



11 October 2019

Mahrugh Sarwar

fyi-request-11214-d7acd624@requests.fyi.org.nz

Dear Ms Sarwar

Official information request

I refer to your Official Information Act 1982 (OIA) request dated 13 September 2019 seeking information for the purpose of participating in the Royal Commission Inquiry into the attack on Christchurch Mosques.

These attacks, that so deliberately and callously targeted the Muslim community, were a horrific challenge against everything that New Zealand holds dear. Their impact was deeply felt by GCSB staff, and our thoughts are still with the families, friends and communities of the victims. Immediately after the attacks, we stood up a 24/7 team and provided intelligence in support of our New Zealand Police and New Zealand Security Intelligence Service (NZSIS) colleagues as they worked on the investigation and wider response.

It is important to us, as well as the communities affected and the public, that any lessons from these events are identified and learned, and that New Zealand's national security system is working as effectively as possible. To that end, the GCSB is co-operating fully with the Royal Commission Inquiry into the attack on Christchurch Mosques and has been providing it with all the information it has requested as an organisational priority.

Enclosed are my responses to each of your questions.

Please note that while the GCSB aims to be as open as possible, due to the sensitive nature of what we do, there is some information I cannot reveal. It is vital that the GCSB protects its activities, sources of information, methods, partners and staff identities. To release this kind of information would potentially have an impact on people's safety, as well as limit the GCSB's ability to achieve its objectives.

- 1. Copies of GCSB documents, correspondences and addresses (including but not limited to emails, letters, and presentations), for specific periods (October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999), referring to any of the following terms:**

- a. Arab / Muslim / Islam / Islamist / Islamicist / Jihadist /**
- b. Terrorists / Extremists / Radical / Far-right / White supremacy**

Although you have broken this 30 year time period into four separate groups, a significant amount of research and collation would be required to provide an answer for any of the individual time periods. Therefore I must decline this request under s 18(f) of the OIA, on the

grounds that the information requested cannot be made available without substantial collation.

I do not consider that an extension of the timeframe for responding to your request would enable the GCSB to provide a response. I welcome you to clarify your request further, if there is a more specific topic you are interested in obtaining documentation about.

2. All interviews, speeches and lectures on the topic of the 'Role of the GCSB' from October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999

In my time as Director-General, I have given a number of public speeches that discuss the role of the GCSB, as have my predecessors. These speeches include opening statements to the Intelligence & Security Committee, as well as talking at various forums such as the Technology and Privacy Forum. Copies of the majority of these speeches, dating back to 2013, can be found online at www.GCSB.govt.nz/news/category/director-general-speeches.

I have identified one further speech relevant to your request that is not on our website. It is the speech to the Rotary Club of Auckland, presented by then GCSB Director Ian Fletcher, at the Stamford Plaza Hotel on April 14, 2014. I have attached a copy of that speech to this response.

I have not identified any unclassified speeches or lectures prior to 2013, and therefore must refuse your request relating to the years 2012-1999 under s 18(e) of the OIA, on the grounds that the documentation alleged to contain this information does not exist or cannot be found.

The GCSB's Annual Reports also detail the role of the GCSB and the work achieved in each year. These reports can also be found on the GCSB's website, at www.GCSB.govt.nz/resources/annual-reports.

The GCSB also keeps copies of all media releases and other news items online at www.GCSB.govt.nz/news.

3. On how many occasions were Parliamentarians directly involved in meetings with the GCSB for periods A, B, C and D? How many of these involved or pertained to a person(s) from the Muslim community?

The GCSB regularly meets with the Minister Responsible for the GCSB to discuss national security issues. The GCSB also regularly briefs the Leader of the Opposition on national security issues. I cannot provide further information about these meetings, such as what dates they occurred, or what they pertained to, for national security reasons. Accordingly I must refuse this part of your request under s 6(a) of the OIA: this information would be likely to prejudice the national security or defence of New Zealand.

We have assumed "involved" means people who attended meetings. The GCSB does not record the ethnic, religious or cultural background of staff or other people who attend these meetings, and accordingly we do not hold information about how many of these meetings involved someone from the Muslim community. I must refuse this part of your request under s 18(g) of the OIA: the information requested is not held by the GCSB, nor do I have a reason to believe it is held by another agency.

4. Copies of staff training documentation and audio-visual programmes on Islam and Muslim from periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999.

GCSB staff have access to training courses that are shared across the New Zealand Intelligence Community (NZIC). The shared Learning and Development (L&D) team support the GCSB and New Zealand Security Intelligence Service (NZSIS) in creating an engaged, agile and productive workforce to meet the changing demands and priorities of the sector.

In 2016 and 2017, L&D offered staff the opportunity to attend an externally supplied two-day course called "Introduction to Islam and the Muslim World". The course provided an overview of the Islamic world; basic terminology; major religious holidays; the role of Sheikhs/Imams; and women in Islam. It also focussed on the main streams of Islam and the differences in beliefs and practices.

There was a special focus on the history and politics of Islam, and the background to current events and conflicts. The course also covered Islam in multicultural societies, with a focus on New Zealand.

Currently staff have the opportunity to attend a half-day workshop called Islam and the Muslim World. This workshop has been available to staff since early 2018 and is designed to build understanding of the Islamic world; its past, contemporary issues and possible futures. The focus is on giving a practical understanding of how Islam is practiced and how this resonates in New Zealand society and around the world.

As these courses were provided by external providers, and the training material is their proprietary material, I must refuse this request under section 9(b)(ii) of the OIA on the grounds that releasing this information would be likely to prejudice the commercial position of the person who supplied the information. Additionally, the GCSB does not provide information about the identity of external suppliers on the grounds that the release of their identity would be likely to prejudice the national security or defence of New Zealand (s 6(a) of the OIA).

Prior to the L&D team arranging courses for staff across the NZIC, GCSB staff would arrange to attend courses on an ad hoc basis, and this information was not centrally recorded. Accordingly I must decline the part of your request for information from 2015 to 1999 under s 18(f) of the OIA on the grounds that the information requested cannot be made available without substantial collation.

5. What professional cultural advice or training or resources has the GCSB requested or received on Islam or Muslims for periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999?

Please see the response to question 4.

6. What is the list of ethnicities of the staff of the GCSB for the last financial year?

Table 1: GCSB Staff Ethnicity (2018/19)

	2018/19
New Zealand European & European	67.8%
New Zealander	29.4%
New Zealand Māori	7.2%
Asian	5.4%
Pacific Peoples	2.3%
Middle Eastern, Latin American, & African	0.9%

These metrics cover the number of employees who identify themselves as having a certain ethnicity. They are calculated by taking the number of people who identify as being a certain ethnic group, divided by the number who have provided an ethnic group. Metrics are taken 'as at 30 June' of the relevant year.

7. What are the number of people from the UK, US, Canada and Australia who have been appointed as staff or have been consulted for the periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999?

Please see the attached Table 1, in Appendix A, for the number of people from the UK, US, Canada and Australia who have been appointed as staff in the GCSB since 1999.

As New Zealand is part of the Five Eyes partnership, we have often sought advice and consulted with those countries on a range of matters. It would risk national security and our international relationships if I were to go into further detail about information provided by our international partners and this part of your request is refused under s 6(a) of the OIA. Additionally, it would require a vast amount of work to collate relevant information about any consultations going back to 1990, therefore even if the information you were seeking did not relate to national security, this request would be declined under s 18(f) of the OIA.

8. What is the ethnic cultural composition over the periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999 of your
a. senior management
b. senior operational staff

Senior Management

Table 2, in the attached Appendix A, provides the ethnic identification of GCSB senior management. Please note this information is provided by financial year (1 July – 30 June), and only goes back to 30 June 2003. We do not hold information for earlier years, and so the remainder of this part of your request is refused under s 18(g) of the OIA –the information requested is not held by the GCSB, nor do I believe it is held by another agency.

Senior Operational Staff

The GCSB does not separately measure the ethnic identification of senior operational staff from the whole organisation, and it would be a very manual task to work this out, especially for the 30 year period requested. Therefore I must decline this request under s 18(f) of the

OIA, on the grounds that the information requested cannot be made available without substantial collusion.

9. What diverse perspectives have been embraced and resulted in reform of organisational culture that promotes diverse experiences and perspectives?

The core purpose of the GCSB is to keep New Zealand and New Zealanders safe from significant national security threats. These threats include cyber-attacks, terrorism, espionage (against New Zealand Government and New Zealand institutions) and offshore political or civil unrest that New Zealanders might be caught up in.

We believe, to succeed against increasingly complex global threats, the GCSB and NZSIS must develop a dynamic, agile workforce that reflects diversity in its widest context. That includes, but is not limited to, ethnicity, culture, heritage, gender, age, religion, language skills, differing abilities, sexual orientation, gender identity, ideas and perspectives. We also need to ensure that the different perspectives that come with diversity are valued and harnessed. Our Diversity & Inclusion (D&I) Strategy establishes a programme of work across the GCSB and NZSIS to better understand and improve the diversity of our workforce.

The priorities for the first 18 months of the programme are:

- Women – attract, retain, develop, progress and increase the number of women at all levels; and
- Māori, Pacific and Asian peoples – attract retain, develop, progress and increase the number of each ethnicity within our workforce.

Our D&I work programme includes:

- GCSB Tertiary Scholarship for women in science, engineering, mathematics and technology (seven scholarships have been awarded in total over two years, and in 2018, at least one scholarship was reserved for a Māori or Pacifica student);
- celebrating diversity and inclusion events (e.g. Pink Shirt Day, Māori Language Week, International Women's Day);
- establishment of staff networks (Standing Out, Ethnicity Network, Women in New Zealand Intelligence, Mental Health and Wellbeing, Parents Outreach);
- undertaking research – Experience of women in the Intelligence Community, Parental leave experience, Perceptions of New Zealand Intelligence Community –Driving Diversity - Women Māori, Pacifica, Asian and other;
- training and education for all staff with a specific focus on people leaders;
- Rainbow and Domestic Violence (DV) Free Accreditation; and
- gathering and monitoring our diversity statistics.

Our D&I Plan can be found at www.gcsb.govt.nz/working-for-us/diversity-and-inclusion/ – this covers our complete programme in more detail.

Testing our own unconscious bias also plays a big part in developing a diverse and inclusive culture. The GCSB offers unconscious bias training (mandatory for all people managers), and building cultural competency courses.

10. What methods does the GCSB use to determine priorities regarding threats to national security?

Under section 10 of the Intelligence and Security Act 2017, GCSB can only collect and analyse intelligence in accordance with the New Zealand Government's priorities. The GCSB does not

set the New Zealand Government's National Security and Intelligence Priorities (NSIP), those are set by Cabinet. The Department of the Prime Minister and Cabinet leads the periodic review of the priorities to ensure they reflect current areas that could impact New Zealand's national security.

11. How do security agencies identify threats as either "potential threats" or "possible threats" or "imminent threats"?

The GCSB does not classify threats in this way. Accordingly I must refuse your request under s 18(g) of the OIA: the information requested is not held by this agency.

12. How can the GCSB expect to properly prioritise and curate their intelligence when they have not properly engaged with a key target community and there is no cultural contextual understanding of the community? How can the GCSB expect to properly prioritise and curate their intelligence when their approach to a key target community is very one-dimensional and siloed? How can the GCSB expect to properly prioritise and curate their intelligence when the government and the society in which it operates and informs their work have not undertaken any substantive engagement with the world's second largest faith community?

I would like to reiterate that the GCSB's role in domestic counter-terrorism is to provide assistance to the lead agencies, the NZSIS and the New Zealand Police, at their request. This assistance is primarily technical capabilities and access to foreign intelligence. In carrying out its intelligence collection and analysis function, s 10 of the ISA requires that the GCSB act in accordance with the New Zealand Government's priorities. The GCSB cannot carry out intelligence activities in relation to threats that are not specified as a New Zealand Government priority.

The Royal Commission of Inquiry is examining what measures agencies could have taken to prevent the Christchurch mosque attacks, and what measures agencies should take to prevent such attacks in future. The GCSB is committed to assisting it as much as possible.

13. How does the GCSB distinguish between white supremacists and far-right extremist groups?

The GCSB's role in domestic counter-terrorism is to provide assistance to the lead agencies, the NZSIS and the New Zealand Police, at their request, no matter what the type of terrorism of violent extremism the requests concern.

14. How does the GCSB distinguish between white and non-white groups?

The GCSB is able to seek to collect intelligence about any terrorist or violent extremist threats, regardless of race, in response to requests from lead agencies, NZSIS and the New Zealand Police.

15. The annual reports list warrants that allow GCSB monitor people but do not specify why they have been issued. What were the warrants issued for between 2003 and 2018? Were any of these warrants for white supremacists? Where warrants were issued for white supremacists, how were those warrants actioned?

I must decline to provide information about the reasons for the warrants issued between 2003 and 2018, and any information about how these warrants were actioned, under s 6(a) of the OIA: the making available of this information would be likely to prejudice the defence or security of New Zealand. This information, either alone or alongside other information, could be used by adversaries to undermine the effectiveness of the GCSB's capabilities.

16. How much resources, including financial resources, were devoted to monitoring white extremism during the periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999?

I must decline to provide this information under s 6(a) of the OIA, on the grounds that the making available of this information would be likely to prejudice the defence or security of New Zealand. This information, either alone or alongside other information, could be used by adversaries to undermine the effectiveness of the GCSB's capabilities.

17. How many people have been suspected of supporting Serb-nationalism or the Bosnian Genocide since 1995?

I have interpreted your question to be how many people has the GCSB suspected of supporting Serb-nationalism or the Bosnian Genocide since 1995. Under s 10 of the OIA, I can neither confirm nor deny whether the GCSB holds the requested information. I consider that to do so would be likely to prejudice the interests protected by s 6(a) of the OIA, namely the security or defence of New Zealand.

18. How much resources, including financial resources, were devoted to monitoring non-white communities, including Muslim and Maori communities, during the periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999? How much resources, including financial resources, were devoted to monitoring other groups such as animal rights, environment and health activists, during the periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999?

It would be detrimental to New Zealand's national security should we reveal any information that might reveal specific areas of focus or our capabilities. Therefore I must decline this part of your request under s 6(a) of the OIA, on the grounds that the making available of this information would be likely to prejudice the defence or security of New Zealand.

I can, however, provide you with some general information regarding the type of warrants the GCSB can obtain, and what they can and cannot be used for.

Under the Intelligence and Security Act 2017, there are two main types of intelligence warrants that may be issued to GCSB. Type 1 intelligence warrants authorise the GCSB to carry out otherwise unlawful activities for the purpose of collecting information about, or to do any other thing directly in relation to, New Zealanders. It must be issued jointly by both the Minister Responsible for the GCSB and a Commissioner of Intelligence Warrants. A Commissioner must be a former High Court Judge. Type 2 intelligence warrants authorise the GCSB to carry out otherwise unlawful activities in circumstances where a Type 1 warrant is not required and are issued by the Minister Responsible for the GCSB. All warrants are subject to review by the Inspector-General of Intelligence and Security (IGIS) after they are issued. In each case, warrants may only be issued if they will contribute to the protection of national security, or the international relations and well-being, or economic wellbeing, of New Zealand.

Merely belonging to "non-white communities, including Muslim and Maori communities" would not justify GCSB taking action and would not reach the thresholds required for a warrant to be sought or issued. Section 19 of the ISA explicitly states that the exercise by any person in New Zealand of their right to freedom of expression (including the right to advocate, protest or dissent) does not of itself justify GCSB taking any action in respect of that person.

19. What cultural intelligence and cultural awareness and sensitivity training and reform arose out of the consequences of the Ahmed Zaoui Case? What cultural intelligence and cultural awareness and sensitivity training and reform arose out of the consequences of the Urewera Raids?

While the GCSB has consistently worked to improve our organisation's cultural awareness, these changes have not arisen as a result of any particular cases. The GCSB recognises that it is important for our leaders to be promoting diversity and inclusion. Unconscious bias training is available to all staff. Face-to-face unconscious bias training is mandatory for managers and an online programme available is to all staff. The course is aimed at introducing tools and strategies to people managers that can be employed at both the individual and team level to help reduce the impact of unconscious bias and for the organisation to become more inclusive.

We also offer courses on anti-bullying and harassment, Treaty and Crown relationships, and Te Reo.

20. On how many occasions has there been a review of policies regarding Muslims by any persons outside the GCSB for periods October 2017 – September 2019, November 2008 – October 2017, December 1999 – November 2008, and November 1990 – November 1999?

The GCSB holds no policies specifically about Muslims. Accordingly I must decline your request under s 18(g) of the OIA, the information requested is not held. It is important to note that the GCSB and its activities are subject to robust external oversight. External oversight is crucial for assuring the New Zealand public that the GCSB's powers are used properly, in accordance with the law and respect for New Zealanders' right for privacy.

The Inspector-General is a statutory officer who provides independent external oversight and review of the GCSB. One of the functions of the Inspector-General is to review the GCSB's compliance procedures and systems. Unclassified reports and reviews produced by the Inspector-General can be found online at www.IGIS.govt.nz.

Further information about the GCSB's external oversight can be found online at www.gcsb.govt.nz/about-us/external-oversight.

21. What was the reason the GCSB understands for the cause of
a. Missing the Christchurch attacker
b. Less attention paid to white extremism

I am able to confirm that the GCSB had not collected, or received from partners, any relevant intelligence about the attacker ahead of his attacks on March 15. The GCSB does not currently have the legal authority, technical means, or resources to monitor actively all online activity that occurs in New Zealand. In addition, all intelligence and security agencies are grappling with the challenges of encryption and closed online communities.

The Royal Commission of Inquiry into the Attack on Christchurch Mosques is looking into what measures agencies could have taken to prevent the attack, and what measures agencies should take to prevent such attacks in future. The GCSB has welcomed this Inquiry, and is committed to assisting it as much as possible.

Some information which was created for the Royal Commission falls within the scope of this request, but under s 15(1)(a) of the Inquiries Act 2013, the Royal Commission has issued orders prohibiting publication of or public access to any evidence or submissions to the Inquiry. Additionally, the release of this information could prejudice the on-going court case and police investigation. Accordingly I must refuse to provide this information under s 6(c) and s 18(c)(i) of the OIA: the making available of this information would be likely to prejudice the maintenance of the law and would also be likely to be contrary to the provisions of a specified enactment (being s 15(1)(a) of the Inquiries Act 2013).

If you wish to discuss this decision with us, please feel free to contact information@gcsb.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.

Yours sincerely



Andrew Hampton
Director-General of the GCSB

Appendix A

Table 1: The number of people from the UK, US, Canada and Australia who have been appointed as staff, per financial year, for the GCSB

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Australia	1	2			1		2		1	1				1					1	
Canada												1						1		
UK	1		3	2	3	5		1	1	2		1		6	5	2	1	4	6	4
US									1		1	2		2			1			
Total	2	2	3	2	4	7	0	3	3	3	1	3	1	9	5	2	2	5	7	4

Please note:

- We are only able to answer on appointed staff, and only have information back to 30 June 1999.
- The information presented is based on financial year.
- In calculating the number of people from the UK, US, Canada, and Australia we have used declared nationality.

Table 2: Ethnicity of GCSB senior management, by financial year (2003-2019)

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
European	93.8 %	93.5 %	94.7 %	97.1 %	87.9 %	88.9 %	88.9 %	90.3 %	86.7 %	88.9 %	91.3 %	86.7 %	75.0 %	71.4 %	61.5 %	76.2 %	78.9 %
Maori	6.3%	6.5%	5.3%	0.0%	3.0%	2.8%	2.8%	3.2%	6.7%	3.7%	0.0%	6.7%	25.0 %	21.4 %	23.1 %	14.3 %	15.8 %
Asian	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	6.7%	12.5 %	7.1%	0.0%	0.0%	0.0%
Pacific	0.0%	0.0%	0.0%	0.0%	3.0%	2.8%	2.8%	3.2%	3.3%	3.7%	4.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
MELAA	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other (Including 'New Zealander')	0.0%	0.0%	0.0%	2.9%	6.1%	5.6%	5.6%	3.2%	3.3%	3.7%	4.3%	6.7%	0.0%	7.1%	30.8 %	19.0 %	21.1 %

Please note:

- Our ethnicity statistics are dependent on staff voluntarily disclosing this information.
- The “other” category contains ethnicities that are not otherwise captured in the above categories; this primarily reflects staff identifying as New Zealanders.
- The information presented is based on financial year.
- Numbers do not necessarily total 100% as staff may identify with multiple ethnicities or cultures.