Australian Government | acma Australian Communications and Media Authority

Authority submission

Meeting date:	**(insert meeting date)**
Agenda item no:	**(Authority Secretariat to insert number)**
Title:	**ABC Four Corners 'Sacrifice' - final investigation report**
Description:	**The Authority to consider the findings in the draft final investigation report**

RECOMMENDATION

That the Authority:

A) ***AGREES*** to the findings in the draft final investigation report that the ABC, in relation to the Four Corners program titled Sacrifice broadcast on 10 March 2025:

1. did not breach the accuracy requirements under the ABC Code of Practice 2024 (**Issue 1,** i.e. the broadcast inaccurately presented misleading and distorted representations by manipulating the audio during the bugle sounding of the Last Post Ceremony); and
2. breached the impartiality requirements under the ABC Code of Practice 2024 (**Issue 2,** i.e. the ABC was not impartial in its reporting about the Australian War Memorial's redevelopment Project and the findings of the ANAO report and the way it was presented).

B) ***APPROVES*** the draft investigation report at **Attachment A and its associated attachments A1-A5.**

TIMING

ACMA staff opened this investigation on 10 October 2025 under the *Broadcasting Services Act 1992* (the **BSA**) an own motion investigation under section 170.

Following a three week extension for the ABC's comments on preliminary findings, we are aiming to prioritise the final findings.

COMMITTEE OR PROJECT BOARD CONSIDERATION

☒ Content Committee	☐ Gambling Committee
☐ Spectrum Committee	☐ Telecommunications and Consumer Committee
☐ Compliance Priority (please specify)	☐ Project Board (please specify)

Paper by: [redacted] and [redacted] Content Oversight Section

Cleared by: GM: Autumn Field EM: Alana Fraser

Legal contact officer: [redacted] and [redacted]

File reference: BI-753

Draft Investigation Report – ABC *Four Corners* 'Sacrifice' 10 March 2025

PURPOSE

1. To seek the Authority's approval of the findings in the draft final investigation report for Four Corners' Sacrifice (**Attachment A**).

KEY POINTS

2. The ABC provided its comments on the preliminary investigation report on 22 May 2026 (**Attachment A3 and Attachment A4**).
3. Staff have addressed the ABC's submissions in the draft final investigation report (**Attachment A**).

DISCUSSION

4. On 19 March 2026, the Authority agreed with the proposed no breach findings to the accuracy provisions. However, at the same meeting, the Authority disagreed with the proposed no breach findings to the impartiality provisions and instead made a preliminary breach finding.
5. Following out-of-session changes to the preliminary investigation report, staff provided it to the ABC for procedural fairness comment on 20 April 2026. In Attachment A, the substantive changes between the preliminary investigation report and the final have been highlighted in green.

Preliminary findings accepted by the ABC

6. The ABC welcomed the ACMA's preliminary finding that there was no breach of the accuracy requirements for Issue 1 and staff have not made any changes to this part of the report.

ABC comments on preliminary breach findings

7. The ABC made extensive comments on the preliminary findings that there was a breach of the impartiality requirements for:
    - Issue 2.1 - The negative framing of the ANAO report
    - Issue 2.3 - Mr Matt Anderson's (Director, Australian War Memorial) interview on consultation processes
    - Issue 2.5 - The diversity of interviews
    - Issue 2.6 - The interview style of the Program and how the interviews were conducted
8. While staff have maintained the proposed breach findings, the ABC's submissions raised substantive issues regarding the interpretation of the ANAO report, the role of investigative journalism under the Editorial Policies (the Policies), and the presentation of the consultation process interview with Mr Anderson. Staff have considered these issues in detail and revised the report to more fully explain why the ACMA nevertheless considers a breach occurred.
9. The general changes to the report are set out below:
    - Staff have referred to the ABC's Policies when explaining the ACMA's approach to assessing content.
    - There is a more detailed explanation of the ANAO report.
    - Additional excerpts from the initial ABC Ombudsman report (16 April 2025) (**Attachment A5**) have been included in the body of the report as well as the ABC's submissions dated 22 May 2026 (**Attachments A3 & A4**).

- Staff have amended some of the references to the host Mark Willacy to better reflect that the content is a product of the program team as a whole and the report is not specifically attributing the breach to him as an individual employee. Where the content is specifically in reference to his role as the host, staff have retained these references.

10. Staff have made the following changes to specific parts of the report:

Issue 2.1 The negative framing of the ANAO report

11. Staff note that the ABC strongly disputes the ACMA's characterisation of the ANAO report and submits that the Program accurately conveyed the ANAO's overall conclusion that management of the Project was 'largely effective'. This issue remains one of the principal areas of disagreement between the parties.
12. Staff have included further information about the ANAO report, including the 'Rationale for undertaking the audit, the audit objective and criteria'.
13. Staff noted that the Program presented information on the screen that was taken from the ANAO report but had omitted the 3 high-level criteria (which were also the supporting findings) which were used to form the overall objective of the audit report. By presenting the information in this manner, staff consider that the Program focused on the deficiencies of the audit and did not fully explain the context of the overall findings, which included the supporting finding of the ANAO report.
14. Staff also noted that the Program broadcast a wider set of critical opinions not related to the ANAO report.

Issue 2.3 Mr Matt Anderson's (Director, Australian War Memorial) interview on consultation processes

15. Staff remain of the view that the Program's presentation of the exchange would likely have conveyed to viewers that Mr Anderson's statements were inaccurate or disputed when, in fact, the exchange concerned different stages of the consultation process.
16. Staff also included an excerpt from the ABC Ombudsman's submission (**Attachment A4**) to this section of the report.

Issue 2.5 The diversity of interviews

17. Staff noted that the ABC Ombudsman's submission (**Attachment A4**) requested that a more detailed quote from the ABC Ombudsman's report dated 16 April 2025 (**Attachment A5**) be included in this section of the report. Staff have included more information from the initial ABC Ombudsman's report (**Attachment A5**) to the body of the report. Additional information from the ABC Editorial Director's submissions (**Attachment A3**) and the ABC Ombudsman's submission (**Attachment A4**) were included in this section of the report.
18. Staff acknowledge the ABC's submission that several interviewees critical of the redevelopment were former senior AWM officials with considerable expertise. Staff nevertheless remain concerned that supportive perspectives independent of the AWM itself were underrepresented.

Issue 2.6 The interview style of the host and how the interviews were conducted

19. Staff included two excerpts from the ABC Ombudsman's submission (**Attachment A4**) to this section of the report.
20. Staff also added to the conclusion section of the report that it 'considers that the style, language and tone did convey prejudgment and resulted in an unbalanced presentation of the AWM Project.'

[redacted]

[redacted]

30. [redacted]

NEXT STEPS AND TIMING

32. Any required changes to the findings and draft final investigation report will be actioned by the Content Oversight Section out-of-session.

33. If the Authority agrees to the proposed breach findings, we will seek comments from the ABC under section 180 of the BSA before publication. In seeking section 180 comments, we will also request a final submission from the ABC on proposed remediation measures.

34. If appropriate, we will publish the report on the ACMA website in line with our usual processes.

35. In the ABC submission to the preliminary findings (dated 22 May 2026), ABC Editorial Director, Gavin Fang, requested a meeting with the ACMA. He requested that the ABC

[1] ABA Update - 'ABA asks ABC to broadcast apology after breach of code' (1999)

Managing Director Hugh Marks and appropriate representatives of the Corporation meet with the ACMA to discuss the report, ABC's response, and the implications of the breach finding if it stands.

36. [redacted]

BACKGROUND

37. The Program can be found here and runs for approximately 45 minutes. The ABC has confirmed that the version available on the ABC iView platform is identical to the version broadcast on 10 March 2025.

38. After providing the ABC a copy of the preliminary finding on 20 April 2026, we initially requested comments by 4 May 2026, before agreeing to an ABC extension request until 22 May 2026. The ABC's submissions (**Attachment A3** and **Attachment A4**) extensively referred to the ABC's Policies when rebutting the ACMA's preliminary findings in the report. [redacted]

RISKS/SENSITIVITIES

41. Staff also recommend that due to the public profile of the Chairman of the AWM, it may be prudent to brief the Department and Minister's office of the upcoming publication of the Report (see further discussion below at **Communications**).

42. [redacted]

43. The ABC has strongly disputed the proposed impartiality findings and may publicly criticise the final report. [redacted]

44. On 23 June 2026, the AWM celebrated the completion of its new Anzac Hall with an official opening ceremony in Canberra (see AWM media release). The event also made headlines because the Victoria Cross recipient and alleged war criminal Ben Roberts-Smith was initially attending the event at the AWM but decided just prior to the opening that he would not attend.

CONSULTATION

45. Legal Services Division (LSD) has reviewed this paper. The recommendations in the paper are consistent with the advice provided by LSD.

COMMUNICATIONS

46. Communications strategy required? No. Staff will update the ACMA website and contact the complainant with the outcome of the investigation (as above).

47. Ministerial briefing required? Yes. As set out above in paragraph 41, while our usual practice is only to notify the Department and Minister's Office before publication of breach reports – given the public profile of the complainant we may wish to provide advance notice on this occasion.

REGULATORY IMPACT ANALYSIS PROCESS

48. We have considered whether a regulatory impact analysis process is required and formed the view that the recommendation in this submission would not give rise to a regulatory change as defined by the Office of Impact Analysis (OIA). Therefore, a regulatory impact analysis process has not been applied.

STATEMENTS OF COMPATIBILITY (SOC) WITH HUMAN RIGHTS

49. N/A

ATTACHMENTS

A) **Draft investigation report for BI-753 (with changes highlighted)**

   1) ACMA considerations for determining factual content

   2) the relevant ABC Editorial policies

   3) ABC Editorial Director's submissions dated 22 May 2026

   4) ABC Ombudsman's submissions dated 22 May 2026

   5) ABC Ombudsman's initial report published online on 16 April 2025

B) **Preliminary investigation report for BI-753 sent to the ABC on 20 April 2026.**

C) **Overview of outcomes from previous ABC breaches**