



Hon Judith Collins
Leader of the Opposition

9 September 2021

Rt Hon Jacinda Ardern
Prime Minister
Executive Wing
Parliament Buildings
WELLINGTON

Dear Prime Minister

ESTABLISHMENT OF A PUBLIC INQUIRY INTO THE LEGAL, MINISTERIAL, AND DEPARTMENTAL RESPONSES PRIOR TO THE DEATH OF THE TERRORIST, AHAMED AATHILL MOHAMED SAMSUDEEN

I refer you to the Cabinet Manual, and to the Inquiries Act, 2013.

The deceased terrorist, SAMSUDEEN, was known to government agencies and to ministers for some years prior to his act of terrorism and his death, on 3 September, 2021.

I have agreed, on behalf of the National Party, to support your Government in speeding up the process of the passing of the Counter Terrorism legislation that is now due to come back to the House, following a thorough Select Committee process.

However, it is, as you have said, speculative, as to whether SAMSUDEEN, could have been prevented by that legislation, from undertaking the LynnMall terrorist attack.

His deportation from New Zealand, would have, with certainty, prevented this attack.

Quite how he was not able to be declared a risk to national security, and therefore able to be deported through an Order in Council, is not, at all clear from statements your government has made.

The Immigration Act and the United Nations Declaration on Refugees, provides that even a refugee, can be deported, on the grounds of national security. That legal advice received and relied on by you has not been made available to Opposition parties, even on a confidential basis.

Interoperability of agencies such as NZ Police, NZSIS, GCSB, Immigration, and Corrections is worthy of Inquiry. The *Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019* (the Royal Commission), was clear that a Counter-terrorism agency overseeing the work of other government agencies for the purpose of countering terrorism is needed. Questions to Minister Little regarding the establishment of such an agency, has elicited evidence, that the government has not progressed, to any relevant degree, the establishment of an agency as recommended by the Royal Commission.

National

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It has now come to light that not every lever to protect New Zealanders was 'pulled'.

There were no acts of terrorism against New Zealanders, on New Zealand soil, until March 2019. Now, within three years, another act has been committed. As you will be aware, there are other individuals that give security agencies cause for concern.

In the circumstances, the National Party is of the firm view that a Public Inquiry into the legal, ministerial, and departmental responses prior to the death of the terrorist, Ahamed Aathill Mohamed Samsudeen, is necessary.

Yours faithfully

A handwritten signature in black ink, appearing to read "Judith Collins". The signature is written in a cursive, flowing style.

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