

SUMMARY OF THE PERIODIC REVIEW OF THE DESIGNATION OF BRENTON TARRANT AS A TERRORIST ENTITY

PURPOSE

1. This paper summarises the Terrorist Designation Working Group's (TDWG)ⁱ advice to inform the periodic review of the designation of **Brenton Harrison Tarrant** ('the entity') (born 27 October 1990) as a terrorist entity. The document is released under Official Information Act 1982 (OIA) s.16(1)(e) as a summary of advice provided to the National Security Board in 2023.
2. Periodic review is required by the Terrorism Suppression Act 2002 (TSA). The purpose of periodic review is to determine whether the effects of designation are necessary or desirable for the prevention or suppression of terrorism, and therefore whether designation as a terrorist entity remains justified.ⁱⁱ

BACKGROUND

3. On 15 March 2019, the entity posted a self-created manifesto online immediately prior to carrying out a terrorist act. In the manifesto the entity explicitly states a series of ideological objectives. On the same day, the entity entered the Al Noor Mosque and the Linwood Islamic Centre, in Christchurch, New Zealand, and armed with high-powered military style weapons killed 51, and seriously injured 40 people. He livestreamed the act.
4. On 26 March 2020 the entity entered a guilty plea to an offence of engaging in a terrorist act under the TSA for the murder of 51 people and the attempted murder of 40 people. On 27 August 2020, he was sentenced to life in prison without parole, for the attack on the Christchurch Mosques on 15 March 2019.
5. The Prime Minister designated the entity as a terrorist entity on 27 August 2020. His designation required review by 27 August 2023,ⁱⁱⁱ and was completed by 1 August 2023.

REVIEW PROCESS AND CONSIDERATIONS

6. When a designated terrorist entity is imprisoned in New Zealand, the Prime Minister must review the designation every three years and decide whether designation is no longer justified (s35D TSA). If the Prime Minister determines that a designation is not justified, the designation must be revoked (s35D(2) TSA).
7. The Prime Minister may decide a designation is no longer justified only if satisfied that none of its effects are necessary or desirable for the prevention, or other suppression, of terrorism(s35E(1)).
8. A designation under the Terrorism Suppression Act 2002 freezes the New Zealand assets of a terrorist entity, and makes it a criminal offence to participate in or support specific activities of that entity. This includes dealing with the terrorist entity's property or making property or financial services available to them. Designation is also designed to prevent the entity providing knowledge

ⁱ The Terrorist Designations Working Group (TDWG) is a multi-agency working group consisting of New Zealand Police (Chair), Ministry of Foreign Affairs and Trade, New Zealand Security Intelligence Service (currently represented by the Combined Threat Assessment Group), the New Zealand Defence Force, Crown Law, and the Department of the Prime Minister and Cabinet (represented by the National Assessments Bureau and National Security Policy Directorate). TDWG is responsible for the process to make a case for the Prime Minister to exercise their statutory power to designate a non-United Nations listed terrorist entity as a terrorist entity and maintain the list of entities listed by the United Nations as terrorist entities for New Zealand purposes.

ⁱⁱ As per the wording of the Terrorism Suppression Act 2002, the Prime Minister must undertake a periodic review to determine whether the designation is no longer justified, and if not justified, the designation must be revoked (s35D(2) TSA), e.g., whether the effects of the designation remain justified or are no longer justified.

ⁱⁱⁱ This date is set by the Cabinet paper [CAB-MIN-23-01780].

about, promoting, or encouraging terrorist acts. A broader effect of designation is that it can restrict access to the entity's terrorist material.

9. In determining whether the effects of designation are no longer justified, the Prime Minister can consider any relevant information for the purposes of the review about:
 - a. the behaviours and actions of the designated entity
 - b. the behaviours and actions of individuals or groups associated with, or who support the actions of, the designated entity, who are or may be directly affected by the designation
 - c. the enduring impact of the designated entity's acts
 - d. any wider effects of the designation that may have relevance for the prevention or suppression of terrorism, such as on New Zealand's international obligations, or the access to and circulation of terrorist material.
10. The Prime Minister must consider any information provided by the entity and a third party and may take into account any other relevant information.

PERIODIC REVIEW OF DESIGNATION OF BRENTON TARRANT

11. The TDWG, on behalf of the Prime Minister, commenced the periodic review of the entity's designation in May 2023. This content of the review is withheld under sections including s.6(a), s.6(b), s.6(c), and S.6(d) of the OIA.

CONCLUSION

12. The effects of designation of the entity stated below remain necessary or desirable for the prevention and suppression of terrorism.
13. Over the last three years, the entity has continuously demonstrated behaviour and actions that show he remains clearly and consistently committed to his ideology. Information received shows that his actions continued to influence the radicalisation of groups and individuals both domestically and internationally, and to inspire others.
14. Where not covered by the Corrections Act, designation as a terrorist entity has restricted his ability to receive material support, including funds, from others and to distribute material. This has therefore restricted his ability to actively promote his actions and inspire and teach others outside his imprisonment. Designation has also prevented the provision of materials previously owned by the entity to others. This has managed the risk that supporters of his ideology would use these materials as an avenue for further promotion or glorification of the entity and his acts.
15. Designation has provided certainty to media companies of the status of the entity and has provided justification for these companies to remove and block the entity's content or content relating to the entity. While the objectionable classification of the livestream video and manifesto makes it illegal to possess or share that content in New Zealand, designation as a terrorist entity is likely to incentivise social media platforms to remove and block the content outside of the New Zealand jurisdiction. If the entity was no longer designated, content of the entity's acts and related content glorifying the entity and his acts would likely be more easily available in places where our objectionable classification does not hold jurisdiction.
16. Designation supports a safer international security environment. This includes supporting international efforts to prevent and suppress terrorism through coordinating with New Zealand's close and likeminded partners to address the entity's ongoing influence and the availability and use of material related to his acts. The international jurisdictions who provided information noted the international influence that the entity maintains. New Zealand's close and likeminded security

partners expressed strong support for continued designation of this entity and cited the influence that the individual continues to have in extremist circles.