

ACMA statement

The ACMA rejects the suggestion that its investigation failed to understand either the ABC Code of Practice or the role of investigative journalism.

The investigation expressly recognised the important role investigative journalism plays in scrutinising public expenditure and institutions. It also recognised that investigative programs may legitimately adopt a particular editorial focus and subject public officials to robust questioning.

However, the ABC's Code also requires that its investigative journalism presents contentious issues with due impartiality. This is where the ACMA determined that the program did not meet the expectations of the Code requirements.

The ACMA's investigation included a detailed assessment of the broadcast and the extensive material provided by the ABC. It was undertaken by experienced staff with extensive knowledge of national and industry broadcasting codes of practice, and the findings were considered and approved through the ACMA's established decision-making processes, including by the Authority.

In investigating all broadcasting complaints, the ACMA assesses the meaning that would have been conveyed by the program to the ordinary reasonable viewer. This independent assessment brings the audience perspective to the application of the ABC's Code, recognising that audiences are entitled to expect the national broadcaster to meet the high standards it has set for itself.

In this case, we determined that important context, explanation and a broader range of views would have given viewers a fuller understanding of the issue.

The ABC's independence and its investigative journalism are important. So too are the expectations of its audiences. The ACMA's findings do not affect the editorial

independence of the ABC. Instead, they provide the ABC with insight into how an ordinary reasonable viewer would have perceived the program, which the ABC can consider against the standards it has set for itself.

In that regard, the ACMA has been on record for some time regarding its concern that the ABC regularly disputes its findings. The ACMA included this concern in its submission to the 2022 independent review of ABC complaints handling procedures commissioned by the ABC Board. The independent reviewers found that it had encountered examples of a dismissive ABC attitude towards complainants, external reviews and ACMA rulings.

More recent examples include:

- In December 2022, following the ACMA's findings concerning *Four Corners: Fox and the Big Lie*, the ABC publicly stated that it had "consistently disagreed" with three findings, expressed "serious concerns" about the ACMA's interpretation of the Code and questioned whether aspects of the findings aligned with the ACMA's statutory role.
- Following the *Four Corners: Water Grab* investigation in 2026, the ABC accepted the need for some corrective action but publicly qualified and contested important aspects of the ACMA's reasoning. The ACMA found breaches of both accuracy and impartiality, including because the program omitted credible alternative scientific perspectives.

The ACMA, like the ABC, is subject to external scrutiny of its decisions and its decision-making processes. Such scrutiny, and our responses to it, are important in maintaining public trust and confidence.