

The following documents released under OIA Act include:

- Meeting notes dated 18 March 2019 and 22 March 2019
- Classification Database Application (CDA) – outline page
- Classification register page, Christchurch Mosque Attack Livestream
- Classification Database Application (CDA) – outline page
- Classification register page, The Great Replacement
- Emails



Meeting	Office of Film and Literature Classification (OFLC) Internal
Time and date	10:30 –11:30 pm, Monday 18 March 2019
Attendees	David Shanks, Jared Mullen, s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a) s9(2)(a)
Subject	Christchurch Mosque Shooting Video – Decision and Next Steps

Background

Discussion of decision in relation to the Christchurch Mosque Shooting video.

This video has been called in by DS under s13(3) of FVPCA, and a copy of it has been provided by DIA.

Decision

DS (Chief Censor), JM (Deputy Chief Censor), and EB (Senior Classification Advisor) had all viewed the video in its entirety. All agreed that the Christchurch Mosque Shooting video was **objectionable** under the FVPCA. In coming to this view, each drew on their experience in classifying publications of this type, including video recordings of real-life violence and terrorist promotional publications previously submitted to the Office.

In particular, all noted that the video under consideration activated s 3(2)(f) and also s 3(3)(d) of the FVPCA.

Matters to be taken into consideration under s 3(4) (including the dominant effect of the publication, the purpose for which the publication is intended to be used and other relevant circumstances) also support this decision.

In making this decision, the rights to freedom of expression, and the freedom to seek, receive, and impart information and opinions protected under section 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) were considered, together with the fact that under s5 of the NZBORA, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". An objectionable classification for this video is considered to be a demonstrably justified limit on the freedom of expression in this case.

Actions

DIA, Police and other agencies to be advised of classification decision to assist with their response.

Full written notice of this Decision pursuant to s 38 FVPCA to be drafted and provided to DIA and made publicly available (time frame – likely a few days).

Internal logging and recording of communications to date and entry into Office CDA system.



Meeting	Office of Film and Literature Classification (OFLC) Internal
Time and date	9:15 – 10:15 am, Friday 22 March 2019
Attendees	David Shanks (DS), Jared Mullen (JM), s9(2)(a) (EB), s9(2)(a) (SA), s9(2)(a) (HT), s9(2)(a) (MM)
Subject	<i>The Great Replacement</i> – Decision and Next Steps

Background

Discussion of decision in relation to *The Great Replacement* Text File.

This text file has been called in by DS under s 13(3) of FVPCA, and a copy of it has been provided by DIA.

Decision

DS (Chief Censor), JM (Deputy Chief Censor), EB (Senior Classification Advisor), HT (Senior Information Unit Advisor), MM (Classification Advisor) and SA (Acting Communications Manager) had all read the publication in its entirety in hard copy format. All agreed that *The Great Replacement* document was **objectionable** under the FVPCA. In coming to this view, each drew on their experience in classifying publications of this type, including other promotional terrorist publications previously submitted to the Office. The attendees also paid particular attention to the context in which this publication was created, and its association with a specific terrorist atrocity carried out by the reported author.

In coming to the decision, all agreed that the publication met the threshold of the subject matter gateway as it dealt with matters of crime, violence and cruelty. Specifically it promoted, encouraged and justified illegal acts of violence against specific groups of people in New Zealand, and other Western countries and territories. Cruelty was evident in the deliberate targeting of children and young people. The publication also encouraged acts of fatal violence against specific individuals.

Consideration was given to whether the publication warranted application of s 3(2)(f) of the FVPCA and all present agreed that there was not enough specific detail in the content to meet the high threshold of promoting or supporting, or tending to promote or support, acts of torture or the infliction of extreme violence or extreme cruelty.

All agreed that the publication would be more appropriately considered under s 3(3)(d). The publication is undeniably promotional and encouraging of terrorism given its direct association with an actual terrorist atrocity carried out by its reported author. It contains both general and specific targets along with some instructional elements. The publication will be highly appealing to individuals that hold specific beliefs, and it may well encourage them to emulate the violence carried out by the reported author which it strongly promotes.



Additional matters taken into consideration under s 3(4) (including the dominant effect of the publication, the purpose for which the publication is intended to be used and other relevant circumstances) also support this decision.

The attendees also considered specific parties that would be interested in the publication given its significant public interest – for example journalists and researchers. These parties will be able gain access to the publication through s 44 of the FVPCA which allows exemptions to be granted for publications that are considered objectionable. The Classification Office will endeavour to streamline this process.

In making this decision, the rights to freedom of expression, and the freedom to seek, receive, and impart information and opinions protected under section 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) were considered, together with the fact that under s 5 of the NZBORA, this freedom is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society". An objectionable classification for this publication is considered to be a demonstrably justified limit on the freedom of expression in this case.

Actions

Press statement outlining classification of this publication to be crafted by s9(2)(a) David. This is expected to be released on Saturday 23/3/2019. DIA, Police and other agencies to be advised of classification decision to assist with their response.

Register page for the decision to be crafted by s9(2)(a) – to be available in association with the press statement.

Full written notice of this Decision pursuant to s 38 FVPCA to be drafted and provided to DIA and made publicly available (time frame – likely to be several days).

Exemption process/paperwork for academics and media to be crafted by s9(2)(a)

Publication Outline for Christchurch Mosque Attack Livestream

Print Summary

Add Recon

Publication Number: 1900148.000

* Publication Title: Christchurch Mosque Attack Livestream

Other Known Titles:

* Submission Channel: s13(3)

* Medium:

Video File

Language:

Abkhazian
Afar
Afrikaans
Albanian

Add >>
<< Remove

English

Country of Origin:

Afghanistan
Albania
Algeria
American Samoa

Add >>
<< Remove

Aotearoa New Zealand

Film Festival Name:

CRN:

Date of Court Order:

Publication Status: Complete

Assigned To:

Examination Transcript No: 726 pg 186

ISBN:

Record Source: CDA

File Notes

Remove Print Add

Select

Date:

Created By:

File Note:

27/03/2019 s9(2)(a)

Publication originally registered 25 March. It was unregistered and re-registered on 27 March 2019 to correct an error on the Register page regarding the other known title

Fee Details

Corrigendum Details

Upload Document

Browse...

Upload

Call In correspondence with DIA 17 Mar '19.pdf

Publish Document?

Delete

190318 Note of Meeting and Decision - Christchurch Mosque Shooting Video.pdf

Publish Document?

1900148 Interim Register Page.pdf

Publish Document?



Save

Reset



CLASSIFICATION OFFICE DECISION

Title of publication: Christchurch Mosque Attack Livestream

Other known title(s): Not stated

OFLC ref: 1900148.000

Medium: Video File

Creator: Not stated

Country of origin: Aotearoa New Zealand

Language: English

Applicant: Chief Censor

Classification:	Objectionable.
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Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 27 March 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 18 March 2019

	Components	Running time
Feature(s):	Christchurch Mosque Attack Livestream	16:55
Total running time:		16:55

Summary of reasons for decision:

The Chief Censor called in this video file for classification on 17 March 2019 under s 13(3) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The Chief Censor, Deputy Chief Censor and a Senior Classification Advisor have examined the video in its entirety and concluded that the Christchurch Mosque Shooting video is objectionable. In coming to this view, each drew on their experience in classifying publications of this type, including video recordings of real-life violence, war atrocities and terrorist promotional publications previously submitted to the Office. The video is deemed objectionable under s 3(2)(f) of the FVPC Act because it promotes and supports extreme violence and cruelty. Even if it were not deemed objectionable under that section, it would be objectionable under s 3(3)(d) of the FVPC Act due to the extent and degree to which, and the

manner in which it promotes and encourages acts of terrorism. Matters taken into consideration under s 3(4) (including the dominant effect of the publication, the intended audience, the purpose for which the publication is intended to be used and other relevant circumstances) also support this decision. In making this decision, the right to freedom of expression, that is to seek, receive, and impart information and opinions protected under s 14 of the New Zealand Bill of Rights Act 1990 (NZBORA) was considered, together with the fact that under s 5 of the NZBORA this freedom is subject “only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”. An objectionable classification for this video is considered to be a demonstrably justified limit on that freedom in this case due to the high likelihood of injury to the public good from the video’s continued availability.

Publication Outline for The Great Replacement

Print Summary

Add Recon

Publication Number: 1900149.000

* Publication Title: The Great Replacement

Other Known Titles: The Great Replacement Manifesto

* Submission Channel: s13(3)

* Medium:

Text File

Language:

Bhutani
Bihari
Bislama
Bosnian

Add >>

<< Remove

English

Country of Origin:

Afghanistan
Albania
Algeria
American Samoa

Add >>

<< Remove

Aotearoa New Zealand

Film Festival Name:

Add

CRN:

Date of Court Order:

Publication Status:

Complete

Assigned To:

Examination Transcript No:

ISBN:

Record Source: CDA

File Notes

Remove

Print

Add

Select

Date:

Created By:

File Note:

Fee Details

Corrigendum Details

Upload Document

Call In correspondence with DIA 17 Mar '19.pdf



Publish Document?

190318 Note of Meeting and Decision - Christchurch Mosque Shooting Video.pdf



Publish Document?

220319 Note of Meeting and Decision - The Great Replacement.pdf



Publish Document?



Reset

CLASSIFICATION OFFICE DECISION

Title of publication: The Great Replacement
Other known title(s): The Great Replacement Manifesto
OFLC ref: 1900148.000
Medium: Text File
Country of origin: New Zealand
Language: English
Applicant: Chief Censor

Classification:	Objectionable.
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Excisions: No excisions recommended
Descriptive note: None
Display conditions: None
Date of entry in Register: 22 March 2019
Date of direction to issue a label: No direction to issue a label has been issued
Date of notice of decision: No notice of decision has been issued

Summary of reasons for decision:

The Chief Censor called in this publication for classification on 17 March 2019 under s13(3) of the Films, Videos and Publications Classification Act 1993 (FVPC Act). The Chief Censor, Deputy Chief Censor and a team of Senior Advisors examined the publication in its entirety and concluded that 'The Great Replacement' is an objectionable publication. In coming to this conclusion, each drew on their experience of classifying publications of this type, including terrorist promotional material previously submitted to the Office. The publication is classified as objectionable under s3(3)(d) of the FVPC Act due to the extent and degree to which, and the manner in which it promotes and encourages acts of crime and terrorism. Matters taken into consideration under s3(4) of that Act (including the dominant effect of the publication, the intended audience, the purpose for which the publication is intended to be used and other relevant circumstances) also support this decision. We have had regard for our responsibility to uphold the freedom to seek, receive, and impart information and opinions protected under s14 of the New Zealand Bill of Rights Act 1990 (NZBORA) and taken into account s5 of the NZBORA, that freedom of expression is subject "only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society".

The publication exhorts its readers to violent action, mass murder, the murder of children, and contains some specific instructional elements. The decision to classify the publication as objectionable is consistent with the Office's previous decisions on terrorist propaganda, as it is intended to be similarly persuasive for those vulnerable to radicalisation. For these reasons its unrestricted or restricted availability is highly likely to be injurious to the public good. An objectionable classification for this publication is considered to be a demonstrably justified limit on the right to freedom of expression in this case.

From: s9(2) [mailto:s9(2)(a)@dia.govt.nz]
Sent: Sunday, 17 March 2019 4:51 PM
To: David Shanks <David.Shanks@classificationoffice.govt.nz>; Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Cc: Jolene Armadoros <Jolene.Armadoros@dia.govt.nz>; Tim Houston <Tim.Houston@dia.govt.nz>
Subject: RE: Christchurch Mosque shooting and manifesto "The Great Replacement"

Hi David,

Thanks for your email and as discussed will withdraw the notification under S13(1) in lieu of this email.

Thanks

s9(2)

From: David Shanks [mailto:David.Shanks@classificationoffice.govt.nz]
Sent: Sunday, 17 March 2019 4:29 p.m.
To: s9(2); Jared Mullen
Cc: Jolene Armadoros; Tim Houston
Subject: RE: Christchurch Mosque shooting and manifesto "The Great Replacement"

Kia ora s9(2)

Thanks for this.

As discussed last night, I was reviewing the Act to determine the best pathway to obtain a classification for this material as soon as possible.

I determined that the likely best avenue was for me to call both the video and manifesto publications in by my own motion under s13(3).

I believe that that pathway presents a potentially faster classification pathway in circumstances where the public interest in a quick classification is high, and where the identity of interested parties may be unclear. Those factors are absolutely in play in the current circumstance.

Please accordingly accept this mail as my notification to the Secretary pursuant to s13(3) that I call in the Christchurch mosque shooting video and the manifesto "The Great Replacement" under s13(3) – the construction of that section also requires that I direct the Secretary to take all reasonable steps to obtain copies of these publications and submit them to my Office – however I note that in this instance I consider that duty has been discharged by the provision of the copies already provided.

I will assume on the basis of the above that the s13 notifications provided are withdrawn by consent, however if you have any concerns about this whatsoever please do not hesitate to contact me directly to discuss and resolve these.

In terms of moving to officially classify these publications we will now be seeking to move as quickly as possible, while staying cognisant of any material analysis by yourselves or by enforcement authorities. There are some particular details (for example regarding the wording appearing on the gunman's weapons in the video) that I or one of my people may well be in touch about.

Many thanks.

Ngā mihi,

David



David Shanks | *Chief Censor*

Office of Film and Literature Classification

Te Tari Whakarōpū Tukuata, Tuhituhinga

s9(2)(a) | www.classificationoffice.govt.nz

Follow us on [Facebook](#) and [Twitter](#)

From: s9(2) [mailto:s9(2)(a)@dia.govt.nz]

Sent: Saturday, 16 March 2019 4:29 PM

To: David Shanks <David.Shanks@classificationoffice.govt.nz>; Jared Mullen

<Jared.Mullen@classificationoffice.govt.nz>

Cc: Jolene Armadoros <Jolene.Armadoros@dia.govt.nz>; Tim Houston <Tim.Houston@dia.govt.nz>

Subject: Christchurch Mosque shooting and manifesto "The Great Replacement"

Hi David and Jared,

Attached are the formal S13 notifications for the Christchurch mosque shooting video and manifesto "The Great Replacement".

David - I will send the password for the zip file by text.

The version of the manifesto was obtained from s6(c) which is now taken down. The other location for the manifesto

s6(c)

but is also now not available. This version was in an embedded PDF version however was problematic in securing.

Regarding the video the version Tim provided was obtained from the s6(c). I also obtained an earlier version from the website s6(c) - @4.04pm on 15.03.19. I believe both versions of the video are exactly the same.

Let me know if you need any further information.

In terms of the owner of the content, we have yet to receive formal verified information the person charged with Murder at the Christchurch District court this produced this publication.

As usual let us know if you require any further information.

Regards,

s9(2)(a)



s9(2) | Senior Investigator | Censorship
Department of Internal Affairs | Te Tari **s9(2)(a)**

(a) [Redacted]

s9(2) [Redacted]

a
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[Redacted]

[Redacted]

[Redacted]

s9(2)(a)

From: s9(2)(a)
Sent: Monday, 18 March 2019 12:03 p.m.
To: 'Richard Ninness'; 'jason.hewett@parliament.govt.nz'
Subject: Media queries - update

Hi both,

Just to make you aware, we have replied to media queries with the below, and will put a statement on the website this afternoon which sets out a bit more detail around the process. David is attending a meeting with other agencies at 2pm and we'll wait to ensure nothing new comes out of that before we post our statement. In the meantime, the Chief Censor has now officially deemed the video objectionable.

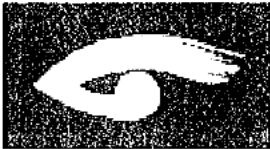
*David is likely to appear on the AM Show tomorrow morning.

Important to note that the 'manifesto' will be examined separately from the video, so the determination does not apply to both.

Holding statement for media:

We can confirm the Chief Censor has determined this video is objectionable material as defined by the Films, Videos and Publications Act 1993.

A statement with more information will follow later today.



s9(2)(a) | *Acting Communications Manager*

Office of Film and Literature Classification

Te Tari Whakarōpū Tukuata, Tuhituhinga

s9(2)(a) | www.classificationoffice.govt.nz

s9(2)(a)

From: s9(2)(a)
Sent: Monday, 18 March 2019 2:34 p.m.
To: s9(2)(a); s9(2)(a)
Subject: Media interest

Hi both,

You may well be in the multi-agency meeting currently, but just letting you know that we are working on a statement for this afternoon, just confirming the full video has been officially classified objectionable and setting out some information re the process, including the full 'decision' to be reported within a few days. Note: Media are asking for that decision.

Important to note the 'manifesto' is to be examined separately.

We are likely to confirm a request for David to appear on the AM Show tomorrow. Largely this is a 'news you can use' approach around what is objectionable, what are the rules, how to manage harm etc

Will keep you posted.

s9
(2
)
(a)



s9(2)(a) | *Acting Communications Manager*
Office of Film and Literature Classification
Te Tari Whakarōpū Tukuata, Tuhituhinga
s9(2)(a) | www.classificationoffice.govt.nz

From: s9(2)(a)
Sent: Monday, 18 March 2019 4:50 p.m.
To: 'Richard Ninness'; 'jason.hewett@parliament.govt.nz'
Subject: PR - going soon

Hi chaps,

The basis of the statement going out shortly...with links to resources. David on AM show 0650 tomorrow.

Christchurch shooting video officially objectionable

Chief Censor David Shanks has officially classified the full 17 minute video of the fatal Christchurch shootings which occurred on Friday 15 March, as objectionable.

The footage, examined under the Films, Videos & Publications Act 1993, is deemed objectionable because of its depiction and promoting of extreme violence and terrorism.

"I took the step of 'calling in' this video over the weekend as a mechanism to fast-track the classification process," says Mr Shanks.

Mr Shanks says the video contains exceedingly graphic real life images, which could cause significant harm to those who view it, especially for victims and their families.

An urgent process is currently underway to finalise a detailed report of the Chief Censor's decision, this will be released within days.

It is illegal for anyone in New Zealand to view, possess or distribute this material in any form, including via social media platforms.

"We're aware that for a time after the attacks, this video was widely available on social media and many New Zealanders saw it, sometimes without meaning to".

"Its important people are now clear they should not view, download or share the video", says Mr Shanks."

Our priority is to mitigate the harm caused by this material to the New Zealand public, and in particular to the families and loved ones of those who lost their lives in the Christchurch terror attacks.

Associated with the video, it should be noted that a lengthy 'manifesto' document is being examined separately from the video footage and will take more time to consider.

There are resources to help those affected by viewing the footage and parents concerned about children and young people having viewed the video.

Resources:



s9(2)(a) | *Acting Communications Manager*

Office of Film and Literature Classification

Te Tari Whakarōpū Tukuata, Tuhituhinga

s9(2)(a) | www.classificationoffice.govt.nz

From: s9(2)(a)
Sent: Monday, 18 March 2019 4:51 p.m.
To: 's9(2)(a)'; 's9(2)(a)'; 'Emergencyresponse@dia.govt.nz'; 'Media@dia.govt.nz'
Subject: OFLC statement

Hi all,

Just note the following going out shortly (formatted), with links to resources including DIA's .

Christchurch shooting video officially objectionable

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Resources:



s9(2)(a) | *Acting Communications Manager*

Office of Film and Literature Classification

Te Tari Whakarōpū Tukuata, Tuhiuhinga

s9(2)(a) | www.classificationoffice.govt.nz

From: s9(2)(a) [mailto:s9(2)(a)@classificationoffice.govt.nz]
Sent: Tuesday, 19 March 2019 4:24 a.m.
To: David Shanks <David.Shanks@classificationoffice.govt.nz>
Subject: Useful reading pre-interview

You may have already read, but a solid contextual discussion regarding the terrorist 'press kit' footage & manifesto:

<https://www.theatlantic.com/ideas/archive/2019/03/extremists-understand-what-tech-platforms-have-built/585136/>

And a deep dive into the meta-text of the manifesto, from journalists familiar with ideological extremists & internet edgelords:

<https://www.theatlantic.com/ideas/archive/2019/03/new-zealand-shooters-manifesto-will-continue-spread/585085/>

s6(c)

Thought a read over morning coffee might come in handy before the AM Show.

Aware s9(a) ran you through a mock interview last night so you two should have all the curly questions covered! You'll smash it.

E

Sent from my iPhone

s9(2)(a)

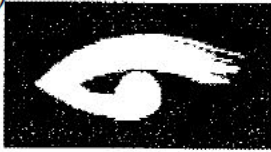
From: s9(2)(a)
Sent: Wednesday, 20 March 2019 4:10 p.m.
To: 'Richard Ninness'; 'jason.hewett@parliament.govt.nz'
Subject: statement - Chief Censor
Attachments: PR.Guidance from Chief Censor.docx

Hi both,

To answer multiple media and public queries, we're putting out this statement in the next hour. DIA aware and comfortable.

Getting a few queries on manifesto - more attention may go there soon.

s9
(2)
(a)



s9(2)(a) | *Acting Communications Manager*

Office of Film and Literature Classification

Te Tari Whakarōpū Tukuata, Tuhituhinga

s9(2)(a) | www.classificationoffice.govt.nz

Guidance from Chief Censor

Chief Censor David Shanks is providing more guidance regarding the 17 minute video of the fatal Christchurch shootings, which has been classified objectionable.

Some members of the public and the media are now seeking clarification on what that decision means for edited clips and still images taken from the video.

There are also concerns being raised around the potential for criminal charges against people who viewed or forwarded on the video during the period that it was widely available on various forums in the hours after the attack.

“While we do not have the numbers yet, it is clear that this video was ‘pushed’ to many innocent New Zealanders by various apps. We have had reports that it also ‘auto-played’ for some people who did not even know what it was,” says Mr Shanks.

“The video will also have been likely passed on by people in the immediate aftermath, before they had any opportunity to reflect on what it was and what impact it might have on people.”

It is now clearer as to what this video is, and its legal status has been determined.

Mr Shanks says it is a record of a terrorist atrocity, specifically produced for the purpose of promoting a hateful terrorist agenda. It has almost certainly been harmful to many who have viewed it, and will likely continue to cause harm.

“Enforcement around objectionable material is a primary responsibility of the Department of Internal Affairs, and I have discussed with them the need for a balanced approach to enforcement in this case.”

“I don’t think New Zealanders innocently caught up in the social media storm following these horrific events need to be concerned. The enforcement focus will likely be on those actively and maliciously involved in spreading this material, and taking actions such as deliberately distorting it to avoid blocks and detection software,” says Mr Shanks.

“Every New Zealander should now be clear that this clip is an illegal, harmful and reprehensible record created to promote a terrorist cause. If you have a record of it, you must delete it. If you see it, you should report it. Possessing or distributing it is illegal, and only supports a criminal agenda.”

In terms of excerpts or stills taken from the video, Shanks noted that the classification of the complete video set did not automatically mean that any image or short extract from it was also objectionable.

“However it is very important for people to be aware that any edited clips, screenshots or still images taken from the full video, that depict scenes of violence, injury or death, or that promote terrorism, may well also be objectionable,” says Chief Censor David Shanks.

Shanks noted that given the horrific circumstances of this attack, and the clear deliberate strategy to use media to disseminate a terrorist message, news media

and all New Zealanders needed to carefully consider the impact of sharing, broadcasting or publishing any part of this video.

“New Zealand’s news organisations have needed to make ethical judgements about what images they broadcast and print, and I think there is growing awareness about the potential impacts and harms of some of this material, and the need to balance this with the public’s right to information.”

In particular, I’m thinking here of survivors of the attack, victim’s families and friends, those in the Muslim community, those affected in Christchurch and others who have already been traumatised by the attacks last Friday,” says Mr Shanks.

“The bottom line is that even if something isn’t illegal, it may still cause harm to others and we all have a responsibility as citizens to consider that”, says Mr Shanks.

From: David Shanks

Sent: Thursday, 21 March 2019 8:35 PM

To: s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz>

Cc: Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>; s9(2)(a)

<s9(2)(a)@classificationoffice.govt.nz>; s9(2)(a)

<s9(2)(a)@classificationoffice.govt.nz>

Subject: Re: Manifesto

Highly relevant and useful.

We could consider citing this reference.

Thanks s9(2)(a) !
(a)

Sent from my iPhone

On 21/03/2019, at 8:22 PM, s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz> wrote:

Some food for thought (see attached, sorry for quality). Interesting how the very, very specific context of this manifesto and it's dissemination reflect the idea of 'dangerous speech' over and above simply being 'hate speech'. The distinction is important.

H

<Screenshot_20190321-200512_Google Play Books.jpg>

other two? Was violence also likely and imminent?

An appeal court noted that the demonstration was not itself violent and reduced the prison terms on the grounds that 'this case falls at the lower end of the range of conduct that is capable of amounting to soliciting to murder'.²¹ Should those British judges have gone further, sticking closer to the principles embodied in America's Brandenburg test? Or does a generalised threat of violence which we know may later be converted into real acts of murder—at an unknown time and by perpetrators as yet unknown—justify a more generalised kind of deterrence?

DANGEROUS SPEECH

The American analyst Susan Benesch has developed a set of five guidelines for determining when hate speech becomes dangerous speech.²² Her first three guidelines, which build on Aristotle's analysis of the three dimensions of rhetoric, are 'a powerful speaker with a high degree of influence over the audience', 'a vulnerable, impressionable audience, with grievances and fear that the speaker can cultivate' and 'a speech act that is clearly understood as a call to violence'. She adds two more: 'a social or historical context that is propitious for violence' and 'a means of dissemination that is influential in itself, for example because it is the sole or primary source of news for the relevant audience'. The last element—the means of dissemination—is the one that has been transformed in our time. Aristotle did not have to worry about the worldwide impact of a YouTube video.

Sometimes the causal connection between hateful things expressed and atrocities committed seems relatively clear.

For example, see a study of the mass murder of Tutsis (and of

s9(2)(a)

From: s9(2)(a)
Sent: Saturday, 23 March 2019 11:42 a.m.
To: 'Richard Ninness'; 'jason.hewett@parliament.govt.nz'
Subject: PR. Christchurch attack publication 'The Great Replacement' classified objectionable
Attachments: PR. Christchurch attack publication 'The Great Replacement' classified objectionable.docx

Hi guys,

This statement will be going out shortly – note a range of links will be added to the bottom – where to report etc.

Give me a call any questions.

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23 March 2019

PRESS STATEMENT

Christchurch Attack Publication 'The Great Replacement' classified objectionable

A publication reportedly written by the terrorist behind the fatal attacks in Christchurch, has been officially classified as objectionable.

"Others have referred to this publication as a 'manifesto', but I consider it a crude booklet that promotes murder and terrorism. It is objectionable under New Zealand law," says Chief Censor David Shanks.

The document, examined under the Films, Videos & Publications Classification Act 1993 (FVPCA), is deemed objectionable for a number of reasons.

"It promotes, encourages and justifies acts of murder and terrorist violence against identified groups of people," says Mr Shanks.

"It identifies specific places for potential attack in New Zealand, and refers to the means by which other types of attack may be carried out. It contains justifications for acts of tremendous cruelty, such as the deliberate killing of children."

"We have dealt with terrorist promotional material before which was deliberately designed to inspire, encourage and instruct other like-minded individuals to carry out further attacks. For example we have found a number of ISIS publications to be objectionable in previous decisions. This publication falls in the same category."

An objectionable classification for this publication is considered to be a justifiable limit on freedom of expression under the Bill of Rights Act in this case.

"There is an important distinction to be made between 'hate speech', which may be rejected by many right-thinking people but which is legal to express, and this type of publication, which is deliberately constructed to inspire further murder and terrorism," says Mr Shanks.

"It crosses the line."

It is recognised that the publication has been widely reported on over the past week, with many media outlets publishing commentary on it, and sometimes providing links to it or downloadable copies. Many New Zealanders may have read it, possibly seeking answers for why this dreadful atrocity took place.

Most people reading the publication will not be harmed by it. "Most New Zealanders who have read this will simply find it repellent. But most New Zealanders are not the target audience. It is aimed at a small group who may be receptive to its hateful, racist and violent ideology, and who may be inspired to follow the example set by its apparent author."

It is an offence to possess or distribute an objectionable publication. People who have downloaded this document, or printed it, should destroy any copies.

Those engaged in further reporting on the Christchurch attack may be tempted to consider the use of quotes from the publication that have already been used in other media reports.

“That use of excerpts in media reports may not in itself amount to a breach of the FVPCA, but ethical considerations will certainly apply,” said Shanks.

“Real care needs to be taken around reporting on this publication, given that widespread media reporting on this material was clearly what the author was banking on, in order to spread their message.”

“We also appreciate that there will be a range of people, including reporters, researchers and academics, who will be in possession of the publication for a range of legitimate purposes, including education, analysis and in-depth reporting. Those individuals can apply for exemptions, so they can legitimately access and hold a copy.”

Information on this process can be found [here](#).

“New Zealanders can all play a part in denying those who exhort hatred, killing and terror. If you have a copy of this publication, delete or destroy it. If you see it, report it. Do not support the murderous objectives of its author by republishing or distributing it.”

For further information:

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Acting Communications Manager

Office of Film & Literature Classification

Phone s9(2)(a)

s9@classificationoffice.govt.nz

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From: s9(2)(a)
Sent: Monday, 25 March 2019 9:13 a.m.
To: David Shanks <David.Shanks@classificationoffice.govt.nz>; s9(2)(a)
<s9(2)(a)@classificationoffice.govt.nz>; Jared Mullen
<Jared.Mullen@classificationoffice.govt.nz>; s9(2)(a)
<s9(2)(a)@classificationoffice.govt.nz>; s9(2)(a) <s9(2)(a)
<s9(2)(a)@classificationoffice.govt.nz>
Cc: s9(2)(a) s9(2)(a) >
Subject: Interesting intl article on the 'manifesto'

An excellent discussion on the video & 'manifesto' with JM Berger, an expert in extremism and extremist propoganda:

<https://www.vox.com/2019/3/18/18267682/new-zealand-christchurch-shooter-manifesto-online-extremism>

"What we don't want to do is let this guy's talking points play out in the 24/7 news cycle... we really have to take care about how we handle things in the mainstream media. I think we, painfully and slowly, learned how to deal with ISIS and al-Qaeda propaganda - that we could report on what they were doing without giving them a platform for everything. Without giving them a platform for saying the exact talking points that they want. We find ways to contextualize it and try and present the truth on the ground without letting them write their own press releases."

Ngā mihi,

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From: s9(2)(a)
Sent: Wednesday, 27 March 2019 4:28 p.m.
To: David Shanks <David.Shanks@classificationoffice.govt.nz>; Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Cc: s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz>; s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz>
Subject: FW: 'Manifesto' Analysis

Great quote:

“It took governments and the tech sector years to address ISIS’ recruitment boom on social media. Today, we’re seeing the same blunder when it comes to white supremacist communities. Thus, as we mourn for the victims of Christchurch and their families, diminishing extremists’ capacity online should be just as much a preventative focus as any other social or legislative measures to come.”
- White Supremacists and Jihadists Feed Off Each Other [Daily Beast]

From: s9(2)(a)
Sent: Wednesday, 27 March 2019 3:49 p.m.
To: David Shanks <David.Shanks@classificationoffice.govt.nz>; Jared Mullen <Jared.Mullen@classificationoffice.govt.nz>
Cc: s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz>; s9(2)(a) <s9(2)(a)@classificationoffice.govt.nz>
Subject: 'Manifesto' Analysis

You may have already read these, but they provide great breakdowns of the complexities and subterfuge of the document, and impact of its release online.

<https://www.dailydot.com/layer8/8chan-christchurch-mosque-shooter-gamergate/>
<https://www.vox.com/culture/2019/3/16/18266930/christchurch-shooter-manifesto-memes-subscribe-to-pewdiepie>

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<https://www.washingtonpost.com/amphhtml/technology/2019/03/22/chan-looks-like-terrorist-recruiting-site-after-new-zealand-shooting-should-government-treat-it-like-one/>
https://www.nytimes.com/2019/03/15/technology/facebook-youtube-christchurch-shooting.html?rref=collection%2Fbyline%2Fkevin-roose&action=click&contentCollection=undefined®ion=stream&module=stream_unit&version=latest&contentPlacement=3&pgtype=collection

Ngā mihi,

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From: s9(2)(a)

Sent: Friday, 29 March 2019 11:56 a.m.

To: David Shanks <David.Shanks@classificationoffice.govt.nz>; Jared Mullen

<Jared.Mullen@classificationoffice.govt.nz>; s9(2)(a)

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<s9(2)(a)@classificationoffice.govt.nz>

Subject: Possible references for our decision write-up?

Again, you've probably already read, but this article has some brilliant quotes that directly support a lot of our decision reasoning:

<https://www.abc.net.au/news/2019-03-17/christchurch-shootings-brenton-tarrant-social-media-strategies/10908692>

"...like the Islamic State, Tarrant's manifesto used symbolism and coded language to paint a historical narrative about the victimisation of a specific people attempting to reclaim a lost glory...My first thought was that this is the white nationalist response to ISIS – he specifically creates a number of search areas for readers of his content to look further." – Benjamin Decker, research fellow at Harvard Kennedy, investigating online radicalisation of mass shooters and jihadists.

'The Christchurch shooter's manifesto also contained questions and answers the author conducted with himself and were reminiscent of the IS glossy English-language magazine Dabiq, who profiled one of the Brussels bombers in 2016.'

'Mr Decker said the first-person shooter angle, common in video games, used in the livestream of the attack, was commonly used in IS recruitment videos...it's a commonplace lens through which to witness violence, and was a central component of IS recruitment, particularly of westerners...'

'...while social media created 'echo chambers', research has shown about 85 per cent of people with those views had a real world contact with someone already involved' – Dr Debra Smith, researcher at Victoria University, Melbourne

'Mr Decker said the media should limit exposure time for the far-right in the same way they did for jihadists and warned the accused might use his trial to further disseminate a white supremacy agenda. "We should stop sharing screenshots or links to the shooter's own brand of recruitment propaganda," he said. "It further propagates his beliefs in the hope that he might inspire others – we, the media cannot allow him to bask in that glory and fulfil his ambitions."'

Cheers,

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