outside the cycle of the annual review.

4. The primary purpose of the National Terrorism Threat Assessment, and the setting of the National Terrorism Threat Level, is to inform the government system. The Threat Level and the assessment that underpins it enable relevant government agencies to ensure that they are appropriately placed to respond and to mitigate risk. They also inform other countries' travel advisories relating to New Zealand.
5. A change to the threat level does not mean a change in the levels of effort by agencies responsible for investigating or mitigating terrorist threats, or suggest complacency in the system. There will be no change in the level of effort by NZSIS, for example, aimed at detecting and investigating violent extremism.
6. The National Terrorism Threat Level was first made public in 2014, when the Threat Level moved from VERY LOW to LOW. Any change to the Threat Level since then (to HIGH following the 15 March mosque attacks, and then to MEDIUM) has been made public.
7. In March 2022 the NZSIS proactively released information about the underlying threat assessment that sets the threat level, and a threat insights briefing on New Zealand's violent extremism environment. In February 2023, NZSIS plans to publish its first annual threatscape report at an UNCLASSIFIED level, which will cover the national terrorism threat environment in detail along with an assessment of the foreign interference and espionage threat. The publication is in response to Recommendation 17 from the Royal Commission of Inquiry.

Annual Review Findings

8. The annual process for reviewing the National Terrorism Threat Level has recently been completed, and on the basis of advice from the multi-agency Combined Threat Assessment Group (CTAG), the Director-General of Security has revised the Threat Level to LOW: *a terrorist attack is assessed as a realistic possibility*.
9. CTAG's threat assessment (classified RESTRICTED) is attached to this briefing for your information. This assessment will be disseminated to relevant public agencies. To provide further context this paper should be read in conjunction with *New Zealand's Violent Extremism Environment*, issued 1 November 2022, which is also attached to this briefing.
10. The National Terrorism Threat Level takes into account intent and capability across a range of extremist ideologies, including Identity-Motivated¹, Politically-Motivated², Single-Issue-Motivated³ and Faith-Motivated⁴ Violent Extremism. The following excerpt from the National Terrorism Threat Assessment outlines the rationale for the Threat Level:

¹ Promoting the use of violence to advance one's own perception of identity and/or denigrate others' perceived identities.

² Promoting the use of violence to achieve change to, or within, an existing political system.

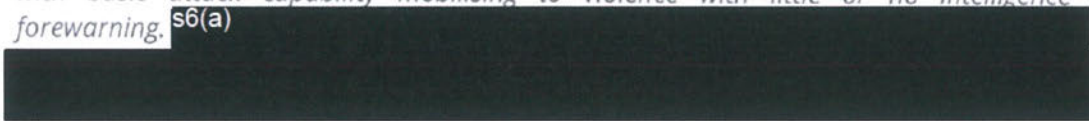
³ Promoting the use of violence to achieve a desired outcome to a specific issue.

⁴ Promoting the use of violence to advance one's own spiritual or religious objectives.

s6(a)



CTAG continues to assess the most likely attack scenario in New Zealand is a lone actor with basic attack capability mobilising to violence with little or no intelligence forewarning. s6(a)



11. The Director-General of Security has informed the Chair of the Officials' Committee for Domestic and External Security Coordination (ODESC) of the outcome of the Annual Review, as directed by Cabinet minute ERS-19-MIN-0020.

Communicating the outcome of the Annual Review


12. It is important that the outcome of the Annual Review is communicated, in the first instance, to government agencies. This gives agencies the opportunity to consider the implications for their security settings (if any). Informing the general public should only occur once agencies have been notified.
13. Cabinet minute ERS-19-MIN-0020 noted the heightened need to keep the public informed about the New Zealand terrorism threat environment and the National Terrorism Threat Level. It also noted the proposal that the government could issue periodic public statements on the terrorism threat environment and the Threat Level.
14. The report of the Royal Commission of Inquiry into the terrorist attacks on Christchurch masjidain emphasised the importance of raising public awareness about national security, and the outcome of the annual review of the National Terrorism Threat Level is an opportunity to share information and provide context to the New Zealand public on the terrorism environment.
15. As agreed in Cabinet minute ERS-19-MIN-0020 we are consulting with you both on the communications approach for publicising the outcome of the annual review.
16. Given that Cabinet has determined that the setting of the annual threat level is an independent decision made by the Director-General of Security, we recommend that she announce the change. Ministers will be provided reactive talking points on the change based on the key messages provided in this brief. Please let us know if you wish to take a different approach to communicating the decision.

17. A draft media release is attached at Annex 1. It provides the public with some background context on the current threat environment and the rationale for the change. The Director-General of Security will be available for media interviews following the announcement.
18. Key messages are attached at Annex 2.
19. The timeline for informing the national security system and the public is included in Annex 3.

Stakeholder engagement

20. The primary purpose of the Terrorism Threat Level is to advise the national security system of the likelihood of a terrorist attack at a point in time. Given the Director-General of Security has set the revised Threat Level the national security system will need to be advised as a first priority.
21. While the lowered threat level is a positive development, the change in the threat level may come as a surprise to some community groups who experience hate speech or feel under threat. It will be very important to ensure clear communication with them about the reasons for the change and the purpose of the assessment. As part of the NZSIS's efforts to improve engagement with community groups, including efforts to improve transparency, **with your agreement** NZSIS could inform a small group of community representatives and academics a short time ahead of the public announcement. Engagement would occur in the short period between the system being informed and the decision being publicly announced.

Australian threat level

22. s6(a)

23. Our assessment has been carried out entirely separately, and the process in New Zealand is independent of the Australian process.

Recommendations

It is recommended that you:

- | | | | |
|---|-------|---|--------|
| 1 | Note | The annual review of the National Terrorism Threat Level has been completed and on advice from CTAG the Director General of Security has revised the Threat Level from MEDIUM to LOW; <i>terrorist attack is assessed as a realistic possibility.</i> | Yes/No |
| 2 | Agree | To the recommended communications approach, including a media release from the Director-General of Security advising the public of the Threat Level change. | Yes/No |



Brook Barrington
Chair of Officials' Committee for
Domestic and External Security
Coordination



Rebecca Kitteridge
Director-General of Security
Te Tumu Whakarae mō Te Pā
Whakamarumararu

Rt Hon Jacinda Ardern
Prime Minister

Hon Andrew Little
Minister Responsible for NZSIS

Annex one: Draft Media statement by DG NZSIS

National Terrorism Threat Level revised from MEDIUM to LOW

The National Terrorism Threat Level has been revised from Medium to Low, reflecting a change in assessment on the likelihood of a terrorist attack, Director-General of Security Rebecca Kitteridge said today.

The level has been lowered after an annual review concluded that the likelihood of a terrorist attack is now assessed as a "realistic possibility".

"The purpose of the National Terrorism Threat Level is to inform the national security system about the likelihood of a terrorist attack in New Zealand," Rebecca Kitteridge says. "It is based on an assessment at a point in time by the multi-agency Combined Threat Assessment Group (CTAG)."

The Threat Level and the assessment that underpins it enable relevant government agencies to ensure that they are appropriately placed to respond and to mitigate risk.

CTAG's assessment is based on a range of classified and open source material. The shift to a Low threat level reflects the fact that CTAG has not sighted information to indicate New Zealand is currently the target of credible and specific attack plans by violent extremist groups or individuals, either based in New Zealand or offshore.

"It is important to note that the National Terrorism Threat Level does not reflect levels of hate speech or violent rhetoric," says Ms Kitteridge.

CTAG's assessment was consulted widely within New Zealand's national security system before being finalised.

"While the lowered threat level is a positive sign, the lowering of the threat level does not mean there is no threat," says Ms Kitteridge. "An attack remains a realistic possibility and individuals of concern are still being investigated by the New Zealand Security Intelligence Service (NZSIS).

"The safety of New Zealand and New Zealanders remains NZSIS's key mission. There will be no decrease in the effort made by NZSIS to detect and investigate violent extremism."

Ms Kitteridge says that the National Terrorism Threat Level is continually evaluated and could change at any time.

"New Zealanders should still be alert to the signs of violent extremism and report behaviours and activities they find concerning.

"If anybody sees suspicious or concerning behaviour please contact the Police on 105 or the NZSIS through our website. For information that is urgent or life-threatening, always call 111."

NZSIS recently published a guide, *Kia mataara ki ngā tohu - Know the Signs*, to help New Zealanders identify the signs of violent extremism. The guide can be found on the NZSIS website.

[ENDS]

Annex Two: Key messages

The following key messages have been developed to support the communication of the change in Threat Level:

Decision to lower the threat level

- CTAG has recently completed its annual national terrorism threat assessment and has recommended to the Director-General of Security that the National Terrorism Threat Level be changed from MEDIUM to LOW (terrorist attack is assessed as being a realistic possibility).
- The Director-General of Security has considered the assessment and has accepted CTAG's recommendation. The New Zealand National Terrorism Threat Level is accordingly now set at LOW.

Basis of decision

- CTAG is a multi-agency assessment group hosted by NZSIS.
- CTAG's assessment is based on a range of classified and open source material. CTAG has not sighted information to indicate New Zealand is currently the target of credible and specific attack plans by violent extremist groups or individuals, either based in New Zealand or offshore. CTAG's assessment was consulted widely within the New Zealand's national security system before being finalised.
- The setting of the National Terrorism Threat Level relates specifically to intent and capability of individuals or groups to conduct an act of violent extremism. It is not a reflection of levels of hate speech or violent rhetoric.

What does the threat assessment mean?

- The primary purpose of the National Terrorism Threat Assessment, and the setting of the National Terrorism Threat Level, is to inform the government system. The Threat Level and the assessment that underpins it enable relevant government agencies to ensure that they are appropriately placed to respond and to mitigate risk. They also inform other countries' travel advisories relating to New Zealand.
- The lowering of the threat level does not mean there is no threat. An attack remains a realistic possibility and there remain people under investigation. CTAG assesses, however, that the level of violent extremist intent and capability presented by those individuals to commit an attack is not at the same level, compared with previous assessments.
- The safety of New Zealand and New Zealanders remains our highest priority. There will be no decrease in the effort made by government agencies to detect and investigate violent extremism.
- The threat level is continually assessed and can change at any point.

International context

- Other countries conduct similar assessments based on their own environments. The New Zealand assessment is cognisant of international trends but the assessment and the threat level in New Zealand is specific to our environment.

Role of New Zealanders

- New Zealanders should still be alert to the signs of violent extremism and report behaviours and activities they find concerning. If anybody sees suspicious or concerning behaviour please contact the Police on 105 or the NZSIS. For information that's urgent or life-threatening always call 111.
- NZSIS recently published a guide, *Know the Signs*, to help New Zealanders identify the signs of violent extremism. The guide can be found on the NZSIS website.

Annex Three: Suggested timing for announcement

Date	Step
Monday 28 November	CTAG, through its established channels, advises government agencies of the assessment and the decision to change the threat level. This material is at RESTRICTED and has clear handling instructions to prevent public release (including through travel advisories) before public announcement.
Monday 28 and Tuesday 29 November	<p data-bbox="539 629 1359 696">Subject to Ministers' approval, Director-General NZSIS gives a heads-up, in confidence, to trusted community contacts</p> <p data-bbox="539 696 1359 779">s6(a)</p> <p data-bbox="539 786 1359 902">In accordance with statutory obligations, DG NZSIS advises the Leader of the Opposition, in confidence, of the change in threat level.</p>
Wednesday 30 November	<p data-bbox="539 916 1359 987">Shortly before the announcement, DG NZSIS advises small group of interested academics and commentators.</p> <p data-bbox="539 1003 1359 1075">DG NZSIS publishes media statement advising of the threat level change.</p> <p data-bbox="539 1090 1359 1171">Ministry for Ethnic Communities also publishes information through its channels.</p>