



17 May 2022



Ref: OIA-2021/22-1124

Dear

Official Information Act request relating to various National Security documents

Thank you for your Official Information Act 1982 (the Act) request received on 17 March 2022. You requested:

“The February 5, 2021 document “Briefing: Early Priorities for National Security and Intelligence Portfolio Meetings”

The May 3, 2021 document “Briefing: Royal Commission of Inquiry Response: Potential pathways to strengthen the Intelligence and Security Committee”

The July 22, 2021 document “Briefing: United States Domestic Terrorism Strategy”

The October 29, 2021 document “Briefing: Improving Reporting and Triaging/Response Systems for Concerning Behaviours, Cybercrime and Online Harms”

The November 16, 2021 Cabinet Paper “National Security Intelligence Priorities: 2021 Review”

The December 16, 2021 document “Briefing: Centre of Excellence for Preventing and Countering Violent Extremism”

On 31 March 2022 the part of your request for the Cabinet Paper *National Security Intelligence Priorities: 2021 Review* was transferred to the Minister for National Security and Intelligence for response.

On 13 April 2022 you were advised that the documents in the table below are withheld in full. The grounds under which this information is withheld are:

- section 9(2)(f)(iv) – to maintain the confidentiality of advice tendered by or to Ministers and officials; and
- section 9(2)(g)(i) – to maintain the effective conduct of public affairs through the free and frank expression of opinion.

Date	Number	Title
3 May 2021	2021NSP/073	Briefing: Royal Commission of inquiry Response: Potential Pathways to Strengthen the Intelligence and Security Committee
29 May 2021	2122NSP/065	Briefing: Improving Reporting and Triaging/Response Systems for Concerning Behaviours, Cybercrime and Online Harms

Date	Number	Title
15 December 2021	2122NSP/100 & 2122NSP/101	Briefing: Centre of Excellence for Preventing and Countering Violent Extremism.

The time frame for responding to the remainder of your request was extended under section 15A of the Act by 20 working days because consultations were needed before a decision could be made on the request. Following this extension, I am now in a position to respond.

I am releasing to you a copy of the Briefing *Early Priorities for National Security and Intelligence Portfolio Meetings*, dated 5 February 2021. Some information in this document has been withheld under the following sections of the Act:

- section 6(a) – to protect the security or defence of New Zealand or the international relations of the Government of New Zealand;
- section 9(2)(a) – to protect the privacy of individuals;
- section 9(2)(f)(iv) – to maintain the confidentiality of advice tendered by or to Ministers and officials; and
- section 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinion.

I have decided to withhold in full the briefing *United States Domestic Terrorism Strategy*, dated 22 July 2021, under section 6(a) of the Act, to protect the security or defence of New Zealand or the international relations of the Government of New Zealand.

In making my decision, I have taken the public interest considerations in section 9(1) of the Act into account.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Yours sincerely

Tony Lynch
Deputy Chief Executive
National Security Group



Briefing

EARLY PRIORITIES FOR NATIONAL SECURITY AND INTELLIGENCE PORTFOLIO MEETINGS

To Minister for National Security and Intelligence (Rt Hon Jacinda Ardern)

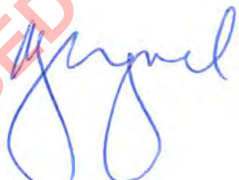
Date	5/02/2021	Priority	Routine
Deadline	15/02/2021	Briefing Number	2021NSP/023

Purpose

This briefing proposes initial priorities for the National Security and Intelligence portfolio, further to our Briefing to Incoming Minister. We invite you to indicate the topics you would like to prioritise in our early fortnightly meetings with you.

Recommendations

1. **Note** we have considered opportunities for enhancing the way in which we engage you on both strategic-level discussions and cross-system security issues within the National Security and Intelligence portfolio, and
2. **Indicate**, at Attachment A, the topics you would like to prioritise for engagement with officials.



Tony Lynch
Deputy Chief Executive
National Security Group

5.02
...../...../2021

Rt Hon Jacinda Ardern
Minister for National Security and
Intelligence

...../...../2021

Contact for telephone discussion if required:

Name	Position	Telephone		1st contact
Dan Eaton	Director, National Security Policy	DDI s9(2)(a)	Mobile	✓
Pip Swaney	Manager, Security and Intelligence Policy	s9(2)(a)		

Minister's office comments:

- Noted
- Seen
- Approved
- Needs change
- Withdrawn
- Not seen by Minister
- Overtaken by events
- Referred to

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

EARLY PRIORITIES FOR NATIONAL SECURITY AND INTELLIGENCE PORTFOLIO MEETINGS

Executive Summary

1. Our Briefing to Incoming Minister noted key areas of focus for the National Security and Intelligence portfolio within the first 100 days and options for shaping the future direction of the portfolio. We have also identified a range of opportunities for proactive engagement, utilising our fortnightly meetings with you.
2. Beginning with a discussion on your priorities for the portfolio, including those arising from the report of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019 (the Royal Commission report), and options for working with other ministers on matters of national security, we propose discussions on both system-level strategic guidance to the sector and on specific cross-sector security issues.
3. The system-level strategic guidance items include discussion on our work to review the overarching strategic policy settings for national security, reviewing the National Security and Intelligence Priorities (NSIPs) and improving their governance, and strengthening our risk-based approach to national security.
4. New Zealand's engagement in s6(a) [REDACTED] mis/disinformation, the national security implications of COVID-19 and National Security System budget coordination are all cross-sector security issues that would benefit from early discussion along with relevant portfolio ministers. We suggest an end-to-end demonstration of a national security incident response, showing how intelligence, operations and policy link together. You may also like to engage on the Defence Assessment 21 and meet with the new Inspector-General of Intelligence and Security (IGIS) and the members of the IGIS Advisory Panel.



Purpose

5. This briefing proposes initial priorities for the National Security and Intelligence portfolio, further to our Briefing to Incoming Minister. We ask you to indicate the topics you wish to prioritise in our early fortnightly meetings with you.

We have identified a range of opportunities for proactive engagement with the National Security and Intelligence portfolio

6. s9(2)(g)(i) [REDACTED]
7. The topics are a mix of system-level strategic guidance discussions, as well as specific cross-system security issue discussions. Topics not covered in our Briefing to Incoming Minister are outlined further below.
8. The system-level initiatives are at early stages of development and provide an opportunity for you to shape their future direction. The cross-system security issues are more developed and would benefit from discussion with other ministers to confirm next steps.

We would like to discuss your priorities for the portfolio, including how you would like to work with other ministers on matters of national security and intelligence

9. We suggest that our first meeting in 2021 focus on your priorities for the portfolio, including those that arise out of the report of the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019 (the Royal Commission report).
10. You are lead Minister for 11 of the national security recommendations arising from the Royal Commission report, including the establishment of a new National Intelligence and Security agency (see Attachment B). Implementing these recommendations will require a multi-year work programme, informed by a broader review of the overarching strategic policy settings for national security. We would like to discuss your priorities from within these recommendations as we develop that work programme, noting the budget bid you have submitted to secure resource for this work. It is also an opportunity to discuss the extent of public engagement you would like to undertake as these recommendations are progressed.
11. s9(2)(f)(iv)

12. s9(2)(f)(iv)

13. We also suggest an early meeting cover your priorities for the work programme of the Prime Minister's Special Representative for Cyber and Digital, including on the Christchurch Call. We can also provide an overview of work underway within the wider national security and intelligence portfolio.

There is opportunity for you to shape improvements in the way the national security and intelligence sector operates

14. We are developing several strategic-level initiatives to further enhance the way the national security and intelligence sector operates. These may address some issues raised by the Royal Commission report and therefore could be included as part of the government response to the report.

Review of overarching strategic policy settings for national security

15. As noted in our Briefing to Incoming Minister, prior to the release of the Royal Commission report we had commenced work to develop a more strategic approach to national security.

Now that the Government's response to the Royal Commission report will include a review of overarching strategic policy settings for national security, we would like to discuss what that could look like and the opportunities that exist through the review to support the national security and intelligence sector in long-term planning and forward-looking approaches.

Reviewing the National Security and Intelligence Priorities (NSIPs) and evolving the system

- 16. The NSIPs provide you an opportunity to govern what national security and intelligence agencies do, ensuring they focus on what the government of the day and people of New Zealand want, in line with our values and interests. These are also crucial for the agencies themselves, as these provide direction, and help set mandates and work programmes for the next two years.
- 17. Our Briefing to Incoming Minister noted that the two-yearly refresh of the NSIPs was due to be considered by Cabinet before the end of 2020, but that we intended delaying this to consider any implications arising from the Royal Commission report. While the report made no specific findings in relation to the NSIPs, the report does canvas the challenges faced in making collective, cohesive decisions about where agencies should concentrate effort, and recommends both public and parliamentary engagement in the setting of the priorities.

18. s6(a)



19. s9(2)(f)(iv)



Strengthening New Zealand's risk-based approach to national security

- 20. Taking a risk-based approach to national security means we can be better prepared for the biggest hazards and threats potentially facing New Zealanders. The last few years have highlighted the significant impact national security-related risks can have on our society when these play out (such as terrorism, communicable diseases, major cyber incidents, earthquakes and volcanic eruptions). The Royal Commission report highlighted the need for the Government to pursue greater commitment to transparency and engagement with New Zealanders on national security issues, so that everyone understands their roles and responsibilities in keeping New Zealand safe, secure and cohesive.

21. s9(2)(f)(iv)



22. s9(2)(f)(iv), s9(2)(g)(i)



s9(2)(f)(iv), s9(2)(g)(i)

There are several cross-sector security issues which would benefit from ministerial discussions to shape future direction

s6(a)

23. s6(a)

24.

25.

s6(a)

26. s6(a)

27.

¹s9(2)(f)(iv), s9(2)(g)(i)

National security issues associated with COVID-19

- 28. The COVID-19 global pandemic has created a new set of national security challenges – and exacerbated old ones – for New Zealand and our region. We suggest a meeting which discusses assessments of those challenges and potential responses to them^{s6(a)}
s6(a)

Demonstrating an end-to-end process in the National Security System

- 29. We propose one meeting be reserved for a range of agencies to give you, and relevant Ministers, a demonstration of an end-to-end process of incident response in the National Security System, using a cyber security example. This will show the link between intelligence, operations and policy.

National Security System Budget Coordination

- 30. Over recent years, the Security and Intelligence Board (SIB) and Hazard Risk Board (HRB) have resolved to create a more joined-up National Security System approach to budgets, as often this work affects multiple agencies and funding streams play out over more than a single budget cycle.^{s9(2)(g)(i)}
s9(2)(g)(i)

- 31. s9(2)(f)(iv)

- 32.

- 33. s9(2)(f)(iv)

Defence Assessment 2021

- 34. The Ministry of Defence is currently undertaking a Defence Assessment which is due to be completed in the first quarter of 2021. The Defence Assessment will consider New Zealand's strategic environment and the implications for our defence policy settings and will provide a basis for future analysis and decisions on force structure and capability, should Government choose to commission a Defence White Paper 2022.
- 35. Given the key elements of the strategic environment outlined in the assessment will also have implications for matters falling into the National Security and Intelligence Portfolio

and for the sector more broadly, we suggest one of our fortnightly meetings include the Minister of Defence to discuss the Defence Assessment.

Introductory meetings with the Inspector-General of Intelligence and Security (IGIS) and with the IGIS Advisory Panel

- 36. A key part of your role as Minister for National Security and Intelligence is providing strategic policy and legislative overview responsibilities for the intelligence and security agencies. As Prime Minister, you chair the Intelligence and Security Committee (ISC), which is an important component of the oversight regime for those agencies.
- 37. We suggest a meeting with Brendan Horsley, the new IGIS, before the first meeting of the ISC scheduled for 24 February (which will consider the IGIS annual report). His insights coming into the role on how oversight of the intelligence and security agencies could be strengthened, including potentially through greater engagement by the ISC, would be useful in informing future work.
- 38. We also suggest a separate meeting with the IGIS Advisory Panel members (Angela Foulkes, Chair and Lyn Provost) prior to the same ISC meeting. [REDACTED]
s9(2)(g)(i) [REDACTED]

Next steps

- 39. We invite you to indicate at Attachment A the priority you place on the proposed topics (and any additional we have not proposed) for our fortnightly National Security and Intelligence meetings when they resume a full schedule in 2021. We will then develop a forward calendar and prepare supporting materials for each meeting, as required.

Attachment:		
Attachment A:	RESTRICTED	Proposed topics for inclusion in fortnightly National Security and Intelligence portfolio meetings in 2021
Attachment B	UNCLASSIFIED	Summary of national security recommendations from the Royal Commission report you are lead minister for implementing

ATTACHMENT A

Proposed topics for inclusion in fortnightly National Security and Intelligence portfolio meetings in 2021

Topic	Related event/milestone/upcoming decision	Other Ministers/relevant ministerial portfolios	Please indicate the priority this topic should be given (High/Medium/Low)
<p>Portfolio priorities, including: <i>(likely to be split across over two meetings)</i></p> <ul style="list-style-type: none"> - Priorities for the portfolio, including those arising from the Royal Commission report, and engaging with other ministers on matters of national security and intelligence. - Priorities for work of the PM's Special Representative on Cyber and Digital. - Overview of additional work underway within the portfolio. 	<p>s9(2)(f)(iv)</p> <p>[Redacted]</p> <p>Direction on national security and counter-terrorism priorities arising from the Royal Commission report.</p> <p>Development of work programme for the PM's Special Representative (including Christchurch Call).</p>	<p>NSI only</p>	
<p>Review of national security strategic policy settings</p> <ul style="list-style-type: none"> - Discuss approach to this review, to be completed as part of the response to the Royal Commission report 	<p>Ministerial input into planned approach.</p>	<p>NSI only</p>	
<p>Reviewing the National Security and Intelligence Priorities and evolving the system</p> <ul style="list-style-type: none"> - s6(a), s9(2)(f)(iv) <p>[Redacted]</p>	<p>s6(a), s9(2)(f)(iv)</p> <p>[Redacted]</p>	<p>NSI only</p>	
<p>Strengthening the risk based approach to national security</p> <ul style="list-style-type: none"> - s9(2)(f)(iv) <p>[Redacted]</p>	<p>s9(2)(f)(iv)</p> <p>[Redacted]</p>	<p>NSI only</p>	
<p>s6(a)</p> <p>[Redacted]</p>			
<p>Strengthening New Zealand's resilience to mis/disinformation (as noted in separate briefing 2021NSP/031)</p> <ul style="list-style-type: none"> - Discuss advice on the coordination of, and development of a strategic framework for, strengthening New Zealand's resilience to mis/disinformation, including potential links to social cohesion work. 	<p>Ministerial discussion on development of the proposed strategic framework.</p>	<p>Education COVID-19 Response Health GCSB and NZSIS Broadcasting & Media Justice Internal Affairs Digital Economy and Communications</p>	

s6(a)			
<p>Counter Terrorism work programme (as noted in our BIM)</p> <ul style="list-style-type: none"> - Briefing on new CTAG annual national terrorism threat environment and outlook paper and revised threat level - Discussion on key elements of the CT work programme and progression of related Royal Commission recommendations. 	Public release of annual review of the national terrorism threat level.	NZSIS Police Justice Internal Affairs	
<p>National security issues associated with COVID-19</p> <ul style="list-style-type: none"> - Discussion of national security implications from COVID-19, including vaccine security (roll out, systems, and networks) 	Portfolio relevant issues associated with COVID-19.	COVID-19 Foreign Affairs	
<p>Cyber security policy issues: (as noted in our BIM)</p> <ul style="list-style-type: none"> - Discussion on how to progress policy work related to ensuring effective public safety and law enforcement in a digital age – including consideration of negotiating a CLOUD Act Executive Agreement with the US, encryption and public safety issues. - s6(a) 	Consider approaches to this work, lead agencies and lead Ministers, including link to Royal Commission recommendations.	NZSIS & GCSB Foreign Affairs Police Justice Internal Affairs Digital Economy and Communications	
<p>Demonstration of an end-to-end process in the national security system – cyber security</p> <ul style="list-style-type: none"> - A demonstration of an incident response in the national security system, showing the link between intelligence, operations and policy. 		GCSB Foreign Affairs Police Digital Economy and Communications	
<p>National Security System budget coordination</p> <ul style="list-style-type: none"> - Discussion on proposed approach to budget coordination across the National Security System, including consideration of national security strategic goals for future budgets. 	Development of Budget 2021.	Finance	
<p>Defence Assessment</p> <ul style="list-style-type: none"> - Opportunity to invite the Minister of Defence to discuss Defence Assessment 2021, which will inform the next Defence White Paper. 	Defence Assessment is scheduled to be completed in Q1 of 2021.	Defence	
<p>Inspector-General of Intelligence and Security</p> <ul style="list-style-type: none"> - Introductory meeting with the new IGIS, Brendan Horsley, ahead of first Intelligence and Security Committee meeting. 	First meeting of the Intelligence and Security Committee of the 53 rd parliament, 24 February 2021.	NSI only	
<p>IGIS Advisory Panel</p> <ul style="list-style-type: none"> - Separate meeting with the IGIS Advisory Panel members (Angela Foulkes, Chair and Lyn Provost) to discuss their views on the role of the IGIS and the Advisory Panel. 	First meeting of the Intelligence and Security Committee of the 53 rd parliament, 24 February 2021, and upcoming appointment of new Deputy IGIS.	NSI only	

ATTACHMENT B

Summary of national security recommendations from the Royal Commission report you are lead minister for implementing

#	Recommendation
1	Appointment of a Minister with responsibility and accountability to lead and coordinate the CT effort
2	Establish a new national intelligence and security agency (NISA) that is well-resourced and legislatively mandated to be responsible for strategic intelligence and security leadership functions.
3	Investigate alternative mechanisms to the voluntary nature of the Security and Intelligence Board, including the establishment of an Interdepartmental Executive Board.
4	Develop and implement a public facing CT/CVE strategy.
6	Strengthen the role of the Intelligence and Security Committee.
7	Establish an Advisory Group on CT.
8	Include a summary of advice from the Advisory Group and actions taken in response, when providing advice on the National Security and Intelligence Priorities and annual threatscape report.
14	Establish a programme to fund independent NZ-specific research.
15	Create opportunities to improve public understanding on violent extremism and terrorism in NZ, with ongoing public discussions.
16	Establish an annual hui on CVE and CT.
17	Require in legislation publication of the NSIPs and referral to ISC for consideration; publication of an annual threatscape report; and the ISC to receive and consider submissions on the NSIPs and threatscape report.