Overview of Sacrifice Investigation (BI-753)

- Link to broadcast dated 10 March 2025 (which includes the transcript and a published copy of Mr Hitches statement)
- **Attachment A** - AWM complaint to the ACMA dated 13 August 2025 (includes all of the AWM's correspondence with the ABC)
- **Attachment B** - Copy of the ABC Ombudsman Report dated 16 April 2025
- **Attachment C** – Copy of the CIA for BI-753 dated 10 October 2025
- [redacted]
- **Attachment F** - ACMA email to the ABC opening the investigation – BI-753 dated 13 October 2025
- **Attachment G** - ABC 1st response to the ACMA dated 15 October 2025 RE confirming broadcast on 10 March 2025
- **Attachment H** - ABC 2nd response to the ACMA dated 22 October 2025 RE submissions

Overview

- On 13 August 2025, the Australian Communications and Media Authority (the **ACMA**) received a complaint from the Hon Kim Beazley AC, Council Chairman (Mr Beazley) on behalf of the Australian War Memorial (the **AWM**) (the **complainant**) alleging the *Four Corners* report '*Sacrifice*', broadcast on 10 March 2025 (the **Program**), breached the ABC Code of Practice 2024 (the **Code**) in its reporting on the management, funding, and redevelopment project of the AWM [also known as the AWM Development Project (the **Project**)].
    - See the original complaint at **Attachment A**
- The Program was hosted by Mark Willacy (the **host**). The ABC Ombudsman responded to this and other allegation in its report on 16 April 2025.
    - See the ABC Ombudsman report at **Attachment B**
- On 10 October 2025, the ACMA commenced an investigation under the *Broadcasting Services Act 1992* (the **BSA**) into the Program broadcast by the Australian Broadcasting Corporation (the **ABC**) on 10 March 2025 on ABC TV.

Investigated allegations

- The draft preliminary investigation report considers the following allegations made by the complainant which were assessed as warranting further investigation. Some allegations were not investigated (see CIA **Attachment C**):

    1. Accuracy: Allegation that the broadcast inaccurately presented misleading and distorted representations by manipulating the audio during the bugle sounding of the Last Post Ceremony (**Issue 1**).
    2. Impartiality: Allegation that the broadcast was not impartial in its reporting about the Project and the ANAO report. (**Issue 2**)

[redacted]

Investigation report reasoning and findings

Staff have the preliminary view that there were no breaches of the accuracy and impartiality provisions of the ABC Code of Practice 2024 (the Code).

Issue 1: Accuracy

- The complainant alleged the solemn bugle call was edited into scenes depicting construction and accompanied by construction noise, creating a false impression that construction works were ongoing during Last Post Ceremony. The ABC Ombudsman Report concluded that the ordinary reasonable viewer would have understood that the footage of the Last Post Ceremony was not a continuous segment.
- Staff considered whether the ordinary reasonable viewer would have understood the Program to have implied that the ceremony was being broadcast in the background of several different scenes, including an ANZAC Day ceremony, the Host's piece to camera and the construction site.
- Staff found the ordinary reasonable viewer would have understood that the Last Post soundtrack was being used as background music in these scenes as a symbolic technique by the Program and the Program did not infer that the actual Last Post ceremony was occurring throughout these scenes.
- Staff are of the preliminary view that the ABC did not breach the accuracy provision of the Code in relation to Issue 1.

Issue 2: Impartiality

Staff considered the alleged partiality of the Program through the examples provided by the complainant, including:

(i) The negative framing of the ANAO report

(ii) The omission of accolades and awards for procurement

(iii) Mr Anderson's interview on consultation processes

(iv) Misrepresentation of Mr Wayne Hitches conflict of interest issues

(v) The diversity of viewpoints

(vi) The challenging interview style for AWM staff

Staff considered addressed these concerns in the investigation report, as follows:

2.1 The Project and the ANAO report

- In the Program, the ANAO report was introduced as 'uncovering some troubling information involving contracts and possible conflicts of interest'. The Program referred to the overall findings of the ANAO report as 'largely effective' and this displayed on screen in text: 'management …largely effective' during the part of the Program where the ANAO report is introduced.
- The Program is entitled to examine the more concerning outcome of the report in more detail, noting that it had framed the other findings as being 'largely effective'.
- The concerns raised about the ANAO report were relevant to the focus of the Program as it provided the views of the government auditor on management of the Project. The Program introduced the contractual concerns and focused on the findings about inadequate ministerial oversight of the contracts combined with impact of the lack of conflict of interest reporting and record keeping.
- The ANAO report found that: '*Conflicts of interest were not adequately documented and declared or known conflicts were not adequately managed. Incumbency risks related to the procurement for ongoing project management services were not adequately managed and steps were taken to avoid seeking*

ministerial approval for the entering into contracts on two occasions. Minister's briefs were insufficiently detailed to support the minister to meet their obligations under section 71 of the Public Governance, Performance and Accountability Act 2013'

- The ordinary reasonable viewer would have understood that the ANAO report found the AWM's management of the Project was 'largely effective' from the text on screen but there were ongoing concerns shared by politicians, and integrity experts about the outcomes of the ANAO report related to ministerial oversight and conflicts of interest.
- These concerns were responded to, in part, by the comments made by Major General Melick and Mr Anderson on behalf of the AWM.

Staff considered:

- The Code does not prevent Four Corners from taking a stance and prosecuting an argument.
- The Program provided relevant context around the ANAO report. A Program that presents a perspective that is opposed by a particular person or group is not inherently partial.
- Impartiality does not require that every perspective receives equal time, or that every facet of every issue is presented.

2.2 Omission of the Project's accolades and awards

Staff considered:

- The complainant alleged that the omission of the four national awards for the Project (the awards) which commended the AWM for aspects of procurement also demonstrated the Program's lack of impartiality.
- The ACMA does not wholly agree with the ABC Ombudsman that Senator Reynolds' comments would not have 'added any significant or new context', as her comments as former Minister for Defence would have been a relevant counterpoint to other politicians interviewed in the Program.
- However, the ACMA notes that the Program provided differing perspectives on the ANAO report, and finds that there was a sufficient diversity of perspectives provided in the Program on the ANAO report that the omission of Senator Reynolds comments has not made the Program partial.
- Regarding the awards and other accolades that the complainant had provided to the ABC, the ACMA considers that these awards would not have provided any additional relevant context to the Program. These awards and how they are assessed are unrelated to the procurement concerns raised by the ANAO.
    - For example, the Department of Finance website states that the award for 'Encouraging Environmental Sustainability through Procurement' relates to the use of 'recycled content and embedding environmental sustainability into procurement design and delivery. This includes the management of ongoing arrangements'.
- The ACMA considers this would not have been relevant to the focus of the segment on ministerial oversight and declaring conflicts of interest.
- The ACMA finds that the Program provided relevant context around the ANAO report, without including the awards, and their omission did not render the Program partial.

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

Staff considered:

- The ordinary reasonable viewer would have understood from the discussion about the consultation process for the Project that Mr Anderson and the host disagreed about the outcomes.

- Mr Anderson was given a reasonable opportunity to refute the assertions put to him by the host.

2.4 Misrepresentation of the conflict of interest process in relation to Mr Wayne Hitches

[redacted]

- The complainant alleged the Program insinuated that Mr Hitches' prior employment at Lendlease had assisted Lendlease in securing a contract and also implied that Mr Hitches 'did not answer' why he had not filled in a conflict of interest declaration. The complainant further asserts that these omissions misrepresented Mr Hitches' involvement in the Project and should have been explained in more detail. The ACMA considered it appropriate to examine this under impartiality rather than accuracy.

- The ACMA notes that the ABC has taken steps to address the issues raised by the complainant regarding 'fair and honest dealing' under the Code by including a link to Mr Hitches' full statement in the episode description on the iView website (which still remains on the iView website). The ACMA has not considered the publication of this statement relevant to its assessment of impartiality in this broadcast.

Staff considered:

- The ordinary reasonable viewer would have understood that Mr Hitches' employment was several years prior to the relevant Lendlease contract, as evidenced by Mr Beazley's comment about it being resolved 'years before' and the Host's comment that a conflict of interest form that was eventually submitted 3 years after Mr Hitches commenced employment.
- The ordinary reasonable viewer would have understood that there were contested viewpoints on the matter of the conflicts of interest declaration in relation to Mr Hitches' prior employment at Lendlease, particularly regarding whether the employment relationship passed the 'pub test' as it was described by Senator Shoebridge.
- Viewers would have been able to draw their own conclusions about the prior employment relationship without hearing directly from Mr Hitches, but instead from more senior representatives from the AWM who defended his approach.

2.5 The style and diversity of interviews;

Staff considered:

- The Program made it clear that there were opposing views on the redevelopment of AWM. Within the specific context and line of enquiry of the Program, the material was prepared and presented in such a way that a range of alternative perspectives were included.
- Impartiality does not require that every perspective receives equal time, nor that every facet of every argument is presented. Assessing the impartiality due in given circumstances, requires consideration in context of all relevant factors including the type, subject and nature of the content; the likely audience expectations of the content, and the degree to which the content is contentious.

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

Staff considered:

- The host did speak to a variety of interviewees on the Program and asked probing and, at times, quite pointed questions about the Project and ANAO report.

- The nature of current affairs reporting requires reporters and presenters to be probing and, at times, sceptical in their analysis of important issues. It is appropriate for a current affairs Program to explore controversial issues. The canvassing of these issues must be fair in the context of the Program and not deliberately attempt to portray the subject in a negative light.
- Although the ordinary reasonable viewer may consider the Program was critical about how the Project was conducted, there is no evidence that the Program was partial to critics of the Project.
- The treatment of these issues did not evince prejudgment, but rather provided sufficient material, in terms of information and viewpoints, for viewers to understand that the Project was a matter of contention.

Staff are of the preliminary view that the Program did not breach the impartiality provision of the Code with respect to this allegation.

[redacted]

[redacted]