

9 April 2025

By email

Michael Hall

Dear Mr Hall

Complaint about NZSIS

Our ref: CO165

1. This letter is to inform you of the outcome of my inquiry into your complaint about actions of the New Zealand Security Intelligence Service (NZSIS).

Your complaint

2. On 12 November 2024, I received a complaint from you. You advised me that you are a journalist of over 20 years, having recently worked at RNZ. You stated that in June 2023, a New-York based lawyer and writer complained to Reuters that your sub-editing of a Reuters story on the Ukraine war amounted to “pushing a false Russian narrative”.¹ You stated that you subsequently found yourself at the centre of controversy over “false claims by RNZ management” that you had “inserted Russia propaganda into Reuters news wire agency stories in June 2023”. You referred to a subsequent “media storm and independent inquiry”.
3. Central to your complaint, you stated that:

“During this time the NZSIS briefed the Prime Minister and Cabinet’s Office on the situation and gave them information about myself based on an investigation. I write to you to request that you investigate issues around legality and propriety of NZSIS involvement in briefing the government and whether correct procedure was followed when issuing a warrant to probe a journalist”.

My Inquiry

4. After considering your written complaint and discussing your concerns with you I decided to conduct an inquiry into the following issues you raised:
 - Whether NZSIS acted lawfully and properly in any investigation of you;
 - Whether correct procedure was followed by NZSIS when undertaking enquiries into a journalist (you);
 - Whether information gathered about you was shared appropriately, including with overseas partners;
 - Whether you remain under investigation.

¹ The original tweet by the New York Lawyer and Journalist quoted one of the stories edited by Mr Hall, describing it as “...utterly false, Russian Propoganda...”

5. I have certain obligations regarding reporting my conclusions after an inquiry.² This letter constitutes my public report on my inquiry and will be published on my website www.igis.govt.nz. In fulfillment of my obligations I have also provided a copy of my findings to the Director General of Security and to the Minister responsible for NZSIS.³
6. In the course of my inquiry I have independently reviewed relevant NZSIS records and requested specific information from NZSIS staff. Having considered all of the circumstances and evidence, I am satisfied that the extent of the actions of the NZSIS in conducting their enquiries into you were necessary and proportionate. Further the NZSIS acted lawful and properly.
7. As you will appreciate, much of the information my inquiry has considered is highly classified, which limits the information I can provide you to explain my findings. I understand that this may feel unsatisfactory for you.

Background

8. In early June 2023, RNZ announced in an online article that an employee had been modifying news articles produced by international news agencies including Reuters and the BBC, prior to publication on the RNZ website.⁴
9. You were later identified as the employee responsible for sub-editing the articles in question.⁵ At that time, you were employed as a digital journalist/sub-editor, having been employed by RNZ since 2018.
10. RNZ later audited all of your work dating back to 2018, amounting to 1319 stories. The audit identified at least 40 articles that RNZ determined had been modified inappropriately.⁶ The edited stories related to a wide range of topics and geographic regions including Central and South America, China, Ireland, South Korea, Israel, USA, Taiwan and Australia. RNZ alleged that the edits had occurred without the permission of the news agencies of origin.⁷

NZSIS activity

11. Between 10 June 2023, and 11 August 2023, NZSIS made initial enquiries in response to the public reporting that there was foreign interference by an RNZ employee. NZSIS concluded that there were no concerns of foreign interference raised by these particular circumstances and closed its initial enquiries. NZSIS shared information about the conclusion of its enquiries with interested parties. Personal details identifying you were removed where appropriate.
12. NZSIS is responsible for identifying and countering foreign interference in New Zealand. In fulfilling this responsibility NZSIS must give consideration to fundamental principles such as

² Section 185(1) of the Intelligence and Security Act 2017.

³ Section 185(3)(a) and (b) of the Intelligence and Security Act 2017.

⁴ Hayden Donnell, Mediawatch "RNZ investigating Kremlin-friendly story edits" 9 June 2023

⁵ Mr Hall was named in an RNZ article on 12 June 2023 "*RNZ Reporter had been editing stories for several years without being queried*".

⁶ W. Akel, L. Clark, A. Sunderland, 'Independent External Review of RNZ Editorial Processes', 28 July 2023. Not all of these edits were found to be "Inappropriate" in a later Independent Review. The Panel also stated in its final report that the "choice of language [by RNZ] like 'pro-Kremlin garbage' was, in the panel's view unhelpful in maintaining public trust. At the time these comments were made RNZ was acting on incomplete information, as the circumstances and extent of the inappropriate editing was yet to be fully considered. Listeners and others may have believed the editing had been a deliberate and orchestrated exercise in propaganda, rather than a failure of journalistic decision-making or practice. As is now evident, this panel finds the latter."

⁷ W. Akel, L. Clark, A. Sunderland, 'Independent External Review of RNZ Editorial Processes', 28 July 2023

freedom of expression and freedom of the press. NZSIS is also obliged to follow its policy on Sensitive Category Individuals (SCI policy) which includes journalists. This policy sets out guidance and requirements including assessing a person as an SCI and assessment of necessity and proportionality of any proposed activity in relation to a SCI.⁸

13. I am satisfied in this case that NZSIS recognized the sensitive nature of making enquiries into a journalist. Having considered the relatively limited steps that NZSIS took in relation to the publicly raised concerns of foreign interference, I am satisfied that the basis and extent of these enquiries were both legal and proper.
14. In making the decision to share information, NZSIS took into account the public nature of the allegations of foreign interference at RNZ. NZSIS advised me that its conclusions were shared in order to allay concerns of foreign interference. NZSIS stated that it did not pass on any information which indicated that you were a national security concern.⁹ I am satisfied that NZSIS's decision to share its conclusions was appropriate.
15. I appreciate that it is, at the very least, disconcerting to discover that you have come to the attention of an intelligence agency. Particularly as a journalist reporting on conflicts where different views can validly be expressed.
16. I have found that the enquiries into your reporting were commenced in exercise of the legitimate functions of the NZSIS to counter potential foreign interference in New Zealand. More relevantly to your concerns, I can assure you that the activities of the NZSIS were limited in scope to what was strictly necessary to satisfy the NZSIS that this was not a case of foreign interference. I also consider it proper that NZSIS actively reported their positive conclusion that you were not engaging in any form of state sponsored foreign interference.

Yours sincerely



Brendan Horsley
Inspector-General of Intelligence and Security

Copy to:

Andrew Hampton - Director General of Security
Judith Collins – Minister responsible for NZSIS

⁸ For more information regarding NZSIS' Sensitive Category Individuals policy, please refer to the NZSIS website nzsis.govt.nz.

⁹ For more information regarding the sharing of information, please refer to the NZSIS website nzsis.govt.nz.