



New Zealand
Security Intelligence
Service
Te Pā Whakamarumaru

Aide Memoire: Terrorism Risk Profile OIA Request

Date 20 May 2021
To Hon Andrew Little, Minister Responsible for NZSIS
From Rebecca Kitteridge, Director-General of the NZSIS
For your Information

Purpose

1. Newsroom reporter Marc Daalder has submitted an Official Information Act (OIA) request to your office regarding the June 2019 Terrorism Risk Profile in the context of a verbal exchange between you and journalist Thomas Manch on 11 May 2021. This aide memoire provides some background material that may explain how the exchange evolved and information that may assist with responding to the OIA request.

Background

2. In early May 2021, under the OIA, the Department of Prime Minister and Cabinet (DPMC) released a summary of the *Terrorism Risk Profile*, which is a DPMC product.
3. On 11 May 2021, you had the following exchange with Mr Manch:

Reporter: *Given that there is assessed to be a very high risk of a worst case scenario happening in the next five years or so, or at least in the incoming years, at least according to a June 2019 report that doesn't seem to be updated, I mean, is that not incredibly pressing work?*

Minister Little: *Yeah I think, look that was an assessment made in the months following March 15th, I think these...*

Reporter: *Has there been subsequent assessments?*

Minister Little: *Yes there has been and the risk level isn't that high, it isn't as high as depicted in that report, it just isn't. That said, there is still a risk and we need to make sure that our agencies are led and have strategies that are coherent and consistent and robust. I think that that's the component that we just don't quite have right at the moment, that's why we need to fix it.*

See Annex One for a more complete transcript.

4. Mr Daalder has now made an OIA request for:

“the risk profile(s) and/or assessment(s) referred to here, which according to Minister Little states there is no longer a plausible risk of a worst-case scenario occurring in the next three-five years.”

See Annex Two for a copy of the OIA request.

5. On 12 May 2021, your office requested an aide memoire on the content of your exchange with Mr Manch and the subsequent OIA request.

Terrorism Risk Profile and National Terrorism Threat Level

6. It appears to us that Mr Manch, in his question to you on 11 May, was referencing DPMC’s Terrorism Risk profile, although Mr Manch did not explicitly say so. It appears to us that in your response, however, you were likely referencing the National Terrorism Threat Assessment.
7. These two documents are related, but they are created by different agencies for legitimately different and useful policy reasons. We regularly encounter confusion about them and have compiled the following information, which may be useful when responding to Mr Daalder’s request:

National Terrorism Threat Assessment

8. The national terrorism threat assessment is the document with which you would be most familiar. A national terrorism threat assessment is produced by the Combined Terrorism Assessment Group (CTAG), a multi-agency group hosted by NZSIS.
9. CTAG’s national terrorism threat assessment forms the basis for the National Terrorism Threat Level (currently MEDIUM, *terrorist attack is assessed as feasible and could well occur*). The National Terrorism Threat Level reflects CTAG’s assessment of the current **likelihood** of a terrorist attack occurring in New Zealand. This **likelihood** statement is based on the assessed **intent** and **capability** of violent extremist groups or individuals to conduct terrorist attacks in New Zealand.
10. National terrorism threat assessments are used by a range of agencies to inform risk assessments and risk mitigation strategies.
11. The National Terrorism Threat Level is continuously monitored by CTAG. It is reviewed at least annually, but may be adjusted whenever required. The National Terrorism Threat Level moved from LOW to HIGH immediately following the 15 March terrorist attacks. In the months that followed CTAG dropped to the threat level to MEDIUM, where it has remained since. The latest CTAG national terrorism threat assessment was issued on 1 February 2021.

Terrorism risk profile

12. The Terrorism Risk Profile is a less prominent or visible document. Risk Profiles (of which the Terrorism Risk Profile is one) are produced by DPMC after consultation with a range of interested agencies.
13. A Terrorism Risk Profile has a different purpose than a National Terrorism Threat Assessment, and is produced following a different methodology. A Terrorism Risk Profile captures the **risk** posed by a terrorist event in New Zealand. **Risk**, in this context, is defined as the **likelihood** (i.e. threat and capability) and **consequence** of a **potential worst-case scenario occurring in the next five years**.
14. The risk profiles produced by DPMC are used by the National Security Policy Group. They determine a maximum credible event (which may have a low likelihood), and use this scenario to assess:
 - a. The possible impacts to New Zealand society; and
 - b. The capabilities of the national security sector.
15. Risk profiles are generally reviewed every three years. The most recent Terrorism Risk Profile was produced in June 2019 and is due to be updated in 2022. It concluded that the overall risk rating for terrorism was assessed as 'Very High'.

Suggested next steps

16. We hope this aide memoire provides you with sufficient information to clarify the issue with the requester.
17. You may wish to make the point that the Terrorism Risk Profile has not been updated since 2019. Accordingly, the document being requested does not exist, and the request can be refused under s18(e) of the OIA.
18. Do let me know if you need any further information.



Rebecca Kitteridge

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

Date: *20 May 2021*

Annex One: Exchange between Minister and journalist

Thomas Manch: Can you comment that the national security agencies as it stands have adequate strategies in place, that they understand what the risk is with threats and that they have a robust strategy? There's been some criticism from experts on the thinness of the counter-terrorism strategy.

Minister Little: Yeah, I think well one of the things that came out of the Royal Commission of Inquiry was actually to beef up that strategic level of the leadership of our Intelligence Community, that's the new agency that has to be developed. I think that there might be something in that criticism, that we've got the operating agencies, they're focussed on doing the operational stuff and then we have people dotted throughout the Department of Prime Minister and Cabinet and the National Assessments Bureau which is part of the DPMC, a bunch of people doing different things. But I think what Commission came up with was that there wasn't enough cohesion and coordination amongst those groups, hence the need for the new agency.

Thomas Manch: Given that there is assessed to be a very high risk of a worst case scenario happening in the next five years or so, or at least in the incoming years, at least according to a June 2019 report that doesn't seem to be updated, I mean, is that not incredibly pressing work?

Minister Little: Yeah I think, look that was an assessment made in the months following March 15th, I think these...

Thomas Manch: Has there been subsequent assessments?

Minister Little: Yes there has been and the risk level isn't that high, it isn't as high as depicted in that report, it just isn't. That said, there is still a risk and we need to make sure that our agencies are led and have strategies that are coherent and consistent and robust. I think that that's the component that we just don't quite have right at the moment, that's why we need to fix it.

Annex Two: OIA Request to Minister Little

OIA request

May 11, 2021

To whom it may concern at the office of the Hon. Andrew Little,

I request the following information under the Official Information Act:

- On May 11, 2021, Minister Little said that the June 2019 Terrorism Risk Profile had been updated. Specifically, he said: "Yes, there has been [subsequent assessments] and the risk level isn't that high. Isn't as high as depicted in that report. It just isn't."
- I request the risk profile(s) and/or assessment(s) referred to here, which according to Minister Little states there is no longer a plausible risk of a worst-case scenario occurring in the next three-five years.
- Where a document that falls under scope of this request cannot be released, please supply a summary of that document's contents.
- Where any document falls under the scope of this request, please release it in full, including sections which might otherwise be considered out of scope

In accordance with the act, I expect to receive a response within 20 working days.

Please feel free to contact me if you have any queries. You can contact me at marc.daalder@newsroom.co.nz, or 021.052.8952. I would appreciate it if you could acknowledge receipt of this request.

Cheers,

Marc Daalder