



6 May 2025

Hon Nicola Grigg
Minister for Women
N.Grigg@ministers.govt.nz

cc: Hon Paul Goldsmith
Minister of Justice
P.Goldsmith@ministers.govt.nz

Ministry for Women Training Modules

Good morning,

1. The Free Speech Union is a registered trade union with a mission to fight for, protect, and expand New Zealanders' rights to freedom of speech, conscience, and intellectual inquiry. We believe that freedom of speech is not only a legal principle, but a social good that allows for people in modern liberal democracies to peacefully, freely advocate for the causes they care about without risking unjust retribution.
2. We write in response to the recently released online training modules developed by the Ministry for Women to address online harm directed at women, including material for both women and their employers. We share your concern about the abuse and harassment faced by individuals in public life, particularly women and agree that this is a serious problem requiring considered responses.
3. While freedom of speech is the foundation of democratic society, it does not protect harassment, threats, or intimidation. However, we are concerned by the heavy reliance in this training on the Harmful Digital Communications Act ("HDCA"). The Act's limitations have been well documented, its vague terminology has been tested in court, and key terms such as 'serious emotional distress' remain ambiguous. Embedding such ambiguity into official training risks conflating harm with offence, and criticism with abuse.
4. New Zealand, like many Western democracies, is experiencing a growing degradation in the legitimacy of its public institutions, a trend the Free Speech Union is especially concerned about. This loss of legitimacy is not the result of excessive free expression or too much disagreement. Rather, it stems from a steady erosion of free speech rights, a pattern seen across the Anglosphere. Colleagues we work with through a global university network have recently released a comprehensive [survey](#) on freedom of expression, showing that even established democracies have lost ground when it comes to the place of free speech in public life and civic institutions. This is consistent with the 2025 Acumen Edelman Trust Barometer, which once again placed New Zealand in the "*distrust*" category and highlighted public concern that institutional leaders are not being honest with them.

5. Despite the laudable intent of your Ministry's initiative and the legitimacy of your concern for women's safety online, training of this kind risks compounding the very problem it seeks to resolve. When criticism of public officials or institutions is framed as harm, it can create the perception that dissent itself is illegitimate. When criticism of public officials or institutions is framed as harm, it can create the perception that dissent itself is illegitimate. This risks turning justified concern for online abuse into a tool to suppress scrutiny.
6. We would appreciate the opportunity to support your work in ensuring that responses to online harm protect both the dignity of those subject to abuse and the essential right of all New Zealanders to express themselves freely. On Wednesday 14 May, our Chief Executive is scheduled to meet with the Minister of Justice to discuss potential reforms to the HDCA. We would welcome your participation in this conversation. The Hon Paul Goldsmith is copied into this letter and may be able to confirm whether that would be feasible. Your involvement would help ensure that any legal or educational measures implemented by this Government are grounded in a clear commitment to civil, robust, and open public discourse, without sacrificing protections for victims of genuine abuse, threats or violent speech.
7. We await your response.

Yours faithfully,

Free Speech Union (New Zealand) Inc.



Ani O'Brien
Council Member



Robin Van Ausdall
Council Member



Jillaine Heather
Council Member

Please respond to: hannah@fsu.nz