

# **Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police**

# Contents

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# Message from Elizabeth Broderick

The AFP is one of Australia's most influential law enforcement agencies operating both domestically and internationally. It has a proud history of almost 40 years. As is the case in many other sectors, the law enforcement environment is changing rapidly and so too must the AFP. Cultural renewal is critical for continued operational effectiveness.

Over the last six months, at the invitation of Commissioner Andrew Colvin, a leader of enormous courage, my team and I have had the privilege of travelling the length and breadth of the organisation, speaking to over a thousand members face to face and hearing the views of many more through surveys and submissions. Our task was to undertake an independent review into culture and diversity with a focus on gender and to suggest initiatives which would enhance capability through greater levels of diversity and inclusion.

I want to thank the many people who have chosen to share their insights and tell their stories. Telling personal stories requires courage. Yet many members have done so – all with the intent of making the organisation better. Individual's views and insights into what needs to change have been captured in their own words throughout the report.

I have seen first-hand the strong commitment members have to developing the most capable and operationally effective AFP now and into the future. I have learnt of the breadth and depth of the work that members across the organisation undertake – often at great risk – for the protection of our nation. I also sense a growing recognition by many, that the ongoing success of the AFP in part depends upon the organisation's ability to become more diverse, whilst continuing to build a culture that is inclusive and respectful.

This report *Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police* provides a strong foundation for the AFP to move forward as a diverse and inclusive law enforcement agency. As the report discloses, there are many areas where the organisation is already strong but like most policing and command and control environments, there are parts of the culture that require strengthening. It takes courage to look under the bonnet, to identify areas where change is needed. But that is exactly what the AFP has done.

I am not surprised by what has been found. The elements of culture that require strengthening are the ones I would have expected. But in the areas of sexual harassment and bullying, urgent action is required. I believe this sentiment is shared by the leaders of the organisation.

Commissioner Colvin together with his leadership team have not shied away from some of the disturbing findings of my report but rather have encouraged me to be bold in the formulation of the recommendations. In all my interactions with the AFP leadership I have observed a strong desire to step forward in a transformative manner, not just tinkering around the edges but delivering strong and lasting impact through bold actions.



Elizabeth Broderick AO

The findings in this report are not a reason for the community in any way to have reduced confidence in the AFP. Quite the contrary. The report serves as a reminder that the AFP is committed to the principles of equality and diversity, to combatting sexual harassment, bullying and exclusion. Cultural change needs to be more than just turning up the volume on the standard modus operandi. And at times this might feel quite uncomfortable.

In command and control environments - in policing - there is a strong bias to action. Members will see an issue and immediately step up to fix it. That will be the tendency on reading this report. But I would caution against being too eager to rush in, without first understanding the causes of the systemic failure, not just the symptoms.

Listen first, particularly to the stories of those around you. Reflect on the part you have played in creating what is there today – good and bad. Reflect on the causes that have prevented the organization from being fully inclusive. Examine some of the structures, processes and systems that may have inadvertently or otherwise allowed for the unequal treatment of women, including the behaviours identified in this report. By listening and reflecting, each individual will gain a deeper understanding of what needs to change and what their part will be in creating that change. The greatest risk to this cultural reform agenda is leading without listening, reflecting and fully understanding.

In undertaking this project my team and I had the invaluable assistance of a number of AFP members. In particular, Superintendent Brett James provided excellent advice on the operations of the AFP and was instrumental in coordinating all our visits to the many offices in Australia and offshore. Superintendent James accompanied us on all of our visits and seamlessly facilitated our engagement with the many members with whom we spoke. Alisha Stewart provided strong logistic support and both she and Abby McLeod ensured we received relevant information and material. Assistant Commissioner Mandy Newton was an invaluable source of wise counsel. I want to thank them all for their work with us and their commitment to the project.

Finally, I would like to thank Commissioner Colvin for his leadership and unwavering commitment to enhancing capability through cultural reform, to the creation of an AFP where both men and women can thrive equally.

Elizabeth Broderick AO  
Sydney  
22 August 2016

# Message from Commissioner Andrew Colvin

The AFP is a proud organisation, whose responsibilities are at the core of what the Australian community expect in terms of their safety and security. We are a national, and international, organisation who should be expected to set the benchmark and show leadership in terms of policing standards, practices and outcomes. In order to continue to meet expectations, we need to show genuine commitment to achieving these ideals and always aspire to be better. This is expected of a national organisation like the AFP.

The greatest reflection of these responsibilities is the culture we espouse from within.

At our core we are a policing agency and, like any police agency, we must strive to reflect the community we serve. Our 37 year history has been synonymous with success, but our success has been despite one major barrier. For too long the AFP has lacked the diversity it needs to be the best agency it can be. Diversity of gender, of culture, of skill, of education and of thought, and we must do more to improve it if we want to maximise our potential.

Diversity is not simply a human resource aspiration for the AFP, it is a capability necessity.

We have an organisation filled with people who are motivated, inspired and proud of the work they do, but we also have many barriers to achieving the culture and diversity goals we aspire to. Some of these challenges are structural – some simple and some complex.

However, many of our challenges are cultural. They are our challenges, created by us, and they will be changed by us. These changes will require a clarity of purpose, a consistency of effort and, most importantly, leadership across all levels of the AFP.

This review has found behaviours and culture that I am not proud of. Behaviours and culture that do not align with the values of the AFP, or community expectations. Behaviours and culture that do not align with my expectations, are not condoned by the majority of the workforce, and are holding us back from achieving our potential. Creating a safe and supporting workplace, where employees can thrive, is the first goal of any CEO, and on this we have not been as successful as we should have been.

This report shines a light on the way our organisation perceives itself and how we perceive each other. Our members have expressed their honest beliefs and perceptions in a full and frank assessment of our internal health, and all are relevant. They are the views of those who ultimately deliver the outcomes for the AFP, and the community.

To those members, past and present, who have been subjected to behaviours and actions that are not consistent with our values or community expectations, I unreservedly apologise.

This must change, and from this point forward it will.



Andrew Colvin APM OAM  
Commissioner  
Australian Federal Police

Over a six month period, Elizabeth Broderick and her team have spoken to more than a thousand AFP members, consulted internally and externally, conducted forums with our members and presented the case for change to our organisation. She now understands the AFP better than most, and her report is a window into the AFP that is challenging, but also one that paves the way forward for us to truly be an organisation that champions diversity, inclusiveness and values. It is a window that is focussed on gender, but provides the insights we need to make real and sustainable change across all our diversity needs.

As Commissioner I accept each of the recommendations in this report. I commit to ensuring that each of them is implemented. My leadership team and I are unified in our resolve to deliver on these outcomes for the AFP.

Real change comes from within, and the AFP is a progressive national organisation committed to moving forward, continuing to serve the Australian community and maximising our potential.

The delivery of this report provides the AFP with the foundation and framework to build on our 37 years of proud tradition, to be more inclusive, more diverse and more capable. I want to thank Elizabeth Broderick and her team for the work they have done to help the AFP continue to evolve and improve its performance, and I look forward to working with her team as we deliver on this commitment.

Andrew Colvin APM OAM  
Commissioner  
Australian Federal Police  
22 August, 2016

# Executive Summary, Principles and Recommendations

## A. Executive Summary

### Introduction

The Australian Federal Police is the Australian Government's principal law enforcement agency and has a local, national and international mandate. Its work is of critical importance to our national security. The breadth of its work, including responding to threats of terrorism, stopping drug importation, fraud and corruption, cyber crime, human trafficking, child sex offences and child pornography, as well as addressing crime in the ACT, is considerable and far-reaching. AFP Police – Federal Agents and those in other roles, including community police, unsworn specialists and employees, and Protective Service Officers (PSO), all provide a vital service to the nation and local communities.

The AFP has a proud history and tradition. The vast majority of members are deeply committed to the organisation, are passionate about their work and are keen to see the AFP succeed into the future. They are acutely aware of the importance of the organisation to Australia's law enforcement and security landscape and are proud to contribute to that role. As one member told the Project Team:<sup>1</sup>

**I am passionate about my job. I am passionate about the AFP. That's why I care about the culture and want it to be as positive as it can be for all of us (male participant).**

The AFP has evolved over many years to accommodate ever expanding responsibilities. The 21<sup>st</sup> century has brought with it new and emerging law enforcement challenges that require the AFP to adapt and evolve even further. Globalisation and technological advancement are producing unique circumstances requiring police to be responsive, flexible and resilient. Adding to these issues are an ageing workforce, more mobile employees, and the trend towards 'information-based' work.

A key component of meeting these challenges is ensuring that the AFP workforce is appropriately skilled and agile. The AFP must capture the breadth of talent and expertise available in the Australian labour market and reflect the diversity of the Australian community. Having a diverse workforce and inclusive culture is critical to achieving enhanced capability.

Elizabeth Broderick and her team (the Project Team), were engaged to inform and support the development of the AFP's long term diversity and inclusion strategy, with a focus on gender.

The Project entails two Phases, the first being dedicated to the development of an evidence base to inform recommendations on initiatives to strengthen gender equality, diversity and inclusion in the AFP. Specifically, the Project Team has developed an evidence base to:

- demonstrate the business case and organisational benefits of diversity and inclusion;
- demonstrate how diversity and inclusion can be leveraged to create superior performance, innovation and operational outcomes; and
- outline impediments to attracting and retaining a diverse and inclusive workforce.

This Report represents the culmination of Phase One. During Phase Two, the Project Team will support the AFP to implement recommendations contained in this Report and other relevant organisational reform initiatives.

The recommendations in this Report are designed to assist the AFP build a more diverse and inclusive organisation. It is important to recognise that gender is just the starting point, not the end game. The focus is on gender in the first instance because women make up over half the Australian population. If an organisation can "get it right" for the majority of the population, benefits will flow to other diverse groups. A workforce that is culturally and ethnically diverse, which includes people of Aboriginal and Torres Strait Islander backgrounds, people with disabilities and those of diverse gender identity and sexual orientation – a workforce that truly reflects Australian society – is one that can harness a breadth of skills and perspectives and, in doing so, increase its creativity and innovation.

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<sup>1</sup> The Project or the Project Team as referred to in this Report mean the Project led by Elizabeth Broderick.

## The Case for Change

By increasing the representation of women in the AFP, the organisation will

- build a broader and more diverse talent and skill base, thereby enabling it to strengthen capability and operational effectiveness;
- build on its strong foundation as a leading law enforcement agency;
- enable it to create a culture that is more inclusive and aligns with the vision developed by the senior leadership; and
- ensure that the AFP remains strongly positioned to meet the challenges of the future.

The last two decades have seen major demographic shifts in the Australian labour market, including the emergence of some 1.6 million additional female entrants. The AFP has not capitalised on the increased number of women in Australia's talent pool – the proportion of women, in sworn roles and leadership roles, in particular, has remained static.

The advantages of a gender inclusive organisation are supported by solid evidence and are well established. Evidence shows for example, that:

- Women bring different leadership skills and behaviours to the table;<sup>2</sup>
- Diverse teams are smarter and more effective;<sup>3</sup>
- Diverse teams are more creative;<sup>4</sup>
- More women in leadership roles provides more motivation for women to succeed;<sup>5</sup>
- Diversity programs have a positive impact on motivation;<sup>6</sup> and
- More gender diversity protects women against sexism and sexual harassment.<sup>7</sup>

Further, more gender diverse organisations:

- attract and retain the best possible talent and potential the labour market has to offer;<sup>8</sup>
- innovate and adapt in a fast-changing environment;<sup>9</sup>
- give rise to enhanced performance and productivity particularly in a changing environment where anticipating change and adapting to it in a timely and effective manner is essential;<sup>10</sup> and
- produce a diversity of thought, ideas and, as a result, better decision-making.<sup>11</sup>

In the context of law enforcement, access to greater skills, talent and experience builds capability which is especially critical in view of the changing law enforcement landscape. Today's modern police services are complex, requiring new and additional skills and adaptability, beyond the scope and capabilities of traditional policing. Approaches combining intelligence collection, analysis, new technology and techniques, teams and problem-solving are now critical to effective policing. Accessing the right talent from a workforce that is already under pressure, to ensure these skills are met, is vital. Gender diversity, equality and inclusion are therefore fundamental to police capability.

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2 A Eagly and J Carli (2007) 'Women and the Labyrinth of Leadership' in *Harvard Business Review*, September.

3 A Williams Woolley (2010) 'Evidence for a Collective Intelligence Factor in the Performance of Human Groups' in *Science* v. 330, p 686.

4 J Marinova, J Plantegna and C Remery (2010) 'Gender Diversity and Firm Performance', in *Tjalling C. Koopmans Research Institute Discussion Paper Series 10-03*, Utrecht School of Economics, January 2010.

5 G Desveaux, S Devilland and S Sancier-Sultan (2010) *Women Matter: Women at the top of corporations: Making it happen*, McKinsey and Company.

6 European Commission (2003) *The Costs and Benefits of Diversity: A Study on Methods and Indicators to Measure the Cost-Effectiveness of Diversity Policies in Enterprises*, October, 2003.

7 V Sojo and R Wood (2012) 'Women's Fit, Functioning and Growth at Work: Indicators and Predictors' Centre for Ethical Leadership, <https://cel.edu.au/our-research/resilience-womens-fit-functioning-and-growth-at-work-indicators-and-predict> (viewed 26 July 2016).

8 Workplace Gender Equality Agency (2013), *The business case for gender diversity*, March, Australian Government, [https://www.wgea.gov.au/sites/default/files/business\\_case\\_web.pdf](https://www.wgea.gov.au/sites/default/files/business_case_web.pdf) (viewed 20 July 2016).

9 G Desveaux, S Devilland and S Sancier-Sultan, *Ibid*.

10 R Adler (2009) 'Profit, thy name is... Woman?' in *Pacific Standard*, Feb 27, 2009; Catalyst (2004) *The Bottom Line: Connecting Corporate Performance and Gender Diversity*; McKinsey & Company (2012) 'Is there a payoff from top-team diversity?' in *McKinsey Quarterly*, April, 2012; B Lejczak (2012) *Diversity on Board*, Credit Suisse <https://www.credit-suisse.com/us/en/articles/articles/news-and-expertise/2015/06/en/diveristy-on-board.html> (viewed 27 July 2016).

11 Ernst and Young (2016) *Navigating disruption without gender diversity? Think again*, [http://www.ey.com/Publication/vwLUAssets/EY-women-in-industry/\\$FILE/EY-women-in-industry.pdf](http://www.ey.com/Publication/vwLUAssets/EY-women-in-industry/$FILE/EY-women-in-industry.pdf) (viewed 27 July 2016). Forbes, *Fostering Innovation Through a Diverse Workforce*, Forbes Insights, [http://images.forbes.com/forbesinsights/StudyPDFs/Innovation\\_Through\\_Diversity.pdf](http://images.forbes.com/forbesinsights/StudyPDFs/Innovation_Through_Diversity.pdf) (viewed 27 July 2016).

## Leadership

Strong and courageous leadership is essential to the success of any cultural change program, including one to increase gender diversity across organisations. Whilst leadership at the most senior levels is critical, leaders right across an organisation must also visibly champion the imperative for change. Members across the AFP have a high regard for the changes already implemented by Commissioner Andrew Colvin, and recognise that many leaders share his strong commitment to cultural reform and renewal. However, a number of members questioned whether that commitment was universally held by all leaders across the organisation. A disconnect between how leaders lead and their people management skills is also of concern to members. There has been a pre-occupation on 'what is achieved', with insufficient attention directed to 'how it is achieved'. Whilst a number of members indicated that many leaders and supervisors were supportive and inspiring managers, others believed certain leaders lack the necessary skills to manage diverse teams, including teams that include women or those with caring responsibilities. To address this, recruitment and promotion processes should have a strong predisposition to effective people management and leadership skills, including the successful completion of appropriate training.

Middle management leaders have a critical role to play in championing and implementing cultural change. As the 'cultural ambassadors' of the organisation – those that have the day to day interaction with members – what these leaders say and do, matters. To ensure cultural change has a significant impact across the entire organisation it is important to assist those in middle management to better understand the need for, and champion, the positive benefits of a more gender balanced workforce that is supportive of women. This requires ensuring that these members understand the benefits of flexible work and are supported at senior levels to implement flexible work arrangements; understand that employees working part-time are as committed to their work as full-time employees; properly address inappropriate behaviours and attitudes; and actively support all members – men and women – to access training and other opportunities that arise.

All SES members would benefit from undertaking the *Leadership Shadow*, or an equivalent model and develop a personal leadership action plan. Strategies such as the *Leadership Shadow* provide a basis for encouraging actions and behaviours that are most likely to support progress. In addition, senior leaders would benefit from the appointment of an independent, specialist coach who could work with each member of the Senior Leadership Group (SLG) and the group as a whole, to assist them to implement their personal leadership action plan.

Storytelling is a powerful lever for cultural change. When senior leaders engage in a storytelling process by listening deeply to the experiences of their members, change is accelerated. A process of storytelling and restorative engagement has had a profound impact in the Australian Defence Force and led to far-reaching reform, much of which is underpinned by creating a more gender diverse and equal organisation. There is considerable value in the AFP adopting a similar process to the ADF as a means of strengthening leaders' resolve to implement change. Stories to be heard in the AFP could include personal accounts of exclusion, bullying, sexual harassment and abuse, mental health and emotional trauma and the impact of poor decisions regarding flexible work on those members' who have caring responsibilities.

To ensure that cultural reform, including the recommendations contained in this Report are given priority and indeed, embedded into the core business of the AFP, they must be owned by the Commissioner and the Executive Leadership Committee (ELC) with responsibility for cultural change embedded into their performance metrics. A gender balanced Cultural Reform Board, chaired by the Commissioner and with membership comprising the Deputy Commissioners, the COO and a targeted group of no more than 15 members from across the organisation and at different leadership levels, should be established to oversee the cultural change process. Strong and visible messaging that supports the case for change and the reform process should also be actively delivered by senior leaders.

## The Experiences of Women in the AFP

Women in the AFP have different experiences to their male counterparts. Most men believe men and women's experiences are the same. Many women have very rewarding, positive and worthwhile careers in the AFP. They are well supported and have opportunities to thrive. However, the focus groups and interviews revealed that for a large proportion of others, their experiences can be tainted by a range of challenges and difficulties, limiting their opportunities to thrive to the same extent as men. These challenges can be amplified for women working in remote locations.

Women across the AFP told the Project Team of the difficulties of having to “fit in” to a male dominated culture, having to “prove themselves” and, in some instances, having to tolerate working in sexualised environments. Both women and men spoke of the difficulties accessing flexible work and the impact that this can have on future career progression. As women disproportionately access flexible work, this impacts on them at a greater rate than men. Women also reported instances of sexual harassment and bullying and both men and women spoke of a culture in the AFP that discourages reporting. The results of the Survey conducted for the Project indicate that sexual harassment and bullying are significant issues for the organisation and require urgent action.

## Women’s Representation in the AFP

Women are under-represented in the AFP across a range of areas and particularly in Police and PSO roles. As of April 2016, women comprised 35% of all AFP personnel (22% of all Police, 10% of PSO and 60% of unsworn). The significant occupational segregation in the AFP impacts on women’s career progression and their ability to reach leadership positions. Traditionally, senior leadership is drawn from the Police population where women are under-represented. While the proportion of sworn women at SES level is representative of the proportion of sworn women in the AFP (23% of sworn SES roles are held by women and women make up 22% of the sworn population), Police women are under-represented in Band 8 and Executive Level (EL) roles (the pipeline for senior leadership). Furthermore, unsworn women are also under-represented in SES roles. Only 32% of unsworn SES roles are held by women despite women making up 60% of the unsworn population.

Research confirms that “we are drawn to those who think, look and act like us.”<sup>12</sup> For women working in male dominated environments where there are deeply held beliefs and norms about who is suitable for leadership. This is a particular barrier to gaining promotions and senior roles. This situation underlines many of the flaws in the AFP’s promotion system which has tended to promote people based on their time in investigations rather than on their workforce capabilities and potential, thereby disadvantaging those who take time out of the workforce for caring responsibilities and those who work flexibly.

The recently established Executive Level Development Committee and the trial of a blind promotions process will help to address many of these issues and result in more effective career management system for leadership in the AFP. These initiatives are also complemented by the Commissioner’s commitment to achieve a 50:50 gender balance over the next decade. The range of other relevant strategies being implemented across the AFP are identified throughout the Report and are to be commended.

An increase in gender diversity, particularly at leadership levels will have a significant and positive impact on the AFP’s overall capability and operational effectiveness.

## Combining a Police Career with Family

Flexible work arrangements are a key capability driver. They are a fundamental attraction and retention tool for organisations. Flexible work is increasingly becoming the norm in contemporary workplaces around the globe with many adopting an ‘all roles flex’ policy. For these organisations, flexible work arrangements make good business and operational sense.

For women in the AFP in particular, the need to combine work with family, disproportionately impacts on their ability to progress through their career and access leadership opportunities. Unlike men, many women in the AFP believe they face a dual choice between a career and family.

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12 E Catilla and B Stephen (2010), ‘The Paradox of Meritocracy in Organizations’, *Administrative Science Quarterly* 55, 543-576. M Sanders et al (2016), ‘What stops women from reaching the top? Confronting the tough issues’, *Chief Executive Women and Bain & Company*. S Correll and C Simard (2016), Research: Vague Feedback Is Holding Women Back, *Harvard Business Review*. Available at: <https://hbr.org/2016/04/research-vague-feedback-is-holding-women-back> (accessed 27 July 2016).

The AFP has sound and fair pre and post pregnancy and flexible work policies. However, their application can be inconsistent with many members reporting to the Project Team that access to the arrangements set out in the policies can be dependent on who is making the decision. Members also reported that a stigma attaches to those who take maternity or parental leave and those who work in a flexible arrangement. They variously spoke of being “de-valued”, “ostracised” and perceived as “a burden” when on maternity leave or working flexibly. Many also reported being unable to access promotional or training opportunities while on flexible work arrangements, despite their skill and expertise.

The Project Team commends the efforts being undertaken by the AFP to assist supervisors to manage flexible work arrangements, including through the engagement of a Systems Integrator who is identifying the best systems to deliver sophisticated rostering systems. It also supports the split shift trial being undertaken at Sydney Airport and the rostering initiatives being implemented in parts of ACT Police, as strategies to allow for greater access to flexible work for members.

Whilst there are a few unique challenges for law enforcement agencies in implementing a universal flexible work regime, these are not insurmountable. They require strong leadership and organisational commitment to design and implement. The Project Team believes that a ‘flex by default’ system should be introduced across the AFP. Refusal of flexible work should be reviewed by a designated member of the Senior Leadership who understands and champions flexible work.

As the evidence shows, organisations that adopt flexible work arrangements reap significant benefits – they attract greater talent, productivity and motivation is enhanced and there is a stronger retention of talent, to name but a few. For the AFP, these organisational benefits will also inevitably strengthen its operational effectiveness.

## **Sexual Harassment, Sexual Abuse and Bullying**

Many AFP members work in productive and respectful environments, with supportive supervisors and colleagues. The notion that sexual harassment, sexual abuse or bullying occurs in the modern AFP is for many members very surprising and a cause of deep concern. They strongly support effective measures for these behaviours to be eliminated and for offenders to be brought to account swiftly.

The results of the Survey and the qualitative evidence from the focus groups, interviews and written submissions indicate that sexual harassment and bullying are pervasive across the AFP. The Survey results show that 46% of women and 20% of men report that they have been sexually harassed in the workplace in the last five years. These percentages are almost double the national average. In relation to bullying, 62% of men and 66% of women reported that they have been bullied in the workplace in the last 5 years. The extent of these behaviours in the AFP demands immediate action.

Members were aware of the complaints mechanisms in the AFP, but a number reported to the Project Team a lack of trust in the reporting system, believing that a complaint can have a negative impact on a member’s career, or result in a complainant being ostracised or victimised. Members also indicated that complaints can take too long to resolve. Some members also stated that the process lacks confidentiality. A number of members expressed support for the Confidant Network as a model. However, many also indicated that the *overall* complaint’s process is not ‘victim-focused’.

Strong and courageous leadership ensures workplaces are healthy and respectful and that unacceptable behaviours are addressed. Poor leadership is a common factor when instances of sexual harassment and bullying occur. Leadership at all levels of the AFP must consistently and visibly commit to a zero tolerance approach to sexual harassment and bullying. Strong messages about the unacceptability of sexual harassment and bullying must be regularly and effectively communicated and offenders must be held to account.

To ensure that sexual harassment and sexual abuse matters are dealt with appropriately and expeditiously, a specialised and independent Office should be established, headed by an Assistant Commissioner with specialist skills and capability who reports directly to the Commissioner. As well as having an investigative role, the Office should provide support to victims.

To demonstrate the seriousness of sexual harassment, sexual abuse and bullying matters, the Commissioner or his delegate – namely the Assistant Commissioner who will head the aforementioned specialised, independent Office – should consider the employee’s employment suitability to remain within the AFP, where that employee has one or more established sexual harassment or bullying findings against them. In addition, the AFP should advise all employees that there will be a zero tolerance of sexual harassment and all incidents of sexual harassment will be treated as serious matters consistent with Category 3 complaints.

The Project Team was made aware of instances of domestic violence in the AFP. Although the prevalence of domestic violence in the AFP is not known, it is estimated that 1.4 million Australian women are living in an abusive relationship, or have done so in the past. Of these women, about 800,000 are in the paid workforce. To strengthen responses to domestic violence in the AFP, members who are victims of domestic violence should also have access to the aforementioned specialised, independent Office, for appropriate support and referral.

## B. Principles and Recommendations

In framing the Project's findings and recommendations the Project Team has drawn on the many stories, opinions and experiences of AFP members, advice from senior leaders, the Survey results, the policies and practices of the AFP and the organisation's own workforce and complaints data. In developing the recommendations, the Project Team has identified six principles which it believes will underpin success in achieving cultural reform and greater gender diversity across the AFP:

- **Principle 1** – Successful and sustainable reform depends on strong and courageous leadership.
- **Principle 2** – Talent promotion requires challenging the biases and assumptions underpinning the traditional view of merit and ensuring effective performance management.
- **Principle 3** – Increasing the number of women requires increasing opportunities.
- **Principle 4** – Flexible work practices are a key capability driver.
- **Principle 5** – Sexual harassment, sexual abuse and bullying damages individuals, divides teams and undermines capability.
- **Principle 6** – Adequate resourcing and regular monitoring and evaluation is essential to measuring and sustaining progress.

## Recommendations

### Principle 1 – Successful and sustainable reform depends on strong and courageous leadership

1. Cultural reform, including the recommendations contained in this Report, must be owned by the Commissioner and the Executive Leadership Committee (ELC – the Deputy Commissioners and the Chief Operating Officer) with responsibility for cultural change embedded into their performance metrics.
2. The Commissioner and the ELC should select a targeted group of no more than 15 members from across the organisation and at different leadership levels to assist with the cultural change process, including the implementation of the recommendations contained in this Report (the Cultural Reform Board). The Cultural Reform Board should:
  - be chaired by the Commissioner;
  - be gender balanced; and
  - include leaders from across functional areas who are champions of reform and/or are in positions of influence.
3. The Commissioner and the SLG should develop and deliver a clear and strong written statement (signed by all) that articulates the case for change and signals their commitment to the full implementation of the Project's recommendations. Additionally, the Commissioner and the ELC should present a video to reinforce their strong zero tolerance approach to sexual harassment, sexual abuse and bullying.
4. All members of the SES should undertake the *Leadership Shadow* or an equivalent model, and develop a personal leadership action plan.
5. The Commissioner should appoint an independent, specialist coach to work with each member of the SLG and the group as a whole to assist them to:
  - implement their personal leadership action plans; and
  - foster a culture of respect for difference among colleagues and other members, including in relation to decision-making.
6. The AFP should ensure that recruitment and promotion processes have a strong predisposition to effective people management and leadership skills including the successful completion of appropriate training. Where training has not been able to be facilitated prior to the recruitment/promotion process, promotion will be deemed to be subject to the successful completion of training on developing effective people management and leadership.

(Among the topics that should be covered in this training are: understanding all people management policies, understanding work place gender equality and diversity more broadly, implementing flexible work arrangements, effective communication and, recognising and responding appropriately to bullying, harassment, sexualised work environments, sexual harassment and sexual abuse.)

7. With the assistance of an independent expert and facilitator, the AFP should develop a purposeful storytelling process involving select senior leaders. This should be done in a safe setting. The storytelling approach utilised by the *Review into the Treatment of Women in the Australian Defence Force* (2012) and the restorative engagement process used by the *Defence Abuse Response Taskforce* are useful models that could be adapted to the AFP. A key objective of the storytelling would be for the imperative of the case for change to be understood at senior leadership level.

## **Principle 2 – Talent promotion requires challenging the biases and assumptions underpinning a traditional view of merit and ensuring effective performance management**

8. The AFP should address misconceptions about merit and the ‘essential’ experience, skills or characteristics of candidates that may preclude women from being considered for roles including:
  - ensuring that in relation to senior and operational roles, equal weight is given to a candidate’s leadership and people management skills as well as the other capabilities and experience required for the roles;
  - ensuring recruitment teams, promotion panels and the candidate pools are gender-balanced;
  - assessing current promotion trials including the use of an independent assessment centre, blind recruitment and independent representatives on the panel; and
  - ensuring all staff on extended leave, including parental and carers leave, are notified of promotion and other relevant opportunities.
9. The AFP should review and amend the performance management system to:
  - ensure leaders at all levels are held accountable for the culture, health and wellbeing of their teams and functional areas, including in relation to effectively performance managing staff and appropriately responding to unacceptable behaviour such as bullying and sexual harassment and sexual misconduct. This should involve conducting regular team ‘climate surveys’ and including appropriate KPIs in performance agreements of leaders;
  - create a small ‘Performance Management Support Team’ to support supervisors to performance manage staff and assist in ensuring commitment from Senior Executives to support supervisors who are performance managing staff in their work areas. This should be done as part of a transition phase; and
  - reintroduce 360 Degree Feedback Surveys to assist with performance appraisals for Coordinators and above.

## **Principle 3 – Increasing the number of women requires increasing opportunities**

10. The AFP should improve the attraction and recruitment of women to AFP Police and PSO roles by:
  - ensuring a sustained and ongoing annualised recruitment campaign for Police and PSO women that showcases women in the AFP and involves Police and PSO women in the recruitment process;
  - developing strategies to effectively recruit and facilitate pathways for Police and PSO women to enter operational roles;
  - developing more flexible career paths for employees across Police, PSO and unsworn roles in the AFP Future Workforce Plan including by decoupling traditional career pathways and continuous service from the promotion process;
  - establishing an entry-level recruitment strategy for diverse groups to Band 3 and 4 levels (unsworn) and create pathways to Police roles and PSOs; and
  - implementing a salary maintenance policy to assist staff to move to Police/PSO/unsworn without dropping pay point.

11. The AFP should ensure there is a gender balance, particularly in:

- key operational roles (for example, Senior Investigator, Office Manager, Case Manager/Officer, Counter Terrorism, Serious and Organised Crime); and
- selecting candidates for all acting up opportunities.

12. The AFP should leverage existing female talent – Police, PSO and unsworn – including through a talent program that enables transition to key operational roles (for example, identify female talent with leadership potential and rotate them across three key functional areas to give broad and diverse experience).

13. Given the benefits of cultural renewal and the capacity to bring in new talent, particularly to the sworn population, the AFP should support members taking leave without pay and assist them to seek opportunities for placement in other organisations.

The AFP should also create opportunities for training for members who have taken extended leave to facilitate their reintegration, including those who have taken leave to further their professional development and those who have taken time out for caring responsibilities.

#### **Principle 4 – Flexible work practices are a key capability driver**

14. The AFP should adopt a ‘Flex by Default’ approach across the organisation. The refusal of flexible work should be reviewed by a designated member of the Senior Leadership who understands and champions flexible work.

15. The AFP should ensure infrastructure and messaging is in place to maximise the success of flexible work practices including by:

- training supervisors to manage flexible workers and teams;
- linking supervisor KPIs to the uptake of flexible work arrangements (by both men and women) and the career advancement of flexible workers;
- profiling ‘success stories’ of men and women working flexibly, particularly those in leadership positions;
- providing proper infrastructure for employees to work flexibly (e.g. remote access, laptops, mobile phones) and people management systems; and
- implementing and evaluating a number of trials being undertaken to deliver a flex by default system (eg the split shift trial at Sydney Airport and the rostering initiatives in parts of ACT Police).

16. The AFP should develop a ‘stay in touch’ and return to work plan for members on extended leave, including maternity and parental leave, that includes offering them access to training or other opportunities when they are on leave and as they transition back to the workplace.

#### **Principle 5 – Sexual harassment, sexual abuse and bullying damages individuals, divides teams and undermines capability**

17. a) A specialised and independent Office should be established in the AFP to provide support to complainants and to investigate and address sexual harassment and sexual abuse. The Office should:

- be headed by an Assistant Commissioner with specialised skills and capability who reports directly to the Commissioner;
- adhere to strict confidentiality requirements;
- be victim-focused, including accepting requests for advice and support where the complainant does not want a formal investigation and/or is not willing to name the alleged perpetrator;
- respond to the complaint in a manner consistent with the seriousness of Category 3 complaints contained within the PRS system, where the complaint wants the complaint investigated;
- provide holistic support to complainants, (including providing referrals to external specialised services);
- provide regular updates on the status of the complaint to complainants and respondents, or on request; and

- collect data on all sexual harassment and sexual abuse complaints including the location, functional area, nature and, where appropriate, alleged perpetrator. De-identified data on the number, length of time and outcome of complaints should be published annually within the organisation.
- Provide quarterly reports to the Commissioner on sexual harassment and sexual abuse complaints including the strategic measures that the organisation has undertaken in response to key trends and patterns identified in the data.

b) When an employee has one or more established sexual harassment findings against them, the Commissioner or his delegate should consider the employee's employment suitability to remain within the AFP. The Commissioner's delegate should be the Assistant Commissioner who will head the aforementioned specialised, independent Office. The AFP also should advise all employees that there will be a zero tolerance to sexual harassment and all incidents of sexual harassment will be treated as serious matters consistent with Category 3 complaints.

c) Victims of domestic violence who are members in the AFP should have access to the specialised, independent Office for support and appropriate referral. Where the perpetrator is also a member of the AFP, the Office should take appropriate steps to ensure that:

- the victim is safe in their work environment; and
- with the consent of the victim, the matter is being properly dealt with, including through direct police intervention.

These actions should be supported by best practice policies, to be developed by the aforementioned Office and Human Resources, that recognise that domestic and family violence is a workplace issue.

18. a) The process for addressing bullying should be reformed as follows:

- all serious bullying complaints or complaints against repeat offenders should be addressed as Category 3 complaints;
- any such complaint that takes longer than 6 months to complete should be escalated to a relevant SES member for review;
- PRS should provide regular updates on the status of the complaint to complainants and respondents or on request; and
- quarterly reports should be provided to the Commissioner on bullying complaints including in relation to trends, the time taken to complete complaints, outcomes and strategic measures the organisation has undertaken in response to these and other significant issues arising from the data.

b) When an employee has one or more established bullying findings against them, the Commissioner or his delegate should consider the employee's employment suitability to remain within the AFP. The Commissioner's delegate should be the Assistant Commissioner who will head the aforementioned specialised, independent Office. The AFP should also advise all employees that there will be a zero tolerance to bullying and all incidents of bullying will be treated as serious matters consistent with Category 3 complaints.

19. a) The Confidant Network should be strengthened including by:

- ensuring it is managed at Coordinator level or above;
- implementing a targeted selection process designed to identify staff who role model the values of the AFP (including, e.g. trust, respect, accountability);
- increasing awareness of the role of the Confidant Network across the AFP; and
- providing improved and ongoing training for Confidants, including around privacy obligations.

b) If it is established that a Confidant breaches a member's confidentiality that Confidant should be removed from the Network.

20. All members in the AFP, from recruits to the most senior leaders, should participate in expert, independent training on respectful workplaces. This training should include examples of what constitutes bullying behaviour, sexual harassment, sexual abuse and bystander action. Additionally, supervisors should be trained in identifying and properly responding to sexualised work environments, sexual harassment and bullying and their impact on individuals and teams.

## Principle 6 – Adequate resourcing and regular monitoring and evaluation is essential to measuring and sustaining progress

21. Progress on cultural reform and the implementation of these recommendations should be measured through key metrics including:

### a) Women's Participation

- Number and proportion of Police/PSO/unsworn women recruited.
- Number and proportion of women by Band in Police/PSO/unsworn and Band.
- Number and proportion of women:
  - » at executive level;
  - » undertaking higher duties;
  - » in the pipeline;
  - » in targeted roles and functions which are highly gender segregated; and
  - » in key roles and functions that are critical for career promotion.
- Number and proportion of women's promotions at each rank including acting-up duties.
- Gender balance on key decision making bodies within AFP.
- Retention of women:
  - » gap between men and women's retention and separation rates;
  - » number returning to work from paid and unpaid maternity and parental leave; and
  - » number of men and women taking career breaks.

### b) Women's Experience

- Gender disaggregated data from key organisational surveys including:
  - » employee survey;
  - » exit surveys; and
  - » climate surveys.

### c) Uptake of flexible work and career advancement of flexible workers.

- Number of men and women accessing formalised flexible working arrangements:
  - » number of applications submitted for flexible working arrangements; and
  - » proportion of applications for flexible working arrangements that are approved.
- Promotion of staff on flexible work arrangements.

### d) Sexual harassment and bullying (disaggregated by gender).

- Number of complaints.
- Types of complaints e.g. sexual harassment, sexual assault.
- Relevant demographics of complainant and respondent e.g. work area, rank.
- Number of complaints dealt with internally:
  - » number investigated;
  - » number resolved; and
  - » time taken from receipt of complaint to finalisation.

22. The ELC should review progress of the implementation of these recommendations and other initiatives of cultural reform, each month and as a standing agenda item at their meeting.

23. Progress on reform should be published across the organisation.

24. To ensure progress and sustainable reform, adequate resourcing of the implementation of the recommendations should be provided.

# Methodology

The findings and recommendations contained in this report are underpinned by rigorous evidence obtained from both qualitative and quantitative data. Data from a Survey instrument, focus groups, one on one interviews with individual AFP staff, review of academic literature and the AFP's own policies and statistics, as well as advice from senior leaders, have helped shaped the scope and direction of this report and informed its conclusions.

As part of its evidence gathering, the Project Team was able to capture a significant proportion of the AFP workforce, through its focus groups, one on one interviews, members' written submissions and the Survey instrument, which attracted a 30% response rate. In addition to this, Elizabeth Broderick gave a number of presentations to AFP members, one of which was streamed live across the organisation allowing most of the workforce to access it.

## A. Focus Groups and Interviews

One hundred and ten (110) focus groups were held with AFP staff. One thousand and four (1,004) people participated in focus groups including from:

### Canberra

- Edmund Barton Building
- Majura – Strategic Response Group
- Western Creek – Forensics
- Air Security Officers
- AFP College
- Belconnen Police Station
- City Police Station
- Woden Police Station

### Sydney

- AFP Building
- Sydney Airport

### Melbourne

- AFP Building
- Melbourne Airport

### Brisbane

- AFP Building

### Perth

- AFP Building

### Adelaide

- AFP Building
- Adelaide Airport

### Darwin

- Darwin AFP Building

### Alice Springs

- Pine Gap

### Solomon Islands

- Guadalcanal

## Indonesia

- AFP Offices, Australian Embassy, Jakarta
- Jakarta Centre for Law Enforcement Cooperation (JCLEC), Semarang

Teleconferences or video conferences were also held with members in the following offices or functional areas:

- Cairns
- Gold Coast
- Timor Leste
- Covert program

Focus group facilitators were guided by a structured series of questions designed to explore themes relevant to the scope of the Project. This process was also flexible, allowing issues of interest or importance to the group, or newly identified issues, to be explored. Discussions in the focus groups concentrated primarily on gender, given the nature and scope of the Project. However, a specific focus group on diversity more broadly, was conducted with representatives from the major AFP Diversity Networks.

Participants were made aware that any statements made by them and used in this report would be de-identified.

One hundred and one (101) individual interviews were held with staff. Most of these (66) were with those staff who had specifically requested private meetings or telephone interviews with the Project Team. Thirty-two (35) individual meetings were held with SES and SLG members.

This Report reflects the views and experiences of AFP members as told to the Project Team. The scope of the Project did not extend to investigating or making findings or determinations about any individual incident or allegations made by a member. However, when consent was provided, some matters disclosed by members, were raised with the Commissioner or another Senior Leader, for consideration and where appropriate, action.

## **B. Presentations**

Elizabeth Broderick also gave a number of interactive presentations on the Project as well as an address from EBB that was broadcast to the whole of the AFP.

## **C. Written Submissions**

Fifty (50) written submissions were received from members via the AFP's Broderick Study Group email and directly through the Project Team's email.

## **D. Survey**

An online survey (the Survey) was administered across the AFP from 13 May to 3 June, 2016. Thirty percent (30%) of the AFP responded to the Survey. The Survey data was analysed by Roy Morgan Research on behalf of the Project Team. The Survey questions reflected the issues discussed in focus groups and provided an alternative avenue for AFP staff to engage with the project and confidentially report on their views and experiences. The findings are reported throughout this Report.

## **E. AFP Documentation and Literature reviews**

During the course of the project, the Project Team requested and received documentation and information from the AFP, including policies, strategies and various other data. The Project Team also undertook literature reviews in a number of key areas to support its recommendations.

# Chapter 1: The Case for Change

## At a glance:

Increasing the representation of women in the AFP will:

- build a broader and more diverse talent and skill base in the organisation, thereby enabling it to strengthen capability and operational effectiveness;
- build on the AFP's strong foundation as a leading law enforcement agency;
- enable the AFP to create a culture that is more inclusive and aligns with the vision developed by the senior leadership; and
- ensure that the AFP remains strongly positioned to meet the challenges of the future.

Law enforcement agencies, including the AFP, face a range of complex and evolving circumstances that require a breadth of skills, expertise and talent. Globalisation and new technologies are presenting unprecedented challenges requiring police to be responsive, adaptive and resilient.<sup>13</sup> A number of factors are also likely to impact on policing in the future including an ageing workforce, more mobile employees, and the trend towards “information-based work.”<sup>14</sup>

These new challenges demand a re-examination of the applicability of existing organisational structures, processes and culture. As AFP Commissioner, Andrew Colvin stated:

**How do we retain our flexibility, our agility, our capabilities to respond to whatever challenge is next around the corner? What challenges may we face and what skills do we need to meet them? Is the AFP ready? What is our value add? Can we do business smarter?**<sup>15</sup>

Addressing these issues is undoubtedly multi-faceted. However, a core component is building and maintaining a diverse and inclusive workforce, including a workforce underpinned by gender equality where men and women are represented more equally.

Diversity and inclusion in any organisation is about decency, fairness and respect for others. It is about ensuring that each individual feels they are a valued part of the team and of the organisation, and that they have opportunities to thrive. When these conditions are met, an organisation increases its effectiveness.<sup>16</sup>

There is a large and authoritative body of research which unequivocally demonstrates that diverse and inclusive workplaces have enormous organisational benefits. This Chapter examines those benefits and determines their applicability to the reality of policing environments and the AFP.

13 B Etter (1999) *The Future of Policing: Adapting to the Environment and Connecting to the Community*, Paper presented at the Second Australasian Conference of Women and Policing, ‘Women and Policing: Connecting with the Community’: Australasian Centre for Policing Research, 7 to 9 July 1999.

14 J Lynch (2005) *Looking to the Future: implications of emerging trends for police workforce planning*, Australasian Centre for Policing Research.

15 A Colvin, *Lowy Institute Address*, 5 March 2015 <http://www.afp.gov.au/media-centre/speeches/2015/lowy-institute-address> (viewed 28 February 2016).

16 Workplace Gender Equality Agency, *About Workplace Gender Equality*, <https://www.wgea.gov.au/learn/about-workplace-gender-equality> (viewed 3 April 2016).

## 1.1. Current Context

*AFP Future Directions 2015* (Future Directions) provides a road map for the AFP over the next 15 years. The fundamental question posed by Future Directions is “*What should the Australian Federal Police look like, 15 years from now?*” A critical part of Future Directions is “AFP health”. This means that the AFP “*needs to be sustainable...to have a clear mission and mandate, and ...to have the capability to protect Australia and Australian interests.*”<sup>17</sup> As the Future Directions document states:

**This requires insight on what the AFP workforce needs to look like in the future: where people need to be located; what type of skills they will need; and how many people will be required, all while ensuring diversity in gender, ethnicity, culture and views.**<sup>18</sup>

The work undertaken by this Project is a key plank of Future Directions. At its heart is capability and the future operational effectiveness of the AFP. The Project Team’s findings and recommendations will build on the work already underway in the AFP to respond to the issues identified in Future Directions and will help to ensure that the organisation is ready to address both future challenges and opportunities. Commissioner Colvin has identified culture and creating a more gender diverse organisation as a fundamental part of the future path of the AFP. He has observed:

**In shaping the future direction of the organisation, there is a critical need to re-shape our culture and build a diverse workforce. Capabilities are not just the tools we use – our greatest capability is the skills and health of our people. Organisations with good cultures, strong internal health and skilled workers will always perform well – especially when the environment is so complex and changeable. For me, this starts first and foremost with gender equality. I realise that the diversity needs of the AFP are very broad and will not end with gender. But they must start there. If I cannot create an organisation that reflects – and represents – the majority of the population, then how can I hope to create a diversity of skill, diversity of thought, diversity of culture, diversity of language? The list can go on.**<sup>19</sup>

This strong commitment to cultural change, as articulated in the Commissioner’s observations, can be seen through the implementation of a number of positive strategies. Gender targets of 50:50 men and women have been set which are to be achieved over the next 10 years.

In addition, a range of initiatives regarding promotion are being trialled. Whilst these will be explored further in Chapter 4, it is understood that a blind promotion model is being trialled to reduce bias in promotion processes. It is also understood that senior leaders are undertaking a process to actively encourage talented women to apply for promotions to increase their representation into leadership positions. A range of other initiatives are also in progress which are identified throughout this Report.

Whilst these are bold strategies and have the potential to bring sustainable change, there are a number of structural impediments to cultural reform including low staff attrition and the difficulties in exiting poorly performing staff and those who engage in unacceptable behaviour. In addition, the critical link between cultural change and future capability is not well understood or accepted across the organisation presenting a barrier to effective and lasting reform.

### 1.1.1. Low staff turnover

The low staff turnover in the AFP is a fundamental impediment to cultural change and to increasing the representation of women and more diverse groups. Currently, recruitment is constrained because of the AFP’s low attrition rate. The 2015 AFP Annual Report states that:

**Based on two–year trend data and effective 30 June 2015 the AFP attrition rate is currently 2.40 percent. Attrition rates by sworn status are:**

- sworn police—1.81 percent
- sworn protective service officers—1.63 percent
- unsworn staff—3.42 percent.<sup>20</sup>

<sup>17</sup> Australian Federal Police (2015) *Strategic Context Paper: AFP Future Directions 2015*, p 27.

<sup>18</sup> Australian Federal Police, *Ibid*, p 27.

<sup>19</sup> A Colvin, *Building Capabilities for Tomorrow*, speech to Australian Strategic Policy Institute, 25 February 2016, <https://www.afp.gov.au/news-media/national-speeches/australian-strategic-policy-institute-building-capabilities-tomorrow> (viewed 1 March 2016).

<sup>20</sup> Australian Federal Police (2015) *Annual Report: 2014-15*, p 110, <https://www.afp.gov.au/about-us/publications-and-reports/annual-reports> (viewed 5 April 2016).

A low turnover of staff in any organisation can result in its culture stagnating and opens up the potential for apathy or resistance to any cultural renewal. Given the head count constraints and limited future recruitment plans it will be difficult for the AFP to significantly increase the representation of women. Urgent consideration must be given to increasing staff turnover so that it more closely reflects that seen in healthy workplaces of 10-15%.<sup>21</sup>

### 1.1.2. Difficulty in exiting poor performing staff

Compounding this issue is the cultural barriers to using available mechanisms for exiting underperforming staff or staff who may engage in unacceptable behaviour that seriously breaches the AFP's code of conduct. A failure to exit staff who contravene the stated values of the organisation, including those who harass, bully, sexually harass or engage in inappropriate behaviour, can have an overall negative impact on the organisation. These organisational deficiencies impact on the credibility of management and leadership, create low morale and ultimately create a sense among members that positive change "won't be achieved."

Findings and recommendations in relation to these issues are discussed in later sections of the Report.

### 1.1.3. Lack of understanding of the case for change

Across the AFP a number of members understand and support the case for change. However, among others, including some at senior leadership levels, there is little recognition or acceptance of the importance and organisational benefits of gender diversity. For genuine change to occur and be embedded across the entire organisation there should be a sustained and visible commitment to diversity from the broader AFP. Many members have little exposure to the argument for the reform imperatives. This means that the AFP must communicate the case for change more widely with a particular focus on those at middle management level.

## 1.2. The Benefits of Gender Diversity

### 1.2.1 Increased talent and strengthened capability

The benefits and advantages of a gender inclusive organisation are well established. More gender equal organisations:

- are able to attract and retain the best possible talent and potential the labour market has to offer;
- are able to innovate and adapt in a fast-changing environment;
- have enhanced performance and productivity particularly in a changing environment where anticipating change and adapting to it in a timely and effective manner is essential; and
- have diversity of thought, ideas and, as a result, better decision-making.

Indeed, as *Balancing the Future: The APS Gender Equality Strategy 2016-17* (the Strategy) found, organisations with the most gender diversity outperform those with the least. Those organisations that fail to consider gender diversity as a business imperative, will risk "being left behind".<sup>22</sup> Summing up the benefits of a gender diverse organisation, the Secretary of the Department of Prime Minister and Cabinet, Martin Parkinson recently stated:

**A diverse and inclusive workplace is important not just for reasons of equity and fairness, but also for improving organisational performance. For me, it is not only a moral issue. It is a clear business imperative – why would anyone seeking to ensure their organisation's success choose to ignore the talent and leadership of half their potential staff? And if you expand that idea to the Australian economy, what could we achieve by improving women's workforce participation across the board?**<sup>23</sup>

21 An Australian Human Resources Institute Survey identifies 13% as being consistent with best practice in relation to organisations generally [https://www.ahri.com.au/\\_\\_data/assets/pdf\\_file/0006/19563/PULSE\\_Retention-report-FINAL.pdf](https://www.ahri.com.au/__data/assets/pdf_file/0006/19563/PULSE_Retention-report-FINAL.pdf) (viewed 5 April 2016).

22 Australian Public Service Commission (2016) *Balancing the Future: The APS Gender Equality Strategy 2016-17*, Australian Government, p 4.

23 Martin Parkinson, 'Workplace Diversity in the enemy of stale thinking' in *Australian Financial Review*, 2 March 2016.

A quantification of the business case for gender diversity has been undertaken by a number of corporations. Amongst the findings are:

- Credit Suisse analysed more than 2,500 companies and found that companies with more than one woman on the board have outperformed those with no women on the board by 26 percent since 2005.<sup>24</sup>
- A McKinsey and Company study found that companies with three or more women in senior management functions score more highly, on average, on organisational criteria (such as leadership, direction, accountability, coordination and control, innovation, external orientation, capability, motivation, work environment) than companies with no women at the top.<sup>25</sup>
- That same study found that of listed European and BRIC<sup>26</sup> companies in the period 2007-2009, companies with the highest share of women outperform companies with no women: by 41 percent in terms of return on equity, and by 56 percent in terms of profit.<sup>27</sup>
- In Australia, an analysis of ASX500 companies over a three and five year timeframe found that companies with female representation on their boards outperformed the markets and companies with no gender diversity over both time periods. There was an 8.7 percent difference over five year return-on-equity and a 6.7 percent difference over three years.<sup>28</sup>

The Harvard Business School has further observed that:

**There's little correlation between a group's collective intelligence and the IQs of its individual members. But if a group includes more women, its collective intelligence rises.**<sup>29</sup>

In addition to these factors, greater gender diversity in organisations results in a decline in negative cultures. Sojo and Wood found:

**The presence of more women working in an area, particularly in senior leadership roles, can counter the imbalance of power between men and women. As the number of women working in an area increases, the dominant culture shifts and male cultural traits that are associated with sexism and sexual harassment are diluted in their effects.**<sup>30</sup>

Research also shows that “women act more distinctively once their numbers reach a certain threshold”.<sup>31</sup> While the proportion that women must reach to become a critical mass differs across literature, studies demonstrate that:

**When representation rises above a token number, women are able to have an impact on the environment in which they work.**<sup>32</sup>

The following table summarises the evidence of the benefits of gender diverse organisations.<sup>33</sup>

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- 24 Credit Suisse (2012), *Gender diversity and corporate performance*, Credit Suisse Research Institute, <https://publications.credit-suisse.com/tasks/render/file/index.cfm?fileid=88EC32A9-83E8-EB92-9D5A40FF69E66808> (viewed 5 April, 2016).
- 25 G Desveaux, S Devilland and S Sancier-Sultan (2010) *Women Matter: Women at the top of corporations: Making it happen*, McKinsey and Company.
- 26 BRIC refers to Brazil, Russia, India and China, countries that are at similar stage of newly advanced economic development.
- 27 G Desveaux, S Devilland and S Sancier-Sultan, *Ibid*.
- 28 Reibey Institute (2011) *ASX500 – Women Leaders: Research Note*, June 2011.
- 29 A Woolley & TW Malone (2011) 'Defend Your Research: What Makes a Team Smarter? More Women,' in *Harvard Business Review*, June 2011, <https://hbr.org/2011/06/defend-your-research-what-makes-a-team-smarter-more-women/ar/1> (viewed 6 April 2016).
- 30 V Sojo & R Wood (2014) "Women's Fit, Functioning and Growth at Work: Indicators and Predictors" Centre For Ethical Leadership, 5 August, 2014, <https://cel.edu.au/our-research/briefing-note-resilience-womens-fit-functioning-and-growth-at-work-indicator> (viewed 6 April 2016).
- 31 K Dolan et al. 'Are all women state legislators alike?' in S Thomas and C Wilcox (eds), *Women and elective office* (1998), p 77.
- 32 D Studlar and I McAllister, 'Does a critical mass exist? A comparative analysis of women's legislative representation since 1950' (2002) 41 *European Journal of Political Research* 233.
- 33 Building a Business Case for Gender Diversity, Centre for Ethical Leadership, Ormond College, University of Melbourne, July 21, 2014, <https://cel.edu.au/our-research/building-a-business-case-for-gender-diversity>.

| Benefit   | Argument  | Evidence  | Source  |
|---|---|---|---|
| Organisational, Financial and Market Performance. | Companies with more women in executive management have been shown to financially outperform companies that have no women in senior roles. | A long-term US study released in 2009 showed a correlation between women in executive management and short and long-term profitability. The study, which used data on Fortune 500 companies since 1980, demonstrated a link between a good record of promoting women into the executive suite and high profitability. The study identified firms that were most aggressive in promoting women to high levels and compared their profit performance to the median performance of Fortune 500 firms in the same industries (amongst other measures). For 2001, the 25 best firms for women outperformed the industry medians, with overall profits 34 percent higher when calculated for revenue, 18 percent higher in terms of assets and 69 percent higher in regard to equity. These results were confirmed in subsequent comparisons to 2008. | Adler, R., 'Profit, thy name is... Woman?', Pacific Standard, Feb 27, 2009.   |
|   |   | According to a US study, Fortune 500 companies with the highest representation of women on their top management teams experienced better financial performance on measures of ROE (35.1 percent higher) and Total Return to Shareholders (34 percent higher) than companies with the lowest women's representation.   | 'The Bottom Line: Connecting Corporate Performance and Gender Diversity', Catalyst, 2004.   |
|   | Companies with more women on their boards have been shown to financially outperform companies that have no women on their boards.         | A study of 160 REITs, found that those with at least one woman on their board for more than three years tended to produce annual total shareholder return growth rates that were 2.6 percentage points higher than their peers during the three-year period, 3.6 percentage points higher over a five-year period and 3.4 percentage points higher in the course of 10 years.   | Ferguson Partners Limited, 2012 <a href="http://www.reit.com/news/articles/survey-reveals-reits-shifting-mindset-governance">http://www.reit.com/news/articles/survey-reveals-reits-shifting-mindset-governance</a> . |
|   |   | Research by McKinsey has demonstrated a link between diversity of company boards (defined as number of women and foreign nationals) and financial performance. In a study of 180 companies across Europe, the UK and the US, in the period 2008-10, research found that for companies ranking in the top quartile of executive-board diversity, ROEs were 53 percent higher, on average, than they were for those in the bottom quartile. At the same time, EBIT margins at the most diverse companies were 14 percent higher, on average, than those of the least diverse companies.   | 'McKinsey Quarterly: Is there a payoff from top-team diversity?', McKinsey & Company, April 2012.   |

| Benefit | Argument | Evidence  | Source   |
|---------|----------|---|--|
|         |          | <p>Research by Credit Suisse shows that companies displaying greater board gender diversity display excess stockmarket returns adjusted for sector bias. Companies with more than one woman on the board have returned a compound 3.7% a year over those that have none since 2005. The excess return has moderated since our initial report. Over the last two and a half years, the excess return is a compound 2.0% a year. We find also that companies with higher female representation at the board level or in top management exhibit higher returns on equity, higher valuations and also higher payout ratios.</p>   | <p>'The CS Gender 3000: Women in Senior Management,' Credit Suisse, Research Institute, Thought leadership from Credit Suisse Research and the world's foremost experts, September 2014.</p> |
|         |          | <p>In a separate study of listed European and BRIC companies in the period 2007-09, McKinsey found that companies with the highest share of women outperform companies with no women: by 41 percent in terms of return on equity, and by 56 percent in terms of EBIT.</p>   | <p>'Women Matter: Women at the top of corporations: making it happen', McKinsey &amp; Company, October 2010.</p>   |
|         |          | <p>A Catalyst study of Fortune 500 companies across a four-to-five year period found a connection between gender diversity on boards and financial performance. The study found that companies with the most women board directors outperform those with the least on return on sales (ROS) by 16 percent and on return on invested capital (ROIC) by 26 percent. The study also found that companies with sustained high representation of women board directors, defined as those with three or more in at least four of five years, significantly outperformed those with sustained low representation by 84 percent on ROS, by 60 percent on ROIC, and by 46 percent on return on equity.</p> | <p>'The Bottom Line: Corporate Performance and Women's Representation on Boards (2004-2008)', Catalyst, 2011.</p>  |
|         |          | <p>In Australia, an analysis of ASX500 companies over a three and five year timeframe found that companies with female representation on their boards outperformed the markets and companies with no gender diversity over both time periods. There was an 8.7 percent difference over five year return-on-equity and a 6.7 percent difference over three years.</p>  | <p>'ASX500 – Women Leaders: Research Note', Reibey Institute, June 2011.</p>   |
|         |          | <p>Credit Suisse analyzed more than 2,500 companies and found that companies with more than one woman on the board have outperformed those with no women on the board by 26 percent since 2005.</p>   | <p>'Gender diversity and corporate performance' Credit Suisse, 2012.</p>   |

| Benefit                                      | Argument  | Evidence   | Source  |
|--|---|--|---|
|  | Companies with more women in senior management score higher on organisational criteria than companies with no women at the top. | A McKinsey study found that companies with three or more women in senior management functions score higher, on average, on organisational criteria (such as leadership, direction, accountability, coordination and control, innovation, external orientation, capability, motivation, work environment) than companies with no women at the top.  | 'Women Matter: Women at the top of corporations: Making it happen', McKinsey & Company, 2010.             |
|  |   | Eureka Report has undertaken an analysis of the share price performance of listed Australian companies to compare those with both male and female executives and those with only male executives.<br><br>Over the two years to April 30, 2012, the report's census date, the All Ordinaries, which tracks around 500 Australian equities, fell by 7.59 percent (or -3.86 percent annualised). An index of the 167 companies with at least one female executive KMP, equally weighted, fell by 4.71 percent (or -2.38 per cent annualised). That is, it lost less ground than the All Ordinaries. Some 41 companies were identified where woman made up 30 percent or more of the total executive KMP. An index of these companies, equally weighted, rose by 5.73 percent (or +2.82 percent annualised). | 'Gender balance buys better results,' Eureka Report, 4 March 2015.  |
|  | Companies need to recognise and cater to the buying power of women in order to capitalise on growth opportunities.              | For instance, women in the United States wield purchasing power in excess of an estimated US\$5 trillion, buying half of all computers and cars and more than 80 percent of all consumer purchases. They also represent nearly half of all shareholders.   | 'The Gender Dividend: Making the business case for investing in women', Deloitte, 2011.                   |
|  | More working women means more disposable income.  | As women continue to enter the workforce in larger numbers, they will have more money of their own to spend. Women control roughly US\$20 trillion of total consumer spending globally, and that number is predicted to rise to US\$28 trillion by 2014.   | 'The Female Economy,' M. J. Silverstein and K. Sayre, Harvard Business Review, September 2009.            |
| Leadership, Team Performance and Motivation. | Women bring different leadership skills and behaviours to the table.  | A meta-analysis of 45 studies on leadership styles found that women were more likely than men to have a 'transformational' leadership approach (where leaders establish themselves as role models by gaining followers' trust and confidence) than a 'transactional' leadership approach (where leaders establish give-and-take relationships that appeal to subordinates' self-interest). Women are also perceived to adopt a more participative and collaborative style.   | Eagly, A., & Carli, L., 'Women and the Labyrinth of Leadership', Harvard Business Review, September 2007. |

| Benefit                   | Argument  | Evidence   | Source  |
|---------------------------|---|--|---|
|                           |   | Although consistent differences in the perceptions of leadership practices of male and female managers have been found to be evident, studies have shown that the genders are equal with respect to overall effectiveness.                           | Kabanoff, R., 'Gender Differences in Organisational Leadership: A Large Sample Study', Ph.D. Management Research Group, August 1998.  |
|                           | Diverse teams are smarter and more effective.   | Along with social sensitivity and equal turns at conversation, studies have suggested that the "collective intelligence" of a group is strongly correlated with the proportion of females in the group, making for smarter and more effective teams. | Williams Woolley, A. et al. 'Evidence for a Collective Intelligence Factor in the Performance of Human Groups', Science v. 330, p 686 2010.   |
|                           | Diverse teams are more creative.  | Heterogeneous top management teams relate to more creative idea generating, and are thus linked to more innovative organisations.  | Marinova, Plantegna & Remery 'Gender Diversity and Firm Performance', Utrecht School of Economics, January 2010.  |
|                           | More women in leadership roles provides more motivation for women to succeed.                               | A Catalyst survey found that 64% of women see the absence of role models as a barrier to their career development. Almost as many women said that a lack of mentoring was a barrier to career progression.   | 'Women Matter: Gender Diversity, a corporate performance driver', McKinsey & Company, 2007.   |
|                           | Diversity programs have a positive impact on motivation.  | A European Commission study found that 60 percent of companies identified improvement in motivation and efficiency as a key benefit of diversity policies.   | 'The Costs and Benefits of Diversity: A Study on Methods and Indicators to Measure the Cost-Effectiveness of Diversity Policies in Enterprises', European Commission, October 2003. |
| Capitalisation of talent. | Women constitute a large proportion of the workforce.<br><br>Women make up more than half of all graduates. | Women comprise 45.6 percent of the total labour force in Australia. The female labour force participation rate is 65.3 percent.  | ABS data in 'Stats at a Glance', EOWA, April 2012.  |

| Benefit                                   | Argument   | Evidence   | Source  |
|---|--|--|---|
|   |  | In 2009 58 percent of university graduates in the US and UK were women.  | 'The Gender Dividend: Making the business case for investing in women', Deloitte, 2011.   |
|   |  | Women currently make up 58 percent of Australia's tertiary education enrolment.  | 'Game-changers: Economic Reform Priorities for Australia', Grattan Institute, 2012.   |
|   | Highly qualified and educated women are being underutilized.                               | For instance: despite accounting for 45% of PhD graduates in the EU in science, research and development in 2006, women accounted for just 18% of the most senior researchers in the same year.  | More Women in Senior Positions, European Commission, January 2010.  |
| Risk Management and Corporate Governance. | Companies with women in key board committee roles (such as risk and audit) perform better. | Gender-diverse boards allocate more effort to monitoring. Across a sample of firms, studies have found that female directors have better attendance records than male directors, male directors have fewer attendance problems in more gender-diverse boards and women are more likely to join monitoring committees.  | Adams, R., & Ferreira, D., 'Women in the boardroom and their impact on governance and performance', <i>Journal of Financial Economics</i> , 2009. |
|   | There is a link between more women on boards and good corporate governance credentials.    | A 2002 Canadian study found that boards in Canada with three or more female directors took more responsibility for their approach to governance issues, verifying the integrity of audit information and ensuring conflict of interest guidelines, amongst other measures. For instance, 91 percent of boards with a minimum of three female directors explicitly took responsibility for governance issues, versus 76 percent of all-male boards. | 'Women on Boards: Not just the right thing... But the bright thing', Conference Board of Canada, 2002.  |
|   | Companies with at least one woman on their boards may reduce their risk of bankruptcy.     | A study by Leeds University Business School of 17,000 UK companies that went insolvent in 2008 concluded that having at least one female director cuts a company's chances of going bankrupt by about 20%.   | 'Higher heels, lower risk: why women on the board help a company through recession', <i>The Times</i> , 19 March 2009.                            |
| Economic Growth.                          | Unlocking the hidden value of the female labour pool is good for the Australian economy.   | Goldman Sachs & JB Were have calculated that the rise in the female employment rate since 1974 has boosted economic activity by 22%. Further closing the gap between male and female employment rates could boost the level of Australian GDP by 11%.  | 'Australia's Hidden Resource: The Economic Case for Increasing Female Participation', Goldman Sachs & JB Were, November 2009.                     |

| Benefit                                      | Argument   | Evidence   | Source   |
|--|--|--|--|
| Corporate Social Responsibility and Culture. | Gender disparity in Australian workplaces, such as the disparity between men and women in leadership roles, perpetuates existing stereotypes about the role of women, both at work and in society in general, and exacerbates gender pay inequity. | According to research of ABS statistics by Goldman Sachs and JB Were, the disparity of income between males and females has deteriorated in many industries over the past 14 years in Australia.   | 'Australia's Hidden Resource: The Economic Case for Increasing Female Participation'. Goldman Sachs & JB Were, November 2009.  |
|  |  | Currently, female graduates earn \$2000 per annum less than male graduates on entering the workforce.  | Graduate Careers Australia, 'Gradstats 2011', Dec 2011.  |
|  |  | The World Economic Forum's Global Gender Gap Report (which benchmarks gender-based disparities on economic, political, education and health-based criteria by country) found that despite a high score in educational attainment, Australia has slipped from an overall rank of 15 in 2006 to a rank of 23 in 2011, indicating that improvements are diminishing.<br><br>The gender gap in this country are not progressing at the same rate as other nations. | Global Gender Gap Report 2011, World Economic Forum, 2011.   |
|  | More gender diversity on boards may lead to greater corporate transparency and improved ethical orientation.   | Fortune 500 companies that had higher numbers of women on their boards in 2010 were more likely to be listed on either or both <i>Ethisphere Magazine's</i> 'World's Most Ethical Companies' and <i>Corporate Responsibility Magazine's</i> '100 Best Corporate Citizens List'.  | Larkin, M., Bernardi, B., & Bosco, S., 'Board Gender Diversity, Corporate Reputation and Market Performance' <i>The International Journal of Banking and Finance</i> , 2012. |
|  | More gender diversity protects women against sexism and sexual harassment.   | The presence of more women working in an area, particularly in senior leadership roles, can counter the imbalance of power between men and women. As the number of women working in an area increases, the dominant culture shifts and male cultural traits that are associated with sexism and sexual harassment are diluted in their effects.  | Sojo, V. & Wood, R. 'Women's Fit, Functioning and Growth at Work: Indicators and Predictors', 2012.  |

In the context of law enforcement, access to greater skills, talent and experience strengthens capability. Enhanced capability is particularly critical in view of the changing law enforcement landscape. Today's modern police services are complex, requiring new and additional skills and adaptability. As Ransley and Mazerolle observe:

**Terrorism, globalisation, large-scale population movements and entrenched social problems pose crime control threats that are increasingly seen as beyond the scope and capabilities of traditional policing.<sup>34</sup>**

They argue that such problems cannot be resolved by traditional reactive means, "but instead require approaches blending intelligence collection, analysis, new technology and techniques, teams and problem-solving." Accessing the right talent from a workforce that is already under pressure, to ensure these skills are met, is vital. According to Woolsey:

**The 21<sup>st</sup> century police officer is one who embodies not only physical strength, but also strength in character, communication and problem solving. The ideal officer is ... a combination of admirable and reputable traits that embody what our communities desire in the new age of policing. It is time to redefine the outdated image of male police officers who are... defined primarily by their prowess. Both genders bring exceptional qualities to policing that, when combined, provide for excellent service and infinite wisdom.<sup>35</sup>**

A number of studies also identify the particular skills that women specifically bring to policing. For instance, drawing on information from the National Center for Women and Policing, Natarajan identifies that:

**Women officers rely on a style of policing that uses less physical force, are better at defusing and de-escalating potentially violent confrontations with citizens, and are less likely to become involved in problems with use of excessive force. Additionally, women officers often possess better communication skills than their male counterparts and are better able to facilitate the cooperation and trust required to implement a community policing model...As an additional benefit, female officers often respond more effectively to incidents of violence against women.<sup>36</sup>**

Further research suggests that because of the factors identified above, women police officers also tend to attract less complaints from the community than male police officers:

**...women police are substantially less likely than males to attract a complaint from a member of the public, especially where the allegation is one of assault or excessive force. This is consistent with research findings from other jurisdictions suggesting that women police: (a) rely more on communication skills and less on coercion than do males; and (b) seem to be less inclined to be provoked by unruly citizens or to feel that their authority has been impugned.<sup>37</sup>**

Despite these findings and observations, AFP data shows that the organisation is failing to harness all available talent. Women remain under-represented as Police and Protective Service Officers (PSO) and across each area – Police, PSO and unsworn officers – in leadership roles.

Over the last two decades the Australian labour market has undergone a major demographic shift with a significant influx of first time female entrants entering the workforce. Australian Bureau of Statistics data shows that the number of women in the labour force increased by 40% (or 1.6 million women) between January 1996 and February 2011.<sup>38</sup> However, the AFP has not capitalised on this demographic change as the percentage of women in sworn roles has remained relatively static at around 20-22% of all sworn officers. At leadership levels women Police are just 23% of all Police.

34 J Ransley & L Mazerolle (2008), *Policing in an Era of Uncertainty*, Griffith University Australia, March 2008, [http://www98.griffith.edu.au/dspace/bitstream/handle/10072/29703/61095\\_1.pdf;jsessionid=8205E043E1D5D049D5DC1D654449EB75?sequence](http://www98.griffith.edu.au/dspace/bitstream/handle/10072/29703/61095_1.pdf;jsessionid=8205E043E1D5D049D5DC1D654449EB75?sequence) (viewed 10 April 2016).

35 S Woolsey (2010) "Challenges for Women in Policing", *Law and Order Magazine*, October 2010, [http://www.hendonpub.com/resources/article\\_archive/results/details?id=1614](http://www.hendonpub.com/resources/article_archive/results/details?id=1614) (viewed 10 May 2016).

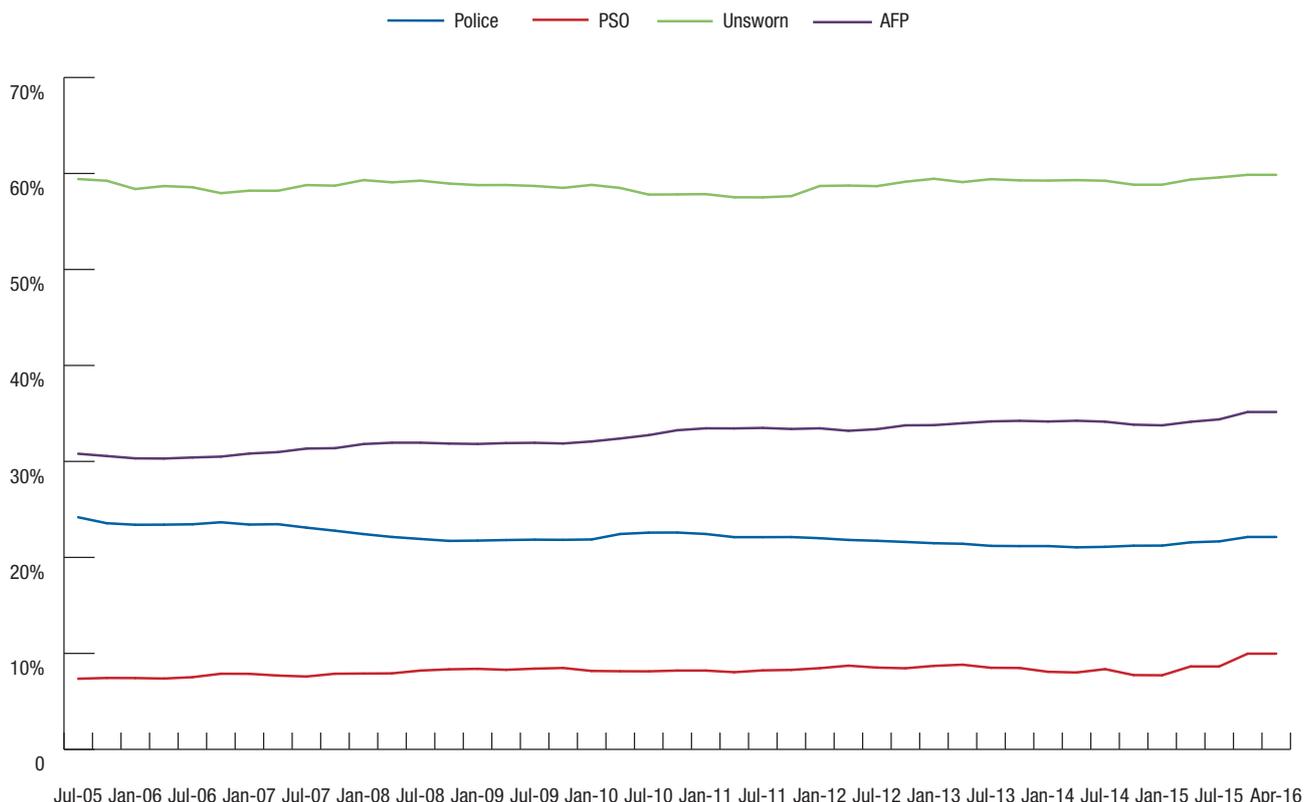
36 M Natarajan (2008) *Women Police in a Changing Society: Back Door to Equality*, Aldershot, Hampshire, England.

37 D Brereton (1996) "Do Women Police Differently? Implications for Police-Community Relations", 1996, *Gender and Ethics in Policing, Research Paper Series*, Vol. 3, No. 3, Criminal Justice Commission, Brisbane. p 3.

38 I Neville (2011) *Changes and Challenges in the Australian Labour Market*, Department of Education, Employment and Workplace Relations, Australian Government.

The unsworn population has the highest overall representation of women at 60%, but women are not progressing to leadership positions at a proportionate level – only 32% of unsworn Senior Executive Service (SES) personnel are women. PSO has the lowest overall representation of women at 10%. Women are not well represented in many of the high tempo operational areas – those roles that ultimately lead to leadership roles. These issues will be further examined in Chapter 4. The graph below shows the trends in relation to women’s representation in the AFP over the last decade.

**Figure 1.1. Percentage of women in the AFP (2005 – 2016)<sup>39</sup>**



In contrast to the AFP, women in the Australian Public Service (APS) make up 58.7% of the APS and 41.8% of its SES. Whilst work is currently underway to lift this proportion across a range of agencies, it remains that the APS is outperforming the AFP in terms of gender diversity, including in senior leadership roles. In the corporate sector, real time statistics show that in May 2016, 23.6 % of directors are women. However, in a sign of significant improvement women accounted for 42.0% of new appointments to ASX200 boards up to 31 May 2016.<sup>40</sup>

Given the challenges faced by the AFP over the coming years, as articulated in Future Directions, a failure to increase the representation of women and to draw more fully on the broad workforce talent available may incur significant risk to the sustainability and future success of the organisation. Indeed, as Commissioner Colvin himself has stated:

**Diversity in the AFP is not a human resource aspiration – it is a core capability. Diversity of skills, diversity of thinking, diversity of education, diversity of language, diversity of culture, diversity of gender – all diversity will add to the rich fabric of the AFP and enhance our capabilities.<sup>41</sup>**

39 'Female Historical Staffing – Data and Charts' provided to the Project Team by A. Stewart by email on 25 May 2016.

40 Australian Institute of Company Directors, *Gender Diversity on Boards* <http://www.companydirectors.com.au/director-resource-centre/governance-and-director-issues/board-diversity/statistics> (viewed 5 June 2016).

41 A Colvin *Building Capabilities for Tomorrow*, speech to Australian Strategic Policy Institute, 25 February 2016, <https://www.afp.gov.au/news-media/national-speeches/australian-strategic-policy-institute-building-capabilities-tomorrow> (viewed 1 March 2016).

## 1.2.2. A Leading Australian and Law Enforcement Employer

As an organisation at the forefront of national policing and national security issues the AFP has the capacity to be a leading Australian employer, one that makes use of all the workforce talent Australia has to offer. Enabling all employees to have the same opportunities to thrive, to feel valued for their contributions and commitment, and to be acknowledged as individuals, will strengthen this position, ensuring that the AFP is a first class and high performing employer.

Many employees in the AFP – sworn, unsworn and PSO, male and female – told the Project Team of valuable and positive experiences within the organisation. They spoke of having rewarding careers and access to a range of opportunities. One staff member summed up what many members told the Team:

**I love the organisation, I am very passionate about it. I honestly have the best job in the world (male participant).**

However, on occasion, the team also heard that for some employees, and women in particular, the AFP can be a challenging workplace, making it difficult for these members to thrive. From the focus groups, interviews and written submissions the Project Team learnt of challenges regarding pregnancy, maternity leave and return to work, where women are sometimes marginalised and their roles and commitment to the work questioned and de-valued. The Project Team heard of women working part-time or on flexible work arrangements who were stigmatised or given less challenging work roles, relegating them to a career “wasteland.” It heard of highly capable women being passed over for training, acting up and promotional opportunities. The Project Team also heard of women struggling to “fit in”, with some stating that they changed their behaviours “to survive” in a male dominated environment. It heard of sexualised work environments and of women who had suffered sexual harassment, bullying, exclusion and in a few instances, sexual assault, by other AFP members. Finally, the Project Team heard that the AFP is not a safe place to report or complain about such experiences and that when complaints are made, there is a risk of re-traumatisation for the complainant. These issues are explored in further detail throughout the Report.

If the AFP is to realise its potential as a leading employer, and one that is attractive to all the relevant workforce talent available in Australia, these are the issues that must be addressed.

## Conclusion

For any workplace, equality, fairness and respect should be fundamental values and a critical component of its core business. However, as in any contemporary organisation, there are other significant drivers that underpin the need for greater representation of women. Among these are the increased competing demands for skilled and talented workers in a tight labour market and employees’ and the community’s expectation that the AFP is a contemporary employer – one that reflects the community it serves and protects. Whilst some of the AFP’s efforts and strategies to date have reflected these imperatives they have not had a sustained impact. As the Chapters that follow will demonstrate, increasing the representation of women and creating a more inclusive culture will provide for a broader skill and talent base and allow for greater diversity of thought and decision-making. In doing so, the AFP will be better placed to meet its capability needs into the future.

# Chapter 2: The Importance of Strong Leadership

## At a glance:

Cultural reform in the AFP will depend on all of the following:

- senior leaders actively championing gender diversity and inclusion and role modelling the behaviours and attitudes expected of all members;
- middle management leaders ensuring that their teams and function areas are inclusive and respectful;
- correcting the perceived disconnect between the behaviours and attitudes espoused by senior leadership and the demonstrated behaviour of some senior leaders; and
- holding all leaders – senior and those in middle management – accountable for the culture and wellbeing of their teams and functional areas.

Cultural change in any organisation can be challenging, particularly where there are deep seated traditions and conventions that require review and renewal. Whilst leadership at the most senior levels is critical, leaders right across an organisation must also visibly champion the imperative for change. This requires them to actively model the values and behaviours that create a healthy, diverse and inclusive culture. Strong, committed and courageous leadership underpins any successful cultural reform process.

The Project Team conducted focus groups and individual meetings with a range of leaders across the AFP. Among these sessions were meetings with the Senior Leadership Group (SLG), one on one meetings with the Commissioner, Deputy Commissioners and the Chief Operating Officer (COO), meetings with National Managers and Commanders and specific focus groups with Coordinators and Team Leaders.

As most members across the AFP are aware, the Commissioner is a strong advocate for change and increasing gender diversity and inclusion across the organisation. A number of other leaders, of all ranks and roles, share his commitment for change. However, in focus groups with the broader AFP, some members expressed concern that certain leaders in the organisation, including at the senior levels, are yet to fully adopt Commissioner Colvin's position and vision for the AFP. A number indicated that some leaders were yet to display the values and behaviours required to effect lasting change.

The following discussion will examine the importance of AFP leaders in championing and implementing cultural reform. It will discuss why it is important that all leaders, from the Commissioner and the SLG, through to Superintendents/Coordinators and Sergeants/Team Leaders actively support the reform process to ensure that gender diversity is embedded across the AFP and that this change is sustained.

## 2.1. Leadership and Cultural Change

Leadership was a common theme raised in many of the consultations held by the Project Team and was identified by a number of respondents to the Survey as key to progressing any cultural reform. Many members spoke of strong, supportive, inspiring leaders including at Team Leader, Coordinator and senior levels. The Commissioner was frequently singled out for commendation by members, particularly concerning his commitment to cultural reform:

**Commissioner Colvin is driving a change agenda of respect, trust, diversity and his words are being backed up by actions (Survey).**

**I am thankful that the Commissioner has committed to taking a stand and making change in order for the AFP to be a progressive employer as we move further into the 21st century (Survey).**

**As a female police officer I am very encouraged by the new Commissioner's view of women in the AFP and his proactive measure to ensure a respectful workplace for all (Survey).**

Members also spoke positively of other leaders and supervisors in the AFP:

**Generally, the AFP has been an excellent employer and I have had significant support from both male and female leaders and this continues... Currently my seniors are excellent and I have great faith in both them and the Commissioner (Survey).**

**All my supervisors have been great. I have always been supported by them and been given great work (female participant).**

**I have the utmost respect for my Commander... He is empowering, lets us make our own decisions, is collegiate and considerate (female participant).**

**The bosses we have [in this area] are the best we have ever had (male participant).**

**[Female senior leader] has been terrific. She is a great support and role model for other women (female participant).**

However, comments and responses from a significant minority indicated a 'trust deficit' between members and leaders, particularly with senior leaders. This was a theme consistent with the findings of the 2014 Staff Survey.<sup>42</sup> It also emerged as an issue in the AFP's 2015 exploratory study, *The AFP Investigator*.<sup>43</sup> A number of staff expressed some scepticism to the Project Team about the depth of commitment of certain leaders to cultural reform and gender diversity and inclusion. They told the Project Team:

**The organisation itself is deficient in leadership and this impacts reform... There is no transparency or accountability in those upper levels (male participant).**

**There is absolutely no confidence in cultural change when the senior team can't even model the right behaviour. This behaviour is copied by lower level males so it affects the whole organisation (female participant).**

**The organisation needs to find the right champions [of change] at all management levels, who have credibility as leaders (male participant).**

**There's a level of scepticism among the leaders about the need for cultural change. Many of them "talk the talk" but they won't "walk the walk" (female participant).**

**When the leaders talk about diversity in leadership they are talking about a whole lot of people that look different but think the same (male participant).**

42 'Staff Survey Results – 2015' provided to the Project Team by A McLeod on 8 January 2016.

43 Australian Federal Police (2015) *The AFP Investigator: An exploratory study*, provided to the Project Team by A McLeod on 24 June 2016.

Some staff also believed that certain elements of leadership do not display positive values or behaviours which can impact on the broader organisation and make any lasting change a challenge:

A lot of senior executives have been in the organisation for a long time and are openly sexist. This then reinforces that behaviour to lower management levels (male participant).

There has been a non-adherence to AFP values by some of our leaders. If they are not people that we respect how are they going to make change? (female participant).

[The] AFP executive must lead by example and have the courage to demonstrate actions – not seeming to demonstrate actions through policies. Retaining senior executives who have committed actions for which other members would be dismissed or charged with an offence is a core issue for many line members (Survey).

I think the current [Commissioner] is genuinely committed to improving the culture of the AFP. Unfortunately, there is little confidence in certain elements of the SES as those members have a history of discrimination, harassment and inappropriate language and behaviour (Survey).

A few members spoke of an historic culture, inconsistent with contemporary workplace norms, which still influences certain elements of AFP leadership and remains an obstacle to change.

The Project Team understands that a number of members in the SLG have participated in the *Leadership Shadow*. This concept starts from the premise that:

The path to lasting performance improvement on any priority—like gender balance—starts at the top. What we say; how we act; what we prioritise; and how we measure together determine what gets done (and what doesn't). These four elements make up the Leadership Shadow model, which allows you as a leader to consider whether the imprint of your words and actions is as clear and powerful as you want it to be.<sup>44</sup>

Key elements of the *Leadership Shadow* are:

- **What I Say:** As leaders, we must identify, deliver and monitor the message we send about gender balance, as well as ensure it is consistent with our actions. Every leader knows that employees have well-tuned antennae to pick up signals from the top about 'what matters around here'. The case for gender balance and inclusion must be specific, and connected to strategy. Providing regular updates and celebrating success maintains momentum. Deliver a compelling case for gender balance; provide regular updates and celebrate progress.<sup>45</sup>
- **How I Act:** Actions and decisions give credibility to our communications about, and commitment to, gender balance. When our people see messages of support translating into tangible actions, progress and change, momentum is created. 'How I act' reveals the behaviours, the symbols and the nature of the relationships that leaders develop to support greater gender balance. Be a role model for inclusive culture; build a top team with a critical mass of women; call out behaviours and decisions that are not consistent with an inclusive culture.<sup>46</sup>
- **What I prioritise:** We know employees notice what leaders take interest in and how we spend our time: the disciplines, routines and interactions that advance objectives. The goal here is to develop and visibly lead processes that drive towards greater gender balance. Engage senior leaders directly; play a strong role in key recruitment and promotion decisions and champion flexibility for men and women.<sup>47</sup>
- **What I measure:** Measurement tells employees what really matters and reveals where we are making progress and where we are not. It includes the rewards, recognition and accountability for those we work with. Understand the numbers and levers, set targets; hold yourself and your team to account; get feedback on your own leadership shadow.<sup>48</sup>

44 Chief Executive Women and Male Champions of Change (CEW and MCC) (2014) *It Starts With Us: The Leadership Shadow*, March 2014, p 4.

45 CEW and MCC, *Ibid*, p 6.

46 CEW and MCC, *Ibid*, p 8.

47 CEW and MCC, *Ibid*, p 10.

48 CEW and MCC, *Ibid*, p 12.

The *Leadership Shadow* provides one sound model for actions and behaviours that are most likely to support progress. In this regard, the Project Team recommends that all SES undertake the *Leadership Shadow* or an equivalent model and develop a personal leadership action plan. It also proposes that the Commissioner appoint an independent, specialist coach to work with each member of the SLG and the group as a whole, to assist them to implement their personal leadership action plans and foster a culture of respect for difference among colleagues and other members, including in relation to decision-making.

The Project Team further considers that the Commissioner and the SLG should develop practical strategies to strengthen their engagement and increase their visibility with and across the workforce, to build trust, collaboration and open conversation with staff.

Ultimately, for cultural change to succeed, the reform process, including the recommendations contained in this Report, must be owned by the Commissioner and the Executive Leadership Committee (ELC). This responsibility should be embedded into their performance metrics. Further, to ensure that change is entrenched across the organisation, the Commissioner and the ELC should select a targeted group of no more than 15 members from across the organisation and at different leadership levels, to assist with the implementation of the cultural change process and this Report's recommendations (the Cultural Reform Board). The Cultural Reform Board should be chaired by the Commissioner; be gender balanced; and include leaders from across functional areas who are champions of reform and/or are in positions of influence.

Visible commitment to cultural change from senior leaders is also imperative for change to have impact and influence. In this regard, the Commissioner and the SLG should develop and deliver a clear and strong written statement (signed by all) that articulates the case for change and signals their commitment to the full implementation of this Report's recommendations. Additionally, the Commissioner and the ELC should present a video to reinforce a strong zero tolerance approach to sexual harassment, sexual abuse and bullying.

## 2.2. Leadership and People Management

A number of members observed in focus groups and during interviews that an obstacle to change is the AFP's promotions model, which tends to measure success and potential predominantly based on a member's technical and operational abilities, without regard for their people management skills or their experience in managing diverse teams:

**Senior managers have become complacent and there is little to no accountability for their lack of leadership skills and their inability to manage people effectively. I feel that leadership training, enforceable rotation policies, and anonymous 360 peer reviews would assist in tackling this issue (Survey).**

**As the AFP is seen as a law enforcement agency, there is no focus on management skills. People are promoted without requisite skills and training, so have very little 'people skills' and have no idea how to actually manage teams (female participant).**

**There is no training for our leaders on how to manage people. No wonder there are few people on part-time or that bad behaviour gets swept under the carpet. They just don't know how to deal with people other than as cops trying to solve an investigation (female participant).**

**We talk about gender diversity and getting more women in but so many of the supervisors here have no experience in managing women, particularly women with children (female participant).**

The ability to both effectively manage and positively influence people in addition to holding the requisite operational and technical skills is critical to good leadership. The observations of the Project Team are that leadership across the AFP would be strengthened and the culture enhanced if members were required to undergo specific pre-qualifying training in people management and leadership prior to being appointed to supervisory roles. The Project Team sees merit in the AFP College's current initiative to develop a "Sergeant's Development Course". This would introduce a set of minimum standards for this leadership entry point.<sup>49</sup>

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49 'Request for Data-email' provided to the Project Team Information provided by A. McLeod by email 'Data Request' on 13 May 2016.

The Project Team believes that recruitment and promotion processes should have a strong predisposition to effective people management and leadership skills, including the successful completion of appropriate training. Where training has not been able to be facilitated prior to the recruitment/promotion process promotion should be deemed to be subject to the successful completion of training on developing effective people management and leadership. Among the topics that should be covered in this training are understanding all people management policies, understanding work place gender equality and diversity more broadly, implementing flexible work arrangements, effective communication and, recognising and responding appropriately to bullying, harassment, sexualised work environments, sexual harassment and sexual abuse. More effective people management skills among all leaders across the AFP will ensure healthier work environments, and allow all members – men and women – to thrive.

## 2.3. The Critical Role of Middle-Managers in Cultural Reform

Whilst senior leadership is essential to drive cultural reform, middle managers – Sergeants/Team Leaders and Superintendents/Coordinators – also play a critical role. As the ‘keepers of the culture’ or cultural ambassadors they have considerable influence over those whom they supervise. What they do and say matters.

The Project Team heard from members about middle level supervisors who are supportive of cultural reform and an inclusive workforce. This was evident, they explained, through effective communication with their teams, their support for flexible work, their active commitment to women accessing opportunities, and their visible zero tolerance for unacceptable behaviour and attitudes:

**Overall I have found the last two teams I have worked in, family friendly and flexible. The TL's have had a big focus on gender equity and support (Survey).**

**[Name] really gets it. You can tell he values all of us who work flexibly because we don't just get the crappy work, and I have seen him call out poor behaviours when he sees it (female participant).**

**My team leader is awesome and very supportive. She has an open door policy so I feel absolutely comfortable going to speak to her if I have any problems in the team (female participant).**

**Since [name] has been the Superintendent here we feel there is someone we can go to and who genuinely supports us (female participant).**

**My team leader and our Coordinator are both excellent. They are very accommodating around flexible work (female participant).**

**I have seen my Coordinator really go to town on someone for being sexist. He squashed the behaviour there and then (male participant).**

However, the Project Team heard other reports that a number of members in middle management positions either did not care about cultural reform or a gender diverse organisation, or were hostile to any reforms. Members described certain supervisors as not supporting flexible work and failing to address poor behaviours as evidence of this:

**Most of the Team Leaders and Coordinators I come across don't really care about what the Commissioner is doing. It's not a big priority for them (female participant).**

**Flexibility is in name only. Working hours [are] directed by team leaders so default is 8-4 and working flexibly is frowned upon as it does not meet 'business needs' (Survey).**

**I heard one of the male Coordinators say the other day that he wasn't going to give one of the women any training opportunities because she was pregnant (female participant).**

**We need our supervisors to at least understand the policies around flexible work and other things so that they don't just say no all the time without considering the impact (female participant).**

**Our supervisors need much more education about managing people and why its important for teams to have both men and women (male participant).**

To ensure cultural change has a significant impact across the organisation it is important to assist those in middle management to better understand the need for, and champion, the positive benefits of a more gender balanced workforce that is supportive of women. This requires ensuring that middle managers understand the benefits of flexible work and are backed at senior levels to implement flexible work arrangements; understand that employees who work flexibly are as committed to their work as full time employees; properly address inappropriate behaviours and attitudes; and actively support all members – men and women – to access training, acting up and promotional opportunities.

## 2.4. Leadership, Storytelling and Cultural Change

Storytelling is a powerful tool for changing culture. Snowden states that:

**Stories exist in all organizations; managed and purposeful storytelling provides a powerful mechanism for the disclosure of intellectual or knowledge assets in companies. It can also provide a non-intrusive, organic means of producing sustainable cultural change; conveying brands and values; transferring complex tacit knowledge.<sup>50</sup>**

Jacobson further observes that:

**We use stories to make sense of our environment. They make us care. They provide a shared context for mutual understanding of events and issues that impact us. And they inspire us to change our point of view.<sup>51</sup>**

The AFP is rich in stories with many members' reflecting positive and rewarding experiences. However, others reflect negative experiences where service to the organisation has come at significant personal cost. Importantly, the Project Team learnt that for most members, in particular those who have experienced challenging and traumatic events in the AFP, the opportunities to tell their stories in a safe environment are infrequent. These opportunities are even rarer for members to share their experiences with those in the organisation who have the power to drive change.

Transformational, purposeful storytelling was a key cultural reform strategy pioneered in the *Review into the Treatment of Women in the Australian Defence Force* (2012) and later adopted by the *Defence Abuse Response Taskforce* in its investigations into individual cases of sexual and other abuse in Defence. The strategy, facilitated by independent experts, enabled members of the ADF who had suffered sexual abuse, sexual harassment, bullying and exclusion to tell their story to a senior Defence member in a supportive setting. Some of the compelling reasons for ADF members telling their stories were that:

- many wanted to 'be right again' with the organisation, which is an institution they still hold in high esteem, despite their experience;
- they wanted to be listened to, by someone with authority, someone they can respect, and who represents the institution that allowed their negative experience to occur; and
- they wanted to know that the culture is changing, and ensure that what they experienced won't happen to others.<sup>52</sup>

For the organisation more broadly, the impact of storytelling has been a powerful lever for change. Senior participants in this process from Defence have stated:

**... For senior Defence leaders it is a [process] that brings the darker side of Defence culture into sharp and stark relief. It reinforces and bolsters resolve to make a difference in ongoing cultural challenge programs. By picking the right leaders to participate in this program we are ensuring senior leaders over the next decade or so will carry this experience with them – it is an experience no participant can forget.<sup>53</sup>**

50 D Snowden "Story telling: an old skill in a new context" *Business Information Review* March 1999 vol. 16 no. 1 30-37

51 D Jacobson "Transforming Company Culture Through Storytelling" 6 March 2014 <http://www.globoforce.com/gfblog/2014/transforming-company-culture-through-storytelling/> (viewed 3 June 2016).

52 P Langveld *Responding to Institutional Abuse Through Restorative Engagement: Conference Paper*, 15<sup>th</sup> International Symposium – World Society of Victimology, Perth, 6 July 2015, p 8.

53 Vice Admiral Ray Griggs, AO, CSC, RAN, Deputy Chief of the Australian Defence Force, in P. Langveld, *Responding to Institutional Abuse Through Restorative Engagement, Conference Paper*, 15<sup>th</sup> International Symposium – World Society of Victimology, Perth, 6 July 2015, p 10.

**You cannot help but be affected by participation in these conferences. The stories ... are profound. The failure to act and to support our people is shameful. But it provides an imperative and resolve to change things for good; we must not squander this opportunity.<sup>54</sup>**

The Project Team does not present the information above to suggest that the issues for the AFP are of the scale confronted by Defence leaders in the ADF's storytelling process. However, learnings from the process itself and from the broader cultural reform outcomes could be of considerable value to the AFP. Although potentially confronting, such a process would enable senior leaders to listen deeply to the experiences of members and in so doing 'feel the case for change.' Among the desired outcomes of a purposeful story telling process for the AFP are:

- a broader level of understanding among leadership of the breadth of experiences in the organisation, particularly the negative ones, assisting them to better understand and respond to similar issues in the future;
- implementation of appropriate systems to respond to the issues raised in the story telling; and
- a resolve among leaders hearing the stories, to implement cultural change and a commitment to see that all members of their organisation have the opportunity to thrive.

## **Conclusion**

Steadfast leadership in the AFP will drive cultural change. This includes strong messaging and modelling by leaders, of the benefits of increasing gender diversity in the organisation and its link to future capability. For cultural reform to be realised and for it to have the necessary impact across the AFP, responsibility for the reform process should sit at the highest levels of the organisation. Equally, leaders at the middle levels should be key players as they have a critical role in ensuring that the high level decisions are implemented and supported. Indeed, all leaders must work together to create a shared understanding and to demonstrate their common purpose that the AFP is an organisation where all members – men and women – can thrive.

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54 Vice Admiral Tim Barrett AO, CSC, RAN, Chief of Navy, in *Ibid*, p 10.

# Chapter 3: The AFP Culture and Women's Experiences

## At a glance:

- Many women have rewarding and positive experiences in the AFP.
- Women's experiences as Police, PSO and unsworn are different to the experiences of men. This was identified in focus groups, interviews, submissions and in the Survey.
- Many women believe that they do not have the same opportunities as men across a number of areas.
- Some women feel they have to 'fit in' to a male dominated culture to thrive or survive.
- Women feel they have to prove themselves in their job to be accepted by men.
- Unsworn women believe that, as a group, they are less valued than others, particularly in comparison to Police.
- Sexual harassment and bullying are pervasive and on occasion, there is sexual abuse.
- There is a view, particularly by men, but also some women, that strategies to increase the representation of women, including the introduction of targets, are unfair and will undermine merit.
- Some women fear a backlash regarding any perceptions that they may receive so-called 'preferential treatment.'

The AFP is at the forefront of preventing and responding to crimes that have an individual, community, national and international impact. Heightened national security issues have placed considerable demands on the AFP's operating environment, including on its capabilities to respond.<sup>55</sup>

Yet despite its significance to the national and international law enforcement landscape many Australians have a limited awareness of what it is like to work as a member of the AFP – to train as a recruit, to conduct an investigation, to perform as a general duties officer, to establish friendships and networks, to compete for promotions, all while juggling family and other outside obligations. This lack of awareness can be more pronounced for women given that traditionally men have been the public face of policing.

To understand the experiences and daily reality of AFP members and of women in particular, the Project Team was keen to develop a better appreciation of the way the AFP is experienced by its employees. This was essential so that recommendations for change would be relevant, informed and directed at having lasting impact.

This Chapter draws on extensive consultations, written submissions and Survey data undertaken by the Project Team to gain insight into the way that AFP members perceive their careers and the organisation.

55 A Colvin, *Building Capabilities for Tomorrow*, speech to Australian Strategic Policy Institute, 25 February 2016, <https://www.afp.gov.au/news-media/national-speeches/australian-strategic-policy-institute-building-capabilities-tomorrow> (accessed 1 March 2016).

### 3.1. Organisational Culture in the AFP

Organisational culture can be defined as:

**a system of shared assumptions, values, and beliefs, which governs how people behave in organisations. These shared values have a strong influence on the people in the organisation and dictate how they dress, act, and perform their jobs.**<sup>56</sup>

Clampitt further defines organisational culture as:

**the unwritten rules that constrain the behaviour of individuals within an organisation.**<sup>57</sup>

Broadly, it is “the way we do things around here.”<sup>58</sup>

In the context of law enforcement, Lawson states that:

**For police officers, these rules are dictated by the function of policing itself, creating a unique culture and promoting the characteristics of conformity and solidarity, among others.**<sup>59</sup>

Many researchers have identified the link between policing and a unique occupational culture (Lawson, 2011, Chan 1999; Skolnick and Fyfe 1993; Reiner 1992; and Manning and Van Maanen 1978). Spasic defines police culture as:

**a specific system of values, attitudes and beliefs that police officers adopt with respect to their job, management, certain categories of citizens, courts, the law, and different social phenomena which may influence their work.**<sup>60</sup>

As well as an overall culture, members can be aligned to a component of that culture. In the context of the AFP this can be an alignment to the sworn or unsworn population, to ACT police or National, or to Canberra or a particular region, to name but a few. Overall, the culture of the AFP, like all law enforcement agencies, is deeply embedded in a male norm. This is understandable given the history of the organisation and the fact, that “policing is one of the world’s most masculinised occupations.”<sup>61</sup> However, a by-product of this is that women in policing environments face particular and unique challenges, separate to their male counterparts. In her research on the culture of the AFP, Carmel Niland identified women as being peripheral to the organisation’s operations, unable to fit in naturally, or are seen as “the other”.<sup>62</sup> In any environment, those seen as ‘the other’ or as outsiders can be perceived as less worthy and therefore less deserving of the status of those in the dominant group.

This sense of being a part or of being ‘the other’ underpins many women’s experiences in the AFP.

56 J McLaughlin, *What is organizational Culture? – Definition and characteristics*, study lesson transcript, <http://study.com/academy/lesson/what-is-organizational-culture-definition-characteristics.html> (viewed 1 May 2016).

57 P Clampitt (2005) *Communicating for Managerial Effectiveness*, Sage Publications, London.

58 T Deal & A Kennedy (1982) *Corporate Cultures: The Rites and Rituals of Corporate Life*, Harper Collins, New York.

59 C Lawson (2011) ‘Police Culture: changing the unacceptable’ in *Scan Journal of Media Arts Culture*, vol. 8 no.1, 2011, [http://scan.net.au/scan/journal/display.php?journal\\_id=159](http://scan.net.au/scan/journal/display.php?journal_id=159) (viewed 1 May 2016).

60 D Spasic (2011) *Police Culture and the Process of Integrating Women in the Police* [http://www.academia.edu/10314922/POLICE\\_CULTURE\\_AND\\_PROCESS\\_OF\\_INTEGRATING\\_WOMEN\\_IN\\_THE\\_POLICE](http://www.academia.edu/10314922/POLICE_CULTURE_AND_PROCESS_OF_INTEGRATING_WOMEN_IN_THE_POLICE) (viewed 1 May 2016).

61 C Niland (1996) *The Impact of Police Culture on Women and Their Performance*, Paper presented at the Australian Institute of Criminology Conference First Australasian Women Police Conference, Sydney, 29, 30 & 31 July, p 2.

62 C Niland, *Ibid*, p 2.

## 3.2. Men and Women – Are they equal?

Throughout the focus groups and in responses to the Survey, many members stated that the AFP is an employer that treats everyone equally and respectfully, and that everyone has the opportunity to succeed, irrespective of their gender:

**As a band [number] female member, the AFP has treated me extremely well in terms of opportunities, career advancement and providing meaningful work (Survey).**

**Women can succeed just as much as men. There is a lot of respect here. In all my time, I have never seen women being discriminated against. There has always been equality in this workplace (male participant).**

**We are a mature organisation and operate as a united force – doesn't matter if you're male or female (male participant).**

**I have been in the organisation for 29 years and can say that, yes they can thrive equally. I've never seen any obvious disadvantages for women at all (male participant).**

**There are no specific barriers or obstacles to hinder women's progression. We have equal pay (male participant).**

**Gender diversity is not an issue here. We are all equal and treat each other as such (male participant).**

**Its not about gender ... Its about the individual and their capabilities (male participant).**

**We may have had issues in the past, but there's no discrimination here now and woman and men are equal. Apart from the fact that women may have babies and take maternity leave, our experiences are pretty much the same (male participant).**

**If you're the right personality and have the right skill set you can have a great career in the AFP as a woman (male participant).**

Many women also spoke positively about their experience in the AFP. They reported that the AFP is a good and supportive employer and that their working environment is respectful:

**I've worked in places outside of the AFP before coming in and I can honestly say it's really good here (female participant).**

**I love the work and I love my team. I feel I am on the cutting edge of law enforcement. It doesn't get better than that (female participant).**

**I've had a great career with wonderful opportunities (female participant).**

**I don't believe I have ever been denied an opportunity just because I am a female. I have worked hard, done my job to the best of my ability and been promoted for that (female participant).**

**I've had two kids and have had three years off. I came back part-time and have always been supported (female participant).**

**I believe the AFP is a progressive, inclusive and family friendly organisation, superior to equivalent organisations, both in the government and private sector (Survey).**

However, the majority of women with whom the Project Team spoke believed that women have different experiences to men which means they are not able to thrive to the same extent. This was the case for women of different ranks and levels. They described a range of challenges and obstacles that impacts on their ability to thrive equally with men:

**Your femaleness defines you in the AFP. If you succeed its because you're a female and were given an easy run. If you fail its because you're a female and [therefore] not up to the job (female participant).**

**Can we thrive equally? Yes. Do we? No (female participant).**

**Men don't see there is an issue [with inequality], but women feel it (female participant).**

Women still have to fight to be equal (female participant).

As a minority it's difficult [for women to thrive equally to men]. We tend to be filtered off to different roles which are not the sort that lead to leadership positions (female participant).

The stereotype of what 'success' looks like is modelled on an A-type male (female participant).

I have likened some of my experiences here to DV. It's how you are made to feel – fearful, vulnerable and excluded (female participant).

I don't think men and women thrive equally. There is an appearance of equality but it's not the reality (female participant).

It's certainly harder for women who have children [to thrive] (female participant).

I've been very loyal to the AFP for the past 26 years and always made my schedule flexible, however I've never been able to move up the ranks at the same pace as my male colleagues (female participant).

As a female team member I have less choices than the men (female participant).

I worked in [functional area] for three years and was completely ostracised by all the other male Coordinators. I was never asked for my opinion or guidance and completely ruled out of opportunities (female participant).

Women can only thrive in this organisation if they have supervisors who support them (female participant).

Success here is very much about getting runs on the boards. When women take time out of the workforce they can be disadvantaged in getting these runs (female participant).

You always hear people say "we have enough women in our team." It makes you feel like furniture (female participant).

I've had some great opportunities over my career, but I've had to fight really hard for them, and my tolerance level for it is getting lower and lower (female participant).

Some male members also stated:

Men and women can't thrive equally in the AFP. In practice men get many more opportunities than women. This is not ill intent but it is personal perspectives and unconscious bias that colours decisions (male participant).

We don't have the progressive practices for women to thrive and survive (male participant).

These male members more likely than not, were married to female AFP members.

### 3.2.1. Unsworn Women

The divide between the sworn and unsworn populations was frequently raised in focus groups. Both unsworn men and women spoke of a cultural separation between their group and Police. They believed that those who are sworn have perceived greater power and are considered of greater value than unsworn. The Project Team identified particular challenges faced by unsworn women. Unsworn women told the Project Team:

I'm unsworn, I'm a woman and I'm a single mother. Its not a possibility for me to ever progress here (female participant).

The hierarchy in this place is sworn men, sworn women, unsworn men and unsworn women. We are basically at the bottom (female participant).

You just don't feel you are taken seriously when you are an unsworn female (female participant).

### 3.2.2. Women in remote regions

Many of the more challenging experiences for women in the AFP are compounded for those who work in remote regions. As a minority group in a sometimes isolated area they can sometimes feel “on the outer” and as one woman said, “exposed and vulnerable.” Both men and women spoke of the challenges of being “stuck” in a remote location with little opportunity of being transferred despite being told before they accepted the post that they would only have to do a minimum number of years. They stated that very few members wanted to transfer to these locations and so they had limited prospects of leaving for another region or office. There did not appear to be any effective mobility strategy.

Whilst a number of women stated they loved their work and being in a particular remote location, others identified particular struggles:

**I’ve been here [x] years and I love it. Its great and I get really good support and of course, the extra money is great (female participant).**

**I much prefer being here than in one of the bigger offices (female participant).**

**The boys are really accommodating. They are good guys but the culture is so ingrained that they say inappropriate things (female participant).**

**I often feel isolated at times. I struggle to decipher appropriate from inappropriate conduct, or ‘boys talk’ from sexual discrimination and harassment. I feel uncomfortable about witnessing conversations about [other women] who are spoken about in a derogatory and humiliating manner... (female participant).**

**In [my region] I walked the femininity line really well. I worked a lot harder than the guys. But it gave me a lot of opportunities that I wouldn’t normally have (female participant).**

**I’ve heard some guys say that girls don’t belong here and they shouldn’t lead (female participant).**

In contrast, many of the men told the Project Team that women and men have the same opportunities as each other in remote locations and a number suggested that women can succeed at greater rates than men:

**If you are a woman [at this location] you’ll thrive more than the men (male participant).**

**Women here are just as likely to get ahead as the men (male participant).**

**Its equal for both of us. No-one has it any better or worse than the other (male participant).**

Difficulties in accessing flexible work arrangements appear to be more pronounced in remote regions than for those in urban offices. Lower staff numbers in these offices/stations meant there were perceived difficulties in finding people to cover shifts. This was cited as a reason why supervisors refused flexible work arrangements. The Project Team identified that balancing caring responsibilities with work and ensuring career progression was particularly hard for both men and women. In addition to this, in some remote locations, the lack of specialist obstetric and paediatric services placed considerable financial burdens on members who sought these services.

For many women, the lack of peer networks, female mentors or role models was challenging. One woman stated:

**There is currently no mentoring system for women [in this location] and there are no females in leadership positions...I feel that women in remote locations would benefit greatly from the help and advice of female mentors (female participant).**

### 3.3. Fitting In and Being Included

The notion of 'fitting in' was raised frequently by women in focus groups and interviews. Many women commented that the AFP was a "boys club" and as a result they did not feel that they fully belonged or were "a part of" the organisation. They spoke of having to "fit in" to a male culture as a way of succeeding or for some, surviving. Often, this meant changing their own behaviours and personalities and losing their authentic self:

**This is a boys' club and we have to fit in if we want to go anywhere (female participant).**

**I've seen women who are now in leadership roles become like men to succeed. It's in their language and in the way they work 24/7 (female participant).**

**There is a very entrenched boys club in the AFP. We have to work twice as hard to get respect – to do more and work longer hours (female participant).**

**There's a lot of biases in the AFP about what men and women can do. It's a boys' club and we have to fit in (female participant).**

**I adopted masculine traits, worked hard to fit in, drank a lot of beer, became one of the boys. It was hard trying to walk the femininity tightrope – not too feminine because that was unacceptable, not too like the blokes because that brought other problems. Would I have been a different woman if I'd pursued a different career? Maybe (female participant).**

**You do lose yourself to fit in (female participant).**

**I learnt early on to speak in a low, monotone voice. If I talk like myself...I wouldn't be listened to by the men (female participant).**

**I was told in recruits that I had to modify my personality when I got into the organisation as the AFP doesn't like independent thinking, opinionated women (female participant).**

**Usually I am the only female in a team. I don't mind but blokes do forget you are there... I do feel excluded (female participant).**

**If a woman asserts herself she's a bitch or its that time of the month. If a man asserts himself, he's a leader (female participant).**

**It's a culture of who you know. Do you go for drinks on Friday night? Do you drop everything with no notice to work on something? Is she one of the team? (female participant).**

**For the men to accept you, you have to be a bit crass but not too crass, 'coz they'll think there's something wrong with you (female participant).**

**It is not safe to have a dissenting view. You can't succeed in this organisation unless you fit the mould (female participant).**

**Joining this organisation really shaped my personality. I had to change my behaviour to fit in with the guys. It took me a long time to regain my feminine side (female participant).**

The impact on women of trying to 'fit in' has been documented in a number of studies. A Graduate Stanford School of Business' study showed that trying to conform to the dominant male culture in an organisation can result in stress and negatively impact on women. The authors found:

**Being masculine – but not too masculine, too often or at the wrong times – is rewarded... (A) woman who is 'too masculine' or not masculine enough can be punished – the 'double bind.' It is exhausting and stressful for many women to walk this tightrope.<sup>63</sup>**

63 M Rigoglio (2011) *How Women Can Succeed in the Workplace*, Graduate School of Stanford Business, March 1, 2011, <https://www.gsb.stanford.edu/insights/researchers-how--succeed-workplace> (viewed 4 April 2016).

In addition to this, both men and women spoke of strong networks across the organisation, many of which were formed at recruit college. In most of these cases the networks were largely made up of men. Many of these networks are underpinned by a culture of mateship. Research conducted by the Department of Social Services notes that women do not generally fit into such a culture and this can impact on their ability to gain the full strategic benefits from work relationships, resulting in their exclusion from the opportunities that these relationships afford. That study found that:

**[Women] are often absent from networking opportunities such as drinks at the pub or games of golf. They do not run with 'the pack'. They do not possess men's innate ability to form strategic alliances within hierarchical environments. Men's early socialisation provides them with the capacity to negotiate hierarchy. The experience of safety and camaraderie in the group provides a powerful antidote to the loss of autonomy that hierarchy demands. 'Mateship' provides the equaliser in competitive and hierarchical cultures.<sup>64</sup>**

As such, although women recognise the strategic potential of informal networks and alliances, they can often be excluded from the workings of informal career pathways:

**The 'tap on the shoulder' that can open doors is elusive to most women.<sup>65</sup>**

The information from focus groups and interviews would support this observation regarding the experiences of women in the AFP. This was particularly pronounced in the experiences that women relayed to the Project Team about promotions, acting up, training opportunities, and decision-making:

**The promotions system appears equitable but the ultimate decision about whether you go up, ultimately rests with a group of men (female participant).**

**The male clique here is big. It prevents women from leadership roles and promotion. Women sit outside the dominant group (female participant).**

**A lot of decisions are made after hours, through socialising. Women are usually not part of that socialising (female participant).**

Many women also spoke about being subject to rumours and that their reputation was often an issue in the workplace compared to men's. As one woman said:

**There are always rumours around hook-ups. This is really damaging to your confidence and reputation. How can I be a team leader when they are slaggering you off behind your back? (female participant).**

The Survey also confirmed there is a sense among women that they face greater scrutiny and judgment regarding their behaviour. For example, 66% of women and 30% of men who participated in the Survey believed that a woman's 'reputation' regarding her sexual behaviour can inhibit her career in the AFP. By contrast only 13% of women and 24% of men believed a man's 'reputation' about his sexual behaviour can inhibit his career in the AFP.

### 3.4. Proving Oneself

A corollary of 'fitting in' is the notion of having to 'prove oneself.' Women in the AFP identified that in many situations they had to demonstrate that they could 'do the job as well as or better than a man.' The Project Team heard:

**To go further, women have to be seen to be putting in extra hours and extra effort. That's how we have to prove ourselves (female participant).**

**When I got my promotion a year ago I felt I had to prove to the team that I earned it (female participant).**

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64 H Piterman (2008) *The Leadership Challenge: Women in Management*, Department of Social Services, Canberra, Australia, p 10, [https://www.dss.gov.au/sites/default/files/documents/05\\_2012/report\\_march08.pdf](https://www.dss.gov.au/sites/default/files/documents/05_2012/report_march08.pdf) (viewed 4 April 2016).

65 H Piterman, *Ibid*, p 10.

As a woman you have to go to more effort to show you your professionalism and skills. And even then you get passed over (female participant).

[As a woman] you have to work a little bit harder [to gain] respect (female participant).

When I am with a group of men, I have to prove myself, my value, more so than if I was with a group of both men and women (female participant).

As an unsworn woman, sworn men will often not take my advice. But I've seen them take the same advice from a man (female participant).

I had to prove myself 100 times that I could do my job (female participant).

The notion of women having to prove themselves is borne out in numerous studies on women and law enforcement, including Woolsey's, whose research on the LAPD identified that:

**Many female officers also report feeling they have to work twice as hard to prove themselves and to be accepted, whereas male officers can just show up and gain acceptance.<sup>66</sup>**

Further, as Morrow states:

**[Women police] are still required to work harder at proving themselves than their male counterparts and they even have to work harder than men who are entering traditionally female roles.<sup>67</sup>**

## 3.5. Sexual Harassment, Sexual Abuse and Bullying

### 3.5.1. Experiences

Many women in the AFP reported to the Project Team that their work environments are respectful and safe. They spoke of rewarding work and supportive teams. However, others spoke of some work environments which are sexualised and of their experiences with sexual harassment, bullying and being subjected to demeaning language. Some men also commented on these issues in relation to their impact on women. Whilst many members acknowledged that the organisation had vastly improved since prior decades in relation to sexual misconduct, others stated that the problem still existed with some believing it was widespread:

**In PRS at least once a week we get someone coming to us and wanting to discuss sexual harassment or other forms of bad behaviour (male participant).**

**We have certainly made progress but I still think there is a culture of sexual harassment and bullying (female participant).**

The Survey results show a very high rate of sexual harassment among women in the AFP. Nearly one in two (46%) of women who participated in the Survey reported that they had experienced sexual harassment in the workplace or a work-related event in the last five years. This is substantially higher than the experience of women in the general Australian workforce. The Survey indicates that younger female employees in the AFP are far more vulnerable to sexual harassment than other employees. The rate of bullying, as reported by Survey participants – both men and women – is also particularly high. Two-thirds (66%) of women and 62% of men who participated in the Survey reported being bullied in the last five years in the workplace.

66 S Woolsey (2010) 'Challenges for Women in Policing' in *Law and Order Magazine* Oct 2010, [http://www.hendonpub.com/resources/article\\_archive/results/details?id=1614](http://www.hendonpub.com/resources/article_archive/results/details?id=1614) (viewed 12 April, 2016).

67 JL Morrow (2008) *Creating the Blue Code: Identity, Gender and Class in a Police Training Environment*, Proquest, Michigan.

### 3.5.2. Seeking Advice, Support and Making a Complaint

Whilst most members indicated to the Project Team that they were aware of the AFP's complaints mechanisms, there was an overwhelming reluctance among members to report an incident. Specifically, women who spoke to the Project Team stated that they would not report an incident of sexual harassment or sexual misconduct and for some of those who did report, they expressed regret for doing so.

Members – men and women – stated that the culture of the organisation is one that makes reporting incidents, particularly those of a sexual nature, unsafe:

**This is not a culture that encourages reporting – sexual or otherwise (male participant).**

**Sexual harassment gets swept under the carpet. Nothing gets done. The response is “Oh, its only him. He’s been doing that forever, that’s just him” (female participant).**

The Survey results confirm that there is a strong unwillingness among members to report sexual harassment. Of the respondents that indicated they experienced sexual harassment in the last 5 years only 18% sought advice or support (F:24%: M:11%) and a third (32%) of this group went on to make a formal complaint. Of significant concern is the finding that of those who went on to make a formal complaint, 79% reported that they personally experienced negative results of reporting (F:83%: M:67%).

The issues of reporting and of sexual harassment, bullying and sexual abuse are examined in further detail in Chapter 6.

## 3.6. Work and Family – A choice?

For many members in the AFP, work and care sit at opposite ends of one hard choice. Whilst the challenge to balance these obligations was described by both men and women, it was women who more acutely felt the need to choose between career progression and a family. For a woman, having both a family and a leadership role, particularly a senior leadership role was uncommon:

**I would have to sacrifice so much to climb here. It’s too hard (female participant).**

**I have only seen one woman with children promoted to a Coordinator level. The other women had no children (male participant).**

**There is a perception that if you want to go up you have to give your heart, your body and your family (female participant).**

**I’m starting to think about starting a family. I do feel that I’ll have to make a choice about work or family (female participant).**

The Survey revealed that the majority of staff were generally positive about the level of support within the AFP for flexible work (F:59%: M:50%), and from their supervisor (F:67%: M: 61%). However, they were less confident about actually requesting such an arrangement. Only half of women (51%) and a third of men (34%) said they would feel comfortable asking for a part-time or flexible work arrangement in their current role. Further, only 23% of women and 19% of men said they would be comfortable asking for a part-time or flexible work arrangement if they were promoted. Half of the Survey respondents (48%) believed the AFP should be more flexible with helping staff meet their outside caring responsibilities.

The issue of work and family is explored further in Chapter 5 where issues such as maternity leave, parental leave and flexible work are examined.

### 3.7. Increasing the Representation of Women

The Project Team found that increasing the representation of women in the AFP is an active issue across the organisation, among both men and women. A number of people who spoke with the Project Team were highly supportive of action to increase women's representation across the organisation:

**It's about time. We need to drag this organisation into the 21st century (male participant).**

**I'm really excited by the possibility of change. Having more women in our leadership roles will be a great step forward in broadening the views and experience of our leaders. It will also allow for the young women to have role models to look up to (female participant).**

**This is a really valuable thing [the organisation] is doing. I agree that its about building our capability so that we really do have the right skills, experience and talent (female participant).**

However, others were less supportive and even resistant to proactive steps to increase the numbers of women across the AFP and, particularly to increase their representation in senior leadership roles. There was little understanding of the critical link between increasing the representation of women and enhanced capability (as examined in Chapters 1 and 2). Some members believed that creating a critical mass of women will never occur because women "are not traditionally attracted to policing," while others were firmly of the view that there were no obstacles to women progressing through the organisation if they were sufficiently meritorious.

Members variously stated that strategies to bring more women into the AFP could potentially "lower the standards", lead to "incompetent women being promoted over meritorious men" and be "discriminatory against men." The Project Team also heard that the cultural change initiatives are creating a backlash against women.

There was strong resistance among some to the implementation of any target or special measure to increase the representation of women. This was especially apparent with the concept of any differential treatment being at odds with the notion of merit as it is understood in the AFP. Underlying many of these comments is the concern that increasing the representation of women in the AFP and into leadership roles will compromise merit – whether in relation to women's recruitment or promotion. This concern was common despite the fact that many members also believed that as an organisation, the AFP does not apply merit universally, and that in relation to promotions and other opportunities it can be "who you know" which allows a member to succeed. Research suggests that in situations where merit is emphasised as a basis for selection and performance review decisions, men are more likely to be selected and more likely to be awarded higher salary increases compared to equally rated women.<sup>68</sup> 'Merit' reinforces the status quo.

Members told the Project Team:

**People of quality will be chosen and will rise through the organisation. We will get the wrong people if you start putting in quotas or targets or whatever (male participant).**

**It's a bad idea to just get women in because of a quota. It will lower the standards (male participant).**

**Getting people in just because they are female will just lower the standards. I think this is a big worry (male participant).**

**I do get concerned as a male that future promotional opportunities may not be merit based, with a bias towards balancing gender numbers rather than awarding promotions and/career opportunities on merit (Survey).**

**People should be promoted on merit, not because they are female (male participant).**

**The women in my area are concerned that women will be promoted over men because of their gender and not because of merit (female participant).**

**There's a real belief here at the moment that if you, as a female, get promoted sometime in the next 10 years, then your merit is undermined and you're just seen as being promoted for being a woman. Other people will perceive it badly (female participant).**

68 EJ Castilla & S Benard (2010). 'The Paradox of Meritocracy in Organizations' in *Administrative Science Quarterly* 55: 543-576.

The men are saying that the next band 9 round is the “charity round” for women. Women are deciding not to apply because there’s a huge perception that she’ll be getting promoted just because she’s a woman – and not based on merit at all. It’s really demoralising (female participant).

I have concerns that [quotas and targets are] going to lead to a drop in the standards if we are to promote people who do not have the competence or experience to do the job well. The current knee jerk reaction to this issue seems to be to make sure that 50% of promotions etc. and recruiting is quarantined for women. Everything should be on merit, otherwise we will be more mediocre than we already are. There are plenty of examples where men have been promoted on who they know and not what they know – don’t add to the problem with quotas (Survey).

The Survey revealed that women are much more likely to agree that there is a need to increase diversity in the workforce and in leadership across the AFP. For example, while 57% of women and 36% of men agree with the statement that the AFP should increase the representation of women, 65% of women and 30% of men agree that there should be more women in leadership positions in the AFP. Women are also nearly twice as likely to agree that there should be more LGBTI members in the AFP (F:47%: M:23%), CALD members (F: 52%: M: 29%), and Aboriginal and Torres Strait Islander members (F:51%: M:29%), than men.

## Conclusion

The focus groups, interviews and Survey results demonstrate a stark contrast in the experiences of women and men. They also indicate that men have a different view of women’s experiences to the reality of many women. Whilst the Project Team identified a range of women whose experience in the AFP was positive and rewarding, there were a significant number who identified systemic impediments that have impacted on their ability to thrive in the same way as men. These obstacles can be particularly pronounced for women posted to remote locations. The following Chapters will discuss those issues and propose a number of strategies for addressing them.

# Chapter 4: Women's Representation in the AFP Workforce: Barriers and Opportunities

The AFP workforce continues to have difficulty with achieving a significant representation of women within AFP Police and Protective Service Officers (PSO). The particular nature of the AFP workforce and perceptions about the nature of policing contribute to these challenges. In addition, the organisation struggles to attain proportional representation of women in senior leadership positions.

This Chapter will examine the representation of women across the AFP workforce, analysing recruitment and retention efforts and trends, as well as considering ways in which performance management and promotion processes impact upon women's progression.

## 4.1. Representation of Women

### At a glance:

- Women are under-represented in the AFP, particularly in Police and PSO roles.
- As at April 2016, women comprised 35% of all AFP personnel (22% of all Police, 10% of PSO and 60% of unsworn).
- Women in the AFP are heavily concentrated in unsworn support roles. Conversely, women are under-represented in sworn operation and rostered operation roles (Police and PSO).
- Occupational segregation has a significant impact on women's career progression and their ability to reach leadership positions in the AFP. Traditionally, senior leadership is drawn from the Police population in which women are significantly under-represented.
- Better recruiting practices and development pathways are required to address the under-representation of women in the AFP Police and PSO.
- The lack of diversity, including gender diversity, will increasingly impact the AFP's overall capability and operational effectiveness.

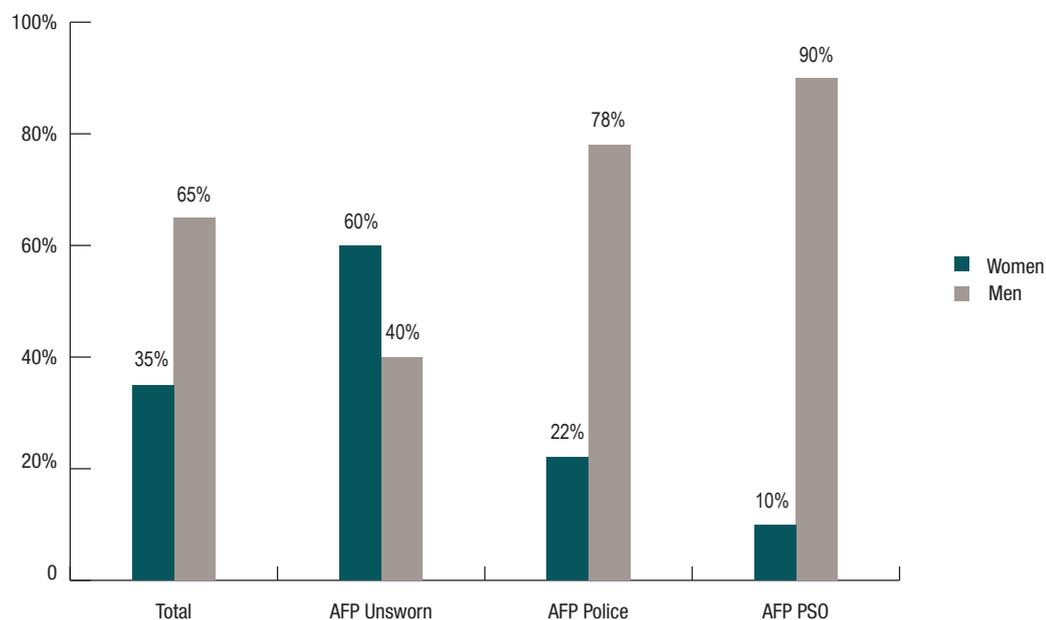
The AFP is organisationally comprised of three groups of personnel – Police, PSO and unsworn:

- Police roles account for 52% of the total AFP workforce.
- PSO roles account for 10% of the total AFP workforce.
- Unsworn roles account for 38% of the total AFP workforce.<sup>69</sup>

The representation of women across each of these groups is distinct and therefore each will be examined separately in this section.

69 'Request for Data – Responsible Areas', provided to the Project Team by A. McLeod on 27 April 2016.

**Figure 4.1. Percentage of women and men across AFP<sup>70</sup>**



As illustrated in Figure 4.1, women make up 35% of the AFP workforce, however they are unequally distributed across Police/PSO/unsworn roles:

- Women are over-represented in unsworn roles, the majority of whom work in support functions.<sup>71</sup>
- Women are under-represented in Police and PSO roles.

This delineation of roles poses a significant impediment to creating diversity across the organisation and increasing the number of women in leadership positions.

#### 4.1.1. Women in Police roles

The under-representation of women in Police roles has a significant impact on women's career opportunities and their experience in the AFP. As detailed in section 4.4 below, 70% of SES roles are held by Police.<sup>72</sup> The bias to promoting senior leaders from the Police population – a population in which women are significantly under-represented – means that women are less likely to progress to senior leadership positions.

The low representation of women among Police also impacts on a Police woman's career opportunities. Women in Police told the Project Team that they often miss out on opportunities for career development because they are not released from particular duties or teams where a woman is required. This impacts on their opportunities for career development and progression:

**Often, if you are on a team and you are the only woman then you are not released so you don't get varied experience which is important for career development (female participant).**

**When I go out on warrants, I always have to mind the women and children on site. It means I miss out on opportunities to actually use my skills and experience (female participant).**

<sup>70</sup> Request for Data – Responsible Areas, *Ibid.*

<sup>71</sup> 71% (1077 out of 1515) of unsworn women work in a support role. Furthermore, 65% of women in the AFP are based in Canberra where central headquarters and the majority of support roles are located. 'Request for Data – Responsible Areas', provided to the Project Team by A McLeod on 27 April 2016.

<sup>72</sup> 'Attachment 1: SES Level Data', provided to the Project Team by A McLeod on 27 April 2016.

The Survey revealed that a third of women believe it is difficult for sworn women to be promoted above Team Leader/Sergeant level (F:33%: M:7%).

#### **4.1.2. Women in unsworn roles**

Despite the over-representation of women in unsworn roles, they also face limited career opportunities in the AFP. During focus groups, participants told the Project Team that unsworn members have fewer opportunities for career progression:

**It is more difficult for unsworn women – we sit at junior roles for longer and do lots of admin roles when we have far greater skills than this (female participant).**

**You need to be sworn to get anywhere in this organisation unless you are working in Canberra (male participant).**

**I want to move to sworn as there are greater opportunities for leadership roles (female participant).**

**Even though there are lots of women in corporate, all the team leaders are men (male participant).**

The Survey confirmed this view with nearly half of women agreeing that it is difficult for unsworn women to be promoted above Band 7 (F:46%: M:14%). Furthermore, unsworn members believe there is a view by some Police, that unsworn members have “less to contribute” to the AFP, and are not viewed as equals to either Police women or men. The Project Team was told:

**There is definitely a pecking order in the AFP. I would say an unsworn woman is probably at the bottom of that pecking order (male participant).**

**I have three things working against my credibility – unsworn, non-operational and a woman (female participant).**

**As an unsworn woman, I am not taken seriously on the team. I can say something and be ignored, and then a sworn man will say exactly the same thing and be listened to. It is incredibly frustrating (female participant).**

#### **4.1.3. Women and work functions**

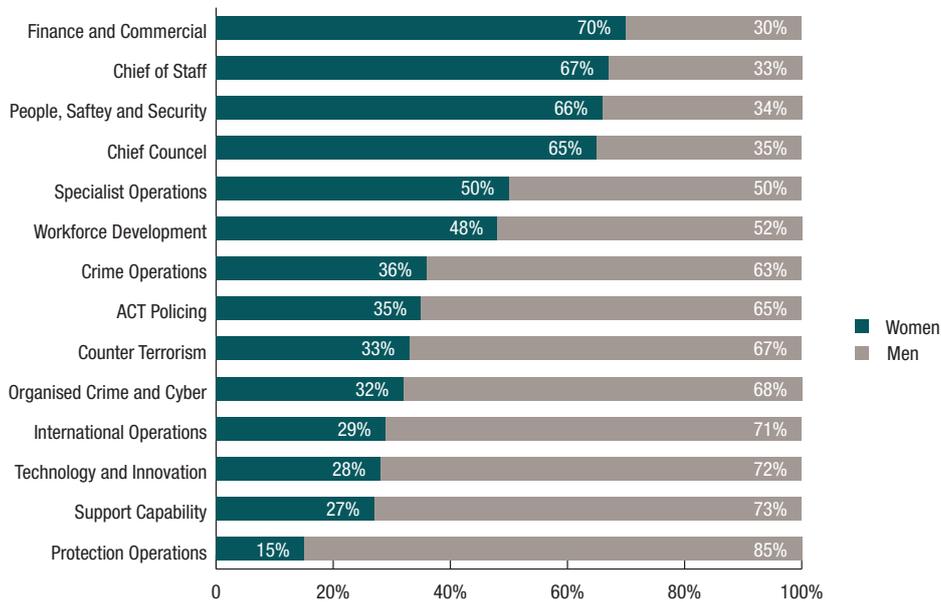
In addition to the over-representation of women in unsworn support roles, women are not evenly spread across different work functions in the AFP. In fact, women significantly outnumber men in some areas. As women told the Project Team:

**I work in forensics which is a really female-dominated area so I haven't worked with many men (female participant).**

**There is only one man in my team (female participant).**

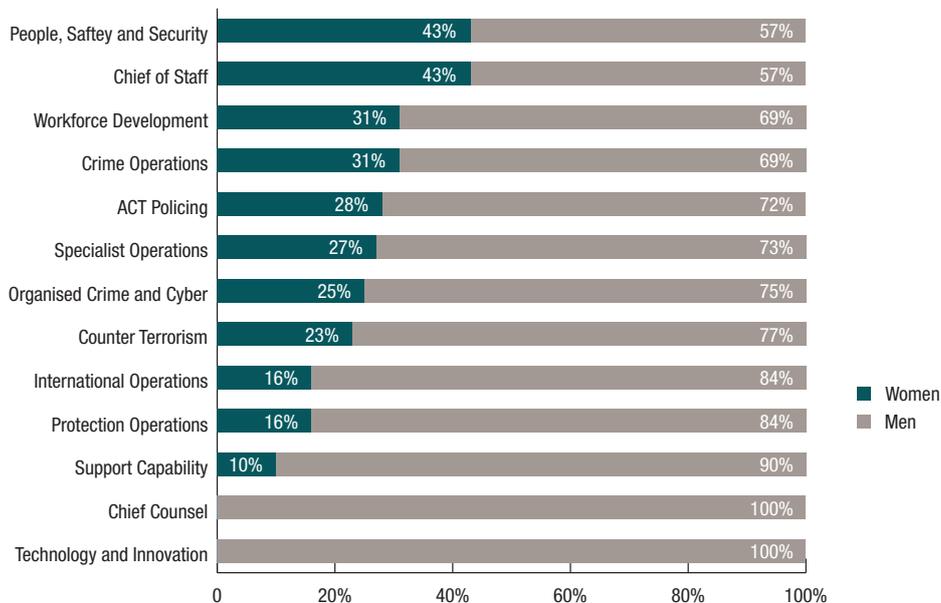
As illustrated in Figure 4.2. when the representation of women across work functions is analysed, women are disproportionately represented in support and specialist work areas.

**Figure 4.2. Percentage of women and men by work area<sup>73</sup>**



When analysed by the Police and unsworn population, the data reveals that while unsworn women are fairly evenly distributed across different work functions, Police women remain disproportionately represented in work areas that are predominantly support roles. Figure 4.3. illustrates this.

**Figure 4.3. Percentage of AFP Police women and men by work area<sup>74</sup>**



<sup>73</sup> 'Request for Data – Responsible Areas', provided to the Project Team by A McLeod on 27 April 2016.

<sup>74</sup> 'Request for Data – Responsible Areas', *ibid.* Note, as there are only 3 Police women and no Police men in Finance and Commercial, this work function has been removed from the graph to avoid distorting the figures with the small base.

The Project Team was told that even when women are appointed to high profile work areas such as ‘counter terrorism’, they are assigned to ‘soft’ areas such as ‘business support’ or ‘community diversion’ rather than operational roles:

**I had to fight to be assigned to counter terrorism. But even when I managed to get there I was assigned to ‘community diversion’ rather than an operational role (female participant).**

The Survey revealed that only one in five women believe that both men and women are well-represented in investigation areas (F:20%: M:45%), while 42% of women and men agreed that for sworn members, significant and recent investigation experience was important for promotion. Furthermore, only a quarter of women believe that men and women have the same opportunities to undertake Case Officer and Senior Investigation Officer roles (F:26%: M:55%).

Given the importance placed on operational experience for the career progression of Police, the current occupational segregation in the AFP limits women’s opportunity to build necessary skills and experience for career advancement. Importantly, the segregation of women and men to different roles is a capability inhibitor for the AFP. The diversity advantage will be achieved when gender balance is met in all areas of the organisation and at all levels.

As outlined below and in subsequent sections, targeted strategies are needed to increase the representation of women in Police, including a targeted recruitment strategy and the creation of alternative pathways for women to sworn roles. This will be explored further in section 4.2.

The Project Team acknowledges the perception that there is a demonstrated delineation between sworn and unsworn roles. However, it heard that sworn and unsworn members often perform the same roles within teams. The perceived divide between sworn and unsworn employees may be impacting on the AFP’s capacity to utilise its workforce with the maximum flexibility to meet changing capability requirements to operate as ‘one AFP’.

The Project Team recommends a critical review of the capabilities, skills and experience required for all roles, to break misconceptions and incorrect assumptions about ‘merit’ and ‘essential’ experience that may preclude women from being considered. The Project Team recommends that this includes ensuring that in relation to senior and operational roles, equal weight is given to a candidate’s leadership and people management skills as well as the other capabilities and experience required for the roles.

## 4.2. Recruitment

### At a glance:

- The recruitment of Police/PSO/unsworn differs. Police and PSOs are predominantly recruited at entry level, and unsworn members recruited to fill specific roles at all levels.
- The proportion of women entry level enlistees has not changed significantly in the past decade.
- The AFPs current recruitment methods are not resulting in desired levels of women in the AFP Police and PSO populations.
- Increasing the number of women recruited to the AFP Police and PSO will require targeted intervention and innovative strategies.

While the AFP has proven highly effective at attracting and recruiting unsworn women, it has had more limited success in attracting and recruiting women to Police and PSO roles.

The recruitment of unsworn employees differs significantly from Police and PSOs. While unsworn personnel are recruited to role at all levels based on organisational need, Police and PSO personnel are recruited at entry level and undergo recruit training. If this approach to recruiting Police and PSOs is maintained then addressing the under-representation of women in Police and PSO depends largely on the effective attraction and recruitment of women to entry level recruitment. This will prove difficult in an environment where recruitment at entry level has been constrained.

#### 4.2.1. Recruitment strategy

In 2010, the AFP moved from 'open-ended' recruitment to annual advertised intakes for entry level sworn.<sup>75</sup> This model was adopted to ensure the AFP has a contemporary merit pool of candidates who have cleared recruitment gateways, whom the organisation can draw on to meet emerging capability requirements.<sup>76</sup> The AFP also identified this approach has the advantage of reducing recruitment costs over time as the heightened awareness within the labour market of regular opportunities to apply for entry to the AFP (as well as the career opportunities offered by the AFP) would moderate the initial applicant numbers received each year and increase the calibre of the applicant pool.<sup>77</sup>

Despite the commitment to move towards annual intakes, sworn recruitment has continued to be reactive due to budget constraints and shifting policy proposals.<sup>78</sup> As a result, recruitment has been undertaken within condensed timeframes responding to shifts in government priorities, changes in the external environment and affordability targets. The reactive and rapid recruitment which has ensued has hampered capacity to shape or influence the quality of the applicant pool.<sup>79</sup> While interest in the AFP has remained strong, the failure to target diverse groups in concerted advertising and marketing campaigns has resulted in the pool of suitable women and candidates from diverse backgrounds being quickly exhausted, leading to an under-representation in subsequent recruit classes.<sup>80</sup> As a result, the pool of applicants has remained homogenous, with the average successful applicant being predominantly male, approximately 30 years of age and of Anglo-Saxon heritage.<sup>81</sup> Furthermore:

- the proportion of female applicants has steadily fallen since 2010 and the AFP ratio of sworn women has remained static;<sup>82</sup>
- the proportion of applicants from non-English speaking backgrounds, notably Arab and Asian descent, is significantly lower than the diversity mix desired; and
- the proportion of Aboriginal and Torres Strait Islander applicants remains consistently low at approximately 1-2%.<sup>83</sup>

Market research conducted by the AFP and TS Consulting in 2009 found that the primary barrier to women considering a career in the AFP was lack of awareness and understanding about roles available within the organisation.<sup>84</sup>

The AFP has recognised that the increased recruitment of women and people from diverse backgrounds to Police requires a sustained selection process including a targeted marketing strategy.<sup>85</sup> The Project Team supports this approach to meeting the diversity capability gap. Recruiting processes should also be tailored to attract and retain women. This includes involving Police women in the recruitment process, showcasing successful Police women and the breadth of career opportunities available in the AFP, and making visible the AFP's commitment to gender equality and the increased representation of women.

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75 'Strategic Leaders Group (SLG) Ongoing Annual Recruit Selection Processes' provided to the Project Team by J Creswell on 28 January 2016.

76 SLG, *Ibid.*

77 SLG, *Ibid.*

78 SLG, *Ibid.*

79 SLG, *Ibid.*

80 SLG, *Ibid.*

81 SLG, *Ibid.*

82 Since 2010, 56% of new recruits have been women. However of this group:

- 24% of Police recruits have been women

- 15% of PSO recruits have been women

- 54% of unsworn recruits have been women.

'Request for Data – Responsible Areas UPDATED v5' provided to the Project Team by A. Stewart on 26 May 2016.

83 SLG, *Op Cit.*

84 'Minute: Gender Representation Across the Workforce, 20 November 2015' provided to the Project Team by J Creswell on 28 January 2016.

85 SLG, *Op Cit.*

Additionally, the Project Team recommends consideration of a more flexible strategy to attract women interested in working in 'National'/'Outcome 1' but less attracted to traditional policing or PSO roles. As one focus group participant stated:

**Women thrive in investigation roles. In fact, they make better investigators. But to get there you have to fight drunks. That is a huge barrier (male participant).**

Offering women who are interested in a career with the AFP the opportunity to rotate more quickly into a role in 'National' is likely to attract many more women to the AFP Police workforce. Given the isolation for women in some remote locations, the AFP should also give high priority to rotation for this group.

#### 4.2.2. The need for targets to address the recruitment of women

In November 2015, the Commissioner set a target of 50% women across the organisation.<sup>86</sup> He mandated that the minimum of 50% participation in all recruitment actions and development programs must be exceeded for intakes of new recruit classes for Police and PSO so as to achieve the overall 50% gender balance workforce objective.<sup>87</sup>

The Project Team strongly supports the Commissioner's target and notes that the setting of targets is consistent with international best practice on improving diversity in recruitment to police and military environments.<sup>88</sup> Targets are an important mechanism for focusing recruitment efforts, developing specific strategies and interventions to achieve the targets, and assessing the effectiveness of these strategies on an ongoing basis. The Project Team strongly recommends increasing awareness and understanding among AFP members of the role and operation of targets, including dispelling common myths.

#### 4.2.3. Experiences of the recruiting process

The Project Team heard different views about the experience of recruitment into the AFP Police. While some members shared positive experiences of recruitment, the Project Team also heard that many people experienced delays or bottlenecks in the recruitment pipeline:

**It took more than 2 years from the time I put my application in to the time I was recruited. That is a long time to put your life on hold. While my friends were racing ahead in their careers I was waiting to start mine (female participant).**

These experiences have the potential to reduce an applicant's motivation to continue, risking the loss of candidates and also consuming more resources in management of the process. Conversion rates between the point where a person makes an enquiry to the point of enlistment show that candidates are dropping out of the recruiting pipeline, and women are dropping out at higher rates than men.<sup>89</sup> While there may be several factors in the lower conversion rate for women, the Project Team suggests closer tracking to ensure the AFP is not missing out on talented women because of barriers in the recruitment process.

86 'Letter from Cmmr Colvin identifying key priorities – 12 November 2015' provided to the Project Team by J Creswell on 28 January 2016.

87 Letter from Cmmr Colvin, *Ibid*.

88 L Tyson 2015, 'Promoting gender parity in the global workplace', McKinsey Global Institute, <http://www.mckinsey.com/business-functions/organization/our-insights/promoting-gender-parity-in-the-global-workplace>; M Hellicar (2013) 'Increasing the number of Women in Senior Executive Positions: Improving Recruitment, Selection and Retention Practices', The Business Council of Australia, p 7; The Committee on Women in the NATO Forces (2008) 'Best Practices to Improve the Gender', NATO; S Leane & J Durand (2002), 'Women and discrimination- A policing perspective', Victoria Police, [http://www.aic.gov.au/media\\_library/conferences/policewomen3/leane.pdf](http://www.aic.gov.au/media_library/conferences/policewomen3/leane.pdf); Workplace Gender Equality Agency 2013, 'How to set gender diversity targets', (viewed 20 May 2016), <https://www.wgea.gov.au/sites/default/files/SETTING-GENDER-TARGETS-Online-accessible.pdf>; J Whelan & R Wood (2012) 'Targets and Quotas for Women in Leadership: A Global Review of Policy, Practice and Psychological Research', The Gender Equality Project, Centre for Ethical Leadership.

89 'Further Data Request – Recruitment Stats' provided to the Project Team by A Stewart on 25 May 2016.

#### 4.2.4. Improving opportunities for lateral recruitment

As outlined above, AFP Police are generally recruited at entry level. While in the past, there has been lateral recruitment from the pool of State and Territory Police services, this has occurred less frequently in recent years. The focus on entry level recruitment has meant that the potential for recruiting already skilled workers at later stages in their careers has been under-utilised. Lateral recruitment at different stages in the career continuum, and to different specialist areas would expand the AFPs sworn talent pool and capability. It would have the added benefit of renewing aspects of the culture.

The unsworn AFP population are also a source of talent for Police roles. The Project Team heard from many unsworn members, that they would be interested in becoming a sworn member but are deterred by the drop in rank and salary required:

**I would love to become a sworn member – there are so many more opportunities for career advancement. But it would mean dropping back down to Band 3 and I just couldn't do that (female participant).**

Currently, unsworn members are required to enter sworn roles as a new recruit at Band 3 despite often having many years of relevant experience working alongside their Police colleagues. This prevents many talented AFP members from moving into Police roles. The Project Team recommends easier pathways for unsworn personnel to move into sworn roles at different levels. The Project Team recommends exploring lateral recruitment at level, as well as accelerated pathways for unsworn members at higher levels to move to similarly high level sworn roles.

#### 4.2.5. Facilitating re-entry of personnel

Given the reliance on entry level recruitment for Police, the cost of member turnover, both in terms of financial loss and loss of expertise, is significant. In light of this, there is value in facilitating the re-entry of high potential members who have left the AFP to work elsewhere or taken an extended break. Currently, AFP Police can apply for leave without pay. Operational staff returning from leave need to re-obtain their operational safety qualification if it is more than 12 months since it was obtained or last renewed.<sup>90</sup>

To avoid loss of skilled personnel that meet the required diversity mix, the AFP can explore targeting women with prior AFP experience for possible re-entry by ensuring that they are treated as valued candidates and that their prior experiences are recognised upon re-entry.

The Project Team heard from several women who had left the AFP to have children. When they reapplied to the organisation they had to enter as unsworn to maintain their Band level:

**I left the AFP when I had my twins as I was not able to get the flexibility I needed to juggle work and care. When I reapplied to the AFP some years later, I had to return as an unsworn member to maintain my rank. I was not in a position to go back to Band 3 and re-do 6 months of training (female participant).**

## Conclusion

Women are a critical part of the talent pool for AFP Police and PSO but the proportion of women joining as recruits has stagnated over the last two decades. The AFP's recently announced gender recruitment target is vital to address this and in doing so, will enhance capability and operational effectiveness. This target must be coupled with specific and innovative strategies to attract women to the AFP at all levels.

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90 The Australian Federal Police, *Commissioner's Order on Operational Safety (CO3)* provided to the Project Team by A Stewart on 23 May 2016.

## 4.3. Retention

### At a glance:

- The AFP has a very low attrition rate. This impedes the capacity of the organisation to renew and to meet the desired diversity and skills mix.
- The AFP loses talent, often women, when it does not provide the flexibility necessary to enable members to meet the demands of different stages of their lives, including balancing family and care.
- The AFP should increase access to extended leave for staff to:
  - » enhance the diversity of skills and experience of members;
  - » accommodate members needs at different stages of their lives; and
  - » enable the AFP to renew its workforce to meet changing capability needs.

As noted in Chapter 1, the AFP has a very low attrition rate. Based on two-year trend data, the AFP attrition rate is currently 2.4%.<sup>91</sup> Attrition rates for men and women by sworn status differ slightly:

- The attrition rate for sworn men is 1.86% compared to 1.44% for sworn women.
- The attrition rate for unsworn men is 4.13% compared to 2.59% for unsworn women.<sup>92</sup>

While the low attrition rate reflects the AFP's attractiveness as an employer, the low turnover also results in little opportunity for renewal including limiting the organisation's ability to increase the diversity of skills, experience and perspective of its workforce.

Focus group participants told the Project Team there were several factors contributing to the low turnover. Firstly, they described the generous employment conditions as a key factor in their decision to stay in the AFP. As one participant stated:

**People don't leave the AFP because we have 'golden handcuffs' – the conditions are too generous to leave (male participant).**

However, many participants also shared great uncertainty about where they could go and how their skills and experience would transfer to a non-policing role. Indeed, many shared a belief that they would not find employment elsewhere:

**I don't know what I would do if I left the AFP. I have no idea where my skills and experience would be valued (male participant).**

**The experience you gain at the AFP is not transferable to other workplaces. Who wants a person that has worked for 15 years as an 'Investigator'? (female participant).**

91 Australian Federal Police (2015) *Annual Report: 2014-15*, p 110, <https://www.afp.gov.au/about-us/publications-and-reports/annual-reports> (viewed 5 April 2016).

92 'Attrition – male and female' provided to the Project Team by J Creswell on 28 January 2016.

The Project Team explored with a number of focus groups whether they would be attracted to opportunities to take extended leave to gain additional skills and experience and explore other job opportunities while keeping open an option to return to the AFP. Many participants shared their keen interest in doing this, and were unaware that the AFP offered unpaid leave:

**I would love an opportunity to work outside of the organisation for a year or so, develop new skills and experience, and then come back in (female participant).**

**We need better pathways in and out of the organisation so we can gain other experience and see what other opportunities might be out there for us (male participant).**

Given the benefits of cultural renewal and the capacity to bring in new talent, particularly to the sworn population, the AFP should support members taking leave without pay and assist them to seek opportunities for placement in other organisations. The AFP should also create opportunities for training for members who have taken extended leave to facilitate their reintegration, including for those who have taken leave to further their professional development and those who have taken time out for caring responsibilities.

## 4.4. The Under-Representation of Women in Leadership

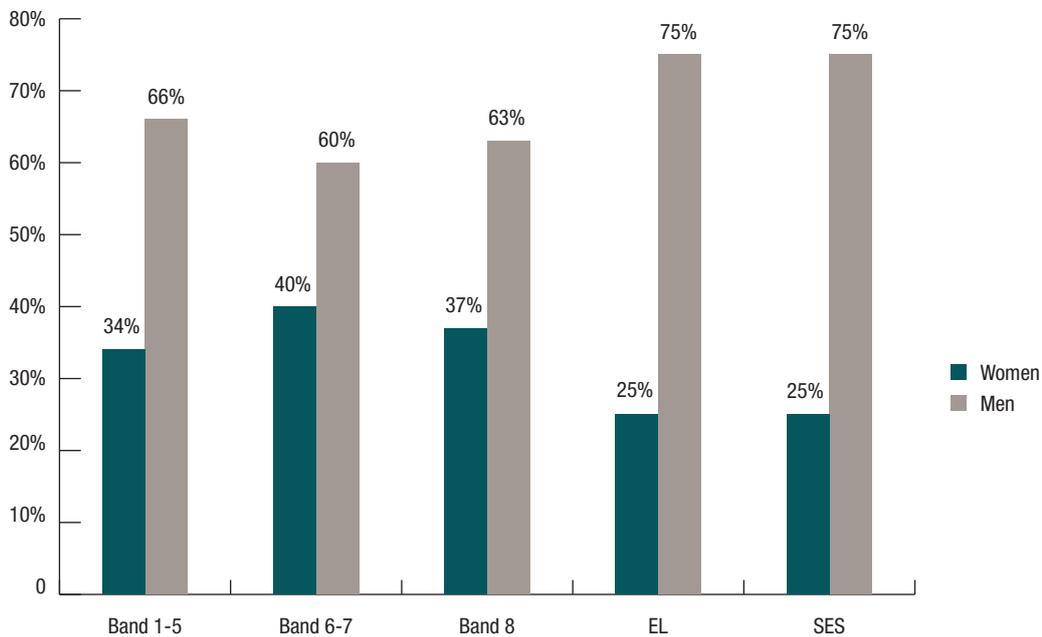
### At a glance:

- While significant progress has been made in increasing the number of women in senior leadership positions in recent years, there is still further work to be done to reach parity.
- The vast majority (70%) of senior leadership positions (SES) are held by Police. Given women are under-represented among Police, they are less likely to progress to leadership positions in the AFP.
- Despite making up 35% of the AFP population, women only hold 26% of SES.
- While the proportion of sworn women at SES level is representative of the proportion of sworn women in the AFP (23% of sworn SES roles are held by women and women make up 22% of the sworn population), Police women are under-represented in Band 8 and EL roles (the pipeline for senior leadership).
- Unsworn women are also under-represented at SES roles. 32% of unsworn SES roles are held by women despite women making up 60% of the unsworn population.

The AFP has made significant progress in increasing the number of women in senior leadership positions over the last 5 years. While in 2010, the percentage of females in Senior Executive Service (SES) positions was 18.42% (of the total AFP SES),<sup>93</sup> women now comprise 26% of SES positions.<sup>94</sup> Despite these gains, women remain under-represented in senior roles across the organisation, and among the unsworn workforce, particularly. The Survey revealed that overall men are far more likely than women to agree that the AFP is committed to improving the representation of women in senior ranks (F: 57%: M: 74%). Furthermore, the Survey revealed that only 29% of women, compared to 62% of men believed that women have the same career advancement opportunities as men in the AFP.

93 Australian Federal Police, *Workforce Diversity Plan: Recognising and Encouraging Diversity in the AFP*, October 2010.  
94 'Attachment 1: SES Level Data' provided to the Project Team by A McLeod on 27 April 2016.

**Figure 4.4. Percentage women and men by band (Police, PSO, unsworn)<sup>95</sup>**



Women's under-representation in leadership is caused by several factors, including occupational segregation. The vast majority (70%) of senior leadership positions (SES) are held by Police.<sup>96</sup> Given women are under-represented among Police, women are less likely to progress to leadership positions in the AFP.

However, even in female dominated areas of the AFP, there are far fewer women in leadership positions. For example, despite women making up 60% of the unsworn population, only 32% of unsworn SES personnel are women.<sup>97</sup> Furthermore, in female dominated work areas such as 'People, Safety and Security' that has 66% women, only 30% of leadership positions are held by women (12 women out of 40 people).<sup>98</sup>

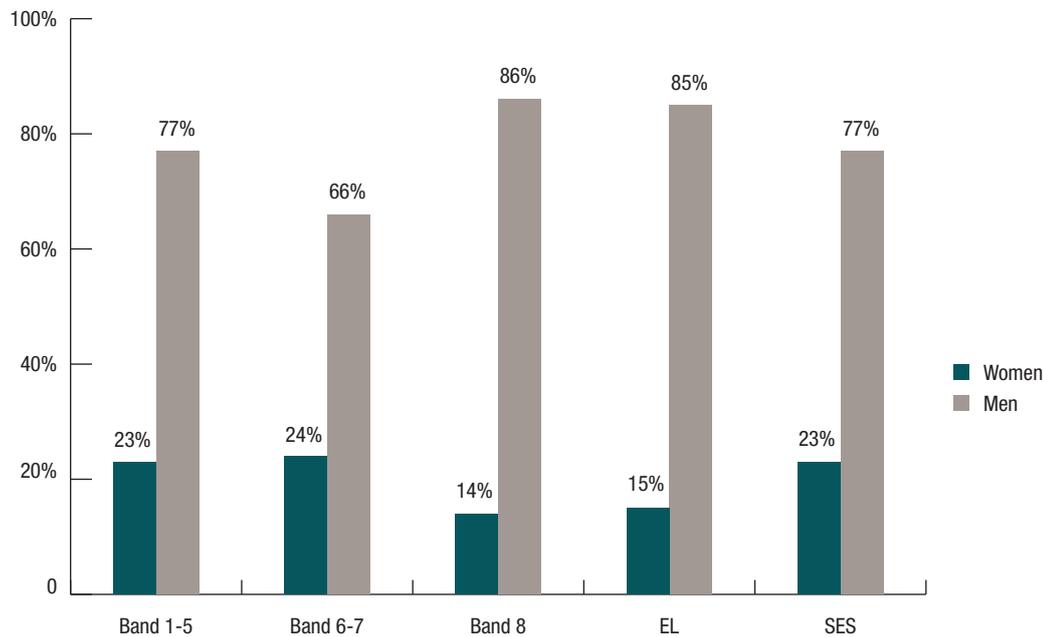
95 'Request for Data – Responsible Areas UPDATED v5' provided to the Project Team by A Stewart on 26 May 2016.

96 'Attachment 1: SES Level Data' provided to the Project Team by A McLeod on 27 April 2016.

97 'Attachment 1: SES Level Data', *Ibid*.

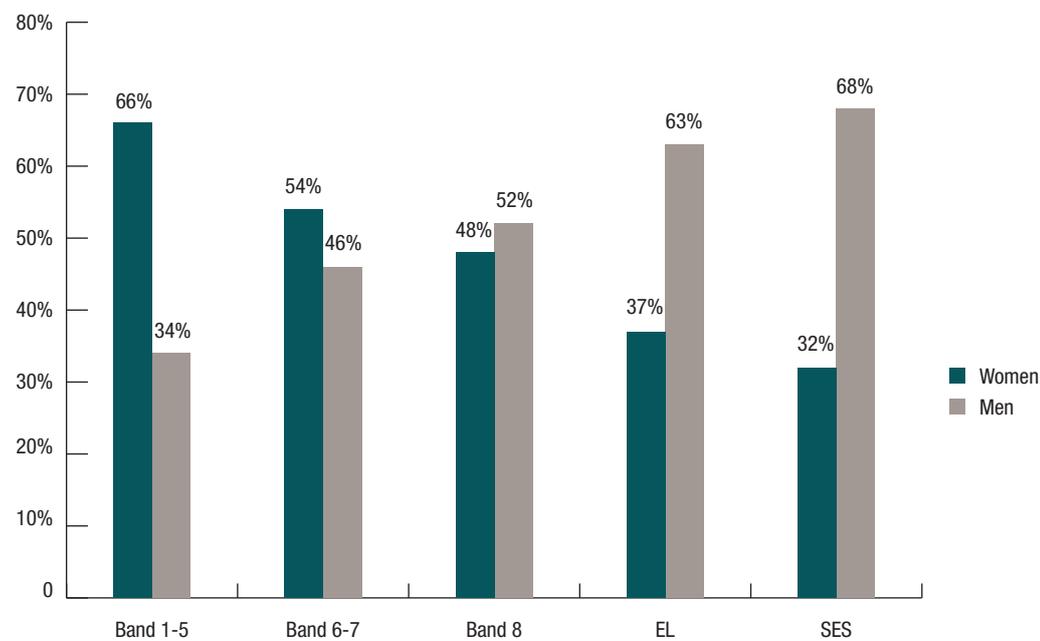
98 'Request for Data – Responsible Areas UPDATED v5', *Op Cit*.

**Figure 4.5: Percentage of Police women and men by band<sup>99</sup>**



As illustrated in Figure 4.5 above, while the representation of Police women at SES level is representative of their population size (22%), there is a dearth of women in the pipeline for SES roles. Women at Band 8 and EL level are significantly under-represented.

**Figure 4.6: Percentage of unsworn women and men by band<sup>100</sup>**



99 'Request for Data – Responsible Areas UPDATED v5', *Ibid.*

100 'Request for Data – Responsible Areas UPDATED v5', *Ibid.*

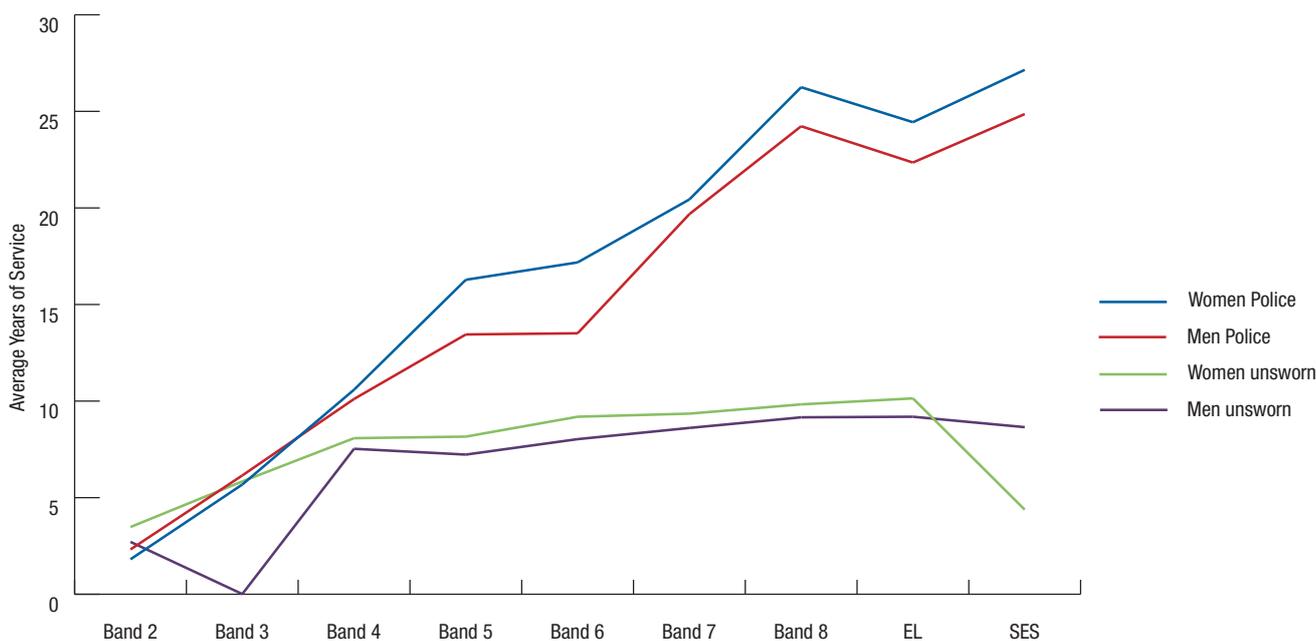
As illustrated in Figure 4.6 and noted above, unsworn women are not promoted to leadership at the same rate. From Band 8 and up, women’s representation drops significantly.

When examined through the lens of ‘operations’ and ‘support’ roles, the same findings are revealed – the higher up you go the less women you see:<sup>101</sup>

- Operations:
  - » Band 1-5: 50% women
  - » Band 6-7: 32% women
  - » Band 8: 19% women
- Support:
  - » Band 1-5: 63% women
  - » Band 6-7: 56% women
  - » Band 8: 46% women.

Importantly, women on average appear to spend longer at rank before gaining a promotion. As illustrated in Figure 4.7 below, both female Police and unsworn women have more years of service in the AFP.

**Figure 4.7: Average years of service<sup>102</sup>**



The under-representation of women in leadership positions points to the presence of systemic discrimination against women. As detailed in the section below, flaws in the promotion system might be a significant contributor to women not attaining leadership positions.

101 'Request for Data – Responsible Areas UPDATED v5', *Ibid*. Note, the percentage of women in Rostered Operations is very small and so has been excluded from the text above. The figures for Rostered Operations are: Band 1-5: 20% women; Band 6-7: 26% women; Band 8: 0% women.

102 'Request for Data – Responsible Areas UPDATED v5' provided to the Project Team by A Stewart on 26 May 2016.

## 4.5. Career and Performance Management and Promotions

### At a glance:

- AFP career, performance management and promotion processes are a vital part of ensuring the organisation's capability and developing the careers and talents of its staff.
- There is little trust in the current processes which result in a view that the AFP is not identifying and harnessing the best talent.
- Current reforms of the career management and promotions systems are promising.
- Debunking misconceptions about 'essential' experience and critically assessing the skills and experience required for roles will assist the AFP to retain and promote the best talent.

Lack of trust in the performance management and promotion process was a common theme raised in the Project Team's focus groups. Consistent with the findings from the AFP Staff Survey Focus Groups conducted in July 2015, men and women, sworn and unsworn, shared a lack of confidence in the current system.<sup>103</sup> The AFP is currently reviewing these processes to enhance the effectiveness of the performance management and promotion process and has recently put in place some positive measures to improve the transparency and effectiveness of the system. The Project Team commends these efforts and offers the following analysis and suggestions.

### 4.5.1. Career continuum and management process

The career continuum for unsworn members, Police and PSOs differs significantly. Unsworn members are recruited to specific roles (at the Band level required) to meet organisational needs. The Project Team heard from members there are limited opportunities for promotion for unsworn members and in particular, very few opportunities for promotion beyond Band 7-8. This is evidenced in the data outlined in section 4.4.

The career progression of Police and PSOs differs significantly, with the promotion of Police and PSOs, determined not only by performance, but also by the length of the time they have spent in operational roles that must be served before a member is eligible to be considered for the award of an administrative title and progression through the pay Bands.<sup>104</sup> The AFP Enterprise Agreement stipulates Broad Banding arrangements for sworn officers. For Police, for example, the assignment of the title 'First Constable' is provided after successful completion of 4 years Policing and 'Senior Constable' after 6 years' service. Police are awarded the title of 'Leading Senior Constable' after attaining Band 5 (which requires 12 years of policing experience) and satisfying eligibility requirements. For higher bands, the length of policing experience is also a key consideration in determining the members' suitability for promotion.<sup>105</sup> Members' suitability for a merit pool of Band 5 and above is considered based on their application, the operational time served, performance reports received and how well they have functioned in comparison to their peers according to defined metrics.

In other words, the AFP Police's pipeline follows a fairly rigid and linear path, with recruits entering at one end, and the organisation's leadership emerging at the other. This has significant consequences for personnel who may take time out of the workforce, particularly women who take maternity leave when they have a young family. Periods of leave for sworn officers will not count towards years of service so will delay advancement through Broad Bands. This is the same if a sworn officer moves into an unsworn role, however in these circumstances consideration can be given to relevant skills and experience obtained while performing an unsworn role. For women in areas with 'perishable skills', such as some areas of forensics, time out of the workforce poses an additional hurdle, with training courses often unavailable on return. Other skills and experience gained through time out of the workforce to care are not recognised. As one sworn member stated:

103 'Staff Survey Focus Group Summary (BO)' provided to the Project Team by A McLeod on 9 February 2016.

104 Australian Federal Police, *AFP Enterprise Agreement 2012-2016*, <https://www.afp.gov.au/sites/afp/files/pdfs/australian-federal-police-enterprise-agreement-2012-2016.pdf> (viewed 4 May 2016).

105 For example, the criteria for successful inclusion in the current Executive Level Pool, is 'extensive policing experience'.

**I had my first child and took 14 months off and then took another 12 months off when my second child arrived soon after. When I came back to work again after 2 and a half years, most of the people that went through recruit school with me had gone up a rank and I hadn't (female participant).**

The Project Team heard that employees believe that if they work part-time they accrue the 'time in rank' pro rata when it comes to promotion opportunities. The Project Team was told:

**If you work 3 days a week, you are just not doing the same amount of work or accruing the same experience. Why would you be recognised as having equal experience to someone who has worked full-time for the last two years? (male participant).**

**I got promoted to Band 7 while I was working 3 days a week. But I think I got it because I didn't mention on my application I was working part-time and definitely didn't mention it in the interview. Some might say I didn't deserve the promotion but I know I work my arse off when I come to work on those 3 days and deliver as much as my full-time colleagues (female participant).**

The Project Team recommends addressing perceptions of the importance of operational time on the career progression continuum to ensure that the best talent is progressing. A comprehensive review of the skills, experience and acumen required for each role, and an active debunking of preconceived notions of skills and experience is required. Further, locational stability in regional areas would also ensure that the best talent rises through the ranks as detailed below in section 4.5.3.

The Survey revealed that half of respondents believed their career development at the AFP had been generally good (F: 50%: M: 46%). In April 2016, the AFP reformed the career management system of Executive Level (EL) staff with the establishment of the Executive Level Development Committee (replacing the National Placement Committee).<sup>106</sup> This new Committee, co-chaired by NMWD and NMPSS will comprise one representative from each National Manager function. The Committee will shift focus to the holistic management of the EL cohort, including long term strategies to identify emerging talent, succession planning, mobility, and development whilst considering workforce needs. Underpinning this will be the development of a talent management approach (based on potential and performance) and the creation of individual development plans. The forum will allow for more informed decision making about transfers based on members' development rather than supervisor discretion. It is recommended that Band 6-7 and Band 8 members are provided with similar career development opportunities as those provided to EL staff.

The Project Team commends these efforts and believes they will result in a more effective career management system for leadership in the AFP.

#### **4.5.2. Performance management**

A consistent theme in all focus group sessions conducted by the Project Team was criticism of the performance management process. Sworn and unsworn men and women told the Project Team that poor performers were not properly performance managed and that performance management of underperforming staff was frequently stymied by bullying complaints.

On performance management the Project Team was told:

**We can't get rid of poor performers in this organisation. Unless they have done something criminal – or even then – they don't get the sack (male participant).**

**If you try to performance manage someone in this organisation then they slap a bullying/harassment claim against you under ComCare (male participant).**

**Poor performers and people that misbehave and are just moved around and become someone else's problem. They are never exited (female participant).**

**We don't solve problems, we move them (male participant).**

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106 Australian Federal Police, *National Placements Committee TOR* provided to the Project Team by A McLeod on 6 May 2016.

**I have tried to manage people who are under-performing in my team. I received no support and the inevitable ComCare complaint was slapped against me. He was moved on eventually. He is now someone else's problem (male participant).**

As noted in Chapter 2, the Project Team was also told that there was a deficit of training for leaders in people management. The Project Team heard that individuals were promoted to supervisor positions without the requisite management and leadership skills:

**People are promoted based on their line performance not on their skills managing people (female participant).**

**There is no leadership and people management training offered in the AFP (female participant).**

**There used to be a leadership course for aspiring and potential leaders before they reached Sergeant rank. That doesn't exist anymore (female participant).**

Many participants told us that poor behaviour was not only left unaddressed, but on occasion it was in fact rewarded:

**I know sexual harassers who have been moved on to other areas instead of being dealt with properly. Then they are promoted (male participant).**

**The man who harassed me and other women in the office has since been promoted (female participant).**

The Project Team supports current efforts of the AFP to reform the performance management system including the addition of diversity commitments in performance development plans.

### **4.5.3. Promotions**

Focus group participants told the Project Team that the promotion process was flawed and not transparent. This also emerged as a theme in the AFP's 2015 exploratory study, *The AFP Investigator*:

**It was clear that the leadership promotion process is resented and divisive. This was consistent across all ranks and regions interviewed. There is also a persistent perception that there is a distinct lack of consistency and transparency in the AFP promotion process... Whilst there is a national system to promotions in the AFP, it is applied differently in each region which results in the process appearing inconsistent.<sup>107</sup>**

There was a consistently held view in focus groups that the process did not result in the best candidate gaining promotion. At various times, the Project Team was told that the promotion system was 'inconsistent', 'biased' and 'subjective'. There is a distinct perception of nepotism and so-called 'cronyism' which is deeply resented by AFP members.

Focus group participants identified flaws in the process from application through to the selection panel. Consistently, the Project Team was told that a candidate's success in promotion rounds depends on 'who you know':

**Selection processes are atrocious and are not robust enough to be defensible (male participant).**

**The last round of promotions to Team Leaders in Sydney was an absolute shock. Some men that were junior and incompetent were promoted because they had strong sponsors (female participant).**

**Around here, its who you know, not what you know. If you get chummy with the right people then you go up (male participant).**

**There is a culture of if you say they are a good person/worker then they are (male participant).**

**The pool of candidates for promotion should be totally de-identified – everyone should just be given a number. It would make it much fairer (female participant).**

**There is no 360 peer review. That would stop people being promoted just because they are mates with powerful people (female participant).**

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107 Australian Federal Police (2015) *The AFP Investigator: An exploratory study*, p 54, provided to the Project Team by A McLeod on 24 June 2016.

**I was told by one of the men on the interview panel, “you didn’t get it because you are a friend of [woman] and [x] would never promote you because of that”. This is pure nepotism (female participant).**

**I will give you one example of nepotism. In the last [promotion] round, four out of the five men selected had worked with the most senior leader on the panel (female participant).**

The Project Team heard that the process often did not result in the best candidates being elevated. The Project Team was told that there were no consistent selection criteria applied. Further, members of the panel often have never worked with the individual and referees and supervisors were not necessarily consulted. The Project Team was also told that applicants are often selected because someone on the panel knows them and ‘thinks they are good’.

This view was confirmed by the Survey data which showed a widespread belief that both women and men are not promoted on merit. Only one in ten AFP staff believe that the AFP appoints the best person to the role for all engagements and promotions (F:11%: M:10%).

The Project Team found that the AFP may also be missing out on the best talent because successful candidates turn down promotions as it would require them to move to Canberra, often causing too great an upheaval for their families:

**Canberra is the centre of the world for the AFP. All promotions lead to Canberra. This is very problematic for families. Many people don’t apply or don’t accept the positions because it means moving to Canberra (male participant).**

**There is no reason that Headquarters has to be in Canberra. We should spread our senior management around the country like other government agencies. Having headquarters in Canberra means many people do not take promotions because they don’t want to move there (female participant).**

Women also told the Project Team about gender-specific barriers to women’s successful promotions. The Team was told that success in promotion rounds can depend on whether a member is part of the ‘mates-club’ and has a powerful sponsor. According to one focus group participant:

**There is a boys’ club and then there is a mates’ club (female participant).**

Women, and men who do not fit the norm, are excluded from the ‘club’ and miss out on promotion opportunities. Furthermore, women are rarely mentored and are not sponsored:

**Women are not sponsored and rarely even mentored (female participant).**

**When I was promoted to Team Leader, one of the guys that was promoted in the round the year before asked me “which Coordinator backed you?” and I said “no-one”. He then asked “well, who prepped you for the interview” and I said “no-one”. Women are not sponsored in this organisation (female participant).**

**When you make it to a merit pool you are offered a role and if you don’t accept it you are meant to go to the bottom of the list until another role comes up. But this process isn’t followed and people are just handpicked for roles by their mates (female participant).**

The Project Team also heard that ‘acting-up’ arrangements were often biased against women, and part-timers. Initial data collated by the AFP suggests that women are not provided with ‘acting-up’ opportunities at a rate proportionate to their representation at each Band level among both sworn and unsworn members.<sup>108</sup> Focus Group participants told the Project Team that decisions on ‘acting-up’ were not transparent and sometimes, overtly discriminatory:

**I am the most senior and experienced member in my team. But I have never been given the opportunity to act-up and guys with half my experience act-up all the time (female participant).**

**Because I work 4 days a week, I have never been given the opportunity to act-up even though I have offered to make arrangements so I can cover the 5 days if I were given the opportunity (female participant).**

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108 ‘Higher Duties Data’ email provided to the Project Team by A McLeod on 13 May 2016.

**Acting-up arrangements are as bad as the promotion process. It's a mates' club. It is so predictable who will get the gig and it has nothing to do with appointing the best person (female participant).**

**I work part-time. When I applied to act up I was told, "you're part-time. Its not going to happen" (female participant).**

The Survey revealed only 40% of women, compared to 69% of men, agreed with the statement that women have the same opportunities to undertake higher duties. The Project Team recommends formalising the process for 'acting-up' arrangements to ensure a target of 50:50 gender balance for all acting-up appointments with quarterly reports by function provided to the 'Implementation Team'.

In recognition of the need to reform the promotion system, the AFP has put in place a new process for the current Executive Level promotion round. An external provider has been appointed to run an independent 'assessment centre' and applications will be de-identified or 'blind' and given a unique identifying number. A Deputy Commissioner will Chair the Panel that includes two female SES (one Police and one unsworn). The Project Team commends the AFP on this trial approach. This process will provide a useful model for future promotion rounds.

## Conclusion

The AFP must address deficiencies in the performance management and promotion system to ensure the best talent is retained and progressed to leadership positions. Failure to do so will result in a real talent deficit, undermine the credibility of the leadership and ultimately impact on capability and organisational effectiveness.

## 4.6. Mentoring, Networking and Sponsorship

To increase the representation of women in leadership roles, the creation of additional mentoring, training and sponsorship opportunities is recommended.

Formal mentoring programs, such as the Women in Law Enforcement Strategy (WILES) program run by HOCOLEA, are available. This program focuses on participants at the Band 7, 8 and Executive Level staff. The AFP Executive Development Team (EDT) also manages an internal mentoring program aimed at Band 6-8 mentees, however this program is not gender specific.

Through funding allocated to the National Women's Advisory Network (NWAN), the AFP provides support for women wishing to progress to leadership positions through provision of skills development programs such as Courageous Conversations workshops. There are however opportunities for expansion of the current activities of NWAN, in particular to support women below Band 6 level. Current activities of the NWAN, in particular those undertaken in the Regions, focus on the promotion of informal mentoring relationships through networking events and gender specific development opportunities. These activities encourage women to participate actively in the workforce and provide networking opportunities for women at all levels within the AFP.

While mentoring efforts are commended, the Project Team recommends implementation of a formal sponsorship program for women in the AFP. Sponsorship is career support that goes beyond mentoring. It is focused on advancement through relationship capital and predicated on power. As noted earlier in this Chapter and in Chapter 3, men in the AFP are more likely to be sponsored given their strong networks which are underpinned by a culture of mateship.

As outlined in Section 4.5.1. the Project Team recommends the active identification and development of talented men and women to ensure the AFP is harnessing the best talent.

# Chapter 5: Combining a Police Career with Family

## At a glance:

- Flexible work practices are a key capability driver. They are a strong attraction and retention tool for organisations such as the AFP.
- The AFP could expect many benefits from increasing flexibility in the workplace, including enhanced productivity, greater team-work and performance, cost savings and strengthened operational effectiveness.
- There are good flexible work policies in the AFP. However, structural and cultural obstacles mitigate against members – women and men – accessing flexible work arrangements. These include entrenched beliefs about the types of roles that are suitable for flexible work, a belief that flexible work is only for women with small children, inconsistent implementation by supervisors, workforce planning issues and the negative stigma attached to flexible work.
- In many teams, flexible work is considered a career inhibitor. Many women report being overlooked for promotions and other opportunities because they work flexibly.
- The AFP has strong pre and post pregnancy policies. Whilst a number of women have had very positive experiences, a number disclosed negative experiences when revealing their pregnancy to their supervisor and colleagues.

Throughout the focus groups and interviews the Project Team spoke with many members who were balancing their career in the AFP with caring responsibilities. Whilst negotiating this balance is not unique to the AFP, many people with whom the Project Team spoke identified real and perceived pressures of policing work that mitigate against a member's ability to manage a career with family and other responsibilities. Rostered operations, the unpredictability of criminal activity and overseas postings and deployments, were identified as some of the organisational impediments to balancing work and care. A number of members indicated that accessing flexible work is easier for unsworn members than it is for AFP Police and PSOs.

For women in the AFP in particular, the need to combine work with family disproportionately impacts on their ability to progress through their career and access leadership opportunities. Unlike men, many women in the AFP believe they face a binary choice with regard to a career and family. A number of issues impact on a decision to have a family including managing pregnancy within the AFP, accessing maternity and parental leave and return to work, accessing flexible work arrangements, and accessing promotions and other opportunities. The AFP Exit Survey results between 2009 and 2014 identify "inability to achieve work life balance" as a reason for the departure of a number of staff members, in particular women.<sup>109</sup> The issue of the retention of women is explored in Section 4.3.

Addressing these issues is fundamental to increasing the representation of women across the organisation and particularly at leadership levels. It is also fundamental to ensuring the AFP remains a contemporary and competitive organisation, capable of attracting and retaining the best possible talent.

<sup>109</sup> 'Request for data – Minute: Gender Representation Across the Workforce' provided to the Project Team by A Stewart on 20 November 2015.

## 5.1. Pregnancy and Maternity and Parental Leave

### 5.1.1. Policies

Eligibility for maternity leave policy is contained in the *Pre and Post Parental Leave Practices and Procedures Policy* (24 August 2015) which states that:

Eligible employees with 12 months continuous service with the AFP (or a qualifying agency under the *Maternity Leave (Commonwealth Employees) Act 1973*), are entitled to paid maternity leave, as follows:

- Band 1 – 8 employees engaged under the *Australian Federal Police Enterprise Agreement 2012-2016 (EA)* are entitled to 16 weeks paid maternity leave. The payment of maternity leave may be spread over a period of 32 weeks at a rate of half the normal salary.
- Executive level employees engaged under the *Australian Federal Police Executive Level Enterprise Agreement 2016 (ELEA)* are entitled to 14 weeks paid maternity leave. The payment of maternity leave may be spread over a period of 28 weeks at a rate of half the normal salary.

Paid maternity leave is remunerated at the normal salary rates and includes the payment of allowances. If an employee is working part-time, they are entitled to be paid maternity leave on a pro-rata basis.<sup>110</sup>

The AFP's *Pre and Post Parental Leave Practices and Procedures Policy* (24 August 2015) clearly identifies the responsibilities of the AFP to an employee who is pregnant, on maternity or parental leave and when they return to work. It states that:

All AFP employees have a legal responsibility to ensure that unlawful discrimination, harassment and victimisation does not occur in the workplace. Negative comments about an employee's pregnancy, maternity or parental leave request are not appropriate, and will not be tolerated.

Without appropriate consultation and advice, a pregnant employee cannot be:

- transferred due to their pregnancy;
- made part-time if they were full-time or vice versa;
- made casual if they were permanent;
- given reduced or increased hours of work;
- given less skilled or demanding work;
- denied education and training;
- denied promotion; or
- denied other employment benefits.

### 5.1.2. Members Experiences

Many women with whom the Project Team spoke reported that applying for and accessing maternity leave was simple and straightforward. The process of accessing their maternity leave entitlements was relatively clear cut and easy to navigate.

A number also spoke of support from supervisors and colleagues when they disclosed their pregnancies. They described positive experiences with working while pregnant:

**My team leader... was incredibly supportive when I told him I was pregnant. Unless I requested it, my work didn't change at all and the whole team was great (female participant).**

**I was treated really well when I told the boss I was pregnant. He couldn't have been more supportive. He basically said that I could continue working in the same fashion for as much or as little time as I needed (female participant).**

110 'Request for data – Pre and Post Parental Leave Practices and Procedures Policy' provided to the Project Team by A McLeod on 27 April 2016.

**I've had nothing but support and encouragement during all of my pregnancies. When I returned to work, I felt just as included and valued as when I left (female participant).**

**I was treated no differently when I was pregnant. Negotiating my mat leave and return to work part-time was really easy. I think as an organisation we understand that women get pregnant, have babies and want to come back to work, and the AFP does its best to make that work (female participant).**

Indeed, the Survey revealed that just over half of respondents (F: 56%: M: 50%) believe the AFP supports employees through the different stages of their lives, and even more believe their supervisor supports employees through the different stages of their lives (F: 70%: M: 66%). However, the Survey also revealed the perception among nearly half of respondents, that their career is impacted by their family/caring responsibilities (F: 46%: M: 42%).

Many women told the Project Team about experiencing negative and often inappropriate attitudes when they disclosed their pregnancy. This was in clear contravention of the policy. Some stated that they felt de-valued and marginalised when their pregnancy was revealed and that they had in some way, 'let their team down', by adding to the workload of colleagues:

**When I announced my second pregnancy... my supervisor said to me "I thought we agreed you would keep your legs together". It was horrible. I had to move out of that area because working there was not going to be sustainable (female participant).**

**When I told my supervisor I was pregnant he said, "I'm really disappointed in you" (female participant).**

**When a woman goes on maternity leave and she is in a small team she has a guilt complex because she feels she has let the team down (male participant).**

**When I got pregnant [with my first child], the attitude was like "Oh great, we've got a useless person here now." I'm pregnant again and I'm going to hide it for as long as possible (female participant).**

**If you are pregnant, then go on leave and come back, say part-time, you're seen as an organisational deficit (female participant).**

Women also reported that they felt they had to get pregnant at specific times in their career for fear of limiting future career opportunities or they felt they had to hide their pregnancies:

**When I joined I was told to make sure I got a promotion before I had kids (female participant).**

**I hid my pregnancy for 20 weeks because I thought I would not be considered for a promotion (female participant).**

A male member further stated:

**I have seen women passed over for promotion because they could get pregnant (male participant).**

A number of women also stated that they faced particular challenges when returning to work from maternity leave:

**Going on maternity leave from the AFP has left me feeling isolated, confused, undervalued, angry and my career path has suffered. This seems to go against the values the AFP likes to advocate of being a 'family friendly' workplace and wanting to recruit and retain more women in the workplace. Unfortunately, if they wish to achieve this, they may have to be more accommodating with mothers... who are attempting to return to the workplace and balance their career and family life. As things currently stand, I essentially feel punished by the AFP for having had a child (female participant).**

**You can lose your confidence when you come back to work after being on maternity leave. I would have really valued a transition plan (female participant).**

**The negative culture in relation to operational Police going on maternity leave (and being perceived to place a burden on other members) also needs to change. This is a particular issue in General Duties and Investigations portfolios in ACT and has caused significant stress and limited opportunities to women I know working in these areas (Survey).**

Women on maternity leave are forgotten. There are no formal mechanisms for a career break in AFP and no formal systems to ensure those on such breaks remain connected to AFP, [are] valued, kept up to date and offered training to remain so. Mat Leave provisions are fantastic, it's the support whilst on leave or trying to access an extended career break that is problematic (Survey).

My experiences reflect a massive lack of communication with employees who are on maternity leave. Nothing (for example a 'keeping in touch' package) is put in place prior to your going on leave. There is no single point of contact while on leave if you have any questions, and feeling isolated and disconnected from the work place is a big issue. There is an inconsistency of information regarding returning to work practices depending on who you speak to and what you read on the hub (female participant).

The Project Team heard that these challenges are compounded when individuals return to work in a flexible work arrangement. In particular, women who work flexibly or part-time reported a range of specific issues that impact on their work experiences and on their capacity to advance through the organisation.

Some men too, who have taken parental leave or wished to work flexibly to care for their child/children, experienced similar challenges:

I asked to work [part-time] but I was moved out of [my area] (male participant).

My husband works [part-time], so he can look after our baby. The comments he gets are basically that he's "having a break" (female participant).

Men are not supported in wanting to be primary care givers (Survey).

The following discussion details the experiences of those working in flexible work arrangements, including part-time work.

## 5.2. Flexible Work Arrangements

Flexible work practices are those workplace policies and processes that enable a workforce to respond to changing circumstances.<sup>111</sup> Flexible work can take a number of forms and can include:

- part-time – working fewer than standard hours either on a daily, weekly or monthly basis;
- compressed hours – working agreed hours over fewer days;
- staggered hours – different starting and finishing times for staff in the same workplace;
- job share – more than one person sharing a single post; or
- flexi-time – variable start and finish times negotiated locally.<sup>112</sup>

### 5.2.1. Policies

The AFP has a range of policies that guide employees, supervisors and managers in relation to accessing and implementing flexible work policies. The flexible work policy starts from the premise that:

**An employee has the right to request flexible working arrangements. This may include returning to work on a part-time basis, working from home, altered working hours or job sharing.**<sup>113</sup>

The key considerations for determining a flexible work arrangement are:

- The potential impact on the business and operational requirements; and
- An employee's work/life issues.

111 Office of Police Integrity Victoria (2010) 'Flexible work practices for policing', issue no. 1, p 5, OPI, <http://www.ibac.vic.gov.au/docs/default-source/reviews/opi-issues-paper---flexible-work-practices-for-policing.pdf> (viewed 10 May, 2016).

112 College of Policing, United Kingdom, *Flexible working in the police service*, <http://www.college.police.uk/What-we-do/Support/Health-safety/Pages/Flexible-working.aspx> (viewed 16 May, 2016).

113 'Request for data – Pre and Post Parental Leave Practices and Procedures Policy', 24 August 2015, provided to the Project Team by A McLeod on 27 April 2016.

The policy itself is clear and, on its face, fair. It identifies the responsibilities of both employees and supervisors in implementing flexible work arrangements, making it clear that the process must be mutually acceptable.

The stages to instigate a flexible work arrangement are:

**1. Developing the application**

- Employee must create a proposal
- Employees responsibility to develop a business case
- Need to show how your job function will be effectively maintained under your proposed flexible work arrangement

**2. Discussion with team leader**

- Plan a meeting with your team leader to discuss the proposal in detail
- Need to prepare a written document that will outline the key components of the agreement
- Will need to outline your personal situation to your team leader

**3. Employee and supervisor establish flexible work agreement**

- May need to have several meetings with your team leader and the rest of your team to make arrangements

**4. Develop an implementation strategy**

- Consider if your job needs to be redesigned

**5. Management approval**

- From Workplace Relations

**6. Monitoring and evaluating progress**

- This needs to be regularly assessed by both yourself and your teammate.

## 5.2.2. Members Experiences

### (i) The figures

Many members in focus groups identified a range of flexible work arrangements which they are accessing or of which they are aware, including part-time work, working from home, working remotely from another location and altered hours. Many of these arrangements are formalised whilst others, specifically, altered hours, are often an informal arrangement between the member and their supervisor. In relation to the formalised arrangements, the only data available is in relation to part-time work and the percentages are low:<sup>114</sup>

*Number and % of AFP working part-time (PT) (permanent employees only):*

Total AFP employees working PT: 378 (5.6% of the workforce)

Total women working PT: 355 (15% of women in AFP)

Total men working PT: 23 (5.2% of men in the AFP)

*AFP employees working PT by Police/PSO/Unsworn:*

Of the 355 women who work PT:

- 111 are Police
- 5 are PSO
- 239 are Unsworn

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114 'Request for Data – Responsible Areas UPDATED v5' provided to the Project Team by A Stewart on 26 May 2016.

Of the 23 men who work PT:

- 12 are Police
- 1 is PSO
- 10 are Unsworn

## **(ii) Application of flexible work polices**

A number of members reported that accessing flexible work was relatively simple, and with supportive supervisors and teams, they could effectively manage their caring responsibilities with a rewarding career:

**I have a great arrangement where I work 3 days a week. My supervisor is awesome (female participant).**

**I start late and leave early to drop off and pick up my kids. It works pretty well and I am well supported (female participant).**

**I work 4 days in the office and one day at home. I have had good support with this (female participant).**

**My wife has come back to work after having the baby, full time. I work part-time. There were no dramas about this with my boss (male participant).**

**There have been band 8 women in my team who have taken time off and then come back and been able to elevate to their original roles when they eventually come back full time (male participant).**

**My supervisor (commander) is incredibly supportive of workplace flexibility arrangements, however is treated unfairly in comparison to less flexible commanders who are seen to be more capable as a result of only accepting full time staff (Survey).**

**Overall I have found the last two teams I have worked in are family friendly and flexible. The TL's have had a big focus on gender equity and support (Survey).**

**Most areas I have worked in have been very supportive of flexible working arrangements. ... I have been very fortunate with my past and current supervisors (Survey).**

However, others described a range of challenges accessing flexible work. Most members agreed that the appropriate policies are in place but indicated that approval to work flexibly was very much dependent on who the supervisor was at the time and often, the support from senior levels. This seems to be particularly the case for Police who identified a range of specific obstacles when trying to access flexible work. Others indicated that they have to regularly renegotiate their arrangements when a supervisor changes:

**We have good policies but a majority of supervisors don't follow them. It's up to their discretion as to whether they want to follow the policy. There is no enforcement to follow (them) (female participant).**

**The systems around flexible work and part-time work exist but some women don't feel comfortable asking for it and some supervisors won't give it (male participant).**

**I think we can be flexible around rostering but the supervisors just won't do it (male participant).**

**It's a lottery. It depends on who's making the decision (female participant).**

**When one of the men in my team asked for flexible work it was an issue with the team leader. However, that same supervisor has approved women going part-time (female participant).**

**I have worked 4 days a week since I returned from mat leave. Every year it is reviewed again. Recently it was questioned whether I would be granted this again. This caused huge stress for me and made me think I would have to leave the organisation (female participant).**

**My team leader is moving and I don't know if the next one will allow me to continue to work flexibly (female participant).**

Whilst immediate supervisors may be supportive of Flexible workplace arrangements – this does not work if senior management are not supportive (Survey).

Particular challenges were also raised by some members regarding working remotely:

It's very vague as to who falls into the category of being able to work remotely. There needs to be more precise procedures in place to determine this (female participant).

There's definitely the perception that when you are working from home that you might not actually be working properly (female participant).

... a female colleague's... husband and family live in (another city). Our male supervisor is not sexist but is also not accommodating of her shifting her work to (the other city) even though this is very feasible and he would still be able to supervise her work. He's made a call that doesn't sit well with the policies of the organisation which is meant to be supportive of people returning from maternity leave. So now she will either have to leave the AFP or uproot her life... (male participant).

Many of these perceptions regarding flexible work have been confirmed at an AFP organisational level. A minute to the Commissioner in November 2015, stated:

Although flexible work arrangements are available to all AFP employees, sworn members in particular are granted access to these opportunities at a fairly low rate. Under the current system of approval, flexible work arrangements are heavily reliant on support from the employees' direct supervisor, producing significantly varied application and uptake of flexible work opportunities.<sup>115</sup>

A common view was that working in an operational setting meant that accessing flexible work was particularly difficult:

In an operational response area it is very difficult to work flexibly. People that aren't part-time workers feel that the part-time people can't fulfill an adequate response capacity. When you come back from leave you are usually moved to a non response area, and feel useless in that area but get stuck (female participant).

With policing and response areas there's a lot of times when you need people to be physically present, such as around peak periods. In these cases it's really hard to accommodate part-time workers or people on flexible arrangements- especially if it means the rest of the team will be burdened (male participant).

These comments were confirmed in the Survey data. The Survey revealed that while most respondents were generally positive about the level of support from the AFP for flexible work (F:59%: M:50%), and from their supervisor (F:67%: M:61%), many believed that their career progression would be negatively impacted if they accessed flexible working arrangements (F:66%: M:58%). Further, respondents were not confident about actually requesting a flexible work arrangement. Half of women (51%) and a third of men (34%) said they would feel comfortable asking for a part-time or flexible work arrangement in their current role. Further, only 23% of women and 19% of men said they would be comfortable asking for a part-time or flexible work arrangement if they were promoted. Half of Survey respondents (48%) believed the AFP should be more flexible with helping staff meet their outside caring responsibilities.

### (iii) Stigma

An overriding theme in focus groups and interviews was the negative stigma many members believed attached to flexible work arrangements. Members variously described feeling de-valued, a burden, being ostracised, passed over for promotion and other opportunities, and 'stuck' in a relatively unrewarding role:

You are not seen to be 100% committed to the job if you work flexibly or are part-time. A woman who came back from mat leave, part-time, copped it as she was seen as not doing her job (male participant).

Now that I work part-time, I am given less responsibility. Its like I am less valued (female participant).

I structured my roster to be there when the team started, so I wouldn't be an outcast (female participant).

115 'Request for Data – Responsible Areas UPDATED v5', *Ibid.*

Females working part-time or who work on a flexible arrangement, are expected to work harder to live up to expectations and beat the perceptions people might have of their arrangement (female participant).

People who are on flexible work arrangements lose their voice at the table (female participant).

Full-timers whinge and moan about flexible workers and part-timers. I feel ostracised, ignored and not valued. I get a sense from above that I'm not doing enough. There is always that cloud above you (female participant).

When I came back from maternity leave I wasn't consulted about where I'd be placed. I got moved around from team to team because I was the part-timer. I was seen as dispensable (female participant).

I hear from the Executive level, "bloody part-timers. They're hard work." (female participant).

I kept it a secret that I was a single dad and sole carer for my daughter because the expectations are there and I would have been thought of as unreliable and less committed (male participant).

We considered very carefully the ramifications for my husband, if he shared flexible work here with me [to help care for our baby] (female participant).

#### **(iv) Reasons for Refusal**

Some members also raised concerns that limited resources mean that flexibility could not be provided in certain areas:

When I asked to work flexibly the response was, "You're kidding. We are under so much pressure. We can't do this." (female participant).

The reason I don't have access to, or can support requests for family friendly work requests is that the business area is under-staffed so we would be unable to meet business requirements if my small team went part-time (Survey).

I don't think we can successfully manage part-time work at the moment. We just don't have the man-power (male participant).

With policing and response areas there's a lot of times when you need people to be physically present, such as around peak periods. In these cases it's really hard to accommodate part-time workers or people on flexible arrangements – especially if it means the rest of the team will be burdened (male participant).

Management can't utilise flexible work because we have too few resources and need to do things at the drop of a hat (male participant).

The systems work for flexible work. It's the team culture that stops it. The teams see the team schedule as a reason for refusal and often that is not reasonable (female participant).

I came back full-time when my child was 12 months because I was told, [due to the limited number of people in this office] "don't even bother putting in the paperwork because you can't do this job part-time" (female participant).

A common theme was that in rostered operations, where there is a requirement for shift work and in certain areas, flexible work arrangements are not possible:

In an operational response area it is very difficult to work flexibly (female participant).

You can't work part-time in crime scenes (female participant).

[In ACT Police] the rostering makes it hard for women with kids who don't work full time. Because of the shift work, we can't easily grant flexible work, so it's easier for them to go to National (male participant).

If I had known about the shift work here at ACT Police, I would never have joined because I want to start a family. There is pretty much no lee-way to change the arrangements here (female participant).

There is this fixation here with rostered ops and that you can't work anything other than full-time. Its used as an excuse to refuse flexible work (male participant).

We can't always be giving people flexible work because crime doesn't operate to a timetable (female participant).

The AFP has decent return-to-work policies for mothers returning from maternity leave however, in operational areas like mine, I feel that supervisors get around having to be flexible by using the excuse "it doesn't work with our operational requirements". I do not believe this is a legitimate reason. I feel as though this loophole is used as an excuse because supervisors put returning mother's in the "too hard" basket (Survey).

In spite of this, a number of supervisors told the Project Team that many of their staff who work flexibly are among their most productive and are very high performers:

I've found that my part-timers actually work harder than the full timers (female participant).

Having [x] work remotely for part of the week has been fantastic. If that didn't happen we would have lost her and her valuable skills. The arrangement we have now is great and she delivers great work (female participant).

All of the women in my team are high achievers. When they come back from maternity leave part-time they maintain that ethic (male participant).

I have a woman in my team who works three days a week and she works harder than the other five who are full time (female participant).

#### **(v) Job Sharing**

The option of job sharing as a way to potentially balance team work loads was considered by many members to be an unviable alternative in the AFP. Apart from a few examples provided to the Project Team during focus groups, job sharing is not widely utilised across the AFP. Many stated that the organisation's 'funded operational strength' or head count constraints, and the way the IT system manages this, precludes more than one person being held against a position. Others however, believed that this could be achieved, particularly in relation to unsworn roles. Many in operational roles in particular, did not consider that job sharing could be done. Whilst the Project Team is aware of a few people who job share (and these are unsworn), there were no statistics available on the number of members in these arrangements.

#### **(vi) Flexible work and Promotions**

For most members with whom the Project Team spoke, flexible work was considered a major impediment to promotion and leadership roles. The AFP itself, has recognised this, noting that:

**Sworn and PSO females in particular face significant challenges in securing promotions as, by seeking workplace flexibility to support family responsibilities, they are subsequently excluded from operational roles. This lack of contemporary operational experience then undermines their promotion prospects once they return to full time status.<sup>116</sup>**

Members themselves told the Project Team:

Many women self select to not apply for a promotion, because they feel like they wouldn't have the capacity to fill the role if they were working part-time (female participant).

There is certainly no mechanism to enable part-time leadership. If a woman comes back from maternity leave part-time in the long term, then this will negatively affect her career (male participant).

I was basically told that I would never be promoted if I work part-time (female participant).

There is no way someone who works part-time or is on flexible work will get promoted. There is a mind set that a supervisor has to be here 24/7 (male participant).

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116 'Request for Data – Responsible Areas UPDATED v5', *Ibid.*

When my wife goes back to work I will go part-time but I'm resigned that it will be the end of any career advancement (male participant).

No-one working flexibly or part-time would apply for a promotion in operations. It would just not happen and it would be a waste of time (female participant).

I think it comes down to how visible you are. If you're not seen because you are away say Tuesday and Friday, it means you are unlikely to be competitive (male participant).

When I asked for a flexible work arrangement my boss said "it would be frowned upon." He also said "it wouldn't be a good career move." (female participant).

Despite all of these experiences and perceptions, there is a large body of evidence which identifies the clear organisational benefits of flexible work arrangements. The following discussion examines this evidence.

### 5.3. The Advantages of Flexible Work

In recent times, the organisational advantages of flexible work arrangements have been identified in both academic literature and organisations' own evaluations of the impact of these arrangements. Flexible work arrangements are increasingly becoming a core feature of modern workplaces as organisations are recognising their impact as a key driver for enhanced productivity, greater team-work and performance, cost savings and strengthened operational effectiveness.<sup>117</sup> Importantly, flexibility is now considered a fundamental enabler of gender diversity in workforces and a strong tool for retaining talent.

The number of people engaged in flexible work arrangements has increased significantly across the country.<sup>118</sup> Workplaces as diverse as major corporations and business organisations, government departments, mining companies, aviation companies and the military are embracing flexibility as a workforce model.

More recently many large organisations have adopted an 'all roles flex' approach to their workforce. This is motivated by a need to enhance the representation of women at senior leadership levels. By offering workforce flexibility, organisations can tap into a much broader talent pool and, in doing so, enhance the performance and productivity of the organisation. Telstra, Qantas ANZ, ASX, and Network Ten are some of the major companies which have implemented this model. Reporting on the 'all roles flex' policy at Telstra, CEO Andrew Penn identified that since its implementation:

- the number of women joining Telstra has exceeded the number of women leaving for the 8th successive quarter, reversing a long-running trend;
- the total number of Telstra employees has increased in the past year by 2.8%, while the total number of women increased by 5.8%; and
- the numbers of male managers at Telstra taking primary parental leave has increased threefold in the past year. The numbers are still small, but point to a shift in our culture, and a new norm around men and flexibility at Telstra.<sup>119</sup>

117 J Thompson & E Truch (2013) *The Flex Factor: realizing the value of flexible working*, Action and Research Centre, [https://www.wgea.gov.au/sites/default/files/The\\_Flex\\_Factor\\_Realising\\_the\\_value\\_of\\_flexible\\_working.pdf](https://www.wgea.gov.au/sites/default/files/The_Flex_Factor_Realising_the_value_of_flexible_working.pdf) (viewed 6 May 2016).

118 Office of Police Integrity Victoria, *Op cit*.

119 R Molinsky (2015) *Why Flexible Working is Good for Business*, Telstra Exchange, 31 August, <http://exchange.telstra.com.au/2015/08/31/why-flexible-working-is-good-for-business/> (viewed 28 May 2016).

In March 2016 the NSW Premier, the Hon. Mike Baird, announced that all NSW public sector roles – currently about 380,000 – will be flexible by 2019. It is understood that this policy will apply to shift workers and those in law enforcement. In announcing the all roles flex model, the Premier stated:

**We have to tear down the obstacles to attracting good candidates, we must undo the notion that work is confined to the desk, and we must create and retain a pipeline of senior women managers. At the moment, despite women accounting for 64 percent of the workforce we only have 36 percent in senior leadership roles. So we have more to do but we have a very clear plan to do it.**<sup>120</sup>

More recently, in launching the *APS Gender Equality Strategy*, the Secretary of the Department of the Prime Minister and Cabinet, Martin Parkinson, announced that the APS will move to a ‘flex by default’ model. That strategy provides that:

**Agencies are to review current roles and adopt a ‘flexible by default’ approach. This includes managers challenging assumptions about how work should be done and how jobs are designed. Agencies are to put in place steps to ensure flexible work arrangements are not detrimental to employees’ career progression. Leaders must put mechanisms in place to improve the take-up of flexible work arrangements by men.**<sup>121</sup>

All of these strategies will have the effect of normalising flexible work arrangements, making them a key part of workplace and business operations.

Law enforcement environments are unique workplaces that may not ordinarily lend themselves to a conventional nine to five work day. Nevertheless, as the following discussion demonstrates, the changing nature of policing, coupled with the increasingly competitive labour market, makes the broader adoption and acceptance of flexible work practices in the AFP vitally important.

## 5.4. Flexible Work and a Policing Environment

Recent studies and reports identify that flexible work is a fundamental tool for future law enforcement workforces. As well as being a key recruitment and retention tool, flexible work practices are a critical capability enabler.<sup>122</sup> Research undertaken for the US Federal Bureau of Investigation (FBI) identifies the importance of a flexible work regime for attracting and retaining talented members. The FBI observes that:

**With the emergence of the millennial generation and competition with the private sector for potential job candidates, law enforcement agencies must commit to offering flexible work schedules.**<sup>123</sup>

However, as most law enforcement agencies’ work practices, including the AFP’s, are based on historical considerations (‘this is the way we have always done things’) and on notions of traditional career theory, flexible work has generally been considered to be an aberration, irregularity or a privilege. It is not considered the norm or something fundamental to a modern and operationally effective agency.

The labour market is changing rapidly and as both Lynch (2005) and a study by the Victorian Office of Police Integrity (OPI) observe:

**The contemporary workplace is now characterised by information- and knowledge- based work which emphasises knowledge, skills and efficiency.**<sup>124</sup>

120 E Brooks, ‘Mike Baird Introduced Flexible Work For All Public Service Jobs On International Women’s Day’, *The Huffington Post Australia*, 8 March, 2016, [http://www.huffingtonpost.com.au/2016/03/07/mike-baird-all-roles-flex\\_n\\_9405238.htm](http://www.huffingtonpost.com.au/2016/03/07/mike-baird-all-roles-flex_n_9405238.htm) (viewed 10 May, 2016).

121 Australian Public Service Commission (2016) *Balancing the Future: The Australian Public Service Gender Equality Strategy 2016–19*, Australian Government, p 13.

122 J Lynch (2005) *Looking to the Future: implications of emerging trends for police workforce planning*. South Australia: Australasian Centre for Policing Research.

123 L Perrine, 2009, *Job Sharing: A viable option for law enforcement?*, The Federal Bureau of Investigation, [https://www2.fbi.gov/publications/leb/2009/march2009/job\\_sharing.htm](https://www2.fbi.gov/publications/leb/2009/march2009/job_sharing.htm) (viewed 10 May 2016).

124 Office of Police Integrity Victoria *op cit*, p 8.

As a result, this has impacted on how services are provided by organisations and has influenced their need for staff with particular talents, experience and skill.<sup>125</sup> The OPI identifies two key trends that are most likely to impact on law enforcement agencies in a knowledge-based economy:

- the more fluid movement of employees between jobs; and
- the more flexible working arrangements expected by staff.<sup>126</sup>

They recognise that whilst employees need to support the organisation by discharging their duties in accordance with the organisation's values and expectations, policing organisations will themselves need to reflect on how they can remain an attractive and relevant employer "especially in providing the type of career and personal development opportunities that people seek from the contemporary workforce."<sup>127</sup>

A Home Office study on Flexible Working Practices in the Police Service identified the need for police services in the UK to embrace flexible work practices as an attraction, recruitment and retention tool. The study specifically found that:

**There was... a positive effect on the retention of women police officers as a result of the introduction of part-time working, job share and career breaks, according to the evidence available in this study. Of those interviewed who were working less than full-time hours for childcare reasons, half said they would have left the service if they had not been able to reduce their hours. Each officer retained with more than five years' service saves their force a minimum of £23,000. This sum does not take into account the impact of loss of experience on quality of service, nor does it cover opportunity costs. It provides a modest estimate of the replacement costs of recruitment, probationer and ongoing training for an operational officer.**<sup>128</sup>

In its *Independent Review into Sex Discrimination and Sexual Harassment, Including Predatory Behaviour in Victoria Police*, the Victorian Human Rights and Equal Opportunity Commission identifies a strong link between a healthy organisational culture which values and respects all workers, and the ability of employees to access flexible work. It found that:

**There is a clear intersection between attrition relating to workplace harm and organisational attitudes towards workplace flexibility. Key areas in which these issues can be witnessed relate to the attitudes towards and treatment of women who become pregnant, take parental leave, return to work after parental leave and access part-time employment.**<sup>129</sup>

Despite the evidence, the business case for flexible work is not widely understood across the AFP. This was articulated in a number of comments including:

**The organisation is disadvantaged when people take time out for family and when they take flexible work (male participant).**

**I support flexible work. But it won't work in my team (male participant).**

As noted above, a prevailing view is that the nature of policing, the organisation's high operational tempo, rostered operations and shift work, cannot neatly accommodate flexible work. For many, these issues are considered to be insurmountable barriers. However, in the majority of cases, these barriers stem from stereotyped ideals of the full time, 24/7, usually male police officer. The *Review into Sex Discrimination and Sexual Harassment, Including Predatory Behaviour in Victoria Police* identified similar issues and noted that:

**... structural constraints and traditional notions of policing disproportionately impact upon women, including perpetuating hostile attitudes towards women.**<sup>130</sup>

125 Office of Police Integrity Victoria, *Ibid*, p 8.

126 Office of Police Integrity Victoria, *Ibid*, p 9.

127 Office of Police Integrity Victoria, *Ibid*, p 9.

128 R Tuffin and Y Baladi (2001) *Police Research Series, Paper 147: Flexible Working Practices in the Police Service*, Home Office, London, p vii.

129 Victorian Human Rights and Equal Opportunity Commission (VHREOC) (2015) *Independent Review into Sex Discrimination and Sexual Harassment, Including Predatory Behaviour, in Victoria Police*, Victorian Government, p 166.

130 VHREOC, *Ibid*, p 165.

The need for a strengthened approach to flexible work practices and for an enhanced understanding of its organisational benefits will not be met through an ad hoc response to perceived problems. Rather than seeing flexibility as a challenge, an inconvenience or a deficit it needs to be more widely acknowledged as a critical aspect of the work of the AFP. At the same time, it requires leaders to actively and visibly support their supervisors to properly manage flexible work arrangements within their teams.

## 5.5. Normalising Flexible work

Discourse on flexible work generally focuses on its relevance to women with caring responsibilities of small children and the need to retain these staff. Although across most organisations, such women disproportionately take up flexible work, flexible work can also have an impact for other groups of employees – fathers with caring responsibilities, those with elderly parents, and those wishing to undertake further education – to name but a few. In recent years, there has been a significant increase in the proportion of men working part-time and flexibly. An Australian Bureau of Statistics report found that:

**Part-time work has always been dominated by women: close to three-quarters of all part-timers in August 2011 were women. However, in recent years there has been an increase in the proportion of men working part-time.**<sup>131</sup>

Flexible work is available to men in the AFP although it is not widely used. However, as many studies demonstrate, flexible work practices become normalised when men access these arrangements. They are more likely to become common work practices when a critical mass of men, work flexibly.

A number of members in focus groups and interviews disclosed that their male partner applied for or accessed flexible work. Some men also reported directly that they work flexibly. Apart from those who negotiated infrequent altered hours to collect children for instance, all indicated that the arrangement was viewed by some supervisors as outside the norm:

**When my husband who is also in the AFP asked to go part-time to help look after our baby, his supervisor said “what’s your wife doing?” (female participant).**

**My husband works part-time and I work full time. On the days he is not at work he is looking after our [young children] ...There is this perception that in some way he is slack or not committed (female participant).**

**I work part-time to care for the baby and people in the organisation do see it as a bit strange. I am unsworn so I can’t imagine how it would go for a police officer, or a male in operations (male participant).**

There are considerable organisational benefits when *both* men and women work flexibly. As indicated above, organisations that openly support flexible work are more likely to attract, recruit and retain a wide pool of qualified, highly skilled staff, than those that do not actively utilise these arrangements. When both men and women work flexibly, the arrangements become mainstream and they become a key part of an organisation’s business rather than being peripheral to it. As a result, they become a “legitimate management tool and career choice”, ensuring a more productive and sustainable workforce.<sup>132</sup>

131 Australian Bureau of Statistics (2012) ‘Fifty Years of Labour Force: Now and Then’ *Year Book Australia, 2012*, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/1301.0Main+Features452012> (viewed 16 May 2016).

132 Diversity Council of Australia (2012) *Get flexible or get real: It’s time to make flexible working a legitimate career choice*, <https://www.dca.org.au/News/All/Get-flexible-or-get-real%3A-It’s-time-to-make-flexible-working-a-legitimate-career-choice/245> (viewed 16 May 2016).

## 5.6. Flexible Work and the AFP

It is acknowledged that some challenges may arise in implementing an 'all roles flex' model in the AFP. However, as one member told the Project Team:

**We can be smarter with our work allocation. We need to redefine the way we define our roles (male participant).**

Despite some challenges in providing flexible work for certain AFP roles or during certain periods when operational tempo is particularly high, the Project Team believes that there is capacity across the organisation for flexible work arrangements to be offered and approved at a greater rate than currently exists. As the discussion above has demonstrated – flexible work is both good for the individual and for the organisation as a whole.

The Project Team is aware that a trial of 'split shifts' at Sydney Airport is to commence shortly. The trial is being implemented to facilitate members in Aviation to work flexibly. It is also aware of some innovative rostering occurring in ACT police that will assist staff with access to flexible work. The Project sees considerable value in these initiatives.

The Project Team also commends the engagement of a Systems Integrator who is identifying the best systems to deliver sophisticated rostering systems across the AFP. This has the potential to address many of the scheduling issues that can negatively impact on the availability of flexible work.

As well as these initiatives the Project Team believes that efforts to shift the cultural beliefs and perceptions of flexible work must also be strengthened. This would be achieved with the adoption of a 'flex by default' / 'all roles flex' approach. Where applications for flexible work are rejected, these should be escalated for review to a designated member of the senior leadership, who understands and champions flexible work. In addition to this, it is critical that infrastructure and messaging is in place to ensure flexibility is a success, including training for supervisors to manage flexible workers and teams, and linking supervisor KPIs to the uptake of flexible work arrangements (by both men and women) and the career advancement of flexible workers.

### Conclusion

Flexible work is increasingly becoming the norm in contemporary organisations around the globe. For these organisations it makes good business and operational sense. Whilst there are a few unique challenges for law enforcement agencies in implementing a universal flexible work regime, these are not insurmountable but require strong leadership and organisational commitment to design and implement. As the evidence shows, organisations that adopt flexible work arrangements reap significant benefits – they attract more diverse talent, productivity and motivation is enhanced and there is a stronger retention of talent, to name but a few. For the AFP, these organisational benefits will also inevitably strengthen operational effectiveness.

# Chapter 6: Sexual Harassment, Sexual Abuse and Bullying

## At a glance:

- For many members, the AFP is a supportive organisation, their work experience is positive and rewarding and their work environments are respectful.
- Some members, particularly women, experience sexual harassment, bullying and harassment/intimidation and in a few cases, sexual abuse. Men in the AFP also experience these behaviours.
- The Survey revealed a high level of sexual harassment and bullying in the AFP.
- Overall three in ten (29%) staff who participated in the Survey reported that they had been subjected to at least one incident of sexual harassment in the AFP or at an AFP work related event in the last 5 years. More than three in five (64%) staff reported they experienced bullying.
- The Survey results reveal that 46% of women and 20% of men reported that they have been sexually harassed in the workplace in the last 5 years.
- The Survey results reveal that 66% of women and 62% of men reported that they have been bullied in the workplace in the last 5 years.
- Offenders within the AFP should be held to account and their suitability to remain in the organisation should be a key consideration in any action taken against them.
- Members are reluctant to complain about incidents of sexual harassment, sexual abuse and bullying as they believe the reporting environment in the AFP is unsafe.
- PRS investigations can be overly long and this can be a disincentive for members to report incidents.
- Strong and courageous leadership is key to ensuring that workplaces are healthy and respectful and that unacceptable and abusive behaviours are addressed. Poor leadership is a common factor when there are instances of unacceptable and abusive behaviours.

Many people with whom the Project Team spoke indicated that their careers in the AFP have been positive, fulfilling and rewarding. They detailed experiences of working in respectful and supportive teams, having strong collaborative and professional relationships and being valued and supported by supervisors.

However, others told the Project Team that they experienced or were aware of sexual harassment and bullying, and in a small number of instances, sexual abuse. These issues were also canvassed in the Survey. It should be noted that many members across the organisation expressed their deep concern that behaviours such as sexual harassment, sexual abuse and bullying occurred in today's AFP and supported strong actions to eradicate and address these issues and bring perpetrators to account.

This Chapter reports on the Project Team's findings in relation to sexual harassment, sexual abuse and bullying in the AFP. It also examines the effectiveness of the organisational responses to those behaviours.

It is noted that efforts to prevent and respond to these unacceptable behaviours have been strengthened in recent times. However, the evidence available to the Project Team suggests that deficiencies remain in the current systems and structures that monitor and address sexual harassment, sexual abuse, and bullying.

The nature of the incidents and the impact on members makes reform across the AFP critical and urgent.

## 6.1. Sexual Harassment and Sexual Abuse

Sexual harassment is a risk encountered by workers across the world. It "reduces the quality of working life, jeopardises the well-being of women and men, undermines gender equality and imposes costs on firms and organisations."<sup>133</sup> Sexual harassment can take a number of forms. Under the *Sex Discrimination Act, 1984* (Cth) sexual harassment is unlawful. It can include:

- unwelcome sexual advances;
- unwelcome request for dates or sex;
- staring or leering;
- suggestive comments or jokes;
- emailing pornography or rude jokes;
- sending sexually explicit texts;
- intrusive questions about an employee's private life or body;
- displaying posters, magazines or screen savers of a sexual nature;
- unnecessary familiarity such as deliberately brushing up against someone or unwelcome touching; and
- insults or taunts of a sexual nature.<sup>134</sup>

Sexual abuse and sexual misconduct can include actual and attempted acts of indecency, sexual assault and rape.<sup>135</sup>

### 6.1.1. Survey

The following section summarises the key findings of the Survey in relation to sexual harassment.

#### (a) Prevalence

The Survey identified a very high level of sexual harassment within the AFP. Overall three in ten (29%) staff who participated in the survey reported that they had been subjected to at least one incident of sexual harassment in the AFP or at an AFP work related event in the last 5 years.

Nearly one in two (46%) women and one in five (20%) men who participated in the survey reported that they had been subjected to at least one incident of sexual harassment in the last 5 years.

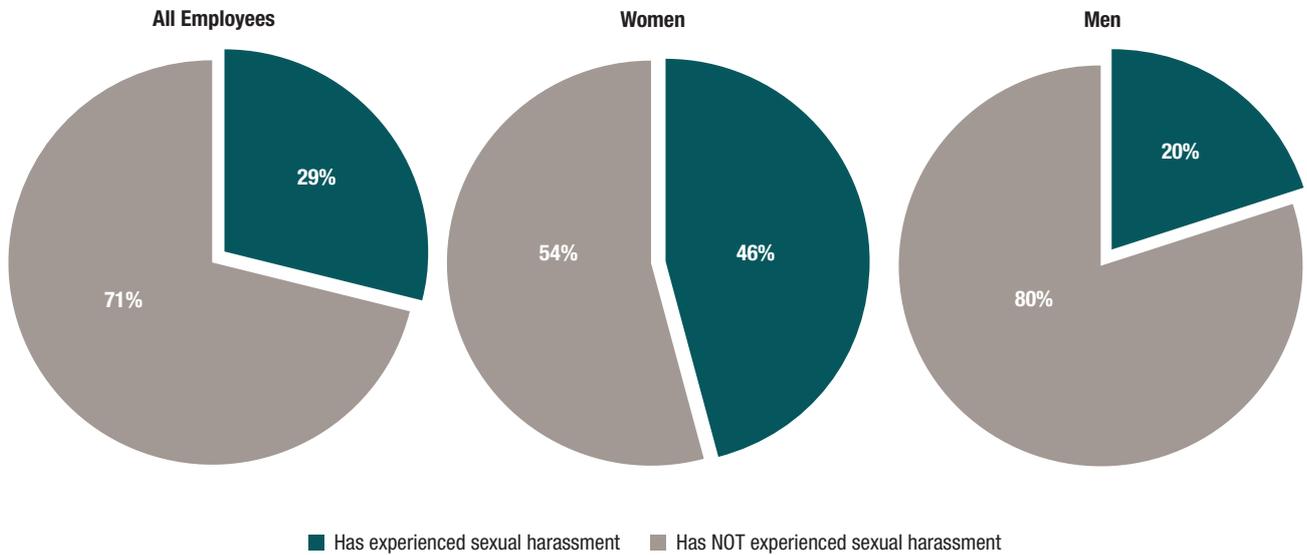
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133 D McCann (2005) *Sexual harassment at work: National and International Responses*, International Labour Organisation, Geneva, Switzerland, p vii.

134 Australian Human Rights Commission, *Working Without Fear: Results of the Sexual Harassment National Telephone Survey* (2012), <https://www.humanrights.gov.au/working-without-fear-results-sexual-harassment-national-telephone-survey-2012> (viewed 14 June 2016).

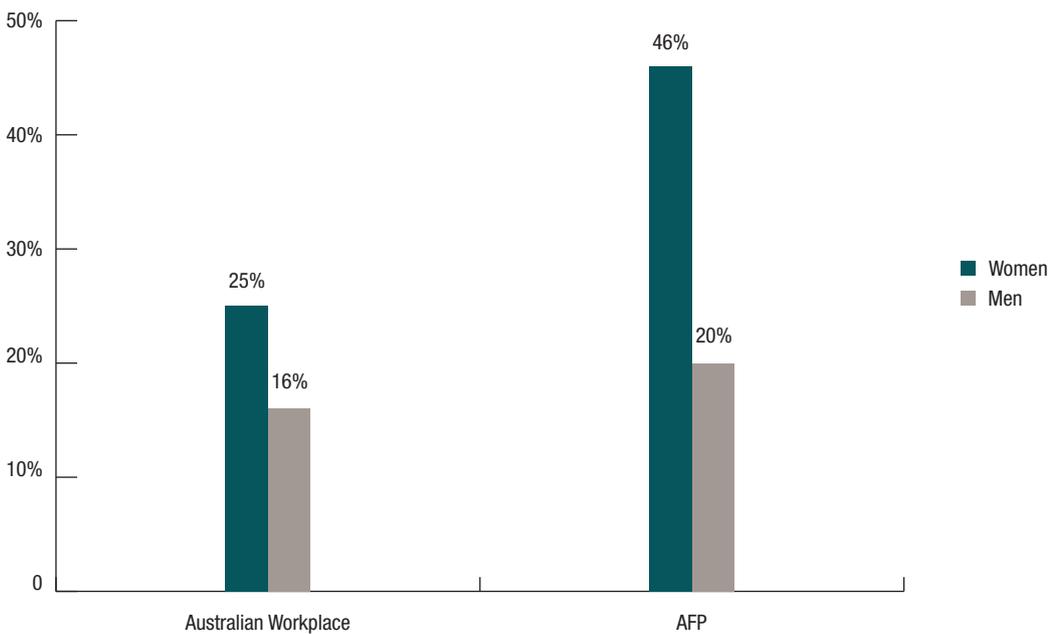
135 Australian Human Rights Commission (2012) *Review into the Treatment of Women in the Australian Defence Force*, Australian Government, p 251.

**Figure 6.1. Prevalence of sexual harassment**



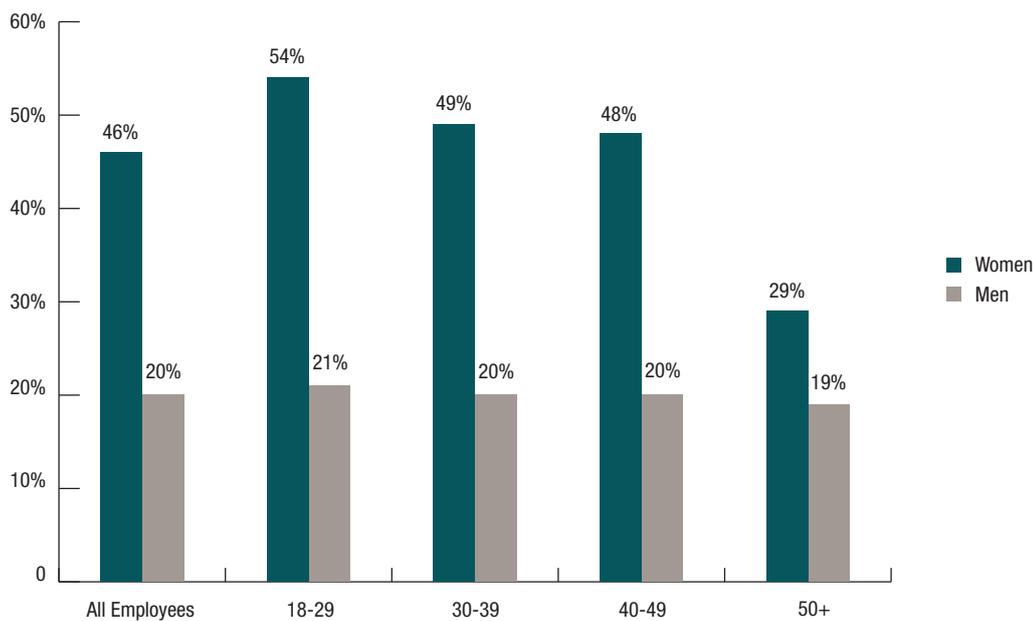
The prevalence of sexual harassment as reported by women in the Survey is significantly higher than the levels within the general Australian workforce. A 2012 Australian Human Rights Commission study estimated that one in five (25%) women in the Australian workforce had been subjected to sexual harassment on at least one occasion in the previous 5 years. The AFP survey indicates that this figure is nearly twice as high (46%) amongst women working for the AFP. In contrast to this, the situation for male employees within the AFP (20% incidence of sexual harassment) is similar to the experience of men working in the general Australian workplace (16%).

**Figure 6.2. Prevalence of Sexual Harassment: AFP Compared to the Australian Workplace by Gender**



As illustrated in Figure 6.3., younger female employees in the AFP are far more vulnerable to sexual harassment than other employees. Fifty-four percent of women aged between 18 and 29 reported they had experienced sexual harassment within the AFP workplace, just under half (49%) of women aged 30 to 49 having been sexually harassed and more than a quarter (29%) of older women. Although there is a marginal reduction in the likelihood that older women in the AFP will be subjected to sexual harassment, all women employees are far more likely to be sexually harassed than their male counterparts. It is notable that there is no significant age difference in the likelihood that a male employee will be subjected to sexual harassment.

**Figure 6.3. Prevalence of Sexual Harassment: Age by Gender**

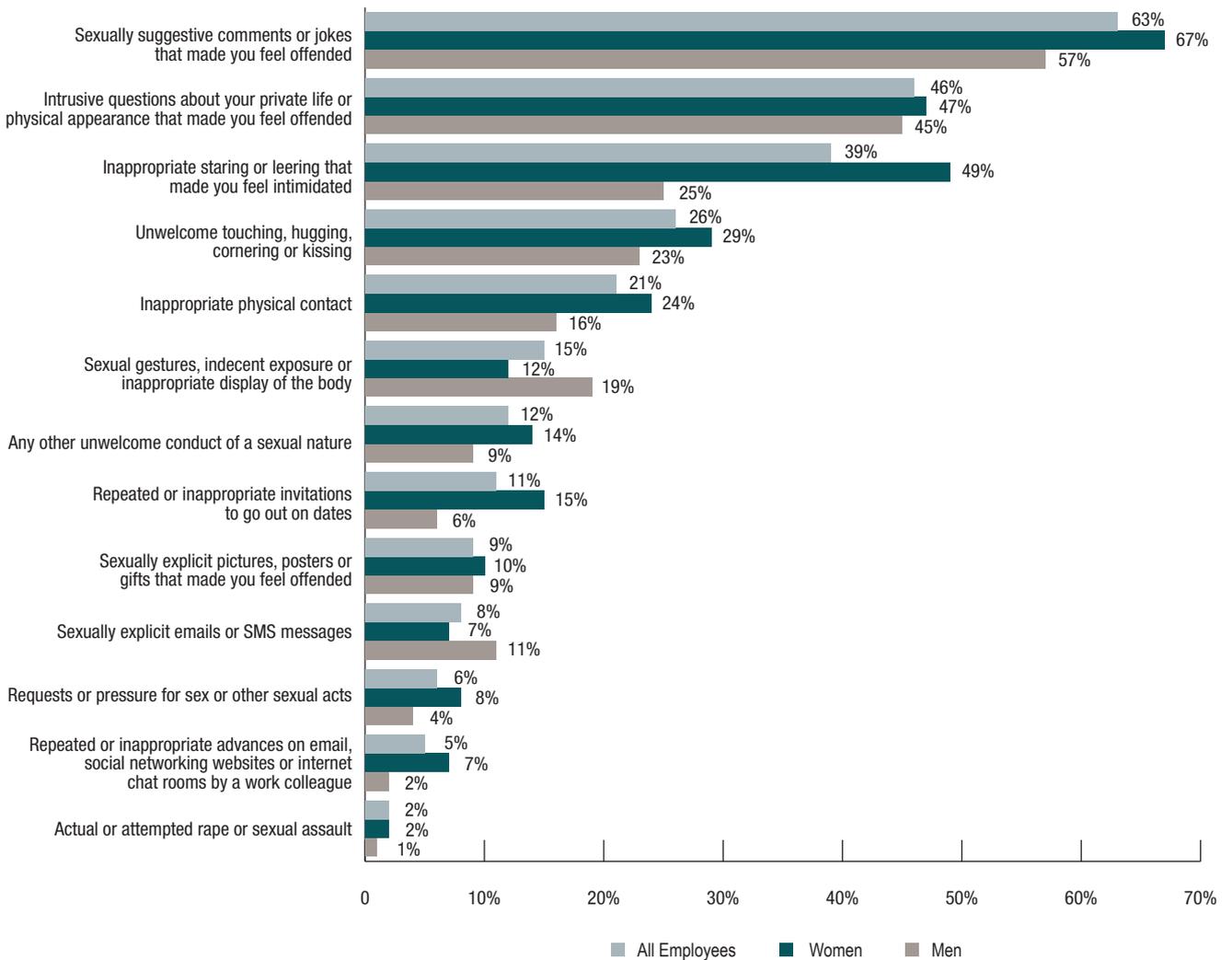


**(b) Nature and duration of sexual harassment experienced**

There are significant differences in the nature of sexual harassment that women and men reported experiencing in the AFP. As illustrated in the chart below, women are much more likely to experience ‘sexually suggestive comments or jokes that make them feel offended’ (F: 67%: M: 57%), ‘inappropriate staring or leering that made them feel intimidated’ (F: 49%: M: 25%) and ‘repeated or inappropriate invitations to go out on dates’ (F:15%: M:6%). Men are more likely to experience ‘sexual gestures, indecent exposure or inappropriate display of the body’ (F:12%: M:19%).

Two percent of members reported experiencing actual rape or attempted rape or sexual assault in the last 5 years.

**Figure 6.4. Nature of sexual harassment experienced in the AFP in the last 5 years**



The Survey also revealed that women are more likely than men to experience sexual harassment that is ‘sporadic’ (F:32%: M:29%) and slightly less likely than men to only experience once off sexual harassment (F:26%: M: 29%).

### 6.1.2. Focus Groups and Interviews

It is important to note that in focus groups and interviews many members – both men and women – spoke of positive and rewarding experiences in the AFP and said they felt safe and respected in their working environment. They expressed deep concern that any unacceptable behaviour, particularly sexual harassment, occurs in the AFP and supported strong interventions to eradicate it.

Some members told the Project Team that they were not aware of, nor had experienced, such behaviour. Many also believed that processes to address it had improved:

**I have never seen sexual harassment in this organisation over the last few years. I am very very surprised that it’s still occurring (male participant).**

**I’m shocked that people are still being sexually harassed [in the AFP]. I know it happened in the past but we have so many policies around this, there’s training – what are people thinking? (male participant).**

I don't think it happens now. And if it did the organisation would come down very hard on the person doing it. It appalls me to think this type of behaviour goes on (male participant).

It would be very uncommon for things of a sexual nature to occur. Teams that work well self-regulate against that sort of behaviour (male participant).

I've never experienced it and I've never seen it in all my time in the AFP. If it did happen it would be stamped out pretty quickly (female participant).

I believe the AFP's approach to sexual harassment and bullying and harassment has significantly improved in the last year (Survey).

Some women reported that sexual harassment is less prevalent than in previous years however, they stated that:

It's not as overt as it once was. But it's more insidious and hidden (female participant).

It certainly happens but often it's not as obvious as it may once have been (female participant).

Some women suggested that this was because certain inappropriate sexual behaviours and attitudes, in a few areas of the AFP, had become normalised:

I think we have had to adapt to the "boys club." That often means turning a blind eye to things that might be unacceptable but just sucking it up (female participant).

We know we are in a male dominated environment so we have to accept that sometimes the men will act in a way or use language that may not be appropriate in other organisations (female member).

I think I am now numb to it (female participant).

Of concern was that a few members described sexualised work environments or sexual harassment in parts of the AFP as "endemic" or "rampant". Some also suggested that the culture across the organisation or in certain areas allows for such behaviours to occur, unchecked:

There is an alpha male culture here that just allows for sexual harassment to happen (female participant).

It can be particularly hard for women who are the minority in teams. Usually I am the only female in a team. I don't mind, but blokes do forget you are there. There is no way their behaviour would exist in another workplace (female participant).

There are definitely people in the AFP who prey on vulnerable people. It's part of the culture (male participant).

The Project Team heard some particularly serious and disturbing incidents of sexual harassment – including sexist and demeaning attitudes and language, and offensive and on occasion, criminal behaviours. Whilst some of the incidents were historic, others were contemporary. In terms of sexualised work environments and derogatory language and attitudes members told the Project Team:

I hear so many derogatory comments against the women Sergeants, for example 'she's just a vagina' (female participant).

I was moved from my role because I wouldn't sleep with the Coordinator (female participant).

Sometimes ... the guys ... stare at me like I'm a piece of meat which makes me feel a bit uncomfortable ... especially when they are in groups (female participant).

When I got promoted (in late 2014) one guy said "you must give good blow jobs." (female participant).

As a gay woman, I have had men since college say that they will "convert me." (female participant).

Other examples of sexually harassing behaviours from AFP members are:

I was assaulted by an executive a few years ago. I didn't report it because I have a lack of faith in how the executive would handle it (female participant).

The guys [in my team] would make comments about what I was wearing all the time. At the Christmas party I had my arse groped (female participant).

I experienced having a guy flashing his body parts at me (female participant).

There was an adverse finding of sexual harassment against [a male member]. The recommendation was that he be discharged. He was not...He should never be allowed to have any authority over women (male participant).

Consistent with the research that shows that sexual harassment is highly gendered, the majority of members who disclosed sexual harassment and sexual misconduct in the AFP were women and the perpetrators were men.

Some women spoke of the reactions of some men when sexual harassment was identified or was called out:

When I told him to stop he was really apologetic. I don't think he realised that his comments were making me feel uncomfortable (female participant).

I called the guy on [the behaviour] and he was really embarrassed. He hasn't done it since (female participant).

I ended up yelling at him to stop him [from continually asking me about my private life]. I had asked him four times at least to stop and he didn't. So I had to scream at him (female participant).

If you tell the men to stop, they don't think you are serious or they think you are flirting (female participant).

In [remote regions], men seem to think that harassment is subjective, and if it doesn't seem to be offensive to them then they can't understand what all the fuss is about. I find myself stuck contemplating how we collectively get these types of men to identify and therefore realise these behaviours are harassing and inappropriate and it isn't just a case of women in this workforce developing a thicker skin ... We shouldn't have to keep our heads down and our mouths shut just to make ourselves a smaller target, when we shouldn't have been targeted in the first instance (female participant).

The impact of sexual harassment on an individual can be traumatic and far-reaching. Depending on the severity and duration of the behaviours the potential impacts on a victim can include:

- Fear, anxiety, depression, sleeplessness, difficulty concentrating, headaches, fatigue, shame and or guilt, feeling powerless, helpless or out of control loss of confidence and self-esteem, withdrawal and isolation, suicidal thoughts or attempts;
- Changing behaviours to avoid harassment;
- Retaliation from the harasser, or colleagues/friends of the harasser, should the victim report the harassment;
- Increased absenteeism to avoid harassment, or because of illness from the stress;
- Decline in work performance;
- Being objectified and humiliated by scrutiny and gossip;
- Becoming publicly sexualised;
- Defamation of character and reputation; and
- Stress impacting relationships with significant others, sometimes resulting in the demise of the relationship; equally, stress on peer relationships and relationships with colleagues.

In addition, it can have "a cumulative, demoralising effect that discourages women from asserting themselves within the workplace, while among men it reinforces stereotypes of women employees as sex objects." It can be an obstacle to women participating fully in paid work, undermine their equal participation in an organisation and reduce their working life.

As well as the potentially devastating individual impacts, the impact of incidents of sexual harassment and sexual abuse on teams and the organisation as a whole, can be enormous. It can divide teams and in doing so, undermine productivity and performance. Cost, reputational damage, low productivity and morale and high turnover or absenteeism are some of the organisational impacts of sexual harassment. Put simply it damages capability and operational effectiveness.

How an organisation responds to sexual harassment, sexual misconduct and abuse is critical to ensuring a safe workplace and one where all members can thrive. Section 6.3. below examines responses to sexual harassment and sexual abuse in the AFP.

## 6.2. Bullying, Harassment and Intimidation

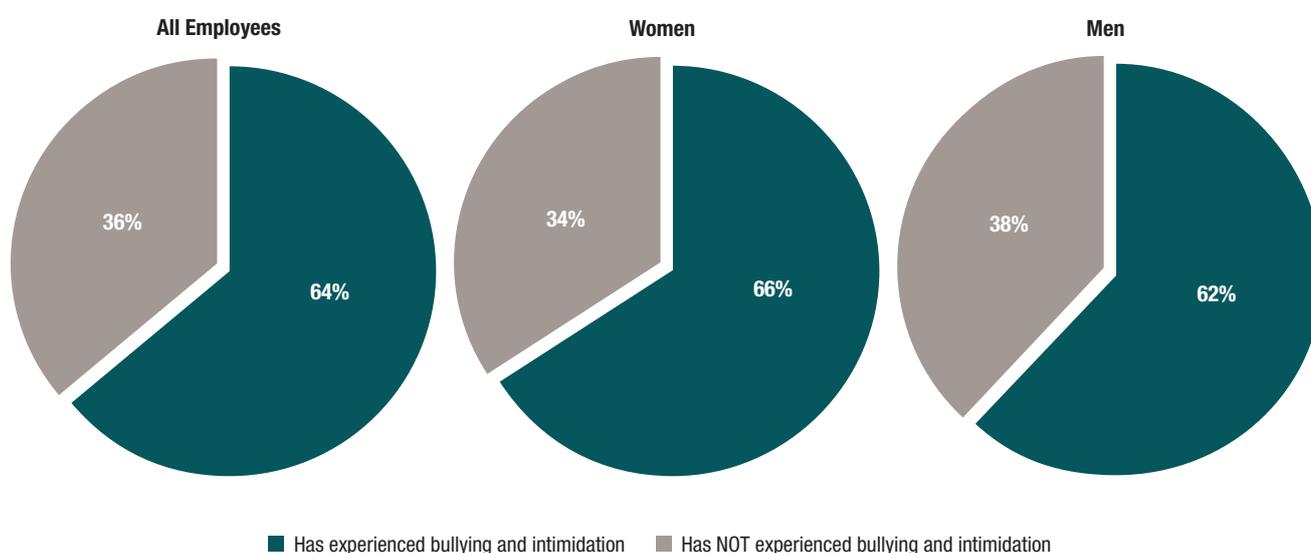
Workplace bullying is unreasonable behaviour by a person or group of workers that includes victimisation, extreme exclusion, humiliation, intimidation or threatening behaviour. Members in focus groups described instances of such behaviour. The Survey results, show a particularly high prevalence of bullying in the AFP. The extent of bullying underscores the urgent need for the AFP to step up its preventative and responsive efforts to these behaviours.

### 6.2.1. Survey

#### (a) Prevalence

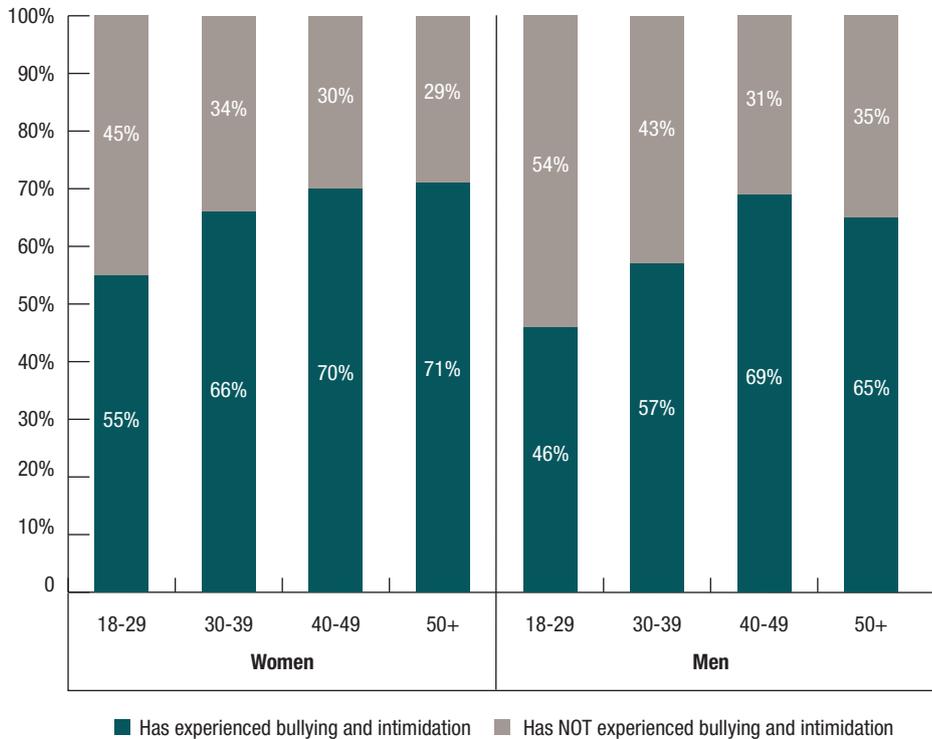
The Survey has identified a very high level of bullying within the AFP. Sixty-four percent (64%) of those who participated in the Survey reported that they had been subjected to at least one incident of bullying or intimidation on at least one occasion in the last five years. Unlike sexual harassment, there is little difference between the likelihood of men or women being subjected to bullying or intimidation.

**Figure 6.5. Prevalence of Bullying and Intimidation by Gender**



Notably, when examined by age, both women and men between 18-29 years are less likely to experience bullying and intimidation. Women aged 40-49 years were more likely to report experiencing bullying and intimidation (70%), and men aged 18-29 years reported the lowest levels of bullying (46%), as illustrated in Figure 6.6. below.

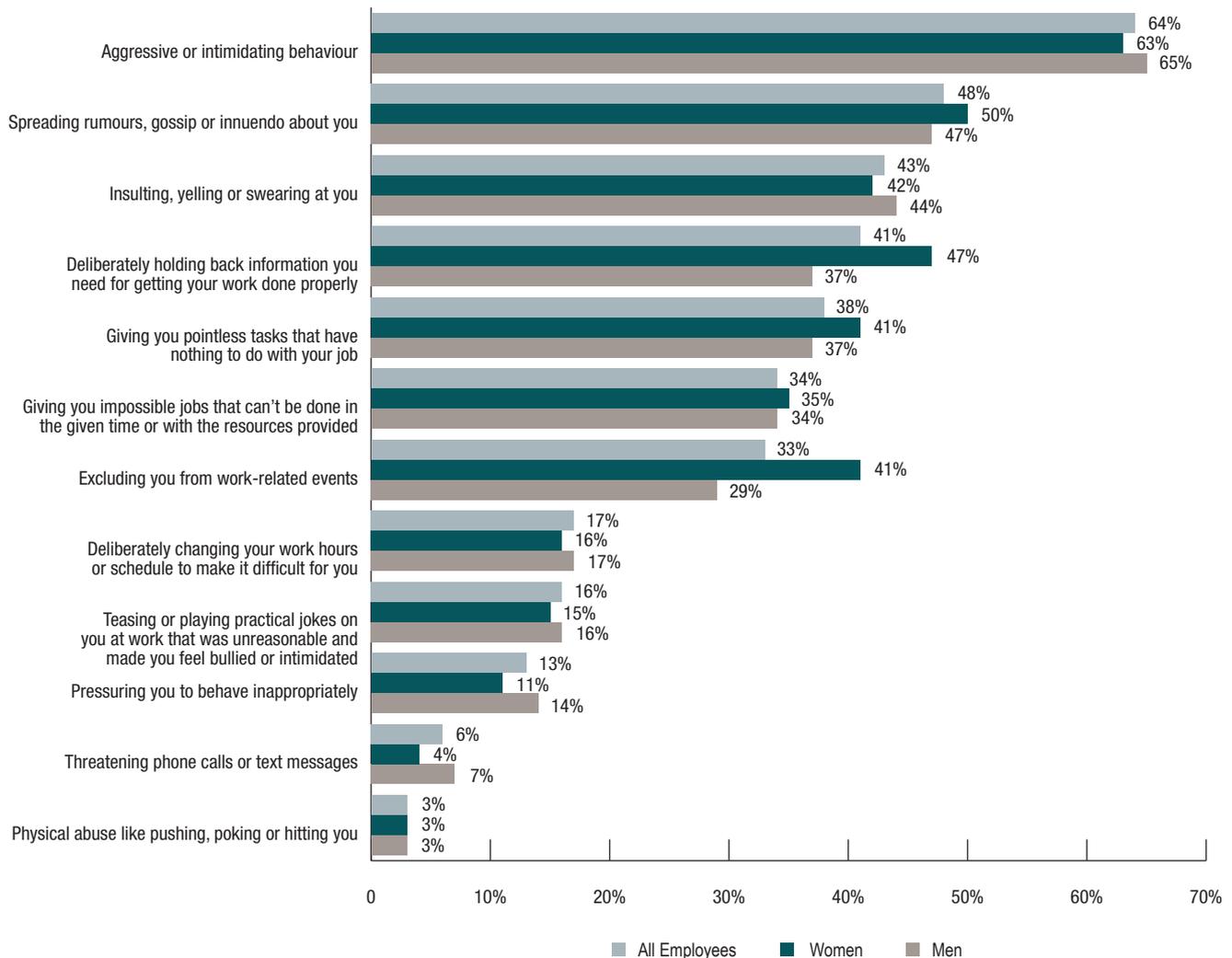
**Figure 6.6. Prevalence of bullying and intimidation by age and gender**



**(b) Nature and duration of the bullying and intimidation**

While women and men’s experience of the types of bullying and intimidation were quite similar, there were some notable differences. As illustrated in Figure 6.7, women were more likely to report experiencing ‘giving you pointless tasks that have nothing to do with your job’ (F:41%: M: 37%) and ‘excluding you from work-related events’ (F: 41%: M: 29%).

**Figure 6.7. Nature of bullying**



The Survey also revealed that men were more likely to experience the bullying and harassment as a 'one off' (F:11%: M: 14%) or 'sporadic/comes and goes' (F:21%: M:24%), whereas women were more likely to report the bullying and intimidation had a longer duration.

### 6.2.1. Focus Groups and Interviews

Bullying was a significant theme identified in focus groups and interviews. Men and women disclosed instances and experiences of bullying both historic and contemporary. Indeed, many focus group participants described bullying and intimidation as 'endemic' or 'rampant' in the organisation. The Project Team heard that bullying was carried out by both men and women. The Project Team was told:

**Bullying is endemic in this organisation. It is simply normal operating procedure for some members (male participant).**

**Some of the most senior leaders in this organisation are bullies. This has a ripple effect on the whole organisation as members under them then bully their team and so on and so on. Its toxic (female participant).**

**[A senior leader] uses aggressive or intimidating behaviour, he insults and yells at people and he moves people out of teams without telling them why or giving them a right of appeal (female participant).**

It is not just the men who bully. Some of the women who are leaders are terrible bullies. I have experienced it from them (female participant).

Our female supervisor is a terrible bully. I think its because she gets stressed and maybe is bullied from above. But she takes it out on our team (male participant).

If you have done something to upset (the supervisor) your career won't go any further (female participant).

The bullying and intimidation that I have suffered from [female supervisor] has caused me to suffer severe anxiety and depression (female participant).

The real problem is actually bullying by management [Superintendent level and above]. It is commonplace, easily done and nothing is done when a complaint is made, except the person complaining is usually left under the supervision of that manager or transferred with the attitude that they are a problem. Superintendents...regularly hinder and punish the careers of people simply for not towing their line and agreeing with them (Survey).

I am constantly told by my Sergeant, "Oh you will go far because you have a vagina." He's my boss, and I find it insulting and kind of intimidating (female participant).

I have to cop the snide comments, because if I pull them up on it, I'll be excluded (female participant).

Some members, both men and women, stated that on a few occasions they had been subjected to homophobic comments, including by superiors. The Project Team was also told that occasionally some members experienced racist comments. These members also told the team that when they challenged these behaviours or when they spoke about them to another person, the conduct generally ceased.

Bullying has a profound impact on the victim. It also adversely impacts on their team members and on the productivity and effectiveness of individuals and teams:

Basically the bullying and ostracism I have experienced from my Team Leader has meant that I have had to leave the team for my own mental health wellbeing (female participant).

There is a member of our team who bullies other staff. It has really affected the way in which we do our work and the quality of what we deliver (female participant).

The following section examines the AFP's organisational responses to this issue in relation to bullying as well as sexual harassment and sexual abuse.

### 6.3. Organisational Responses to Sexual Harassment, Sexual Abuse and Bullying

There are a number of reporting avenues in the AFP for a member to make a complaint or report an incident, including sexual harassment, sexual abuse and bullying. Directly reporting to a supervisor, through the Complaint Recording and Management System (CRAMS) or approaching Human Resources are some of the pathways that members in the AFP can use to report unacceptable behaviours. In addition to this, the Confidant Network provides a confidential advice line for members seeking private support with an issue. The AFP advises that:

Minor complaints will be actioned by supervisors within the workplace and oversighted by Professional Standards. Serious complaints will be investigated by the Professional Standards. Complaints relating to corruption matters will be referred by the AFP Commissioner to the Australian Commission for Law Enforcement Integrity (ACLEI) for appropriate action.

All complaints are subject to external oversight by the Commonwealth Law Enforcement Ombudsman and corruption matters are subject to oversight by the ACLEI... The Commonwealth Law Enforcement Ombudsman ... may review any investigation or action taken by the AFP.<sup>136</sup>

136 Australian Federal Police, *AFP Professional Standards*, <https://www.afp.gov.au/about-us/our-organisation/professional-standards> (viewed 1 June 2016).

Complaints about sexual harassment and sexual misconduct, bullying and harassment are dealt with under Categories as provided by section 40RK of the Australian Federal Police Act 1979. Of the four Categories, these complaints are ordinarily dealt with under Categories 2 and 3. Those Categories provide that:

- **Category 2 conduct**

Category 2 conduct is minor misconduct by an AFP appointee, inappropriate conduct that reveals unsatisfactory behaviour by an AFP appointee or conduct that would otherwise be Category 1 conduct but warrants treatment as category 2 conduct, due to its repeated nature. Category 2 conduct must also be conduct which does not warrant being treated as category 3 conduct.

- **Category 3 conduct**

Category 3 conduct is serious misconduct by an AFP appointee; or raises the question whether termination action should be taken in relation to an AFP appointee; or involves a breach of criminal law, or serious neglect of duty, by an AFP appointee and in each case is conduct which does not raise a corruption issue.<sup>137</sup>

The AFP '*Determination 2013 – to determine AFP Categories of Conduct*' also notes that:

This Determination promotes these specific human rights by making it clear that workplace harassment (including sexual harassment), bullying of Australian Federal Police appointees or a serious contravention of provisions of anti-discrimination legislation each constitute conduct required to be appropriately addressed under the AFP's professional standards regime.

The Australian Federal Police Commissioner's Order on Professional Standards (CO2) provides that:

Wherever possible, Category 1 and Category 2 conduct issues are dealt with by management action. Category 3 conduct issues must be investigated by the PRS Investigations Unit.<sup>138</sup>

The AFP has recently commenced a body of work to review the existing model of complaint management to ensure standards remain high and its professional standards framework is consistent with better practice.

### 6.3.1. AFP Data

AFP Professional Standards (PRS) statistics on the incidents of sexual harassment and/or sexual misconduct show that between 2011 and 2016:

**30 complaints (comprising 54 breaches) have been submitted between 01/01/2011 and 20/04/2016. Of those, 8 complaints (10 breaches) are subject to ongoing investigations:**

**Category 3 – 19 complaints 1 ongoing  
Category 2 – 11 complaints 7 ongoing<sup>139</sup>**

The average length of time taken by PRS to resolve sexual harassment and/or sexual misconduct complaints lodged within the last 5 years is:

- **The average duration of the 22 finalised complaints is 178 days:**
  - » **For the 19 finalised category 3 complaints the average duration is 234 days**
  - » **For the 11 finalised category 2 complaints the average duration is 110 days.<sup>140</sup>**

137 Explanatory Statement: Determination 2013 – to determine AFP Categories of Conduct, Issued by the authority of Commissioner of the Australian Federal Police and the Commonwealth Ombudsman, provided to the Project Team by A McLeod on 27 April 2016.

138 Australian Federal Police *Commissioner's Order on Professional Standards* (CO2), 12/07/2007. Date modified 22/3/2016, provided to the Project Team by A McLeod on 27 April, 2016.

139 'PRS Statistics v2', provided to the Project Team by A Stewart on 25 May 2016.

140 'PRS Statistics v2', *Ibid.*

PRS advises that:

- completion timeframes for these complaint types are on average quicker than the average AFP completion timeframes for Cat 2 and 3 matters; and
- average completion timeframes are trending down across all Cat 2 and 3 matters.<sup>141</sup>

In relation to the outcomes of the 22 finalised complaints (44 breaches) of sexual harassment and/or sexual misconduct complaints made within the last 5 years, PRS advises that:<sup>142</sup>

| Findings        | Count     | Percentage     |
|-----------------|-----------|----------------|
| Established     | 16        | 36.36%         |
| Not established | 21        | 47.73%         |
| 40TF            | 6         | 13.64%         |
| Withdrawn       | 1         | 2.27%          |
| <b>Total</b>    | <b>44</b> | <b>100.00%</b> |

The established breaches relate to 12 complaints. '40TF Findings' refers to that section in the *Australian Federal Police Act 1979* (Cth) that gives a discretion to the Commissioner (or his delegate) to take no further action in relation to AFP conduct or practices issue. There is a range of criteria provided in the Act that allow for this discretion to be used. Among these are that the report is more than 12 months after the incident occurred, the matter has already been dealt with, and that the complaint is trivial or vexatious.

Further information from the most recent AFP Annual Report shows that only 1 sexual harassment breach was established in between 2014 and 2015.<sup>143</sup>

Data from the AFP shows that the number of bullying complaints to PRS over the last five years:

| Category          | 2011      | 2012      | 2013      | 2014      | 2015      | 2016 YTD  | Category total |
|-------------------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|
| 1                 | 0         | 3         | 0         | 0         | 0         | 0         | 3              |
| 2                 | 10        | 28        | 25        | 32        | 34        | 10        | 139            |
| 3                 | 7         | 9         | 8         | 8         | 17        | 1         | 50             |
| 4                 | 0         | 0         | 1         | 1         | 2         | 0         | 4              |
| <b>Year total</b> | <b>17</b> | <b>40</b> | <b>34</b> | <b>41</b> | <b>53</b> | <b>11</b> | <b>196</b>     |

141 'PRS Statistics v2', *Ibid.*

142 'PRS Statistics v2', *Ibid.*

143 Australian Federal Police (2015) *Annual Report: 2014-15*, p 176, <https://www.afp.gov.au/about-us/publications-and-reports/annual-reports> (viewed 3 April 2016).

Advice from the AFP is that the Complaint Recording and Management System (CRAMS) and the current reporting system identifies subjects by ID number and does not contain personal information. Identifying complainant/subject's gender therefore requires manual review of complaint detail. No detail on the gender of the complainant or subject was therefore provided.

The Project Team has not been able to interrogate the PRS data in great depth. However, on its face, the information available gives rise to a number of issues of concern, including significant under-reporting by individual complainants. These are identified below following the discussion on the Project Team's data and information.

### 6.3.2. Survey

The Survey revealed that a relatively low proportion of people 'seek advice or support' or make a 'formal complaint' about the sexual harassment or bullying and intimidation. Of concern, is the large proportion of individuals who said they did not 'seek advice or support' or make a 'formal complaint' because of a lack of trust/confidence in the individuals or system. Furthermore, of those who seek advice or support or went on to make a complaint, a significant proportion reported that they faced negative consequences as a result.

Notably, while a similar proportion of staff went on to make a complaint about sexual harassment and bullying after seeking advice and support, a larger proportion of men and women sought advice and support in relation to bullying than in relation to sexual harassment.

#### (a) Response to sexual harassment

##### *Sought advice and support and made a formal complaint*

Of the respondents who indicated they experienced sexual harassment in the last 5 years, only 18% sought advice or support (F:24%: M:11%).<sup>144</sup> Of the men and women who sought advice or support, they were most likely to go to a 'supervisor at work' (61%) or 'friends and family' (40%). Some differences between men and women's avenues for support and advice were evident. Of the women who sought advice or support, they were more likely than men to seek advice from a 'co-worker at their level' (F:43%: M:29%), the 'Confidant Network' (F:24%: M:8%) or Well-Being Services (F:21%: M:4%). Whereas the men who sought support were more likely than women to seek advice from a 'union or employee representative' (F: 7%: M:17%), or 'the internet' (F:2%: M:16%). Nearly 73% of younger members (18-24 years) sought advice from their supervisor. This group were also more likely to seek advice from a 'co-worker more senior to them' or the 'Confidant Network', than other groups.

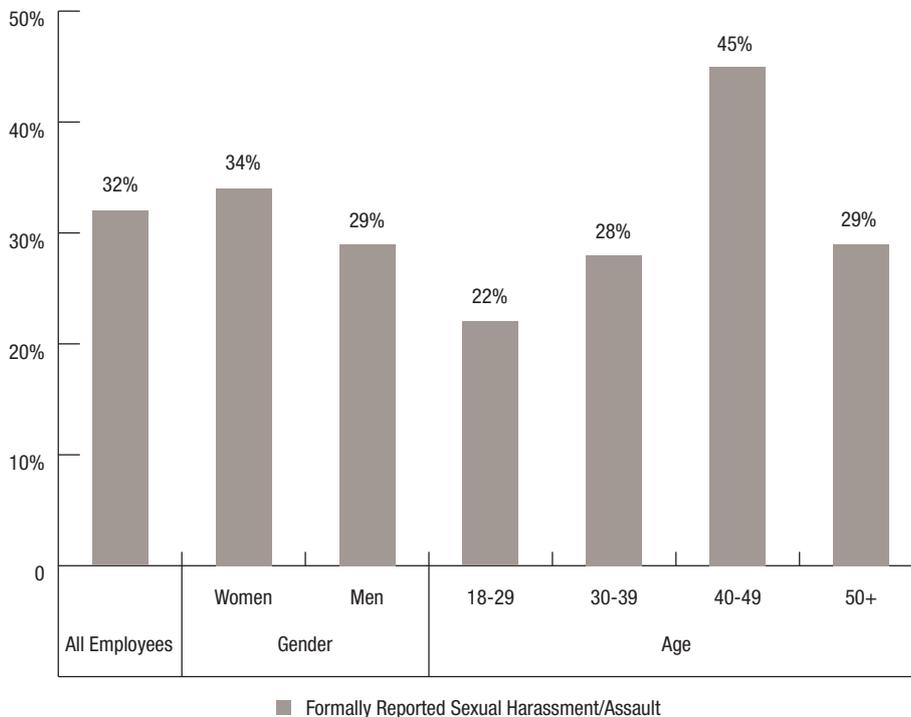
Of those respondents who indicated they did not seek advice or support, women are just as likely as men to take the view that they 'didn't think it was serious enough' (F:44%: M: 44%). The belief amongst women that they are less likely to be able to resolve the issue themselves is evident in their belief that 'people would think I am overreacting' (F:44%: M:31%), it 'would not change things/nothing would be done' (F:41%: M:32%), it is 'easier to keep quiet' (F:37%: M:33%), and 'thought my reputation would be damaged' (F:28%: M:20%) and 'person too senior' (F:19%: M:10%).

Around a third (32%) of those who sought advice and support went on to make a formal complaint. Women are just as likely as men to take this formal action (F:34%: M:29%) after seeking advice and support. It is of some concern that younger staff members, particularly younger women who are the most vulnerable group in terms of likelihood of being sexually harassed, are far less likely to report harassment formally.

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<sup>144</sup> While the survey revealed no significant differences in the propensity to seek advice or support by age for women, men over 40 years of age were less likely to seek advice or support.

**Figure 6.8. Characteristics of victims who formally reported the sexual harassment after seeking advice and support**



There were differences in the reasons provided by men and women for not reporting sexual harassment. Women were far more likely to say they ‘took care of the problem themselves’ (F:48%: M:16%) or ‘people would think I was over-reacting’ (F: 36%: M: 26%). Notably, men were more likely to not report because it ‘would not change things’ (F:23%: M:52%), ‘thought their reputation would be damaged’ (F:24%: M:33%), ‘don’t trust the people they could complain to’ (F:11%: M:35%) ‘complaint process would be difficult’ (F:10%: M:35%), ‘thought I would not be believed’ (F:5%: M:26%), and ‘too scared/frightened’ (F:5%: M:24%).

While the Survey reveals that over 90% of AFP staff are aware of the AFP’s system for handling complaints, few have confidence in the system. The Survey reveals that only 24% of women and 39% of men agree that appropriate action would be taken if they reported an incident of unacceptable behaviour. Furthermore, the Survey reveals a low level of trust in the complaints handling process with:

- 34% of women and 40% of men agreeing that complaints are managed confidentially by the Confidant Network.
- 39% of women and 47% of men agreeing that complaints are managed confidentially by Professional Standards.
- 7% of women and 11% of men agreeing that complaints are finalised in a timely manner.
- 20% of women and 32% of men agreeing that the AFP’s process for handling complaints about other staff is sensitive/responsive to the needs of the person making the complaint.
- 19% of women and 34% of men agreeing that the AFP’s process for handling complaints is effective.

Of concern is that four in five (79%) of those who had sought advice and support and then went on to make a formal complaint reported that they personally experienced a negative outcome<sup>145</sup> because they made the report.

145 A negative outcome includes at least one instance of the respondent reporting that they, “were demoted”, “were transferred”, “shifts were changed” “were disciplined”, “were ostracised, victimised or ignored” or, “experienced some other negative outcome i.e. denied training, no promotion etc” or “nothing happened”.

## **(b) Response to bullying and intimidation**

### *Sought advice and support and made a formal complaint*

Of those respondents who indicated they had experienced bullying and harassment in the last 5 years, women are more likely to seek advice or support (F:49%: M: 33%).<sup>146</sup> Of the men and women who sought advice or support, they were most likely to go to a 'supervisor at work' (57%) or 'friends and family' (52%). Some differences between men and women's avenues for support and advice were evident. Of the women who sought advice or support, they were more likely than men to seek advice from 'friends or family (F:58%: M:46%), a 'co-worker at their level' (F:49%: M:42%), the 'Confidant Network' (F:32%: M:25%) or Well-Being services (F:29%: M:21%). Men who sought support were more likely than women to seek advice from a 'union or employee representative' (F:10%: M:16%). Younger members (18-29 years) were more likely to seek advice from a 'supervisor at work' (73%).

Of those respondents who indicated they did not seek advice or support, the most common reason for not doing so was a perception that it 'would not change things/nothing would be done' (F:43%: M: 42%). Women were more likely to say 'people would think I am overreacting' (F:32%: M:22%).

Over a third (36%) of those respondents who indicated they had sought advice or support, made a formal complaint. Women were more likely to take formal action than men, (F:41%: M:32%) and it is notable that employees over 40 years old are far more likely to do so.

The reasons provided for not making a formal complaint were similar for men and women with the most common reason being that it 'would not change things/nothing would be done' (F:52%: M:59%). Men were more likely to report that a reason for not reporting was that the person was 'too senior' (F:23%: M:37%) or they 'don't trust the people I complaint to' (F:27%: M:36%).

Of those who made a formal complaint, 60% said that there were no consequences of making a formal complaint for the bully and 77% reported there were no changes in the AFP following the complaint.

Of significant concern is the finding that of those who sought advice and went on to make a formal complaint, 84% reported that they personally experienced negative results of reporting (F:86%: M: 82%).

### **6.3.3. Focus Groups and Interviews**

Reporting incidents of unacceptable behaviour including sexual harassment, sexual abuse and bullying was a key area of discussion in focus groups and interviews. What was perhaps most striking about these discussions was that overwhelmingly, participants – men and women – expressed a lack of confidence in the AFP's complaints and reporting processes. This is despite the fact that, on paper at least, the AFP has relatively comprehensive complaint handling procedures. For many members, at the heart of their concerns was that the AFP has a culture that discourages speaking out or complaining about any issue. One woman stated:

**I know that I get branded a 'troublemaker' every time I raise an issue, so I am no longer rewarded by being approved for any deployment or training opportunities (female participant).**

This lack of trust about speaking out compounds the challenges of reporting for members who have been subjected to unacceptable behaviour.

A number of members believed that the processes were not sufficiently confidential or expeditious. They considered that these issues were disincentives to report a matter. Members also spoke of feeling disempowered by the process in that they were not sufficiently informed of the progress or status of the complaint even when it had been underway for many months. Many members also spoke consistently of a fear of reprisals or victimisation for reporting and a perception that reporting would have negative impact on their career or promotional opportunities. There was also a belief by some that 'nothing would be done' if a complaint, was made.

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<sup>146</sup> While the survey revealed no significant differences in the propensity to seek advice or support by age for women, men over 40 years of age were less likely to seek advice or support.

There was a view that the CRAMS system has become ineffective as it is often used for trivial complaints or ones which are largely about performance, rather than behaviour. It was suggested that a reason for low reporting rates in certain areas, is because people have lost confidence in the integrity of the CRAMS system:

Its become a kind of 'dibber dobber', school yard system and so there is a disincentive to report (serious matters) (male participant).

Some of the many comments made by members to the Project Team were:

No-one in 2016 would report an incident. I don't believe the organisation has a zero tolerance policy to sexual abuse or harassment (female participant).

There is no way I'd report what happened to me (a sexual assault). My career would be over (female participant).

There are many instances where you are encouraged not to report these things as it could reflect badly on your career. You could be ostracised by your team, especially if you are a woman (male participant).

I feel I cannot go through my chain of command because I have considered that for the sake of my career it may be better to remain silent about these problems, but I struggle with the concept that if I do the next generation of women may have the same experience that I have had (female participant).

I understand why people wouldn't want to report. The PRS processes have no confidentiality- everybody knows if PRS are doing an investigation (male participant).

I see no issue with the way in which inappropriate behaviour by team members is dealt with. It is only the senior executive who I have witnessed (if not experienced) sexually harass and bully others at will and suffer no adverse consequences. It is not just one or two members but a general culture in the SES and EL levels (Survey).

Its very disturbing that the level of anonymity remains low for matters going through PRS (female participant).

While I think the AFP is better than many employers, I think it needs to improve complaints handling with regard to bullying and harassment. There needs to be a process outside of my chain of command, as to be frank, in my experience they did/do a poor job of handling complaints, and often they are the ones doing the harassing and bullying. I feel that some of my chain of command are more focused on the process, instead of resolving issues. Also they seem more concerned about not having complaints made so that those above them think good of their section so I am encouraged not to make complaints (Survey).

I've worked in PRS and I'd never use the system. There are leaks and its not confidential (female participant).

If there is sexual harassment or bullying between the team member and the team leader, the perception is that the team leader is in cahoots or mates with the Coordinator. In that situation, no one will report it (female participant).

In some regions, the size of the office means that people won't report (male participant).

If you are known as a person that has made a CRAMS then you are excluded (male participant).

I have no faith in the confidentiality of CRAMS and PRS. I have been privy to information about complaints that I should never have known about (male participant).

I went to a female Confidant, who was a Team Leader ...and asked for advice. She told me if you put a complaint in they will all know it is you- being the only female (female participant).

I experienced bullying and sexual harassment at Sergeant level. There is no way I would report it because I know I'd be victimised (female participant).

The response about this one guy is that "he's just having a mid-life crisis." (female participant).

When I made a report, PRS said "have you got another job to go to, because you'll be ostracised." (female participant).

**[If you make a complaint] you'd be thinking, "where will this go, whose desk will it land on, will there be retribution?" (female participant).**

Some members with whom the Project Team spoke did report incidents but relayed that the experience was at best unsatisfactory, and at worst, re-traumatising:

**Speaking from experience reporting [bullying] is a very difficult process and when the investigations take well beyond what they should it attacks your confidence waiting on the outcome (Survey).**

**If I had my time again I would never report (being sexually harassed) (female participant).**

**When I reported the incident to my team leader. I was moved. How is that fair? (female participant).**

**I spoke to PRS 14 months ago (about the sexual harassment incident). I've heard nothing since then. It's a joke (female participant).**

**I experienced sexual harassment from my Sergeant. I tried to take it to the next level but got shouted at (female participant).**

**I have experienced harassment and the response was woeful. I was also victimised because I made a complaint (female participant).**

**Because I reported being sexually harassed, my career here is over (female participant).**

**While my experience has been very good 99.9% of the time I am aware of friends in different areas of the AFP who have had to leave the AFP because of sexual harassment issues that have been handled poorly, to the point where the entire branch was aware of the complaint (through gossip) and many people refused to speak to her (Survey).**

**Appreciating the confidentiality of reporting, not knowing the outcome of serious complaints is detrimental to a person's wellbeing. Complaint resolution takes far too long and the individuals concerned are not kept up to date with progress (Survey).**

The importance of bystander action in preventing and responding to sexual harassment and bullying was highlighted in the comments of a male member. He told the Project Team:

**We need good men standing up. We have been guilty of looking the other way. We need to have the courage to step up and say, 'that's not ok' (male participant).**

However, bystanders also reported to the Project Team, the challenges to identifying and reporting unacceptable behaviour:

**I was labelled 'a bitch' because I called out the behaviour. I call out bad behaviour and it hasn't made me many friends (female participant).**

**One woman here in [location] tried to protect other women from [the harasser] and she was bullied like you wouldn't believe and her career has suffered (female participant).**

The Project Team was also told of two male members who had acted to prevent unacceptable behaviour against women and, as a result, suffered negative impacts on their career.

Many people spoke favourably of the Confidant Network, finding the advice provided by Confidants valuable and effective and acknowledging it is a very useful model of support:

**The person I spoke to from the Confidant Network was terrific (female participant).**

**They (the Confidant) helped me a lot and actually gave me confidence (female participant).**

**The Confidant I spoke to was brilliant. But I know if I complain formally it will come back to me (female participant).**

However, others were critical of some Confidants, believing that it is a 'lottery' whether you 'get someone good or not.' This was particularly the case for members in remote offices:

**It really depends on who you get [from the Confidant Network]. Some are certainly better than others (female participant).**

**There are some Confidants who really shouldn't be in the role (male participant).**

**I would never use a Confidant. They leak like a sieve (male participant).**

The Project Team recognises that as a model, the Confidant Network can be an effective avenue of support for members when the right Confidants are utilised.

The Project Team's data indicates that bullying and sexual harassment, particularly, are under-reported in the AFP. It is acknowledged that matters of a sexual nature in any context, including work environments are under-reported. However, in the AFP, this is compounded by the very strong culture observed by the Project Team that it is not safe to speak up or come forward.

It is of concern that for the last financial year there was only one sexual harassment breach substantiated by PRS. It is of further concern that in the last five years only 22 sexual harassment matters have been finalised, of which 12 have been established. Whilst on its face, this may look like sexual harassment is not a major issue in the AFP, the Survey results and the focus groups would indicate that this is not a true representation of the prevalence of these behaviours. As the Confidants do not consistently collect data a more accurate picture of the rate of sexual harassment in the organisation, is not available. The information from the Survey and the anecdotal evidence from the focus groups and interviews strongly suggests that the prevalence of sexual harassment and bullying is widespread and warrant immediate attention.

In addition, the low reporting rates also requires priority action. There are three factors which determine whether an organisation is a safe reporting environment. These are that:

- the organisation has a zero tolerance to unacceptable behaviour;
- complainants will be believed and not victimised; and
- action will be taken.

From all of the evidence available to the Project Team it appears that these criteria are not met in the AFP.

A range of recommendations designed to strengthen responses to sexual harassment, sexual abuse and bullying are contained in the section of the Report, *Executive Summary, Principles and Recommendations*.

## 6.4. Domestic Violence as a Workplace Issue

Some members disclosed to the Project Team experiences of domestic violence, perpetrated by members and former members of the AFP. Examples of controlling behaviours and psychological, emotional, sexual and physical abuse were given to the Project Team. The Survey did not ask respondents about their experience with domestic violence so the Project Team is unable to assess its prevalence within the AFP. However, as the Male Champions of Change have found in their 2015 Report, *Playing our Part: Workplace Responses to Domestic and Family Violence*:

**Approximately 1.4 million Australian women are living in an abusive relationship, or have done so in the past. Of these women, about 800,000 are in the paid workforce. Perpetrators are too. Chances are that even if your workplace is of a moderate size, you are affected.<sup>147</sup>**

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147 See <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter7002012> (viewed 29 June 2016) and Male Champions of Change (2015) *Playing Our Part: Workplace Responses to Domestic and Family Violence*, Sydney, p 4.

Domestic violence is a workplace issue. When an employee is living with domestic violence, there are often very real costs and negative impacts that flow to the workplace. These include:

- decreased staff performance and productivity;
- increased staff turnover and absenteeism; and
- negative impact on the organisation's reputation and image.

The Australian Human Rights Commission reports that findings from the 2011 National Domestic Violence and the Workplace Survey show that:

**Nearly half (48%) of respondents who reported experiencing domestic and family violence said the violence had affected their ability to get to work. The main impact of violence was on work performance – 16% of victims and survivors reported being distracted, tired or unwell and 10% needed to take time off work.<sup>148</sup>**

Research also identifies the workplace costs of perpetrators, including for example, decreased productivity and use of employer time and resources to harass the victim.<sup>149</sup>

Workplaces can make a difference. They can provide support to employees experiencing violence, provide them with crucial economic independence and ensure perpetrators do not use work resources to carry out their abuse.

The Project Team understands that there are processes in the AFP to respond to perpetrators of domestic violence who are members. However, the Project Team suggests that these processes could be further strengthened particularly by adopting a more victim-focussed response. Accordingly, the Project Team has made recommendations on this issue which are contained in the *Executive Summary, Principles and Recommendations* section of this Report.

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148 Australian Human Rights Commission, citing L McFerran (2011) *Safe at Home, Safe at Work? National Domestic Violence and the Workplace Survey*, p 17 and p 10.

149 MC Schmidt & A Barnett (2012), *Effects of Domestic Violence on the Workplace: A Vermont survey of male offenders enrolled in batterer intervention programs*. Burlington, VT: University of Vermont, Center for Rural Studies. At [http://www.uvm.edu/crs/reports/2012/VTDV\\_WorkplaceStudy2012.pdf](http://www.uvm.edu/crs/reports/2012/VTDV_WorkplaceStudy2012.pdf).



