

Speeches (/speeches)

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Prime Minister's update on the 3 September Auckland terrorist attack



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Prime Minister (/portfolio/labour-2020-2023/prime-minister)

Check against delivery

I want to begin with an update on the status of our victims from yesterday's attack.

We're aware now that there were a total of seven people injured. There are five people in hospital, three are in a critical condition.

The remaining victims have been treated and are recovering at home. I know we are all continuing to think of them and the traumatic experience they've been through.

I'll hand now to Commissioner Coster to give details of yesterday's events.

You'll recall that at the press conference yesterday I said I wanted to share all of the information we had on the individual who committed the attack, as soon as we were able to.

Overnight and this morning, work has been undertaken by Crown Law to have the courts allow us to release that information. That has been successful, however the Court has given the individual's family 24 hours to raise any concerns regarding release of certain information.

So, while I can provide details concerning the individual's criminal history, there are issues relating to his immigration status and action taken by Immigration New Zealand in particular, which I cannot share just yet. The remaining information I hope to share in the next 24 hours.

I am also unable to share his name, but I would note, this is not something I had any intention of sharing regardless of the court ruling.

No terrorist, whether alive or deceased, deserves their name to be shared for the infamy they were seeking.

Here are the details I can provide.

The individual who committed yesterday's attack arrived in New Zealand in October 2011. He was 22 years old and travelling on a student visa. It was not known that he held extreme views about violence and terrorism at that time.

In 2016 he came to the attention of the police after he expressed sympathy on Facebook for recent terrorist attacks, violent war-related videos and comments advocating violent extremism. He was spoken to by the Police twice, once in April of 2016, and then again in May.

This activity online continued though and in May of 2017 he was arrested at Auckland International Airport. Police believed at that time he was heading to Syria.

5th

A search of his apartment led them to discover restricted publications and a hunting knife. He was charged with possessing these things. He eventually pleaded guilty to charges of knowingly distributing restricted publications, fraud and failing to assist Police in the execution of their search powers. He was released on bail.

In August 2018, whilst on bail, the individual bought a knife. The police arrested him again but also issued a search warrant and found objectionable or extremist, material. He was charged with additional charges of possessing objectionable material, possession of an offensive weapon and failing to assist the Police in exercising search powers. He was kept in custody.

In September 2018, the terrorist was sentenced to 12 months supervision in relation to the first set of charges. He remained in prison due to the additional charges he committed while on bail.

In September of 2018, Ministers directed officials to undertake further policy work on counter terrorism legislation. Work progressed throughout 2019. This included policy work to criminalise preparatory acts which might be related to a terrorist intent or plan.

In July of 2020, the Crown made an unsuccessful attempt to lay an additional charge under the existing Terrorism Suppression Act for the knife and online posts, but this was rejected by the High Court. The original criminal charges of unlawfully possessing these items were still valid though, and so throughout this period he was remanded in custody, awaiting sentencing.

You may also be aware that during this time he assaulted corrections officers, and faced charges on these acts also.

In the meantime, work on changing the law to add an offence of committing a preparatory act progressed, and a draft bill was introduced in Parliament in April 2021. It had its first reading in May.

Throughout this period, officials met a number of times to consider what avenues could be pursued to address the risk posed by this individual, and to prepare for the potential that we may run out of legal avenues to detain him.

I was briefed on this work in May 2021. I sought further advice on whether prevention orders could be used, and whether the individual had been psychologically assessed. I was later advised that prevention orders could not be used, that he had refused psychological assessment.

At this time work around his immigration status was also underway, but this is detail I hope to be able to share tomorrow.

In May 2021, he was convicted in the High Court on the charges of possession of objectionable publications with knowledge and failing to assist the Police in exercising search powers. He was found not guilty of another charge of possessing objectionable material, and of the charge of possessing a knife in a public place.

On 6th July, he was sentenced to 12 months supervision with special conditions. These conditions included that he must reside at the named address, could only possess an electronic device capable of accessing the internet, other than that approved by his probation officer. He was also required, upon request, to make available any electronic device to the probation officer for the purpose of checking or cloning the device, and to disclose to his probation officer and provide access to all social media accounts. He was also required to attend rehabilitation assessment and treatment.

GPS monitoring was sought by the Crown, but this was not imposed by the courts.

At the time of sentencing, the individual had spent approximately three years in prison on remand. He remained in custody, but given all legal avenues to continue his detention had been exhausted, officials prepared for his release.

- P. Risk mitigations were already underway. This included police standing up surveillance coverage, including the use of the armed Special Tactics Group. This is the group who were present yesterday at the scene, and shot the terrorist.

Police also worked alongside the NZSIS. Corrections also advised that he would be reporting to the New Lynn Service centre, where there would be a police presence.

Prior to his release, police identified that he could be arrested without a warrant for breach of his conditions, and that there were other trigger points which would allow him to be arrested, including committing, or threatening to commit a violent act, acquiring weapons or consuming objectionable material.

In mid-July, the individual was released into the community, and the surveillance began immediately.

In late July I was given a written update on the case.

On the 9th of August I met with officials and discussed further options to reduce the risk this person posed to the community.