



# Decision for Emergency Mobile Alert to remain a non-opt-out channel

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2 July 2018

## Purpose

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This paper summarises the considerations and decision by the Cell Broadcast Alerting Steering Committee to continue broadcasting Emergency Mobile Alerts solely on a non-opt-out channel.

## Background

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The detailed business case for a national public alerting system was considered and endorsed by Cabinet in July 2016.

The business case identified that Cell Broadcasting technology is the delivery system that best meets the requirements given it is purpose built for public alerting and is not affected by network congestion. The system would ensure people are being warned directly about imminent threats without first having to subscribe (opt-in) to the system. The business case described the need for a non-opt-out cell broadcast channel and the implementation of an opt-out channel was not requested.

It was acknowledged that while there are obvious benefits for the public of being warned directly about imminent threats, some people may, in principle, oppose receiving alerts that they have not explicitly requested or agreed to receive, and that they cannot turn off. Therefore, it was noted that the system will have:

- a. effective governance and protocols for agencies who use the alerting system;
- b. thresholds for alerting people of critical emergency situations that are reasonable, proportionate, and justified;
- c. alerts targeted to specific locations so they are relevant only to those people at risk;
- d. technology that allows people to choose not to receive alerts that are non-critical;
- e. no commercial advertising or marketing (spamming); and
- f. an effective public education, promotion and engagement strategy.

Point 'd.' above does not apply, as the system is only used for critical alerts, i.e. when there is a severe threat to life, health or property. Therefore, only one non-opt out cell broadcast channel has been established.

Public feedback following the nationwide test in November 2017 and the New Plymouth boil water alert in February 2018 indicated some phones repeatedly received alerts. The issue was most obvious during the four-day long New Plymouth boil water broadcast. The repeated alerts inconvenienced some recipients and caused frustration.

The New Zealand mobile operators (2Degrees, Spark and Vodafone) were engaged to conduct further testing on the behaviour of phones when an Emergency Mobile Alert is received. The testing was completed in March 2018 and revealed that some phones that have not been upgraded to make them compatible with New Zealand Emergency Mobile Alerts have an underlying cellular broadcast capability that can cause the phone to receive repeated alerts. Unfortunately these phones cannot be fixed with a software update as the phones are not able to receive software updates from the New Zealand mobile operators. We anticipate this issue will become less frequent over time as people naturally replace their phones.

To reduce the effects of Emergency Mobile Alert on these phones, the mobile operators recommended:

- Avoid broadcasting messages over prolonged periods;
- Using an opt-out channel so that people can choose to opt-out if their phone is receiving repeat alerts.

## Considerations

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On 22 May 2018 the Cell Broadcast Alerting Steering Committee discussed the recommendation from the mobile operators to use an opt-out channel. Key discussion points were:

- Some phones have an underlying cellular broadcast capability that causes the phone to behave in a way people find irritating and/or distracting. Repeat alerts are an example of this.
- A small percentage of the public previously complained about the inability to opt-out of Emergency Mobile Alert messages when we issued the nationwide test in November 2017. Some people strongly believe it is their right to be able to choose whether they receive alerts.
- The nationwide survey conducted immediately after the nationwide test in November 2017 asked the public whether we should have an opt-out channel. 72% of mobile users believe New Zealanders should not be able to opt out of the EMA system. 21% think it should be optional and 7% don't know.
- The primary reason for the investment in the Emergency Mobile Alert system was to help keep people safe. Alerts are only sent when there is a serious threat to life, health, or property.
- An annual test is necessary to prove the system will work in emergency situations, both for the user agencies and the public. It also ensures that the public has experience of the appearance and sound of the alerts.
- If someone who was injured or killed was not alerted, and it was determined that the reason is because an opt-out channel was used, then questions would rightly be asked about why the Steering Committee chose to make an opt-out channel available. It is unlikely to be viewed positively if the rationale to use an opt-out channel was because committee members did not want to irritate people.

## Decision

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Committee members concluded that it is appropriate to continue to broadcast Emergency Mobile Alerts on the non-opt-out channel given the life-saving nature of the alerts.

The Committee acknowledged that this may cause inconvenience and annoyance to some people.

The Ministry of Civil Defence & Emergency Management will work with the agencies that issue Emergency Mobile Alerts to ensure they understand and where possible mitigate the concerns raised by the public. For example, only running long duration campaigns during daylight hours.