

The New Zealand mosque massacre

2. 'End of innocence' for media and nation

Commentary: The massacre at two mosques in Christchurch on 15 March 2019 forced New Zealand's news media to rethink the way they work, whose voices they amplify—and why. Telcos, bloggers, advertisers and the government have all reacted in ways that changed what people see, hear and read. The author examines some of the ways the massacre has left a mark on the New Zealand media.

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MANY commentators and politicians airily claimed the terrorist attack in Christchurch on 15 March 2019 changed New Zealand forever. Another common refrain—echoed on our newspapers' front pages the day after the attack—was that this marked 'the end of our innocence'. Any complacency about the threat of extremism here was extinguished and things will never feel quite the same for many New Zealanders—especially Muslim ones, of course.

The cancellation of public events, including university graduation parades in April, and the presence of rifle-toting police officers on city streets was a startling sight. The New Zealand Police said it was a temporary measure with the nation on high alert and things would return to normal.

The New Zealand media need to be vigilant about incursions into their freedom too in this 'new normal'. Some small but significant steps have been taken in short-term responses to the crisis.

To show or not to show the gunman's content?

Soon after the first eyewitness reports of shots being fired at the mosques came to the media's attention, so did the disturbing digital content the gunman created: a GoPro live-streamed video on Facebook and a 'manifesto' of racism and violence. It was—as media commentators around the world pointed out—a massacre made to go viral (Warzel, 2019). It also dovetailed grimly with the

business model of major social media platforms (Christchurch, mosque shootings, 2019) which were not able or willing to stop the shooter's material spreading online.

Many media organisations weren't sure what to do with it. At 6pm on the day of the massacre, state-owned TVNZ News briefly showed scenes from the early part of the livestream video in a news report. TVNZ subsequently repeated the same short sequence from the video.

TVNZ head of news John Gillespie told *Mediawatch* that TVNZ chose not to broadcast the gunman's footage from inside the mosque and never showed his face. But TVNZ did broadcast three seconds of moving footage showing the cache of ammunition in the shooter's car and then froze the shot for a further three seconds.

'We included this in our breaking news on Friday—among nine hours of rolling live coverage—and it has been used again judiciously since then in light of the national discussion on gun reform,' Gillespie said (Peacock, 2019a).

Why? 'It shows the high degree of pre-meditation and planning that went into Friday's attack,' he said (Peacock, 2019a).

In an article which directly asked Facebook CEO Mark Zuckerberg to switch off Facebook live streaming, Newsroom.co.nz journalist Bernard Hickey (2019) said: 'It's as if that 17 minutes of awful, awful footage has metastasised and is now propagating itself around the internet to fuel yet more hatred and potential copycat actions.'

But for a short time on Friday, 15 March 2019, *Newsroom* also ran images from the gunman's video. Some people who saw it on the site told *Mediawatch* it showed shooting from outside and the gunman's first victim. Mark Jennings told readers later: 'If we were in this situation again we would not use any of the images' (Jennings, 2019).

In Australia, news shows on TV channels 7 and Nine ran small sections of the gunman's video soon after the news broke and told their viewers they would see no more. Both of them aired more of it in their evening news, according to the ABC's *Media Watch* show in Australia. (ABC *Media Watch*, 2019) The ABC, Australia's public broadcaster, said it would not publicise the gunman's manifesto document, but a political correspondent read aloud from it live on ABC News 24. Rolling news operation Sky News Australia ran footage from inside the mosque with bodies visible but blurred, prompting Sky TV in New Zealand to take the whole channel off air for four days (We stand in support, 2019).

RNZ's *Checkpoint* news special that day also detailed some key claims in the gunman's manifesto and described the images of weapons from his defunct Twitter account. RNZ decided not to broadcast or publish those details after that. Reporters were told delving into the background of the attacker, was part of rigorous reporting, but only verified information about the attacker's activities

and backgrounds should be reported in context.

In all these cases, those editorial decisions were made before it was clear how many had died and precisely how. Hard and fast rules for this sort of material need to be established urgently.

Giving the manifesto the oxygen of publicity

Opinion was divided over the so-called manifesto, which was deemed objectionable by New Zealand's Chief Censor. The order has exemptions whereby journalists and researchers can apply for permission to consult the 74-page document after paying a fee of NZ\$102.

New Zealand's two main newspaper groups took contrasting stances. *The New Zealand Herald* applied for permission to keep a single copy for its journalists' reference. 'The alleged gunman is part of this story and we can't shy away from that. It doesn't give his abhorrent views a platform,' *The New Zealand Herald* said. *The Herald on Sunday* wrote about the man charged with murder with many references to the freshly-banned manifesto (*The New Zealand Herald*, 2019).

'People are searching for answers to New Zealand's most horrific act of terrorism. They're searching for light in dark corners and this is such a place, despite how difficult that may be,' the *Herald on Sunday* said. The newspaper argued that exposure would be more effective in outing extremism that could contribute to further attacks. 'If the information can in any way equip authorities and experts in being alert to people with these types of ideologies—and help the public be wary—we have done our job,' the newspaper said (Peacock, 2019c).

It is, of course, impossible to test that or know for sure of it was a job well done.

Stuff (formerly Fairfax Media New Zealand) took a different view. 'It's child-like nonsense. Ban it, fire every copy into the sun, it's a waste of time,' *Stuff* correspondent Charlie Mitchell said (Mitchell, 2019). His newspaper *The Press*—the daily paper in Christchurch where the attack took place—also backed the ban in an editorial: '[It] serves as a practical guide to what is acceptable in this country. Should a resident or visitor not completely understand where the line is, the censor has made it plain' (*The Press*, 2019).

The Press said the ban may actually help police and intelligence agencies because people found to possess the manifesto opened themselves to further investigation—just as they would with other forms of objectionable material like child pornography.

Internet providers club together to reduce the risk

New Zealand's biggest internet service providers jointly blocked access to websites hosting and circulating the gunman's video and manifesto, including forums 4Chan and 8Chan, notorious for hosting random content including a 'cesspool of hate' (4chan, n.d.). 2 Degrees, Vodafone, Spark and Vocus wrote to

the bosses of Facebook, Twitter and Google (A call from the companies, 2019). They said: ‘We call on you to join at the table and be part of the solution.’

It was a bold but unprecedented move driven by the social media platforms and global online forums’ failure to stop the spread of the material. Some internet and media freedom activists fear legitimate use of the internet could be curbed in the future if ISPs again concurred that a crisis demanded such extraordinary action.

Their concern peaked when it was revealed that plans to lift the block were reversed by the ISPs after input from the government the week after the attack (Sachdeva, 2019).

Advertisers pull back—and ponder a change of direction

In a joint statement, the Association of New Zealand Advertisers and the Commercial Communications Council pointed out that ‘advertising funds social media’. It added: ‘Businesses are already asking if they wish to be associated with social media platforms unable or unwilling to take responsibility for content on those sites.’ (Association of New Zealand Advertisers, 2019)

On the ad industry news site stoppress.co.nz, ad agency director James Mok said it was time the industry better reflected cultural change and diversity in New Zealand. He wrote:

Our work should represent New Zealanders with respect. We can no longer avoid the responsibility to be diligent about every little choice we make. The stories we tell and the people we feature in advertising are our chance to show New Zealanders who we really are. (Mok, 2019)

The biggest spender on social media advertising in New Zealand is the government. Prime Minister Jacinda Ardern was non-committal when asked if the spending of an estimated NZ\$100 million a year would be withheld from the platforms she had criticised. Minister for State Services, Chris Hipkins, later told media the government had asked for urgent advice on its advertising spending with Facebook (RNZ, 2019).

Cash-strapped mainstream media companies would welcome some of that spending if it was siphoned away from social media.

Soapbox-style media reflect on themselves

After the attacks, talk radio station Newstalk ZB deleted a 2017 opinion column in which its Christchurch-based host Chris Lynch asked ‘Does Islam have any place in public swimming pools?’ The host apologised for it on air (Broadcaster Chris Lynch apologises, 2019).

NZME head of talk radio Jason Winstanley said several items had been pulled from ZB’s websites because they were ‘upsetting people’. Some of that content was there for precisely that purpose in the first place. Right-wing British pundit

Katie Hopkins was an occasional guest on the network until she was sacked by her paper and radio station in the UK after calling for a ‘final solution’ in the wake of the Manchester bombing in May 2017—and for Western men to ‘rise up’ (Katie Hopkins, 2016).

Winstanley said: ‘Our priority is to do the best we can for all New Zealanders, and honour those who have lost their lives.’ It remains to be seen what that means on air at Newstalk ZB, and whether other talkback radio hosts and opinion writers with a track record of stirring up controversy over race and immigration change their approach.

Dialling down the comments

Comments sections in mainstream media often turn toxic, even for stories which aren’t especially controversial. *Stuff* disabled online comments after the Christchurch mosque attacks for fear of people posting offensive and upsetting remarks. *Stuff* editor Patrick Crewdson unveiled a new policy for readers’ comments two weeks later (Do read the comments, 2019). New terms and conditions for comments were more explicit about personal attacks and prejudice included list of 20 topics on which *Stuff* would no longer not publish readers’ comments (Terms and conditions, 2019).

‘There is a direct link to the Christchurch attacks,’ *Stuff* editor-in-chief Patrick Crewdson told *Mediawatch*. ‘What we have learned from bitter experience is that even with heavy moderation on some of those topics (on the list) it is virtually impossible to host a meaningful conversation. We will still cover those topics with fair, ethical and balanced journalism’ (Peacock, 2019b).

Kiwiblog—where a lot of offensive comments have been posted anonymously in the past—also changed its policy. Publisher and founder David Farrar said only people using their real names would be able to publish comments automatically so readers would know who they were.

Hate speech laws get a following wind

As in post-Port Arthur Australia, gun law changes have been rushed through in New Zealand—and the government has also indicated it could introduce new hate speech laws too. New Zealand has already grappled with this in 2005 after the United Kingdom drafted its own hate crime laws (Hurley, 2018).

Some academics, broadcasters and conservative groups have warned that any proposed laws here would be a threat to freedom of expression—including the media. Last year, well-known entrepreneur Sir Ray Avery tried to prosecute media outlets under the *Harmful Digital Communications Act*—essentially an anti-cyberbullying law.

The move failed, but those who want to bring the media to heel could try again if momentum builds against what they believe to be hate speech, which

fosters far-right principles. ‘I would rather the government looked at what’s already there and decide whether any of that can be improved and made to work properly,’ New Zealand’s pre-eminent media law expert Professor Ursula Cheer told *The New Zealand Herald* in March (Hurley, 2019).

Security laws tightening?

In 2018, Australia’s biggest news media companies united to fight new national security laws that could criminalise reporters and their sources (Peacock, 2018). New Zealand media may need to do the same in the coming months. On April 1, the *National Business Review* warned that ‘some bureaucrats—the intelligence services come to mind—might be mindful of the maxim to ‘never waste the opportunity offered by a good crisis’.

The inquiry into the Christchurch terrorist attack will now be a Royal Commission, zeroing in on New Zealand’s security services.

The main questions will be whether the attack could have been prevented, whether the security services have the right tools to monitor extremist communication online—and whether they chose the right targets for surveilled.

The opposition National Party—which could have been leading the government now after emerging as the top-polling party in the 2017 election—has called for wider powers for the Security Intelligence Service and the internationally-oriented Government Communications Security Bureau. National Party leader Simon Bridges claimed they operated with ‘both hands tied behind their backs’ and need greater powers.

The media in New Zealand have good reason to worry about what the intelligence service would do with freer hands and longer reach. In 2014, the Prime Minister’s office ordered an investigation of a leak which created a front-page story for Fairfax Media political reporter Andrea Vance. Her scoop revealed that dozens of New Zealanders were illegally spied on by the GCSB.

The inquiry, ordered by the Prime Minister’s office and headed by former senior civil servant David Henry, found her movements around Parliament had been tracked and details of phone calls from her Press Gallery office recorded. Parliamentary Services handed over this private and sensitive data. The head of the service later paid for this over-reach with his job and apologised (Small, 2014).

Simon Bridges also called for the revival of an internet surveillance programme canned by the previous government. Project Speargun was revealed by NSA whistleblower Edward Snowden in 2014 (Newshub, 2017).

Reporters with sensitive stories would be vulnerable to such potentially unlimited interception. The forthcoming Royal Commission into the terrorist attack in Christchurch is bound to uncover things the government will want to conceal or at least ‘manage’. The temptation to withhold information of genuine public interest will be great.

Investigations by the media—also hungry for answers—will overlap with the official work and could bring them into conflict with the powers-that-be who feel backstopped by national security imperatives.

New Zealand's search and surveillance laws are already strong—and open to abuse. Investigative reporter and author Nicky Hager discovered this when his home was raided in 2014. Police officers wanted the source of the leaked emails at the heart of his lid-lifting book *Dirty Politics* after the 2014 election campaign.

Using the recently beefed-up *Search and Surveillance Act*, police seized and copied documents and computers, including those belonging to his daughter. They also asked private companies for details of his phone, online accounts and his travel and banking records. The raids and breaches of his privacy were eventually deemed unlawful and followed by apologies and out-of-court settlements.

Hager's legal battles only came to an end in February 2019 when Westpac Bank apologised for handing over private information to police and paid a confidential sum as a settlement.

Whistleblowing under pressure

A new law overhauling the powers of spy agencies in 2017 created a new offence for people passing on classified information. The changes made it easier to people to make a 'protected disclosure' to the Inspector-General of Intelligence and Security. But those who pass information to journalists may face up to five years in jail.

This has yet to be tested, but it will be a brave member of the intelligence services who leaks information to the media on that basis. Journalists will also have the added worry of possible prosecution if they are pressed to reveal sources.

The current government is also exploring whether the law and procedures to protect whistleblowers at work need to be strengthened. 'Anyone who raises issues of serious misconduct or wrongdoing needs to have faith that their role, reputation, and career development will not be jeopardised when speaking up,' Hipkins said (Hipkins, 2018).

Some Australian state governments already support whistleblowers who contact journalists if they have not had 'honest concerns' properly investigated by a relevant higher authority but there are no such shield laws in New Zealand.

Exposure of activities that are illegal, corrupt or unsafe are clearly of genuine public interest, but by the end of public consultations no media organisations had argued for change. New Zealand's State Services Commission is to report back on the law later this year and it remains to be seen if any change to the *Protected Disclosures Act 2000* recognises the role of the media.

Journalists step up to scrutinise extremism

Another challenge for the media now is to investigate extremism in New Zealand

and the communities and cultures here in which it might thrive—or those which may actually be camouflaging it.

‘The response to this Christchurch abomination needs to be long-lived and thorough,’ *New Zealand Herald* investigative reporter Matt Nippert declared one day after the attacks. He asked for tips on far right extremist activity worth investigating. ‘We’ll see where it takes us,’ he told his social media followers one day after the attack (Nippert, 2019).

However, in the long run it is no easy task. There will be suspicion and rumours which could mislead journalists and prompt over-reaction among the audience. There will also be emotional debates about gun control, and internet regulation played out in the media in the months ahead and more intense and divisive debates about free speech, freedom and religion.

The ghastly deaths in Christchurch and the fallout from the attack have pre-occupied the media ever since, but as journalists get to work raising awkward questions in a new environment, their freedom to report the truth will take on a whole new importance.

We will all see—as the *New Zealand Herald’s* Matt Nippert said—where it takes us.

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THE NZ TERROR TRIAL COVERAGE PROTOCOL

We are the senior editors representing the major accredited news media companies in New Zealand (TVNZ, *Stuff*, Mediaworks, NZME and RNZ). As a group and as individual editors we are committed to ensuring the outlets we represent cover the upcoming trial of Brenton Tarrant comprehensively and responsibly. We have agreed to abide by these guidelines throughout the trial.

Background

Brenton Harrison Tarrant is charged with 50 counts of murder and 39 charges of attempted murder relating to shootings carried out at two mosques in Christchurch on Friday, 15 March, 2019. Victims of the terror attack include citizens of twelve different countries. We represent accredited New Zealand media organisations that plan to attend the trial and associated proceedings for the purposes of reportage. As editors we are mindful of the public interest in the trial, in New Zealand and internationally.

We are also mindful of our role as the 'eyes and ears of the public' in the context of court reporting. In this instance, we acknowledge the particular importance of this function, given the many victims' friends and families outside New Zealand who may otherwise be unable to engage in the trial process.

We are aware that the accused may attempt to use the trial as a platform to amplify white supremacist and/or terrorist views or ideology.

Guidelines

We agree that the following Protocol will apply to our outlets' coverage and reportage of the trial:

- (a) We shall, to the extent that is compatible with the principles of open justice, limit any coverage of statements, that actively champion white supremacist or terrorist ideology.
- (b) For the avoidance of doubt the commitment set out at (a) shall include the accused's manifesto document 'The Great Replacement'.
- (c) We will not broadcast or report on any message, imagery, symbols or signals (including hand signals) made by the accused or his associates promoting or supporting white supremacist ideology.
- (d) Where the inclusion of such signals in any images is unavoidable, the relevant parts of the image shall be pixellated.
- (e) To the greatest extent possible, the journalists that are selected by each of the outlets to cover the trial will be experienced personnel.
- (f) These guidelines may be varied at any time, subject to a variation signed by all parties.
- (g) This Protocol shall continue in force indefinitely.

Signed:

Miriyana Alexander (NZME and chair of the NZ Media Freedom Committee)

John Gillespie (TVNZ)

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