



## Kāpuia Pānui 2022/17

1 December 2022

Tēnā koutou and welcome to the 17<sup>th</sup> edition of Kāpuia Pānui for 2022.

### Agency updates on the RCOI Response Work Programme

#### 1. Terrorism threat levels lowered in New Zealand and Australia

The New Zealand Security Intelligence Service (NZSIS) has announced that the National Terrorism Threat Level has been **revised from Medium to Low**, reflecting a change in the assessment of the likelihood of a terrorist attack. 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 Director-General of Security Rebecca Kitteridge stated there will be no decrease in the effort made by the NZSIS to detect and investigate violent extremism. Ms Kitteridge also noted that the National Terrorism Threat Level does not reflect decreased levels of hate or violent rhetoric – it is based on an assessment at a point in time by the multi-agency Combined Threat Assessment Group (CTAG).

The change in New Zealand’s alert level comes just after the Australian Security Intelligence Organisation (ASIO) announced the lowering of Australia’s terrorism threat level from probable to possible. ASIO noted the reasoning for its lowering of the terrorism threat level was due to the moderation of threat from both religiously motivated violent extremists and ideologically motivated violent extremists. In particular, the offshore networks, capabilities and allure of Sunni violent extremist groups have been substantially degraded, and although there remains a clear threat of right-wing extremism, ASIO determined that they are “more likely to focus on recruitment and radicalisation, rather than attack planning”. ASIO again noted that a change in terrorism threat level does not mean that threats are extinguished, and the Australian Government will continue to monitor the security environment for terrorist threats. It is important to remain alert even at the “low” threat level settings, as a terrorist attack still remains a realistic possibility.

#### 2. Ministry of Justice release summary of public feedback on hate speech and incitement

The Ministry of Justice has released a summary of public submissions on proposals against incitement of hatred and discrimination. You can read the summary by clicking this [link](#).

### 3. Human Rights Commission responds to Government's hate speech and incitement proposals

On November 25, the Human Rights Commission issued a media release expressing disappointment at the Government's proposals for addressing the recommendations in the Royal Commission of Inquiry report into hate speech and incitement. You can read the Commission's press release by clicking this [link](#). This follows the Government's announcement on 19 November that they will introduce legislation to extend current protections in the Human Rights Act which make it illegal to publish or distribute threatening, abusive, or insulting words likely to 'excite hostility against' or 'bring into contempt' any group on the grounds of colour, race, ethnic or national origins **to cover religious belief**. The Commission also noted feedback it received from communities which would not be covered by the proposed legislative changes.

The Government has also asked Te Aka Matua o te Ture | The Law Commission to undertake an independent first principles review of legal responses to hate-motivated offending, and of speech that expresses hostility towards, or contempt for, people who share a common characteristic. This will include whether further protections should be afforded to specific groups, including the Rainbow and disabled communities.

You can read the Minister of Justice's full press release at this [link](#).

### 4. Security Information in Proceedings Legislation Bill passes into law

On 22 November, the Security Information in Proceedings Legislation Bill passed into law. As previously advised, the Bill touches on important constitutional matters, such as the fundamental rights of people to open justice and a fair trial, the respective roles of the judiciary and the executive, protecting national security, and the principles of open government and democratic accountability. The Bill provides the courts with a clear and consistent process to manage national security information in both civil and criminal proceedings, rather the courts having establish a suitable process each time.

The Bill relates to Recommendation 18 of the RCOI to review all legislation related to the counter-terrorism effort. You can find out more information about the legislation by clicking this [link](#).

## 5. Launch of Te Tari Pūreke - Firearms Safety Authority

On 30 November, the new firearms regulator, Te Tari Pūreke Firearms Safety Authority was launched. The Authority marks the **transition from Police as an administrator of the Arms Act**, to a modern, effective regulator. Te Tari Pūreke is focussed on the regulation and safety of the lawful firearms ownership in New Zealand. The new Authority is a key response to the Royal Commission of Inquiry report and is responsible for overseeing and improving the firearms licencing system and is designed to keep communities safe and at the same time providing effective services to firearms licence holders.

The launch also implements [www.firearmssafetyauthority.govt.nz](http://www.firearmssafetyauthority.govt.nz) which gives firearms licence applicants the ability to apply and pay online for licences and endorsements by using the **MyFirearms portal**. The portal is the first step towards the online firearms registry which will go live from June 2023. The registry will link firearms to licence holders, so there is a clear picture of the legally held firearms in New Zealand and improved ability to trace firearms.

You can read the Police media release [here](#). You can read the Police Minister's media release [here](#).

## 6. Changes to firearms legislation to address delays in processing applications for renewal passes into law

On 22 November, Parliament passed legislation to ensure that if a holder of a current firearms licence applies for a new licence before its expiry, the current licence will continue to be in force until they are notified of the outcome of their application. As advised in the last edition of Pānui, this responds to issues of a peak in applications every 10 years following 1992 changes to terminate lifetime licences and introduce 10-year licences, at the same time as Police are undertaking a more stringent approach to firearms licensing assessments as a result of the Royal Commission of Inquiry. Further information about the legislation can be found on Parliament's website by clicking this [link](#).

## 7. Police publish regulations for shooting clubs and ranges

Regulations for shooting clubs and ranges have been published and will come into effect on 15 December 2022. The regulations implement amendments made in 2020 to the Arms Act 1983 that established a regulatory framework for shooting clubs and ranges. The regulations strengthen Police oversight of all shooting clubs and ranges by requiring clubs to obtain approval and ranges to be certified. The approval and certification process is designed to enable clubs and range operators to demonstrate their adherence to safety standards. More information on the changes to the regulations can be found [here](#).

## Other information

### 8. Consultation open on Education Review Office draft LTIB on embracing diverse cultures in education

The Education Review Office (ERO) has released its draft Long-term Insights Briefing report titled “Education For All Our Children: Embracing Diverse Cultures.” The draft report summary is available in Arabic, Chinese (Simplified), Hindi, Japanese, Khmer, Korean, Spanish, Tagalog and Vietnamese. The full report can be accessed at this [link](#). A summary report can be accessed at this [link](#). People can submit feedback on the draft report through either completing a written response available at this [link](#) or participating in an online consultation hui by contacting the team at [LTIB@ero.govt.nz](mailto:LTIB@ero.govt.nz). Consultation closes on 20 December 2022.

### 9. Public consultation on the UN Cybercrime Convention is now live

Public consultation on New Zealand’s engagement in the Ad Hoc Committee (AHC) to elaborate a comprehensive international convention to counter the use of ICTs for criminal convention is now open. The fourth session of the AHC will take place from 9-20 January 2023 and will involve a second reading of the treaty’s general provisions, criminalisation provisions, and procedural and law enforcement provisions. To guide these discussions, the Chair has provided states with a consolidated draft document, combining the written submissions of states as well as views heard during the negotiating sessions.

Kāpuia provided comments on earlier drafts. For your information please find links to [New Zealand’s written submission](#) to the second session and a [summary of your feedback](#) from that consultation. The New Zealand delegation intends to continue drawing on this feedback at the upcoming session. Stakeholders have an opportunity to provide further comments on the content of the consolidated draft document. You can find the Chair’s consolidated draft document [here](#).

If you are interested in providing your views, please see the attached consultation document for more information and guiding questions, noting consultation closes **5.00pm December 30**.

## 10. Independent review into systemic racism at InternetNZ

On 24 November, InternetNZ released an independent report into systemic racism within the organisation. In a statement, Internet NZ says: “In June 2021, Aotearoa was confronted with the worst of the Internet in the form of online racism and hatred. We did not step up and defend Māori communities or work to have the material removed from the Internet, and we were wrong. We are committed to becoming a Te Tiriti o Waitangi centric organisation and taking positive steps forward to ensure we do better for Māori.”

The independent review was led by Dr Hana O'Regan, Tumu Whakarae | Chief Executive of CORE Education. It encompassed a literature review, surveys and face-to-face interviews. The reviewer provided a full report to InternetNZ, including recommendations for improvements. You can read the report by clicking this [link](#).

### In the community

#### 11. Six paramedics recognised for bravery in relation to March 15 attacks

In late November, six emergency care workers received the Bronze Life Saving medal from the international order of St John for the efforts on 15 March 2019. The Medal was introduced in 1874 and has only been given to 13 other New Zealanders in 148 years. To be eligible the recipients must have performed a "conspicuous act of bravery" to save someone's life and have endangered their own life in the process.

#### 12. Upcoming dates of significance

- 3 December is International Day of Persons with Disabilities and is designed to create participation of people with disabilities toward an inclusive, accessible, and sustainable post-COVID-19 world.
- 10 December is International Human Rights Day.
- 18 December is International Migrants Day which aims to raise awareness about the challenges and difficulties of facing migrants.
- 18th-26th December is Hanukkah (Judaism). Hanukkah is celebrated in Judaism to commemorate the rededication of the Second Temple of Jerusalem by the lighting of candles on each day of the festival.
- 25 December is Christmas Day (Christian) and celebrates the birth of Jesus Christ.

Noho ora mai

**The Kāpuia Secretariat**