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Stronger terrorism laws make New Zealand safer



HON KIRITAPU ALLAN(/MINISTER/HON-KIRITAPU-ALLAN)

Justice (/portfolio/labour-2020-2023/justice)

The Government is strengthening counter-terrorism laws to make it harder for people who are known threats to undertake terrorist acts, Justice Minister Kiri Allan has announced.

“Following the terror attack in the Lynn Mall supermarket last year, where the individual responsible was known to be a threat to New Zealand’s security, Cabinet sought a review on how the control order regime could be strengthened,” Kiri Allan said.

“The changes we are making will improve the effectiveness of the Control Orders Act, and expand the criteria for high-risk individuals who can be covered by the restrictions, which limit their ability to undertake an attack.

“While no law can ever stop a motivated terrorist from undertaking an attack, these changes will go a long way in preventing, disrupting and limiting their ability to do so,” Kiri Allan said.

Cabinet has agreed to the following changes to the control orders regime:

- expand the eligibility criteria for those who can be covered by a control order to include if the person has received a conviction for objectionable publications that promote torture, extreme violence, or cruelty. This is in addition to the current criteria, which includes a conviction for objectionable publications that promote terrorism;
- expand the eligibility criteria to include people sentenced to home detention and community-based sentences (currently it is limited to sentences of imprisonment) and allow sentence conditions and control orders to exist concurrently for these offenders, to ensure a consistent approach to risk management;
- allow for greater judicial discretion when setting control order restrictions, to ensure they can be more closely tailored to risk;
- provide in more detail requirements of the following kinds: a requirement that the relevant person reside at and remain at a specified address and electronic monitoring requirements; and
- make name suppression requirements more flexible so that an appropriate balance can be struck between preventing the glorification of terrorism activity and reassuring the public that a known terrorism risk is being appropriately managed.

The Government is also seeking to strengthen the terrorist designations scheme by making it explicit that it covers individuals in prison.

“The terrorist designation scheme was initially brought in to stop New Zealanders from providing financial support to overseas terrorist groups in the wake of the September 11 attacks. Now, as the terrorism landscape has evolved, our laws need to also. For the first time since the scheme was introduced we have a situation where a designated terrorist entity is imprisoned,” Kiri Allan said.

“Overseas, we have seen examples of how imprisoned terrorists continue to attempt to influence and incite others from behind bars. We are seeking to further reduce any ability for designated entities to be glorified or to support others in carrying out acts of

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“These changes make it clear we will continue to push back to disrupt any efforts by designated individuals and groups to cause harm in our communities and against anyone who may attempt to support or glorify their horrific acts,” Kiri Allan said.

Cabinet will amend the Terrorism Suppression Act so that in the case of a designated person who is imprisoned:

- no application for revocation of the designation can be made on the grounds that the entity is no longer involved in any way in the carrying out of terrorist acts;
- expiry of the designation would be paused, and the designation remain in place, while the person is imprisoned; and
- requiring the Prime Minister to review the designation every three years to determine whether it remains justified. In making this assessment, the Prime Minister must consider relevant information provided by the designated individual.

“These amendments provide appropriate safeguards to ensure the designation scheme is effective in addressing the threat of further terrorist acts,” Kiri Allan said.

“The proposed changes to the designation and control order schemes are in line with this Government’s commitment to implementing the recommendations of the Royal Commission of Inquiry into the terrorist attack on the Christchurch masjidain.

“The horrific events of 15 March 2019 and in New Lynn last year serve as a continuous reminder of the devastating consequences to individuals and communities from any terrorist attack. These are important amendments as we look to keep Aotearoa New Zealand as safe as possible,” Kiri Allan said.



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