

# In major attack on free speech, Migrants NZ Facebook group forced to close

Tom Peters  
20 May 2022

In a blatant attack on freedom of speech, the popular Facebook group Migrants NZ, with a membership of more than 75,000 people, was recently forced to shut down after threats of legal action from the New Zealand Immigration Advisers Authority (IAA), a government agency.

The group, started by a number of migrants in 2020, expanded rapidly during the COVID-19 pandemic. It provided an important forum, independent of the established parties and unions, for migrants and supporters to share experiences and to criticise the Labour Party-NZ First-Greens coalition government's anti-immigrant policies. Like capitalist governments internationally, the Labour-led government responded to the pandemic and the resulting economic and social crisis by stoking nationalism and anti-immigrant sentiments.

Members of Migrants NZ opposed Immigration New Zealand's (INZ) decision to halt the processing of tens of thousands of residency applications during 2020, and other draconian policies including the separation of families by the border closure. Throughout 2020 and 2021, the government refused to provide sufficient quarantine facilities to allow thousands of people legally entitled to live in New Zealand to enter the country. Migrants NZ played a significant role in helping to organise nationwide protests last year against the government's policies.

The Facebook group has been subjected to what can only be described as politically-motivated censorship—at the very point when Prime Minister Jacinda Ardern's government is launching a new round of attacks on immigrants. The threats against Migrants NZ point to the increasingly anti-democratic methods that are being used internationally, as governments seek to block the development of working class opposition to their pro-business policies.

On March 31, Migrants NZ's administrators posted a

message saying the group would be “archived”—preventing anyone from making further posts or comments—because the IAA had received a complaint accusing two group members of “providing systemic unlicensed immigration advice.” The post noted: “Providing unlicensed immigration advice is a serious offence and can result in a fine of up to \$100,000 and/or imprisonment for up to 7 years.”

The administrators said they were trying to find a “workable solution” to keep the Facebook group running. However, this proved impossible, and on May 9 Radio NZ reported that the group had folded permanently.

A source closely involved with Migrants NZ explained to the *World Socialist Web Site* that the administrators, as well as professional immigration advisors supportive of the group, had come under sustained attack and felt that they had no choice but to disband.

In late 2021, a number of licensed immigration advisers (LIAs) took to Facebook to publicly attack Migrants NZ for allegedly providing a forum for free, unlicensed immigration advice; they complained that this was undermining their ability to make money by providing such advice. Several LIAs then lodged a complaint with the IAA against Migrants NZ.

In April this year, the state agency wrote to Migrants NZ's administrators saying that the group could be in breach of the Immigration Advisers Licensing Act 2007. The letter, seen by the WSWs, says that the IAA may take enforcement action against the group if it receives new evidence of offending or inadequate moderation of comments.

The IAA stated that administrators and moderators had a responsibility to remove comments that could be considered immigration advice, even though there were more than 73,000 members in the group.

Administrators were faced with the impossible task of

combing through hundreds or even thousands of comments per day and assessing whether they could constitute a breach of the law. Administrators tried to address the issue by making regular posts warning group members not to give immigration advice. But this didn't satisfy the authority.

The source told the WSWs that, to the layperson, the legal definition of "immigration advice" is not at all clear. While people are allowed to talk about their personal experiences with Immigration New Zealand, "there's a very fine line. Once you say, 'In your situation, I would...' then suddenly you're giving advice."

An IAA spokesperson, Simon van Weeghel, admitted to Radio NZ that the "majority" of the comments appearing in the Migrants NZ group would be "exempt from having to be licensed" because they were made in an "informal" context and any "advice" they contained was not being provided for a fee. But this fact did not stop the IAA from threatening to take action against the group.

The shutdown of Migrants NZ prompted an outpouring of dismayed comments from its members. One member said: "It's ridiculous that someone wants to make this group fall under illegal advice. Let's say a group of friends decided to hang out every week and discuss laws, will that [mean they are] giving false legal advice?" Another person wrote: "This is probably the most effective advice group... sharing immigration news and updates, we stand by you! Shame on those attackers!"

The silencing of migrants goes hand-in-hand with stepped up anti-immigrant measures. Following the closure of Migrants NZ, the Labour Party-led government this month announced a new immigration policy that entrenches discrimination against low-paid workers. Migrants can apply for residency after working for two years in New Zealand provided they make more than twice the median wage, i.e., more than \$115,480, or fall into a number of special occupations.

A "green list" allows some skilled migrants to apply for immediate residency. The list does not include nurses, midwives, aged care workers and teachers, who have to work for two years to qualify for residency. This is despite the drastic shortage of staff in hospitals, schools and aged care facilities. The government is also barring international students from working in New Zealand before they complete a degree.

Large numbers of people who do not meet the occupation or salary criteria can only work in New Zealand on temporary visas, making them much more vulnerable to abusive treatment and underpayment by

employers.

The WSWs warns that the legal threats which forced Migrants NZ to close have set a precedent for further attacks on freedom of speech. Groups opposing the growing attacks on living standards, and New Zealand's integration into US-led war plans, could find themselves similarly targeted—as is already happening internationally.

In Germany, the Socialist Equality Party's widely-shared Facebook video opposing NATO's rearmament and proxy war against Russia was banned by the platform in March; the ban was overturned after thousands of people protested against it on social media.

The Ardern government in New Zealand has led a global campaign for censorship of online content deemed "extreme," and has given the Office of the Censor sweeping powers and resources to remove such content. While the Christchurch terror attack has been used as a pretext for internet censorship, its real target is not the far-right, but ordinary working people, including immigrants.

The attack on the free speech of 75,000 members of Migrants NZ has not prompted any public opposition from the established political parties, the trade unions, or media organisations. The Green Party, which is part of the government, and the opposition National and ACT Parties, have remained silent. Whatever their criticisms of the government's policy, all these organisations support the "right" of the capitalist state to impose restrictions on immigration. None of them has any genuine concern for the democratic rights of immigrants.

The only constituency for upholding free speech and other basic rights is the working class. We call on workers and young people to oppose the silencing of Migrants NZ and to defend migrant workers who are speaking out and seeking to fight back against the Labour Party-led government's policies.



To contact the WSWs and the Socialist Equality Party visit:

**[wsws.org/contact](https://wsws.org/contact)**