

Authority Member

Tuesday 14 April 2026

Ms Carol Bennett
Chief Executive Officer
Australian Communications Consumer Action Network
PO Box A1158
Sydney South NSW 1235
[REDACTED]

Carol
Dear Ms Bennett

ACCAN Consumer Sentiment Tracker Wave 3

I am writing to seek information regarding ACCAN's Consumer Sentiment Tracker Wave 3, following the ACMA's requests for information on 19 and 30 March 2026.

The Australian Communications and Media Authority (ACMA) is responsible for regulating the Australian telecommunications market, including oversight of the emergency call service under the *Telecommunications (Emergency Call Service) Determination 2019*. These functions are supported by section 8 of the *Australian Communications and Media Authority Act 2005*, which provides that the ACMA has responsibilities to monitor and assess matters affecting consumer access to carriage services and to report to and advise the Minister on issues relating to the telecommunications industry and public safety.

On 11 March 2026, ACCAN published a media article¹ reporting that its Consumer Sentiment Tracker Wave 3 had identified that "One in ten consumers report that they or a member of their family could not contact Triple Zero from a mobile phone due to a mobile outage in the past 12 months". Given the importance of reliable access to emergency call services, and the potentially serious public safety implications of this finding, the ACMA seeks this information as a matter of priority so that the ACMA can provide accurate and complete advice in the performance of its functions.

Following publication of this media article, on 19 March 2026 the ACMA wrote to ACCAN seeking information to assist the ACMA to understand the survey methodology, questionnaire design and analytical approach underpinning the reported finding. While ACCAN provided some methodological information and data outputs on 19 and 30 March 2026, the ACMA has not received a complete survey instrument or sufficient detail to enable a complete assessment of the issues as part of our advisory functions.

The reported finding is a serious claim which warrants a full understanding of the issues, particularly given it has the potential to further affect public confidence in the Triple Zero service. The ACMA has been liaising with the Triple Zero Custodian following the Senate Inquiry hearing on 26 March 2026 where the Custodian expressed concerns about the reported finding. Consistent

¹ ACCAN, [Triple Zero failures affect one in ten – system reform is now urgent](#), 11 March 2026, accessed 10 April 2026.

with the ACMA's interest, the Custodian is also seeking a clearer understanding of the research methodology underpinning this finding.

To enable the ACMA to fulfil its functions in this area, I therefore enclose a Notice issued under section 522 of the *Telecommunications Act 1997*, which sets out information and documents ACCAN is required to produce by 5pm AEST 21 April 2026.

The ACMA welcomes any other information ACCAN considers may assist the ACMA's functions.

If you have any questions regarding this Notice, please contact Bronwen Jennings, Acting Executive Manager, [REDACTED]

Yours sincerely

[REDACTED]

Samantha Yorke

Authority Member

Encl: Section 522 notice to ACCAN

CC: Mr Vince Humphries, ACCAN Chairperson



Telecommunications Act 1997

Subsection 522(2)

NOTICE TO GIVE INFORMATION AND PRODUCE COPIES OF DOCUMENTS

To: Australian Communications Consumer Action Network

Attention: Carol Bennett
Chief Executive Officer
Australian Communications Consumer Action Network
PO Box A1158
Sydney South NSW 1235

I, Samantha Yorke, Authority Member and delegate of the Australian Communications and Media Authority (the **ACMA**) having reason to believe that Australian Communications Consumer Action Network (ABN 42 133 719 678) (**ACCAN**) has information and documents relevant to the performance of the ACMA's telecommunications functions to advise the Minister for Communications and the telecommunications industry being matters of a kind referred to in paragraphs 8(1)(b), (c) and (d) of the *Australian Communications and Media Authority Act 2005 (ACMA Act)*;

HEREBY give notice under subsection 522(2) of the *Telecommunications Act 1997 (Act)* requiring ACCAN to give to the ACMA, on or before the time and in the manner detailed below, the information and copies of documents specified in **Schedule B** to this Notice.

BACKGROUND

The ACMA has reason to believe that ACCAN holds information and documents relevant to the ACMA's performance of its telecommunications functions, as described in section 8 of the ACMA Act, including to:

- report to and advise the Minister in relation to matters affecting consumers, or proposed consumers, of carriage services;
- report to and advise the Minister in relation to the telecommunications industry; and
- advise and assist the telecommunications industry.

Information available to the ACMA indicates:

1. On 11 March 2026, ACCAN announced¹ findings from its Consumer Sentiment Tracker Wave 3 that '1 in 10 Australians (10%) reported that they or a member of their family were unable to reach Triple Zero from a mobile phone in the last 12 months due to a mobile outage.'
2. On 19 March 2026, Authority member Ms Samantha Yorke wrote to the CEO of ACCAN, Ms Carol Bennet, (**Attachment A**) requesting information from ACCAN to enable the ACMA to properly

¹ ACCAN, [Triple Zero failures affect one in ten – system reform is now urgent](#), 11 March 2026, accessed 10 April 2026.

understand – in connection with the ACMA's functions – the basis on which this statement was made, including:

- a. details of the survey methodology used, including sample selection and weighting;
 - b. the full survey instrument, including the exact questions posed; and
 - c. the analytical approach used to derive the headline findings, including any assumptions or limitations identified.
3. On 19 March 2026, Ms Bennett responded to Ms Yorke via email and provided the ACMA a link to the publicly available results, which included limited information on survey methodology, and noted 'ACCAN's Wave 3 consumer sentiment data on reliability undertaken by Essential Research'. The response did not include, or provide a link to, the full survey instrument or information about the analytical approach used to derive the headline findings.
 4. On 30 March 2026, Ms Yorke emailed Ms Bennett (**Attachment B**) reiterating the request for the information set out in paragraph 2 above.
 5. On 1 April 2026, Ms Bennett responded to Ms Yorke via email providing the ACMA with an Excel spreadsheet with the data output for one question and related demographics data. The response did not include, or provide a link to, the full survey instrument or information about the analytical approach used to derive the headline findings.
 6. To date, the information ACCAN has provided to the ACMA in response to the ACMA's requests does not include the complete survey instrument. The ACMA considers that a complete survey instrument would include the full sequence and flow of questions, survey programming and logic, and any explanatory text or definitions provided to respondents to frame individual questions. In the absence of this information, the ACMA is unable to understand the basis of the concerns identified in ACCAN's research in order to fulfil the performance of its functions on matters relevant to Triple Zero.

Accurate public information and communications relating to access to Triple Zero are critically important to public safety and community protections. The ACMA seeks this information as a matter of priority so that the ACMA can provide accurate and complete advice in the performance of its functions.

SUBMISSION DUE DATE AND TIME

Time: 5:00 PM (AEDT)

Date: 21 April 2026

To The ACMA

ACCAN must give the information and documents required by this Notice to the ACMA in a secure digital format to the attention of Ms Samantha Yorke, Authority Member via email to

[REDACTED] unless the content of the email exceeds 10MB, in which case it must be either:

- (a) transferred electronically into an ACMA Microsoft SharePoint account, using a Microsoft SharePoint link sent by the ACMA to an email address provided by ACCAN for the purpose of receiving the link; or
- (b) provided on a USB Drive and given to the ACMA:
 - i. in person;
 - ii. by receipted courier delivery; or
 - iii. by registered mail delivery;

addressed to the attention of:

Ms Samantha Yorke
Authority Member
Australian Communications and Media Authority
Level 5, 65 Pirrama Road
Pyrmont NSW 2009.

Words in this Notice and the Schedules to this Notice have the meanings set out in Schedule A to this Notice.

TAKE NOTE:

1. Subsection 522(3) of the Act provides that a person must comply with a requirement under subsection 522(2) of that Act.
2. Under subsection 522(4) of the Act, a person is guilty of an offence if:
 - (a) the ACMA has given a notice under subsection 522(2) of that Act;
 - (b) the person engages in conduct (i.e. does an act or omits to perform an act); and
 - (c) the person's conduct contravenes a requirement in the notice.

The penalty for this offence is up to 20 penalty units (AUS \$6,600.00) for an individual and 100 penalty units (AUS \$33,000.00) for a corporation.

3. Subsection 524(1) of the Act provides that an individual is not excused from giving information or evidence or producing a document or a copy of a document under section 522 on the ground that the information or the production of the document might tend to incriminate the individual or expose the individual to a penalty.
4. Section 525 of the Act provides that a person must not under section 522 of that Act give information or evidence that is false or misleading. The penalty for this offence is imprisonment for up to 12 months and/or a fine of up to 60 penalty units (AUS \$19,800.00) for an individual or 300 penalty units (AUS \$99,000.00) for a corporation.
5. Giving false or misleading information or documents is a serious offence (see sections 137.1 and 137.2 of the *Criminal Code*).

Dated: 14 April 2026


Samantha Yorke
Authority Member
Delegate of the Australian Communications and Media Authority

ATTACHMENTS

- A ACMA correspondence to ACCAN, dated 19 March 2026
- B ACMA correspondence to ACCAN, dated 30 March 2026

SCHEDULE A – DEFINITIONS

In the Notice, unless the context otherwise requires:

The singular includes the plural and vice versa.

Terms that are defined in the Act have the same meaning as in that act.

Terms that are defined in the TCPSS Act have the same meaning as in that act.

Terms that are defined in the Determination have the same meaning as in that determination.

ACCAN means the Australian Communications Consumer Action Network funded by the Commonwealth of Australia under section 593 of the *Telecommunications Act 1997*.

ACMA means the Australian Communications and Media Authority.

Act means the *Telecommunications Act 1997*.

Document means any record of information and includes:

- (a) anything on which there is writing;
- (b) anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them;
- (c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else;
- (d) a map, plan, drawing or photograph.

Minister means the Minister for Communications.

Triple Zero means the emergency call service number '000'.

SCHEDULE B - INFORMATION AND DOCUMENTS REQUIRED

Pursuant to section 522 of the Act, you are required to provide the following information and documents relevant to the ACCAN Consumer Sentiment Tracker Wave 3, as published on the ACCAN website at <https://www.accan.org.au/research/consumer-sentiment-tracker-wave-3>.

1. The full survey instrument used for programming, being a complete, accurate and auditable record of the design, construction and implementation of the survey, which must include without limitation:
 - a. the complete questionnaire, exact wording of each question asked, all response options and scales, and the associated response codes as presented to respondents and as used for any data capture, processing and analysis;
 - b. any and all definitions and explanatory material for each question, including the purpose and intent of the question, any key terms or concepts relied upon, and all instructions or guidance provided to respondents whether prior to, during, or following question presentation;
 - c. the structure and sequencing of the questionnaire, including the order of questions, section groupings, and any introductory, transitional, or explanatory text presented to respondents throughout the survey; and
 - d. all survey programming specifications and logic, including screening criteria, eligibility rules, filters, skips, routing rules, quotas, display conditions, termination conditions, and any other logic or constraints that determine respondent eligibility or which questions are shown to which respondents.
2. The analysis plan, or equivalent documentation, being the document or documents that set out the analytical framework used to analyse the survey data and to derive the reported or headline findings, which must include, without limitation:
 - a. the analysis objectives and key research questions addressed by the analysis;
 - b. details of panels and measures used to ensure responses were engaged and legitimate and only one survey could be completed by a single human respondent;
 - c. details of the panels used to recruit respondents, and the measures implemented to ensure responses were genuine, engaged and provided by human respondents only, including controls to prevent multiple survey completions by a single individual and to detect or exclude fraudulent, automated or low-quality responses;
 - d. the treatment of non-response, partial completes, and exclusions, including eligibility criteria, handling of missing data, treatment of 'don't know' or refused responses, and any rules applied to exclude responses on quality or validity grounds; and
 - e. the statistical techniques employed in the analysis, including cross-tabulations, modelling (such as regression or segmentation), significance testing, and confidence thresholds and levels of statistical certainty applied.
 - f. reporting conventions and standards, including the treatment of bases, rounding rules, suppression thresholds, and rules governing the inclusion, exclusion or qualification of statistically unreliable estimates.
 - g. details of any derived variables, indices or transformations, including constructed measures, scale aggregations, recodes or calculations applied during data processing or analysis.
 - h. assumptions, limitations, and implementation notes, outlining any methodological constraints, design decisions, or factors that may materially affect interpretation of the results.

As an example of the above, please refer to the ACMA *Communications and Media in Australia* research methodology available at <https://www.acma.gov.au/communications-and-media-australia-methodology>

OFFICIAL




Australian
Communications
and Media Authority

Authority Member

19 March 2026

Ms Carol Bennett
Chief Executive Officer
Australian Communications Consumer Action Network
PO Box A1158
Sydney South NSW 1235


Carol,
Dear Ms Bennett

ACCAN media release on Triple Zero access – request for supporting research materials

The ACMA was concerned to read in ACCAN's media release issued on 12 March 2026, of the finding from ACCAN's recent Consumer Sentiment Tracker that *1 in 10 Australians (10%) reported that they, or a family member, were unable to reach Triple Zero from a mobile phone in the last 12 months due to a mobile outage*. This is a very serious claim which warrants careful scrutiny, particularly given it has the potential to further damage public confidence in the Triple Zero service.

To enable the ACMA to properly understand the basis on which this statement has been made, I request that ACCAN provides the following:


- the survey methodology, including details of the sample selection and weighting
- the full survey instrument, including the exact questions posed
- the analytical approach taken to derive the headline findings, including any assumptions or limitations identified.

If it would assist ACCAN in releasing this information, the ACMA can issue a section 522 notice under the *Telecommunications Act 1997*.

It is critically important that public communication regarding Triple Zero is accurate. Therefore, I am seeking this information as a matter of priority so that the ACMA has the full context on this information, and to ensure that discussions regarding emergency call access are appropriately informed by evidence. We therefore request this information be provided by 5pm AEST, Thursday 26 March 2026.

I look forward to your prompt response.

Yours sincerely


Samantha Yorke
Authority Member

OFFICIAL

Samantha Yorke

From: Samantha Yorke
Sent: Monday, 30 March 2026 12:58 PM
To: Carol Bennett
Cc: Cathy Rainsford; [REDACTED] Erin Raco
Subject: Wave 3 Consumer Sentiment Research

Dear Carol,

It was good to speak with you last week. I appreciate your offer to brief the ACMA on ACCAN's research and we would like to take you up on this offer. I understand that you have made a similar offer of detailed briefing to our colleagues in the Triple Zero Custodian team in the Department and we consider that there would be benefit in a joint briefing. Please let me know if you'd like to send some available dates and times through in the first instance, or whether you would like us to coordinate with the Department and send you through some dates / times.

In advance of this meeting, and to facilitate a constructive discussion, there is some information that we would benefit from being granted access to (some of which was detailed in my letter of 18 March). The publicly available material does not address key questions regarding the basis of the '1 in 10' finding, and I would be grateful if ACCAN could provide the following:

- the full survey instrument, including the exact questions posed; and
- the analytical approach taken to derive the headline findings, including any assumptions or limitations identified.

As we discussed, the seriousness of the claim and its potential impact on public confidence in Triple Zero, is of concern to the ACMA and I regard this request as urgent. To this end, could you please provide this information by cob 1 April 2026? If it assists ACCAN in providing the material or is otherwise needed, the ACMA is prepared to issue a notice under section 522 of the *Telecommunications Act 1997*.

Many thanks in advance Carol.

Regards
Sam

Samantha Yorke (She/Her)
Authority Member and Chief AI Officer

Australian Communications and Media Authority

[REDACTED]

Executive Assistant: Derek Wiseman

[REDACTED]



The ACMA acknowledges First Nations peoples as the Traditional Owners and Custodians of Australia. We respect and celebrate First Nations peoples as the original storytellers and content creators of the lands on which we work and honour the enduring strength and commitment of Aboriginal and Torres Strait Islander peoples to the land, waters and their communities.

