

Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police

Independent Review



Government of South Australia
Equal Opportunity Commission

Published by the South Australian
Equal Opportunity Commission,

Level 17, 45 Pirie Street,
Adelaide, 5000.
November 2016.

Contact us

Enquiry Line	1800 188 163 or (08) 8207 1977
Fax	(08) 8207 2090
Hearing impaired (TTY)	(08) 8207 1911
Email	eoc@agd.sa.gov.au
Website	www.eoc.sa.gov.au

Independent review into sex discrimination and sexual
harassment, including predatory behaviour

Copyright © State of South Australia 2016

This publication is copyright. No part of it may be reproduced
by any process except with permission from the Equal
Opportunity Commission of South Australia (*the Commission*)
or in accordance with the *Copyright Act 1968 (Cth)*.

On request the Commission may give permission for this
material to be reproduced provided the Commission is
acknowledged as the source.

Contact the Commission on 08 8207 1977 for permission
to reproduce material from the publication.

This document is available for downloading from our
website at www.eoc.sa.gov.au



Government of South Australia

Equal Opportunity Commission

Message from the Commissioner for Equal Opportunity (SA)

South Australia Police Commissioner Grant Stevens APM is to be commended for taking the bold and public step of inviting the SA Equal Opportunity Commission to undertake an *Independent Review into Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police* (the Review). As the organisation charged with enforcing our laws and preventing crime, South Australia Police (SAPOL) is critical to the safety, security and social cohesion that we value. The community holds the organisation and its staff in high regard.



Given its law enforcement role and its status as a prominent government agency, SAPOL must be a role model for South Australian organisations and in the broader community. As such, its leaders must be champions for gender equality and inclusion, actively challenging and addressing structural and cultural barriers to female workforce participation and career progression, and holding themselves and their people publicly accountable for gender equality outcomes. SAPOL leaders and all other staff are required to act with the utmost professional integrity.

Unfortunately, despite more than 30 years of legislation prohibiting sex discrimination and sexual harassment, these experiences are still too common in our workplaces. Thirty-three per cent of the total complaints accepted by the South Australian Equal Opportunity Commission (EOC) in the 2015-16 financial year across the State involved gender-related discrimination and sexual harassment. The majority of these complaints arose in the workplace. Recent research by the Australian Human Rights Commission found that 21 per cent of Australians had experienced workplace sexual harassment in the past 5 years.¹ Only 20 per cent of people who were sexually harassed formally reported or complained about the incidents.²

Sex discrimination and sexual harassment – along with other forms of discrimination – come at a high cost. Recognised impacts include increased emotional, mental and financial stress; anxiety and depression; a loss of confidence; career stalling or regression; and loss of trust in the employer organisation. The financial implications for organisations include productivity loss, higher employee turnover, reduced morale and absenteeism, and possible legal action and damage to reputation.³ The cost to the Australian economy is estimated at \$25 billion a year.⁴

The EOC's *Independent Review into Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police* involved hearing from almost 2,000 SAPOL staff through an online survey. We conducted face-to-face confidential interviews with key leaders. We also spoke with individuals who, driven by their passion for the organisation and desire to make SAPOL a better place to work, approached the Review Team to tell their stories. Written submissions were also received. Those who took part included current SAPOL employees and former staff who had left the organisation within the past 12 months.

Without the commitment, and at times great courage, of those who came forward, it would not have been possible to produce a report that so comprehensively covers the issues and experiences of SAPOL staff. The statistics are sobering and many of the stories are very painful to read. Yet the findings do not surprise me. The issues in SAPOL are common in other organisations. Sadly, at the EOC we hear compelling stories like those in the pages that follow all too often.

The cultural problems at the heart of sex discrimination and sexual harassment will involve challenging and painful transformations, particularly for a long-established, male-dominated, hierarchical organisation like SAPOL. Commissioner Stevens has taken the first steps along this journey with the introduction of gender equality recruitment targets. This step, and his public commitment to it, will help focus attention on the issue. However, technical solutions such as targets and policies will not by themselves create the adaptive shifts required. Changes in values and beliefs – hearts and minds – will be necessary. This is difficult and challenging work that will call for strong leadership and role modelling, experimenting with new ways of doing things, frequent communication, and persistence in counteracting resistance from those who fear they will lose out as the culture and working environment change. It will take significant time to make gender equality the cultural norm. To successfully drive this transformative process, SAPOL's leaders will need to reflect on their own values, beliefs, loyalties and past behaviours.

As Commissioner for Equal Opportunity, I regularly speak to employers about workplace sex discrimination and sexual harassment. Although most acknowledge they exist, many deny that they are issues within their own organisations. And yet, in my experience, it is rare to find employers who have actually undertaken research to investigate this. Given the low rate of formal reporting of sex discrimination and sexual harassment, I suggest many employers would be shocked to discover what the reality of the situation in the organisation if they did.

It is a testament to Commissioner Stevens' courage, leadership and foresight that he has chosen to take this first step in uncovering and taking ownership of the problems occurring within his organisation. It will take even more of these leadership attributes to implement the EOC's recommendations and persist through the challenges of bringing about the cultural change required to address these. However, doing so will create a more inclusive, respectful and safe working environment for all SAPOL staff – and a more agile, responsive, innovative and effective organisation in which "gender equality is simply part of how business is done and how people work together – always".⁵



Dr Niki Vincent

Commissioner for Equal Opportunity (SA)

December 2016

Message from the Commissioner of South Australia Police

Earlier this year, I requested the South Australian Equal Opportunity Commissioner to conduct an *Independent Review into Sex Discrimination, Sexual Harassment and Predatory Behaviour in South Australia Police*. This came about as a result of similar reviews undertaken by other agencies interstate and my belief that we needed to check the health and culture of SAPOL, to ensure we comply with our obligation to provide a safe and supportive workplace for our staff.

It was critically important that the Review was conducted independently of SAPOL to ensure that those people who had been affected by discrimination, harassment and predatory behaviours were not constrained in their ability to tell their stories and provide us with insights that would enable any necessary changes.

I thank the Equal Opportunity Commissioner for the significant work that has been done to provide that insight. I am also grateful to those SAPOL employees past and present, who completed the survey and particularly those who had the courage to come forward and tell their stories to the Review Team.

This information has shown us there is a need for change. The Review has demonstrated that some of our own staff do not feel safe, respected or supported in the workplace. Some feel excluded, distrustful or disillusioned. At worst, sadly, some feel harassed, intimidated and victimised as a result of the behaviours identified in the report.

No one will dispute that every employee has a right to feel safe, valued and respected when they are at work, regardless of their vocation or employer. Within SAPOL, our right to feel safe does not stop at being provided the right protective equipment and support in relation to our operational duties. It includes our right to feel safe in our interactions with our managers, supervisors and peers – regardless of gender or sexual orientation. No-one should feel victimised at work.

I deeply regret that some of our people have been victimised and I am ashamed that some of our own staff are responsible for this unwelcome, objectionable and at times, unlawful behaviour. I am extremely disappointed that some of those complainants have not been properly supported and in some cases not believed. I unreservedly apologise to all those who have been victimised.

We must not forget the past, but we can look forward and make a commitment to all of our staff that we will make a positive change in response to the report and the recommendations contained within it. My expectation of every SAPOL employee is that we will all accept personal accountability for stopping inappropriate behaviour and call out discrimination and harassment when we see it.

We must show we are committed to preventing inappropriate behaviour, supporting victims and investigating complaints and taking action as appropriate. This report is the catalyst for that change.



I accept the findings of the Review without equivocation and I undertake to work through each of the recommendations in a timely and considered manner where we are able to do so within legislative boundaries. It is important we recognise the abhorrent behaviour described in the report does not define all of us in SAPOL but it does compel those of us who do treat each other with respect and dignity to show leadership to achieve a positive change to our culture.

I am personally committed to making SAPOL a workplace free from sex discrimination, sexual harassment and predatory behaviour and I stand to be measured on the changes we make from now on. It is my hope that every employee will stand with me in condemning these detestable behaviours and supporting those currently affected by them. Together we can build on the strong reputation SAPOL deservedly holds and we can continue to be an employer of choice for all people.



(Grantley J Stevens)
COMMISSIONER OF POLICE

Contents

Message from the Commissioner for Equal Opportunity (SA).....	i
Message from the Commissioner of South Australia Police	iii
Acknowledgements	vii
Supporting your wellbeing	viii
Executive summary	ix
Review context	ix
The organising framework for the Review	x
Summary of Review findings	xii
Recommendations	xix
Introduction.....	1
Chapter 1 Workplace culture and behaviours	7
What the EOC found.....	7
Sex discrimination	12
Sexual harassment.....	18
Bystanders	28
Summary.....	32
Chapter 2 Leadership and accountability.....	33
What the EOC found.....	33
The need for a Gender Equality Strategy	34
A culture-change project	36
Gender equality training.....	39
Restorative engagement	39
Summary.....	40
Recommendations.....	42
Chapter 3 Workforce management	44
What the EOC found.....	44
Why does inequality occur?	47
Recruitment.....	49
Selections and promotions.....	51
Gender differences in remuneration.....	58
Gender differences in retention	59
Summary.....	61
Recommendations.....	63
Chapter 4 Training and development	65
What the EOC found.....	65

Summary	69
Recommendations	70
Chapter 5 Flexible workplace culture	71
What the EOC found	72
SAPOL's flexible work in practice	74
Experiences of flexibility	76
Barriers to creating a flexible work culture	82
Pregnancy, parental leave and return to work	90
Experiences of pregnancy, parental leave and return to work	92
Breastfeeding	95
Fathers and partners	96
Summary	97
Recommendations	98
Chapter 6 Dispute resolution and complaints	99
What the EOC found	100
Formal complaint rates	104
Barriers to making a formal complaint	106
Experience of formal complaints process	108
Summary	121
Recommendations	122
Chapter 7 Wellbeing and support services	123
What the EOC found	123
Summary	128
Recommendations	129
Chapter 8 Implementation	130
Appendices	135
Appendix A - Terminology	135
Appendix B - SAPOL workforce data	140
Appendix C - Survey respondents demographics	141
Appendix D - Interview summary	146
Appendix E - Restorative engagement program protocol	147
Appendix F - Intention vs consequence model	151
Appendix G - Suggested key performance indicators	152
Appendix H - Survey analysis process	154
Figures and tables	156
References	158

Acknowledgements

The Review Team would like to thank all SAPOL employees who attended our presentations, past and present employees and volunteers who participated in the survey, and those who participated in interviews.

We particularly acknowledge all those people who approached us for confidential interviews and their support people. Many of the experiences shared were extremely personal matters, with some having lasting, traumatic impact on the interviewees. It took great courage to share those experiences. Your generosity in giving your time, effort and emotional energy is greatly appreciated.

Thank you to Yarrow Place Rape and Sexual Assault service for your support in debriefing the team members during the data collection phase of the Review.

Thank you also to the Community Visitors Scheme for access to your facilities, which provided a private and comfortable environment for interviewees.

We want to acknowledge the wise counsel of the Reference Group members: Commissioner of SAPOL Grant Stevens, Deputy Commissioner of SAPOL Linda Williams, Victoria Police Assistant Commissioner Luke Cornelius, Victorian Equal Opportunity and Human Rights Commission Manager Wendy Sanderson and Commissioner for Public Sector Employment (SA) Erma Ranieri.

We very much appreciate the accessibility and support of Mark Carroll, the President of the Police Association of SA, and Neville Kitchin, General Secretary, Public Service Association SA, and their key team members.

Thank you to the Equal Opportunity Commission's Office Manager, Carol Blesing, and Administrative Support Officer, Jennie Cooper, for their practical project assistance.

The extensive site visit and presentation program could not have been undertaken without logistical support, for which we are most grateful, from Superintendent Kym Thomas, the SAPOL Academy staff and SAPOL's Training Coordinators.

Sincere thanks to all of you for your contributions to this Review.

Finally, we want to acknowledge Anne Burgess who was acting in the role of Commissioner for Equal Opportunity at the time of the Review's commencement, and who played a significant role in making the Review a reality.

The EOC Review Team:

Project Directors Jo Sutherland-Shaw (April to August 2016) and Cathie Brown (September to November 2016)

Senior Project Officer Anastasia Kaldi

Part-time project support team members Sarah Adams and Emily Sutherland

Commissioner for Equal Opportunity Dr Niki Vincent

Supporting your wellbeing

Some people may find reading this report distressing. If this is the case for you then the following services are available to support you:

For every reader

beyondblue: Support service for depression and anxiety. Tel. 1300 224 636.

Yarrow Place: An inclusive service for anyone who has been sexually assaulted. Tel. (08) 8226 8777 or 1800 817 421 (country callers) or email info@yarrowplace.sa.gov.au.

1800 Respect: A counselling helpline, information and support service for sexual assault or domestic and family violence. Tel. 1800 737 732.

Domestic Violence Gateway Helpline: Offers telephone counselling and information 24/7: Tel. 1800 800 098.

Lifeline: Provides a 24-hour crisis support and suicide prevention phone service. Tel. 13 11 14.

Living Well: Designed to assist men who have experienced sexual assault. Tel. 1300 114 397 or email livingwell@angilcaresq.org.au.

South Australia's Victim Support Service: Provides free confidential help to adult victims of crime, witnesses, their families and friends across South Australia. Tel. 1800 842 846 or email helpdesk@victimsa.org.

Q life: A counselling and referral service for people who are LGBTIQ. Tel. 1800 184 527 or access the online chat service at [www.qlife.org.au](http://www qlife.org.au).

Working Women's Centre: Provides information, support, advice and advocacy services to women on work-related issues. Tel. (08) 8410 6499 or 1800 652 697 (country callers) or email www@wwc.org.au.

Specifically for SAPOL employees

The **SAPOL Employee Assistance Program (EAP)** is an external professional counselling service delivered by psychologists and offering short-term support for work-related and personal problems. It is a confidential service that is available to all employees and immediate family members for up to six sessions.

The EAP can be accessed by direct contact (self-referral) through **Converge International** on the dedicated SAPOL access number. Tel. 1300 469 327.

Executive summary

Review context

South Australia Police (SAPOL) is the oldest centrally-controlled police service in Australia and one of the oldest in the world. It was formed on 28 April 1838 and has been at the forefront of many significant changes, including appointing the first women police in the British Commonwealth in 1915 and being the first Australian policing jurisdiction to appoint a female police officer to a tactical response group, the Special Tasks and Rescue (STAR) Group, in 1999.

SAPOL has since evolved to focus on community policing, crime prevention, problem-solving and intelligence-led policing to resolve crime in partnership with the community, rather than responding to the incidence of crime as an agency in isolation. This shift aligns with major global policing trends, as well as similar trends in society. However, to continue to be successful it also requires a major shift in its workforce development, bucking the findings of a recent report by the Committee for Economic Development Australia (CEDA) that cited research showing Australian management practices were 'mediocre' – and a long way below top-performing countries such as Germany and Sweden. More specifically, Australia scored lowest quartile for 'instilling a talent mindset' and 'capacity for innovation' and in the second-lowest for 'addressing poor performance' and 'attracting and promoting high performers'⁶

Like many other Australian organisations, SAPOL is moving beyond the outmoded idea that leaders need to be heroes with all the answers (an idea which accounts for the fact that 70-90 per cent of organisational change initiatives fail)⁷ and also beyond technical, skills-based approaches to leadership and management. What is required for success in 21st century organisations is to embrace entrepreneurial learning: the ability to respond in ways that are agile and adaptable, to collaborate effectively with a diverse work team and broader stakeholders, and to engage problems creatively and view them holistically.⁸

Having a diverse workforce and an inclusive culture is critical to enhancing organisational capability. SAPOL understands that it must more effectively tap into the full range of talent and expertise available in the labour market, including the 46 per cent who are women, and reflect and benefit from its diversity. In December 2015, SAPOL Commissioner Grant Stevens announced an initiative to have women make up 50 per cent of police recruits, stating that he wants SA Police to be an 'employer of choice' for women. Strategies adopted in support of the new policies have included the development of female-targeted marketing materials, profiling of female officers on social media and online platforms, and hosting a Women in Policing information session.

Since the announcement, the percentage of female applicants has increased from 30 to 42 per cent. However, gender parity across the organisation will not be sustainably achieved through the 50:50 policy. Even with a successful 50:50 intake it is estimated that SAPOL's overall female representation of female sworn officers would only reach 32 per cent by 2019.

Ensuring equal representation of males and females will require a long-term commitment, not only to reach the 50:50 target in recruiting cadets, but in understanding what it is about SAPOL's culture, values and practices that have been keeping women away or having them leave – and, most critically, how willing it is to change these things. As the Workplace Gender Equality Agency's (WGEA) *Gender strategy toolkit*⁹ notes, "addressing gender equality within organisations will not happen accidentally ... like any other business issue, a strategic and systematic approach is required. The process of achieving gender equality is often referred to as a 'journey'. This is because the end-state or

Ensuring equal representation of males and females will require a long-term commitment, not only to reach the 50:50 target in recruiting cadets, but in understanding what it is about SAPOL's culture, values and practices that have been keeping women away or having them leave – and, most critically, how willing it is to change these things.

'destination' (i.e. a workplace which is genuinely and sustainably equitable to both women and men) can only be achieved over time, and through a series of states, which are cumulative in their impact".¹⁰ The first step in this journey of positive change is to gain a clear understanding of which stage an organisation is starting from.

It is against this backdrop that the Equal Opportunity Commission of South Australia (EOC) was engaged by SAPOL's Commissioner, Grant Stevens, to undertake an Independent Review (Review) into the nature and extent of sex discrimination, sexual harassment and predatory behaviour within the organisation. All SAPOL staff members, and those who departed in the past 12 months, were invited to participate. Almost 2,000 people

completed a confidential online survey, 53 took part in face-to-face interviews with the EOC Review Team (Review Team) and five provided written submissions. Information was sought about issues or concerns about what SAPOL staff had seen, heard or experienced, as well as about positive practices and experiences.

The details and recommendations in this Report are drawn from the information gathered through these channels, along with a review of existing SAPOL policies and data. Learnings gathered from the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) 2015 review of Victoria Police¹¹ and the 2016 Broderick report on the Australian Federal Police (AFP)¹², along with desktop research, have also been included. The Report delivers a snapshot of where the organisation is now and provides guidance for addressing the culture and behaviours that allow sex discrimination and sexual harassment to occur. Recommendations for action have been provided. If implemented, they should contribute to SAPOL becoming a gender-equality employer, leading the way for other agencies.

The organising framework for the Review

In examining the extent and nature of sexual harassment and sex discrimination in SAPOL, the Review Team drew on the WGEA's toolkit as the framework for its assessment and recommendations. The framework has six stages of maturity along the gender equality roadmap that enable an organisation to pinpoint where it is at the start of the journey and the characteristics it will need as it moves toward gender equality.¹³

TABLE 1 - WGEA'S STAGES OF THE GENDER EQUALITY ROADMAP¹⁴

Stage	Characteristics
1. Avoiding	<ul style="list-style-type: none"> • barriers to female career progression are unrecognised or denied • discriminatory behaviour towards women is normalised • gender representation or equality issues are not measured • no-one accepts accountability for gender equality
2. Compliant	<ul style="list-style-type: none"> • gender equality is seen as a compliance risk, not a business enabler • activity is limited to meeting compliance obligations • compliance with gender legislation is the responsibility of support functions • data is only gathered for compliance and not used elsewhere
3. Programmatic	<ul style="list-style-type: none"> • gender equality only occurs in response to issues that can't be ignored • initiatives are ad hoc, reactive and tactical, rather than proactive and strategic • business priorities take precedence if/when necessary • failure of gender programs to achieve change undermines long-term support
4. Strategic	<ul style="list-style-type: none"> • a business case for addressing gender equality is promoted by leaders • a gender strategy is developed linking to business strategy and objectives; it is used to guide investment and initiatives and is regularly reviewed • action plans are implemented to realise gender equality strategic objectives • governance and reporting mechanisms ensure leadership oversight
5. Integrated	<ul style="list-style-type: none"> • gender equality is integrated into business and people policies and processes • the business case is understood and embraced at all organisational levels • investment in gender equality is unaffected by business challenges • structural and cultural barriers to female career progression are addressed
6. Sustainable	<ul style="list-style-type: none"> • business leaders and managers are accountable for gender equality outcomes • leaders have the capability, confidence and commitment to build gender-inclusive cultures • the organisation is a role model for gender equality and influences others • gender equality is simply part of how business is done and how people work together - always

As is the case with most organisations assessed under this framework, the Review Team's findings suggest SAPOL does not fit neatly into one stage. Evidence was found in different parts of the organisation of the first three stages of development. The recommendations in this Report have been developed to help SAPOL move towards the 'Sustainable' stage.

Summary of Review findings

Prevalence of sex discrimination

In terms of sex discrimination, survey respondents reported that:

- around 740 (45 per cent) had personally experienced sex discrimination while employed with SAPOL
- more women than men had experienced discrimination (63 per cent females vs 31 per cent males)
- lesbian, gay or bi-sexual people were more likely to have experienced discrimination (59 per cent vs 44 per cent heterosexual)
- metropolitan-based staff were more likely to report discrimination (45 per cent vs 39 per cent regional locations).

Numerous survey respondents and interviewees described a 'boys' club' culture within SAPOL. This resulted in some women being subjected to frequent sexist comments and putdowns in relation to their gender, being offered fewer training and development opportunities or promotions, and being provided with ill-fitting equipment.

Participants who had experienced sex discrimination while employed at SAPOL reported a range of impacts, including increased emotional, mental and financial stress, anxiety and depression, a loss of confidence, career stalling or regression, and a loss of trust in the organisation. Numerous survey respondents and interviewees described a 'boys' club' culture within SAPOL. This resulted in some women being subjected to frequent sexist comments and putdowns in relation to their gender, being offered fewer training and development opportunities or promotions, and being provided with ill-fitting equipment.

Women felt particularly discriminated against when they were pregnant and on their subsequent return to work. Many felt they had to choose between being a parent and a rewarding career, often having to give up rank, pay and previously-held specialised roles in order to have their requests for part-time work accommodated on their return from maternity leave.

Prevalence of sexual harassment

In terms of sexual harassment, survey respondents reported that:

- almost 1000 survey respondents reported that they perceived sexual harassment and predatory behaviour occurs within SAPOL (61 per cent) with around 160 (10 per cent) perceiving it occurs often.
- Around 600 survey respondents (36 per cent) had been subject to sexual harassment while employed with SAPOL ever (56 per cent female and 22 per cent male)
- of those who indicated when the sexual harassment occurred, around half (46 per cent) said it had happened in the past five years. (21 per cent women and 8 per cent men)

Although the rate of sexual harassment within the past five years reported by women in SAPOL was similar to the level of workplace sexual harassment reported by women in the general workforce (21 per cent vs 25 per cent) and lower than the population figure for men (8 per cent vs 16 per cent)¹⁵ the reported incidence of predatory behaviour (i.e. the misuse of authority or influence to exploit others for sexual or other personal gratification) in SAPOL was 21 per cent higher than the general population figure (49 per cent vs 28 per cent). Types of sexual harassment reported to have been experienced or observed in SAPOL ranged from sexualised comments and jokes to criminal acts such as sexual assault and rape. Sexual harassment was experienced across all levels of the organisation, with targets more likely to be women. Lesbian and bisexual women and gay and bisexual men were also targeted. Of the perpetrators, 81 per cent were men. While more sworn employees indicated having experienced sexual harassment across their lifetime employment at SAPOL, administrative and specialist support staff were more likely to indicate being subjected to this behaviour in the past five years (68 per cent vs 43 per cent). Reported impacts ranged from feeling uncomfortable to having thoughts of suicide.

Along with the negative impact of these acts and behaviours on the physical and mental wellbeing of those who experience them and on those who witness or hear about them in the workplace (bystanders) these issues are known to have a high organisational cost, leading to productivity loss, higher employee turnover, reduced morale and absenteeism, as well as possible legal action and damage to reputation.¹⁶

Leadership

If SAPOL is to be an equitable workplace that is free from harm, strong leadership will be required to drive cultural change across the organisation. This should be evident in the attitudes of its members, the skills it values in its recruits, its policies, its complaint-handling systems, the equipment it provides, the uniforms it has for pregnant women, how it performance-manages its people and its adoption of flexible work arrangements. Currently, negative attitudes to women, or indeed anyone who does not fit the traditional white, masculine mould, are widespread. Responding to individual incidents alone will not prevent sex discrimination and sexual harassment occurring. As can be seen from Table 1, becoming a sustainable gender equality organisation requires significant culture change to make gender equality “simply part of how business is done and how people work together always”.¹⁷ This should be driven by the development of a robust business case to support a Gender Equality Strategy.

Currently, negative attitudes to women, or indeed anyone who does not fit the traditional white, masculine male mould, are widespread. Responding to individual incidents alone will not prevent sex discrimination and sexual harassment occurring.

According to the WGEA, the critical first step in implementing this culture change is for SAPOL’s leaders to say sorry - to acknowledge the harm that has been caused by previous sex discrimination and sexual harassment and to allow victims to tell their stories to senior staff. This is considered a key step in shifting their hearts and minds. Thus, one of the immediate actions recommended is that SAPOL establish a Restorative Engagement Project early in 2017 to provide an opportunity for complainants to tell their stories to high ranking leaders in SAPOL and seek a personal apology.

Leaders and managers will need support and training in order to drive the cultural change required for SAPOL to be a gender equitable organisation. The EOC recommends extensive training, including understanding what sexual harassment, sex discrimination and unconscious bias are. Training is also recommended to help leaders become aware of how what they say, do, prioritise and measure affects those with whom they work.

It is further recommended that key performance indicators (KPIs) be developed. These should include a monthly cultural survey to measure employee perception in areas such as access to flexible work and trust in the complaints system. Other measures could indicate actual progress in these areas, including how many staff are accessing flexible work, and the number of women in leadership positions and accessing training and development opportunities. Ensuring middle managers are on-board with, and helping to drive, the cultural change will be critical to its success. As such, the KPIs are designed to spread accountability beyond SAPOL's Executive Leadership Team (ELT) to all people-managers. It is acknowledged that SAPOL may not initially have all the data required for these KPIs; however, an important part of moving up the WGEA maturity framework is for relevant data-collection mechanisms to be established so data can inform strategy and be used to hold leaders accountable. Thus, investment in systems to enable data collection will be required.

For such an important change to occur in its culture, SAPOL cannot rely on a 'business as usual' approach or technical fixes. It is therefore also recommended that a Gender Equality Project Team be established to drive the change. Reporting to the Commissioner, this team should work closely with managers and staff across the organisation. Key deliverables and their phasing are detailed in the Implementation Plan in Chapter 8. A major part of the work of the Project Team would be establishing a successful stakeholder communications and engagement plan, including regular two-way interaction between the grassroots and senior management. This would help SAPOL's leaders gain a more nuanced understanding of the issues and help staff members feel engaged in influencing the change process. It is further recommended that SAPOL broaden and strengthen its current Women's Focus Group (WFG) to become a new Gender Equality Advisory Group and seek the input of key staff across the organisation on strategies, policies and communications.

Workforce management

An absence of women in senior levels of the organisation is a symptom of sex discrimination, and likely contributes to the ongoing perpetuation of sexual harassment in SAPOL. Building a robust, gender diverse pipeline in all areas will be a key to ensuring sustainable gender equality for SAPOL.

A growing body of global research has found that a gender-diverse organisation performs better across a wide range of business-critical indicators and that gender diversity at executive management levels is particularly important in improving strategic decision-making and developing innovative solutions.

SAPOL is a male-dominated organisation with only 32 per cent females. Female participation is skewed to lower-level administrative staff and the lower ranks of sworn police. While there has been a 4 per cent increase in female Officers in the past five years, taking the total to 17 per cent (including the appointment of SAPOL's first female Deputy Commissioner) there has been only a 1 per cent increase in total female sworn members, to 27 per cent, over the same period.

SAPOL has invested in developing women for leadership roles. However, the pipeline for female participation in executive leadership is weak. The ranks of Senior Sergeants and Inspectors (where

women's representation sits at 13 per cent) Superintendents (7 per cent) and Chief Superintendents (zero) are most concerning. An absence of women in senior levels of the organisation is a symptom of sex discrimination, and likely contributes to the ongoing perpetuation of sexual harassment in SAPOL. Building a robust, gender diverse pipeline in all areas will be a key to ensuring sustainable gender equality for SAPOL.¹⁸

The Review Team found that women's low level of participation in leadership is in part due to a mindset exhibited by some SAPOL staff, including those in key roles, that women are less capable of policing and, therefore, less deserving of promotion. However, women are also subject to unconscious bias whereby managers value those who look, think and act like them. For example, respondents indicated that many job descriptions are developed through a male 'lens' where operational and tactical capabilities and experience, which are more likely held by men and which are unnecessary to perform many roles, are often prioritised. The Review Team repeatedly heard from respondents about employees who lack people management skills (and some who had been the subject of multiple sex discrimination/sexual harassment complaints) being promoted. The EOC recommends that all job descriptions are reviewed to ensure required attributes are those that represent the present skills and experience needed to successfully carry out roles. There is a need to ensure that role descriptions for positions that supervise others have a strong focus on people management skills. Consideration should also be given the introduction of a system whereby, prior to promotion to senior roles, a review of a person's performance, supervisory skills, and number/seriousness of complaints (related to this Review) are assessed.

The Review Team repeatedly heard from respondents about employees who lack people management skills (and some who had been the subject of multiple sex discrimination/sexual harassment complaints) being promoted.

Establishing gender targets helps focus attention and demonstrates a commitment to deliver gender equality. Targets of 50 per cent female cadet recruitment have already been set by SAPOL; it is recommended that other targets for key promotional and development opportunities be established in line with the total number of women in the workforce. This would include 'acting up' opportunities and numbers applying for promotional processes.

A talent identification program should also be considered, training people to fulfil specific roles rather than developing all people in the same way.

Training and development

The Review found inequities in training and development opportunities offered to males and females in SAPOL. In the last 12 months, 71 per cent of male survey respondents reported participation in training programs and development opportunities compared to 64 per cent of female respondents.

The EOC recommends that SAPOL devise a rolling three-year training delivery plan with a focus on training to change attitudes and behaviours of staff in relation to sex discrimination and sexual harassment, and on developing people-management and performance management skills to deal with negative behaviours.

Gender targets should also be established for training along the same lines as targets for women applying for promotional processes.

The way training is delivered should also be reviewed and revised to ensure it is accessible to those working flexibly and with family commitments.

Making these changes would help SAPOL implement the WGEA goal that “structural and cultural barriers to female career progression are actively challenged and addressed”.

Flexible work

Many people seek flexible working arrangements to allow them to care for others. As most primary carers are currently women, women are disproportionately impacted by inflexible workplaces. However, access to flexible work is not just a women’s issue but a whole-of-workforce management tool. Providing a flexible workplace is a cost-effective way of reducing turnover, attracting new employees, being an employer of choice, boosting staff morale, managing transitions to retirement and demonstrating to staff that the organisation values them. In SAPOL:

- 8 per cent of staff work part-time compared with 14 to 18 per cent in other male-dominated occupations and 45 per cent in the SA public service in general
- 30 per cent of respondents expressed a desire to work flexibly
- 61 per cent of respondents strongly agreed it was very difficult to work part-time and have a career at SAPOL
- 71 per cent of respondents believed that flexible working practices were applied inconsistently across SAPOL.

While SAPOL has policies that support flexible work, the Review Team found that the culture does not support this. It was widely reported that part-time applications (for a maximum six months) took months to be assessed and were often refused without valid reason. If approved, staff members frequently

It was widely reported that part-time applications (for a maximum six months) took months to be assessed and were often refused without valid reason. If approved, staff members frequently reported being placed into ‘dead end’ jobs, often at a lower rank and rate of pay than their previous appointment.

reported being placed into ‘dead end’ jobs, often at a lower rank and rate of pay than their previous appointment. Staff reported experiences of managers changing agreed work days with little or no notice, causing chaos for parents who had to rearrange childcare. Attitudes and practices with regard to flexible work in SAPOL were a considerable source of angst among respondents and were a contributing factor to many staff considering leaving the organisation.

The respondents also indicated that many leaders and managers in SAPOL seem to believe that flexible work does not fit an ‘operational organisation’. This is out of step with society and ironic given that in a 24/7 operation, all roles are in effect part-time. This is supported by research in the UK Home Office Study on flexible work.¹⁹

The lack of workplace flexibility in SAPOL represents a structural and cultural barrier to career progression for women and men with caring responsibilities. Such barriers must be actively challenged and addressed.

Complaints

An organisation's actual values, as opposed to its espoused values, are reflected in how it manages and responds to complaints.

Under the *Police Act 1998 (SA)* and the *Public Sector Act 2009 (SA)* it is mandatory for complainants and witnesses to report sexual harassment and sex discrimination. However, the Review found there is significant under-reporting in SAPOL due to widespread mistrust of the complaints systems, victimisation of those who do complain, and a belief that there are few or no consequences for perpetrators. Many respondents and interviewees noted that perpetrators who had committed multiple offences continued to be promoted within the organisation. Statistics for complainants were:

- 12 per cent of those who had experienced sexual harassment made a formal complaint
- of the 45 per cent of survey respondents who indicated they had ever experienced sexual discrimination in SAPOL, just over one in five (21 per cent) had reported it
- Around half of those who did report either sex discrimination or sexual harassment said they experienced victimisation, including being ostracised, ignored, bullied, or denied training and promotions.

Other criticisms of the complaints processes included that complaints were not followed up in a timely fashion (or at all), people were not kept informed, there was too much paperwork involved, an adversarial approach existed, confidences were breached, and perpetrators were not given appropriate penalties, often being moved or promoted. By contrast, the Australian Human Rights Commission's (AHRC) *Working without fear: Results of the Sexual Harassment National Telephone Survey (2012)* found that 74 per cent of respondents who made formal reports about sexual harassment in Australian workplaces in the past five years were satisfied or extremely satisfied with the complaint process,²⁰ suggesting different attitudes and processes are in place than within SAPOL.

... there is significant under-reporting in SAPOL due to widespread mistrust of the complaints systems, victimisation of those who do complain, and a belief that there are few or no consequences for perpetrators. Many respondents and interviewees noted that perpetrators who had committed multiple offences continued to be promoted ...

In SAPOL, the targets of sexual harassment generally wanted behaviours acknowledged as inappropriate and stopped, while those who had been discriminated against sought a change in attitudes and more support for flexibility.

For complaints processes to be effective they must be trusted. The EOC recommends that SAPOL's internal complaint mechanisms be radically transformed into one fast, effective, mediation-based service, rather than the current system in which complaints may be dealt with anywhere across the organisation.

Wellbeing services

Staff members who have been subjected to workplace harm need access to a trusted safe place where they can be provided with professional support. Fifteen per cent of female survey respondents and 3 per cent of males felt better victim support and encouragement of reporting would be beneficial.

Respondents stated they were unsupported when they reported sexual discrimination or sex harassment. The EOC has recommended that parties involved are pro-actively checked on as to their welfare, and offered support services.

SAPOL staff who are experiencing domestic violence, particularly where the perpetrator is also a SAPOL staff member, need to be taken seriously and provided with appropriate assistance from the organisation. Reports were provided to the Review Team of victims being further victimised by the behaviour of their managers.

The EOC recommends SAPOL establish a new, externally provided SAFE Space to provide confidential professional, person-centric support.

Conclusion

An organisational culture in which gender equality is simply part of how business is done, and how people work together, is not just important for human rights and equal opportunity but is essential for high performance.

Mounting global research shows that an increase in gender equality, particularly at leadership levels, has a positive impact on organisational capability and operational effectiveness. This comes at a time when there is increasing pressure on government agencies around the world to use public money efficiently and effectively.

The EOC's recommendations, if implemented, will not only provide SAPOL staff with a safe, respectful and lawful place to work, but will help the agency become a more capable, agile, innovative, motivated and high-performing police force for South Australia.



Recommendations

Immediate action

It is recommended that SAPOL:

1. Publish a statement endorsed by all members of the ELT that acknowledges that sexual harassment and sex discrimination is unacceptable and apologises for the significant distress caused to victims and bystanders.
2. Establish a Restorative Engagement Project (based on the Defence Abuse Response Taskforce's approach - see Appendix E) whereby those who have been previously harmed can safely tell their story to trained senior SAPOL Officers and seek acknowledgement and an apology.
3. Establish a new externally-provided SAFE Space which staff can access directly for confidential, unlimited support. This will be person-centric with an initial contact person available by phone, email, Skype or in person; the contact person would note the complaint and advise on support services and appropriate avenues of complaint. The service would prioritise support, safety and confidentiality of the victim.

Leadership

It is recommended that SAPOL:

4. Develop a Gender Equality Strategy utilising the *WGEA Gender Strategy Toolkit*²¹ and roadmap. In order to be sustainable, this will:
 - a. be based on a specific business case for addressing gender equality in SAPOL in line with the WGEA toolkit
 - b. link to, and support, SAPOL's overall business strategy and objectives
 - c. be used to guide effort, investment and specific initiatives – including ensuring that all structural and cultural barriers to female career progression are actively identified, challenged and addressed
 - d. ensure that gender equality best-practice is integrated into business and people policies and processes so that commitment to, and investment in, progress is unaffected by business challenges
 - e. establish governance and reporting mechanisms to ensure leadership oversight of progress, see recommendation 8
 - f. be reviewed every 12 months.

5. Provide Officers with professional development utilising the Leadership Shadow program (or similar) to ensure they develop the necessary capability, confidence and commitment to the business case for gender equality, build a gender-inclusive culture in SAPOL, and are able to develop and implement personal leadership action plans.
6. Implement, starting with the ELT the introduction of a leadership performance feedback tool (for example the Leadership Circle or LSI 360 degree) to provide feedback to managers on their leadership capacities to inform their development as leaders.
7. Require each divisional area in SAPOL to develop and implement actions to realise gender equality strategic objectives within their annual business plans and report against these.
8. Institute gender equality Key Performance Indicators (KPIs) for all SAPOL leaders (including leaders of administrative/specialist support staff) which are published across the organisation, see Appendix G for details. Progress should be reviewed quarterly by the ELT and used to inform strategy and target problem areas. Gender equality measures should also be included in all executive performance agreements.
9. Appoint a highly-respected and experienced executive, who is fully committed to gender equality, reporting directly to the Commissioner, with responsibility for driving the gender equality change project's implementation, alongside ELT and working across the organisation with other managers and staff. The Executive would lead a Gender Equality Project Team of internal and external people with expertise in strategic human resources, change management, communications and policy. It is anticipated this project team would operate for at least three years and provide a bi-monthly progress report to ELT.
10. Map stakeholders and develop a communications and engagement plan with nuanced messages and approaches, including a road show and intranet pages (including a change resistance library) to ensure engagement inside the organisation and with key outside influencers. All members of ELT should be involved in communications.
11. Form a Gender Equality Advisory Group, with both male and female participants and with appropriate funding, such that key staff across the organisation provide advice to the Commissioner on strategies, policies and communications.

Workforce management

It is recommended that SAPOL:

12. Review all standards and promotional requirements to ensure they are related to the actual capabilities required for performing a role including:
 - a. undertaking an unconscious bias check to evaluate historic concepts of merit and skills/characteristics in all role descriptions and processes related to selections and promotions. Position descriptions for roles involving staff supervision should be rewritten to include a strong emphasis on people-management and leadership skills.
 - b. moving to advertising key roles for a fixed term, with applicants demonstrating capability, interest, skills and suitability for the role. Progression points between ranks should be based on demonstrated skill, not time in the role. Acting management opportunities (for longer than a month) should also be advertised through a formal, but brief, Expression of Interest process.
 - c. prior to promoting to Officer level and above, undertake a comprehensive review of a person's performance (consideration should be given to 360 degree review) and skills and review the person's complaint history for multiple complaints and/or serious complaints.
 - d. implementing trials for selecting candidates for promotions including the use of an independent assessment centre, blind recruitment and a panel comprised of 50 per cent external members with human resources expertise. Consideration could also be given to investigating impediments to a pool assessment process.
13. Set targets for women at promotion and development pathways in line with the proportion of women in the organisation. For example, on current representation of sworn female members, this would mean that a target of a minimum of 27 per cent women would be in place for applicants for the Inspector's course.
14. Develop a talent identification program to ready staff for promotion, including developing lower level administrative/specialist support staff. This should include a mentoring program, and allowing of role shadowing.
15. Develop a new structured handover process (with checklists and discussions) for management/supervisory positions to ensure poor behaviour of people in the team continues to be appropriately managed.
16. Commission an external review of the services provided by Human Resources (HR) with a focus on them being more strategic and providing assistance with contemporary workforce planning. A HR business partner model that provides coaching and mentoring to managers in relation to people and performance management should also be considered.
17. Re-examine the conflicts of interest policy/code to ensure it covers the need to be aware of potential conflicts arising from intimate/familial relationships between supervisors and their direct staff. This should also caution against predatory behaviour.
18. Reinvigorate the performance management system so that all staff have up-to-date performance management plans and quarterly meetings about their performance, with

health and wellbeing issues included in these discussions.

19. Undertake a review of equipment to ensure there are practical and suitable options for all women.
20. Develop a new exit management strategy for employees, including a simple online survey, externally managed, through which exiting staff can provide feedback about their experiences working with SAPOL and their reasons for departure. A summary should be reviewed quarterly by ELT to inform future strategy and targeting of problem areas and people.

Training and development

It is recommended that SAPOL:

21. Provide biennial training:
 - a. to all staff on
 - i. sex discrimination and sexual harassment, making clear behaviours that are not acceptable
 - ii. unconscious bias
 - iii. bystanders' responsibilities
 - b. for all supervisors on
 - i. identifying and responding appropriately to sexual harassment and sex discrimination
 - ii. understanding and accommodating flexible work

Order of priority should be HR staff and all managers first, then remaining staff.

22. Devise a new rolling three-year training delivery plan with a focus on developing people management and performance management skills to enable the appropriate prevention and management of sex discrimination, sexual harassment and other negative behaviours. This should mostly be practical, experiential, scenario-based training as opposed to theoretical. Expert advice should be sought to guide teaching and learning activities.
23. Set targets for women for training in line with the proportion of women in the organisation. For example this would currently mean a minimum target of 27 per cent of sworn women for training opportunities.
24. Create opportunities for training for members on extended leave to continue their development and facilitate their reintegration into the workforce.
25. Review training delivery methodologies to ensure training is more accessible to those working flexibly and with outside responsibilities. This should include a greater mix of online learning and video conferencing options.

Flexible workplace cultures

It is recommended that SAPOL:

26. Adopt an 'all-roles flex' approach across all operational and leadership areas, normalising flexible work for all staff regardless of gender or level. To support this SAPOL should consider:
 - a. re-writing policies so they are simpler and less prescriptive and so flexible working conditions are more open to negotiation. As an example, split shifts should be allowed.
 - b. removing the requirement to state a reason for a request to work flexibly. If flexible working is normalised it should not be necessary to provide reasons for working this way.
 - c. removing the six-month maximum time limit on Voluntary Flexible Working Arrangements (VFWAs) and enabling applicants to return to their previous full-time equivalent at the end of an agreement.
 - d. making policies, such as the flexible work policy, freely available to all staff and any support people (such as lawyers or family).
 - e. allowing flexible work applications to be managed and signed off locally to encourage a team-based approach and prevent unnecessary time delays.
 - f. ensuring refused applications for flexible work (and the reasons for their refusal) are reviewed and reconsidered by the Assistant Commissioner for HR with a quarterly report provided to ELT.
 - g. encouraging men and senior staff to take up flexible work opportunities in order to normalise the practice.
27. Fund the backfilling of staff on maternity leave. The filling of a 'balancing' FTE should not be a precursor to an application for flexible leave being approved. Part-time roles should be advertised across the organisation.
28. Invest in technology, facilities and equipment to support flexible work, return to work, the needs of pregnant women, and staff on extended leave in the organisation including:
 - a. exploring using a simple demand-based rostering system across the organisation. The development of this system should not preclude managers approving flexible work in the interim.
 - b. providing private and clean areas for expressing breast milk and fridges or freezers for the cold storage of breast milk at work sites where required.
 - c. providing uniforms for pregnant women.
 - d. providing appropriate secure infrastructure, such as mobile devices and remote access, to facilitate employees working flexibly and support a 'stay in touch' program.

29. Develop a 'stay in touch' policy in line with the recommendations of the Fair Work Ombudsman's *Best Practice Guide Parental Leave*.²²

Dispute Resolution and Complaints

It is recommended that SAPOL:

30. Establish a new and streamlined internal Complaints Resolution Unit that reports directly to an Assistant Commissioner that would:
- a. be responsible for all internal complaints related to bullying, harassment, victimisation and all forms of discrimination that are currently handled by Equity and Diversity (E&D) and Internal Investigations Section (IIS).
 - b. be staffed by trained, professional, mediators who are recruited from outside SAPOL to ensure they bring fresh perspectives and are impartial and act confidentially.
 - c. have a bias for mediating outcomes quickly, with mediators sitting down with both parties to talk through the issues prior to matters becoming adversarial. Complaints should be evaluated on the impact of the behaviour and on the basis of plausibility. Where complaints cannot be mediated, the complainant will be given the option to pursue the complaint further through legal pathways.
 - d. be based in a location where absolute confidentiality can be assured in access to and from the unit.
31. Establish a confidential complaints management tool in which all complaints would be recorded. This would enable the complainant and respondent to be kept regularly informed of the progress of a complaint and support the identification of hot spots, issues or individuals. Such a tool would be managed centrally and confidentially by the Complaints Resolution Unit. Consideration could be given to publishing de-identified outcomes for greater transparency.
32. Organise the training of Police Disciplinary Tribunal, Police Review Tribunal and Complaints Resolution Unit staff on sexual harassment, sex discrimination and unconscious bias, including the impact on victims.
33. Establish a taskforce to investigate allegations of sexual assault and sexual misconduct within SAPOL that have emerged as a result of the Review and where complainants indicate they want a matter pursued.
34. Review disciplinary processes and penalties for poor behaviour and consider revising classifications for end of service to include 'resigned under investigation' in cases within the remit of this Review.

Wellbeing and Support Services

It is recommended that SAPOL:

35. Establish mechanisms to ensure the safety and confidentiality of alleged victims of domestic violence and their alleged perpetrators when both work for SAPOL.
36. Train staff and managers in domestic violence intervention, including risk audits and safety planning.
37. Review the roles and responsibilities of Equity Contact Officers (ECOs) to ensure the role is focused on supporting employees (in addition to the professional support provided through the SAFE Space). The review should include considering which staff are best able to support their colleagues and, if necessary, call for additional nominations. Training should be initially provided for all ECOs, then updated annually. ECOs should be able to access de-briefing services available through the SAFE Space.
38. Monitor staff perspectives of organisational responses to sexual harassment, sex discrimination and wellbeing through monthly, confidential cultural surveys with findings reviewed quarterly by ELT, see Appendix G for more information.



Introduction

About the Review

The Equal Opportunity Commission of South Australia (EOC) was engaged by South Australia Police (SAPOL) to undertake an Independent Review (the Review) into the nature and extent of sex discrimination, sexual harassment and predatory behaviour within SAPOL.

The agreed aim of the Review was to deliver a Report that provides a snapshot of the organisation's current state and makes recommendations about improving the safety and wellbeing of SAPOL staff.

All SAPOL staff members, regardless of gender, were invited to participate in the Review. Former staff who had left SAPOL in the past 12 months were also invited to take part.

To raise awareness about the Review and encourage participation, an extensive site visit and presentation program was undertaken. It reached more than 1,000 SAPOL employees located at 27 metropolitan and regional sites.

Participants were asked to reflect on good practices as well as any issues or concerns they had about what they had seen, heard or experienced in the SAPOL workplace in relation to sex discrimination and/or sexual harassment.

Protocols were put in place to ensure that the identity of those who participated in the Review remained confidential.

To provide a contemporary picture, the Review focused primarily on the past five years.

The EOC gathered information through:

- a confidential anonymous online survey (1,954 responses)
- confidential one-on-one interviews of key personnel (those in decision-making roles or key functions of the organisation) approached by the Review Team (23)
- confidential one-on-one interviews with individuals who approached the Review Team (30)
- confidential written submissions (five)
- de-identified SAPOL data
- observation of SAPOL workplaces by the Review Team
- a review of legislation, policies and procedures.

The participation rate of women in the survey (41 per cent of respondents) was higher than the proportion of women in the SAPOL workforce (32 per cent) at 30 June 2016. In other respects the demographics of survey participants were not significantly different to the composition of the current SAPOL workforce. Appendix B and C contain more details about SAPOL demographics and survey respondent demographics.

Overall, 55 per cent of all interview participants were women. Appendix D has more details about interviews.

The Australian workplace context

Sex discrimination

As noted by WGEA “Australia, along with many countries worldwide, has made significant progress towards gender equality in recent decades, particularly in education, health and female workforce participation. However, the gender gap in the Australian workforce is still prevalent; women continue to earn less than men, are less likely to advance their careers as far as men, and accumulate less retirement or superannuation savings. At the same time, men have less access to family-friendly policies such as parental leave or flexible working arrangements than women.”²³

WGEA argues that achieving gender equality in the workplace requires:

- equal pay for work of equal or comparable value
- the removal of barriers to the full and equal participation of women in the workforce
- access to all occupations and industries, including leadership roles, regardless of gender
- the elimination of discrimination on the basis of gender, particularly in relation to family and caring responsibilities.²⁴

The links between workplace gender equality, female participation in the workforce, women in leadership and high performance have been well established by numerous studies world-wide.²⁵

These include:

- improved national productivity and economic growth
- increased organisational performance (including leadership, coordination and control, accountability, direction, capability, agility, innovation, external orientation, motivation and work environment)

- increased ability of organisations to attract talent and retain employees
- enhanced organisational reputation.

Sexual harassment

Sexual harassment is prevalent in Australian workplaces. A 2012 Australian Human Rights Commission (AHRC) national telephone survey²⁶ of people aged 15 and over found:

- 25 per cent of women and 16 per cent of men had experienced sexual harassment in the workplace in the past five years (21 per cent overall)
- almost one in five (18 per cent) people indicated they had not been sexually harassed based on the legal definition, yet reported experiencing behaviours likely to constitute unlawful sexual harassment
- nearly one-third (29 per cent) of respondents who reported sexual harassment indicated that their complaint had a negative impact on them such as victimisation or demotion
- 13 per cent of people had witnessed sexual harassment in the workplace first-hand and/or been informed about it subsequently
- just over half (51%) of respondents took action after witnessing or learning about the sexual harassment of someone else in their workplace.

There has been an increased understanding of the links between gender inequality, disrespectful behaviours and violence.²⁷ International evidence²⁸ indicates that violence against women²⁹ is both a consequence and cause of gender inequality; and that it reinforces women’s low status in society and the multiple disparities between women and men. In Australia, increased recognition has resulted in the development of early interventions³⁰ such as the Council of Australian Government’s ‘Respect Campaign’, the National White Ribbon

Accreditation program, and Our Watch (Our Women and their Children). The acceptance of the importance of these campaigns has been wide, with, for example, the South Australian Government pledging its commitment to ensure White Ribbon accreditation of all SA Government agencies as well being a leading member of Our Watch.

In 2013, the *National Community Attitudes towards Violence Against Women Survey*³¹ found that although most Australians had sound knowledge of the issue of violence against women and did not endorse most attitudes that supported it, significant numbers still believed there are circumstances in which violence can be excused and as many as 20 per cent believed there are circumstances in which women bear some responsibility for violence inflicted on them. Some of the most concerning attitudes were held by young people.

Other recent independent reviews of Australian police forces

Recently, reports of major independent reviews into the prevalence of sexual harassment and sex discrimination within the Victoria Police³² and the Australian Federal Police³³ have been released. These found a high prevalence of sexual harassment (46 per cent of female and 20 per cent of male AFP respondents and 20 per cent of female and 5 per cent of male Victoria Police respondents had experienced this in the workplace in the last five years). Few in either organisation had sought advice or support and even fewer had lodged a formal complaint. Both reviews found that complaint mechanisms were mistrusted; few respondents believed that appropriate action would be taken and many reported they feared or had experienced negative outcomes as a result of reporting unacceptable behaviour. Evidence of direct and indirect sex discrimination in recruitment, retention and the advancement of women was found in both organisations.

Why SAPOL?

In an age of globalisation and rapid technological advancement, the interaction between demographic, social, financial and criminal variables has changed fundamentally. These changes have resulted in significant transformation in traditional operational policing.³⁴ Police are now increasingly involved in multi-national and multi-jurisdictional responses as they seek to tackle new challenges of “disaster management, national security and globalised and transnational crimes”,³⁵ while maintaining responsibility for “traditional functions of community, road safety and criminal investigations”.³⁶ These new operational challenges are matched by new organisational challenges including less access to financial resources, higher expectations of professionalism and accountability, increased public and media scrutiny, and changing workforce demographics and workforce expectations of their employers.³⁷ The difficulty of meeting these challenges has been the subject of research globally; while there is no single definitive solution provided, what is clear is that in today’s world, successful policing will necessitate a more agile and adaptable workforce than in the past.³⁸

SAPOL provides a vital service in keeping our community safe. Every day, its officers place their lives on the line to do so. However, community and organisational standards are evolving rapidly, and there is a growing expectation that government agencies should be leaders in contemporary employment, demonstrating they reflect the community they serve.³⁹

Like any modern and progressive organisation, SAPOL leaders are focusing on maximising organisational effectiveness through enhanced leadership capacity, high-performing teams, greater agility and adaptability, increased accountability and innovation. SAPOL leaders are now also keenly aware of the need to place a

strong focus on the positive cultural change needed to bring about equality, promote diversity and enhance the physical and mental wellbeing of their workforce. While an effort to implement some strategies to bring about such change has been made, these strategies have not had a sustained impact. In the opinion of the review team, this is due to these strategies having largely been technical solutions that have not addressed the underlying adaptive cultural shift of hearts and minds required to bring about any sustainable change.⁴⁰

SAPOL's gender diversity initiatives have included:

- the SAPOL Women's Focus Group (WFG) which supports female employees and contributes to promoting gender diversity within SAPOL
- funding a number of women to attend conferences and 'women in policing' events
- women-only sessions on the Inspector's course in an effort to boost the number of women at this rank
- implementing flexible work policies
- implementing the role of 'part-time coordinators'
- introducing access to parenting leave for both men and women
- establishing an Equity and Diversity Section that investigates complaints of sexual harassment and sex discrimination and provides employees with equity and diversity training
- implementing volunteer Equity Contact Officers to support colleagues who have been the target of sexual harassment or sex discrimination
- introducing volunteer Gay and Lesbian Liaison Officers to support LGBTIQ staff
- an independent Employee Assistance Service
- introducing a 50 per cent female target for new recruits in 2016
- a new functional fitness test being trialled from 2016
- trialling the 'keep in touch' program
- publicly celebrating 100 years of women in policing through a number of events across 2015 and 2016.

While the most recent 50:50 recruitment strategy is a positive step, it is nevertheless a 'technical' solution to an 'adaptive' challenge.⁴¹ In order for 50:50 to be a sustained success, SAPOL will need to understand what it is about its culture, values and practices that is keeping women away or having them leave – and, most critically, it will need to be willing to change them.

The existence of sexual harassment and sex discrimination within SAPOL will undermine the effort to bring about 50:50 recruitment. Along with the negative impact of these unlawful acts on the physical and mental wellbeing of those who experience them (targets) and those who witness or hear about them in the workplace (bystanders) these issues have a high organisational cost, leading to productivity loss, higher employee turnover, reduced morale and absenteeism, as well as possible legal action and damage to reputation.⁴²

Reaching a higher level of maturity in the WGEA equity roadmap⁴³ would provide enormous opportunities for SAPOL in terms of being a more effective and productive organisation, and becoming a leading example of culture change in a male-dominated workplace.

Previous reports

To gain insights into past issues, prior reviews and surveys of equity, diversity and wellbeing-related matters in SAPOL were reviewed. These included *Equity and diversity in the South Australia Police* prepared by Kate Spargo, in March 1998 (Spargo Review). This review evaluated the effectiveness of SAPOL's equity and diversity policies, strategies and practices. The Spargo Review was based on interviews, observations and a survey of 955 employees, representing just over 20 per cent of the workforce at the time.

The Spargo Review report's recommendations included:

- disseminating a vision throughout the organisation that reinforces the equity and diversity characteristics required of the culture
- developing position statements on diversity, equity, workplace practice and family-friendly working conditions
- appointing an Assistant Commissioner whose sole responsibility is managing and overseeing equity, diversity and workplace practice
- working intensely with senior management to gain their support for equity
- appointing a manager responsible for developing a new complaints process
- establishing a practical and comprehensive complaints process
- developing performance agreements with senior managers, including diversity and workplace practice improvements
- developing a performance management system in the areas of equity and diversity administered by line managers who have training in performance management and equity.

It is evident, 18 years later, that some progress was made in respect of each of the Spargo Review recommendations. However, the findings from the 2016 employee survey and supporting interviews show many of the same issues exist.

The *Police Association of SA: Member Survey*, produced by Square Holes Pty Ltd in April 2016 was also reviewed.

There were 1,784 responses to the survey – 37 per cent of Police Association of South Australia's (PASA) members.

While the scope of the survey was broad, findings relevant to the scope of the current Review include:

- 86 per cent of respondents opposed the new gender parity recruitment policy in SAPOL
- 51 per cent of female respondents disagreed that SAPOL provided an environment for retaining them
- 66 per cent of female respondents disagreed that SAPOL made it easy to apply for and access part-time work
- 54 per cent of respondents disagreed that SAPOL was an organisation that supported officers suffering psychological injury arising from work.

The June 2016 *Police Journal* also includes case studies from nine PASA members (eight females and one male) regarding their experiences seeking flexible work arrangements.

The journal article states "many of the confidential files in the overflowing in-trays of Police Association grievance officers relate to disputes with SAPOL over flexible work arrangements. In each file the documentation tells of a distressed police officer desperate to bring balance to his or her professional and personal lives. Most of the aggrieved are women to whom SAPOL management has denied access to part-time and work from home arrangements ... But, for reasons sometimes unfathomable to

others, SAPOL rejects many applications for flexible work arrangements. In most of those cases, the affected police officers suffer mental and emotional stress, find it impossible to strike a work-life balance and, ultimately, consider resigning”.

The findings of this Review are largely consistent with the PASA case studies in the area of flexible work.

The EOC's approach

As noted above, the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) completed a similar review (the Victorian Review) of Victoria Police in 2015. The report of this review is available at: www.humanrightscommission.vic.gov.au VEOHRC and Victoria Police generously shared the methodology from the Victorian Review as well as their advice about lessons learnt to help inform the EOC's Review.

The EOC survey instrument was developed by combining the VEOHRC survey, which had a strong focus on sexual harassment behaviours, and the Workplace Gender Equality Agency (WGEA) Employee Opinion Survey, which covers sex discrimination and broader gender issues in greater depth.

The framework for this Report

The seven focus areas for presenting the EOC's Review findings and recommendations draw on the *WGEA Toolkit*⁴⁴ developed to provide guidance to organisations in developing a comprehensive gender equality strategy.

The *WGEA Toolkit* includes a 'gender equality roadmap' (roadmap). This is “designed to help organisations understand the nature of the gender equality 'journey' and the identifiable phases within it, from least effective practice to highly effective and best practice”.⁴⁵

The *WGEA Toolkit* and framework can be found at https://www.wgea.gov.au/sites/default/files/Gender_Strategy_Toolkit-V2.pdf and stages of the roadmap are listed in this report's Executive Summary.

Throughout this report, the roadmap SAPOL could use as a benchmark for assessing progress against the framework is referenced.

The proposed 'end goal' for each of the seven focus areas draws on the WGEA 'signposts' for organisations rated at the 'Sustainable' level (the top scale) of the five-level WGEA maturity scale.

In addition to the *WGEA Toolkit*, the Review recommendations draw on the Australian Human Rights Commission's (AHRC) *Women in Male-dominated Industries: A Toolkit of Strategies*⁴⁶, and *Working Without Fear*⁴⁷ and the Fair Work Ombudsman's *Best Practice Guide: Effective Dispute Resolution*.⁴⁸

The Survey Analysis

The EOC commissioned Mint Research to undertake the quantitative analysis of the SAPOL workforce survey. Further details about how the survey analysis was conducted can be found in Appendix H.



Chapter 1

Workplace culture and behaviours

Ideal end goal

SAPOL employees work in a respectful, inclusive, safe and productive workplace that does not tolerate sex discrimination and sexual harassment and in which leaders act as role models for gender equality.

Why does this matter?

Culture can be defined as the set of shared norms in the organisation, a consensus about what things mean and how things get done. It is learned through a process of socialisation. These shared patterns identify the members of a culture group while also distinguishing them from other groups.⁴⁹ Research⁵⁰ has demonstrated that culture “is a complex, stable, resistant and difficult to identify and explain phenomenon, that will necessarily be different from organisation to organisation”.⁵¹

Considerable work has been undertaken on developing a modern public service culture by the South Australian Office for the Public Sector. This has included lifting the standards of professional excellence and facilitating a flexible, mobile workforce through the development of modern and consistent policies. Work through its *Change @ South Australia program* is aimed at bringing about a culture of collaboration, continual improvement and positive change across organisations by creating a dynamic, productive and responsive workforce with effective and strong community partnerships.⁵²

Similarly, in the private sector, organisations such as the Australian Institute of Company Directors (AICD) have recognised the critical role that culture plays in how an organisation performs.⁵³ Dr Sally Pitkin has noted that there needs to be “congruence between the more

observable indicators of culture (such as the stated mission and values) and the shared underlying assumptions (the shared norms) that determine how things really get done”.⁵⁴

Under the WGEA gender strategy roadmap, a sustainable culture of gender equality is not based on an organisation’s stated mission and values or its policies, but on shared norms which mean that “gender equality is simply part of how business is done, and how people work together – always”.⁵⁵

What the EOC found

SAPOL's culture

SAPOL plays an important leadership role in our community. The principles of “public trust, community policing and legitimacy in policing” are key to the successful operation of a modern police force.⁵⁶

All South Australian organisations must abide by state legislation in their operations. As a government law enforcement agency, SAPOL should be beyond reproach in this regard. The *Public Sector Act 2009* (SA) states that to be an ‘employer of choice’, public sector agencies are to prevent unlawful discrimination against public sector employees or persons seeking employment in the public sector.⁵⁷

Furthermore, SAPOL staff members have a responsibility under the SA Government's Public Sector Values not to discriminate.⁵⁸

However, in spite of this and policies within SAPOL that do not permit sex discrimination or sexual harassment, the Review Team found strong evidence of shared norms within the SAPOL culture that mean discriminatory and harassing behaviour is accepted or normalised. Such norms indicate aspects of SAPOL's culture that are at the lowest rung of the WGEA gender strategy roadmap, that is, 'avoiding'.

"Things went wrong after I complained about inappropriate, sexualised, unprofessional and unfair behaviour by my boss. I ended up leaving when I'd had enough of the culture. I didn't leave because of the behaviour of one man. I left because the organisation did not handle his behaviour. He was not held accountable at all."

Confidential interviewee

Similar to other police cultures, SAPOL's overarching culture is "deeply rooted in masculine normative assumptions".⁵⁹ This has resulted in an environment that encourages and rewards stereotypical masculine values. As stated in an article by Susan Ryan, such traits include:

- aggressive, physical activity
- competitiveness
- exaggerated heterosexual orientations
- misogynistic and paternalistic attitudes towards women
- rigid in-groups with exclusionary sanctions towards out groups
- strong expectations of loyalty and affinity in the in-groups.⁶⁰

In SAPOL, this culture of masculinity and deep-seated ideas about what is considered a 'good police officer' are established in the Academy and consolidated in the working environment. This has created an unconscious masculine lens

through which SAPOL business is viewed and judged. This is not unexpected given that policing has traditionally been a male-dominated profession.⁶¹

"We females just accepted this (sexual harassment) as normal behaviour. I have met so many men in the job whose behaviours have been bad towards women, and the bosses were often involved in perpetuating this behaviour. But up until recently where were we to go? There were no women in senior positions to speak to."

Confidential interviewee

A masculine or 'blokey' culture has been demonstrated to lead to a higher tolerance of inappropriate behaviours including sexual harassment, bullying, discrimination⁶² and even corruption (as most recently found in the 2016 Independent Broad-based Anti-corruption Commission inquiry.)⁶³

The perception of male privilege in SAPOL was felt acutely by numerous participants in the review. Fifty-two survey respondents and seven interviewees used the specific descriptor 'a boys' club' to describe SAPOL culture.

"SAPOL is still a 'boys' club' and many of the behaviours of men in this organisation are learnt behaviours from other, mostly senior, men. Women are still belittled and treated as 'second class' ... and the majority of them have to prove themselves far greater than men do to achieve the same respect. Women are still subjected to derogatory and demeaning comments which some choose to accept so that it does not affect [their] acceptance or promotion. We still have a lot to learn about respecting women within our organisation." **Survey respondent**

"In my opinion there is still very much a 'boys' club' culture within SAPOL. There appears to be an expectation that as a female police officer you tolerate the harassment with clenched teeth and a smile, and that in fact you should be flattered as it means you've been accepted and are part of the team'." **Survey respondent**

“SAPOL is the most highly sexualised workplace I have ever come across. I was hit on by many married men ... From [my] very first day my boss made a comment full of sexual innuendo when we were getting a coffee with the team. I’m not a wowser, I can have a joke and I do use the odd expletive, so I brushed it off lightly at the time. But it was the start of much worse. At other times he would stare at my body. I asked him one time at work ‘are you staring at my breasts?’ [and] he said ‘yes, I find it comforting’. How could he think that was appropriate?” **Confidential interviewee**

It is important to recognise that such strong social norms can also marginalise some men.⁶⁴ This not only includes gay, bisexual or transgendered males, but other men who do not fit the stereotype of the typical ‘macho cop’.⁶⁵

‘Fitting in’

Many participants, male and female, reported they have experienced rewarding careers with SAPOL. They spoke of teamwork, the uniqueness of the work, their access to exciting opportunities, their passion for the work and for serving the community, and of their desire to make a difference. This was true even for some people who reported being the targets of sex discrimination and/or sexual harassment during their career.

“The last 12 months working with SAPOL have been the best of my working life. I was respected, valued and given opportunities to develop and grow ... I was part of the team and made to feel welcome at all times. SAPOL is my employer of choice.” **Survey respondent**

“Our profession is fantastic, I have been in the Police for 15 years and I consider it a privilege. Our workplace is unique in the situations we face and people we deal with on a daily basis.” **Survey respondent**

Many key personnel and confidential interviewees described the policing cultures as

being like a family, including the associated positive and challenging aspects. Interviewees noted that very close bonds are developed from the time of recruitment, and that these bonds are cemented in the field. There were repeated references to the policing ‘family’ environment, where sworn officers – bar a small minority who transfer across from other police jurisdictions – start at the bottom as recruits and essentially grow up together through the police ranks.

“Sworn officers are almost like family. That relationship is especially strong because at the end of the day you put your life in your work partner’s hands at some point. It’s not like working in a bank! That culture of support is a good foundation to build on.” **Key personnel interviewee**

As observed by policing researchers, many recruits enter training with noble intentions.⁶⁶ The hierarchical nature of policing organisations can instil in recruits an obedience to authority that can erode autonomy and ethical decision-making.⁶⁷ Further, once recruits commence their roles, the strong need to fit in to police culture and be part of the team can impact also adversely upon ethical decision-making.⁶⁸ This can be true of both male and female members.

“Recruits are taught about respectful and appropriate behaviours. However, once they are in the field, if there is no strong leadership around these issues, and inappropriate behaviours are the norm, these lessons can quickly become lost, and bad culture can easily be absorbed.” **Key personnel interviewee**

The strong need to ‘fit in’ and be accepted by ‘the team’ or face being ostracised was a common theme raised throughout the Review. Women spoke of the challenges of ‘fitting’ into a highly masculine culture. For many participants, this had meant changing their behaviour (including setting aside their natural response to sex discrimination and/or sexual harassment) to fit in with the team and gain, or maintain, acceptance. Some participants reflected on the

feelings of conflict this created for them and how it had clouded their judgements about appropriate workplace behaviours.

“After one night shift the team I was in thought it would be good to have pizza and a beer and watch porn on the big screen in the conference room. I was the only woman in the team. I felt like I’d be ostracised if I didn’t stay ... I felt awful, I wanted so badly to be accepted by the team, but the porn made me so uncomfortable and it is just not right in the workplace.” **Confidential interviewee**

*“I feel a constant need to not be offended. I use words like ‘c**t’ and ‘d**k’ regularly to show that I don’t care and will not put in complaints – so they can relax around me. I continue to do this because it seems to set men at ease when they meet me, and I am not classed as one of ‘those kinds of girls’ (uptight, prissy, sluts, teases, frigid, naïve). I hate that I have to talk and behave in this way just to fit in ... if my family heard how I speak they would be horrified.”* **Survey respondent**

“I have always desperately wanted to be a part of the team. I worked so hard to be accepted. I never wanted to be seen as being special. But to be part of the team I needed to be more than my male counterparts. More dedicated, more hard working, prove myself more, take less leave ... My children were sick and I’d call my parents to pick them up. Really I should have just taken ... leave. I should never have thought this was something to be ashamed of. When you are in a culture you absorb it. It’s not ‘til now that I recognise this. I suspect that ... because I wanted to fit in, that I actually embraced the wrong culture, that I have gone along with the wrong culture ... now that I am looking back at it I can actually see that what I thought was right was actually quite discriminating against myself.” **Confidential interviewee**

One of SAPOL’s leaders described a case in which a female officer was seen to be complicit in

sexual harassment behaviour as a result of the pressure to be accepted within an all-male team:

“There was a serious case, which resulted in a criminal charge. In this matter the victim was subject to questioning about her complicity in the behaviour. As an example, evidence of email chains, which showed that she was a participant in forwarding on inappropriate material, was used to impact her credibility. However, you really need to get behind what this looks like at ‘face value’ and understand the context in which this female was working. She was the only female in an all-male team ... she travelled on the road with all males, and she stayed in overnight locations with all males. Had she not participated in the culture she would not have made it. She would have had to leave. She loved the job, but to do the job she had to be part of the team, and being part of the team meant buying into this culture. She needed to fit in. She needed to prove herself. She needed to be better than the males to do this. It was probably difficult for the courts to fully appreciate this.” **Key personnel interviewee**

As noted by criminologist and policing researcher Dr Susan Robinson, women working in male-dominated cultures are often described as being ‘their own worst enemy’ and expected to maintain responsibility for standing up to oppression. However, she further notes that this perspective “does not take into account how difficult it is for women to challenge the dominant culture and try to introduce change to traditional police practices from a position of relative powerlessness”.⁶⁹

“Women who do stand up against the lower level sexual harassment behaviours in particular, can be labelled as ‘prudish’ or ‘complainers’. Those who join in might be seen as being ‘butch’ or ‘hard’. It’s a tightrope that women have to walk and they shouldn’t have to.” **Key personnel interviewee**

Workforce relations across personnel categories

The composition of SAPOL's workforce is largely (80 per cent) made up of sworn police. Other employees provide important support to the organisation in specialist roles and in administration and business support. Many key personnel interviewees expressed how highly they value the work of these staff, but administrative/specialist support staff were concerned there may be a cultural divide between sworn police and others. This was thought to be enhanced by wage gaps and the perceived lack of investment in the development of administrative/specialist support staff to progress their careers within SAPOL. A number of administrative/specialist support staff reported feeling undervalued.

"Irrespective of sex/gender, as an ASO in SAPOL, I believe we are often viewed as inferior or lesser because we don't wear a uniform or have the same authoritative power. I'd like to see a more visible representation of the skills and hard work conducted by unsworn members. I think generating a discussion on these issues, instead of minimising or ignoring them, will provide a platform for improvement and hopefully a cultural shift." **Survey respondent**

Several people who had left SAPOL and approached the Review Team for confidential interviews told of their experiences of feeling undervalued and bullied as administrative/specialist support staff. In some cases, the bullying described included behaviours that would be considered sexual harassment and/or sex discrimination.

Survey results also revealed that those in administrative/specialist support roles were more likely than sworn staff members to indicate they had experienced sexual harassment while employed in SAPOL within the last five years (68 per cent v 43 per cent).

Other forms of disrespect

While bullying, disability discrimination and racism were not in scope for this Review, there were examples of these behaviours cited by survey respondents and interviewees. They are of interest in that they provide further indications of a culture of normalising disrespectful behaviours.

"The culture is to make fun of people, due to their weight, sexuality, age, gender, speech impediments, disability etc." **Survey respondent**

Has SAPOL's culture changed over time?

Nine per cent of survey respondents used the free text option to say there had been improvements over time in the incidences of sexual harassment and sex discrimination, including the way they are managed. A similar sentiment was expressed by a number of interviewees who made comments about how far the organisation had come over the past 20 to 30 years.

"My sense is that we have improved, and come a long way. There is far greater understanding of what is acceptable in the workplace." **Key personnel interviewee**

However, there was generally a broad recognition that problems still exist in the organisation and more needs to be done with regards to sexual harassment and sex discrimination. Positively, almost all key personnel interviewed supported the drive for increasing the representation of women at all levels in SAPOL and believed it would improve the culture.

"Until we get more women across SAPOL, in a heavily male-dominated workforce we can unfortunately expect to see some of those typically male behaviours at the lower end of the sexual harassment scale continue, as the women who are in the minority feel they have to tolerate some of that, simply in an effort to fit in. The

number of women in policing at the moment doesn't give them the critical mass to contribute to the change in culture that we need. I think we have done a pretty good job of communicating the expectations about acceptable behaviour and we have good training and policies in place. But I don't think that's enough to change the way people act, especially in the smaller male-dominated work groups. There are almost certainly men in SAPOL who don't perceive that what they are doing and saying is wrong. They probably don't even recognise it as sexual harassment." **Key personnel interviewee**

Despite general support for change, not everyone within SAPOL recognised, or understood the benefits of, greater gender equality within SAPOL. This included members at all levels, including some in important leadership roles.

"Get paid, come to work. Leave your personal problems at home. Pretty simple." **Survey respondent**

"As a middle-aged white Australian heterosexual male ... I am treated as if I have to pander to the minority ... I don't understand why we have to do training to be rainbow-friendly or watch what we ... say around certain people, or feel the need to analyse everything I say." **Survey respondent**

"I am sick to death of being treated like I have done something wrong. I am pressured to wear white ribbons, say sorry to women about violence, say sorry to Indigenous people, and am treated as a number due to being a white male with little cultural diversity or religious beliefs." **Survey respondent**

Sustainable cultural change in SAPOL will require broad and consistent messaging, and role-modelling, of the case for change across the entire organisation.

Sex discrimination

What is sex discrimination?

Sex discrimination occurs when a person is treated less favourably because of their gender. This can also occur when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular sex.⁷⁰

Sex discrimination includes all forms of gender-based discrimination (e.g. discrimination based on pregnancy, parental responsibilities, breastfeeding, sexual orientation, gender identity, inter-sex status, caring responsibilities which can include part-time status and access to flexible working arrangements).

"I don't like the insinuation that I became a Supervisor because I am a female." **Survey respondent**

"I have recently had a male bring me into his office to discuss my personality. Comments were made about me being 'motherly' and a 'busy body'" **Survey respondent**

"I have been told that my opinion is irrelevant because I am female." **Survey respondent**

Responsibility for preventing sex discrimination

Under the *Equal Opportunity Act 1984* (SA) employers are legally responsible for preventing discrimination in their workplaces and as such are required to take all reasonable steps to ensure their organisation is acting in a non-discriminatory manner.⁷¹ Employees also have a responsibility not act in an unethical or unlawful manner under the *Police Act 1994* (SA) and the *Public Sector Act 2009* (SA).

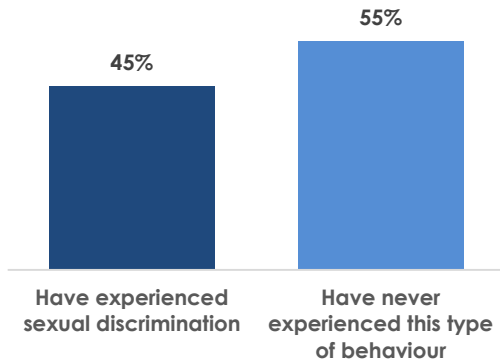
What the EOC found

Extent of sex discrimination in SAPOL

There is widespread agreement that sex discrimination in the workplace still exists.⁷² A

around 740 survey respondents (45 per cent) said they had personally experienced sexual discrimination while working in SAPOL.

FIGURE 1 - PERSONAL EXPERIENCE OF SEX DISCRIMINATION IN SAPOL



Calculated from data gained at Q41. Have you ever formally reported or made a complaint to your organisation about sex discrimination that you personally experienced? SR Total sample; Unweighted; base n = 1667; total n = 1954; 287 missing

“I have been [managing critical incidents] and had male colleagues arrive and say to me ‘grab us a coffee would you darling’.” **Survey respondent**

“This manager ... bullied the entire team ... mixed in with the general bullying were clear elements of sex discrimination. Examples of his behaviour included referring to myself and the other female members on my team as ‘the girls’ and making a point of ensuring that it was always one of the females that got the sugar and milk for coffees. I know this was a gender issue and not a rank issue as there were males on the team at lower ranks and there was no way he would ever ask them to get coffee. It was made clear to me and my female colleague that because we were female, and not of certain rank our voices would not be taken as seriously. Prior to this manager ... our voices and opinions had been valued and we had been trusted with lots of responsibilities. This manager made it clear that he would never have filled our positions with females. We were stripped of our responsibilities.” **Confidential interviewee**

Who experiences sex discrimination in SAPOL?

Those who indicated they experienced sex discrimination were more likely to be:

- female (63 per cent of females and 31 per cent of males)
- people identifying as lesbian, gay, bisexual (59 per cent vs 44 per cent heterosexual respondents)
- people who were based in a metropolitan location (45 per cent vs 39 per cent in a regional location).

Many carers and parents, particularly those seeking part-time or flexible work arrangements, also indicated unfair treatment that could be classified as sex discrimination (See Chapter 5 Flexible Workplace Culture for more).

The nature of sex discrimination

Open-ended survey questions, discussions at site visits and interviews suggested a wide range of behaviours or practices experienced that could be considered direct or indirect sex discrimination. Examples of experiences reported included:

- limiting access to a narrow range of tasks/roles including being pigeonholed into roles such as desk jobs
- being refused part-time or flexible work arrangements on return to work after parental leave or experiencing unwanted changes in duties, roles or working hours to accommodate their needs related to pregnancy or child care
- unfair treatment by managers or co-workers in terms of access to training or development opportunities
- being overlooked for or refused development opportunities, such as training or acting up opportunities

- promotion bias against those on flexible working arrangements
- being dismissed, bullied or inappropriately managed due to performance
- unfair assumptions made about their physical health or capacity due to their pregnancy, work hours or gender
- difficulties in negotiating return to work
- health and safety issues related to inadequate access to appropriate equipment.

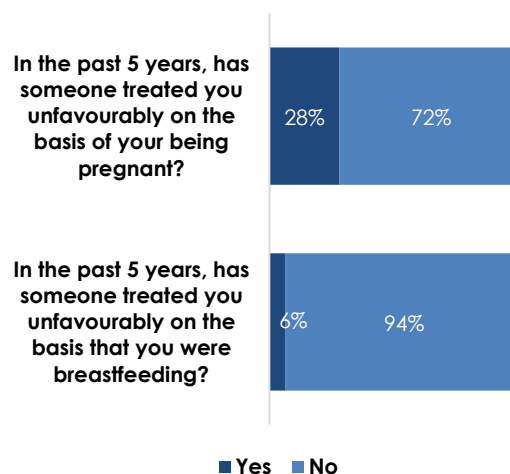
“Once you proved your ability at a job, other team members would trust that you were competent, however for me (as the only female) I felt like I was required to prove myself to each individual (while the males on the team only had to prove themselves once).” Confidential interviewee

Pregnancy and breast-feeding discrimination

Ninety-one female parents who responded to the survey (28 per cent) indicated they felt discriminated against in the past five years due to pregnancy and 20 (6 per cent) indicated being treated unfavourably on the basis of breast feeding. This is consistent with a 2014 report by the Australian Human Rights Commission that found 27 per cent of mothers reported experiencing discrimination in the workplace during pregnancy and 8 per cent experienced discrimination related to breast-feeding or expressing milk.⁷³ (See Chapter 5 Flexible Workplace Culture for more).

“I hid a pregnancy for more than 12 weeks as I was waiting to hear of a promotion. I was told by two separate supervisors that I did the right thing by hiding my pregnancy until my promotion had been confirmed. The pregnancy would have definitely affected my promotion.” Survey respondent

FIGURE 2 - FEMALE PARENTS' PARENTING RESPONSIBILITY: TREATMENT OVER PAST 5 YEARS



Q27. For Female Parents: With regard to pregnancy, breastfeeding and caring responsibilities for your child (or children) SR Filter: Q25 Female filter; Unweighted; base n = 225; total n = 325; 100 missing; 83% filtered out

“When I returned to work I was breast feeding. There was no consideration for this. ... Multiple comments were made that I was not a ‘team player’... There was no understanding ... that I had a baby to feed.” Survey respondent

The effect of sex discrimination

The individual cost of sex discrimination can be detrimental. For example, people reported:

- increased mental health impacts such as stress anxiety and depression
- a loss of trust in the employer
- a loss of confidence in their capacity
- financial stress, stall in career progression
- a loss of ambition.

These individual costs are likely to have a flow-on effect to the organisation. When employees become less effective or motivated at work this can have a significant impact on productivity and customer service, and can lead to high staff turnover, which increases recruitment/training costs.⁷⁴

Although women are not the only ones affected by sex discrimination, they remain the group most affected by it.⁷⁵ A study by the Gender Equality Project, in collaboration with the Centre for Ethical Leadership, examined the predictors of women's fit, functioning and growth at work. It found the "... biggest risk factor for women performing effectively in their roles is the level of stereotype threat they experience in their daily work life. Stereotype threat occurs when the gender of a woman is drawn to attention, typically in negative ways that lead her to question or doubt her suitability for a role or task or to ruminate on the intentions of those who make the remarks. Sexism, sexual harassment and work/family conflict all increase incidence of stereotype threat for women at work."⁷⁶

The abovementioned study also found that exposure to these behaviours was a key factor in women's retention, health and ability to fit into the organisation. Further, it was found that this impact was not limited to women who are specifically targeted by sexist behaviour. Other women who see or hear of sex discrimination also "experience the threat as a member of a particular group whose status is challenged".⁷⁷

"A daily occurrence in my workplace is to have the males put each other down with comments like 'Are you on your period?' or to call each other 'fags' or 'gay'. As though being female, homosexual or having feminine qualities is a weakness and somehow the 'lesser' in society. It is depressing and a constant reminder of the struggle I have [in order to] try and assert myself and seek promotional opportunities and acceptance in this workplace." **Survey respondent**

It is arguable that similar detrimental impacts could be felt by other groups (such as LGBTIQ or males seeking access to caring responsibilities).

"Sex discrimination and sexual harassment in SAPOL is unfortunately occurring. I feel as though it is part due to the 'old school' mentality. This

attitude is shown through comments such as when an area supervisor said 'I've been in this job 40 years and the worst day in that time was when they allowed women on patrols'. Examples such as this may not have had a specific victim, but are worse in a way in my view, in the sense that they demonstrate there is potential for many victims as they relate to all females." **Survey respondent**

Research has found that one of the most insidious aspects of sex discrimination and sexism is that it underpins other disrespectful and damaging behaviours such as sexual harassment and violence against women.⁷⁸

Perceptions of discrimination against males in SAPOL

In the free text area of the survey there were many unprompted mentions of discrimination towards men in respect to recruitment and support for training and development (16 per cent). The comments relating to recruitment were largely associated with the introduction of the new gender parity recruitment policy in SAPOL in 2016, and the introduction of gender-targeted information days and female-specific training programs.

"I think the white heterosexual male is the minority and is becoming the disadvantaged group." **Survey respondent**

Males were significantly more likely to feel discriminated against as a result of these initiatives, with 26 per cent of males vs 3 per cent of females feeling discriminated against as a result of female-specific courses, and 24 per cent of males vs 5 per cent of females commenting that the 50:50 recruiting policy discriminates against males and reduces the quality of applicants.

"In my experience female members receive more favourable treatment than male employees. They are given more freedom and have more opportunities for flexible working arrangements

than male members. People make excuses and turn a blind eye to more errors than they would for a male in similar circumstances. This is only going to get worse with the new 50:50 initiative from the Commissioner as more women will be selected over males for jobs/courses to bring up the averages. This is sexual discrimination against equally qualified and occasionally more qualified male members.” **Survey respondent**

Recent research has found that men over the age of 35 are more likely to see discrimination as a “zero sum game”⁷⁹ – that is, “they believe that discrimination against one group necessarily benefits another group and vice versa so that any policy that benefits women amounts to discrimination against men”.⁸⁰ Through this lens there cannot be a win-win with gender equality; there is always a winner and a loser.

This ‘zero sum game’ mentality was mentioned by the former Federal Sex Discrimination Commissioner, Elizabeth Broderick AO, in an address to SAPOL leaders in September 2016. Broderick, noted that “some men who had privilege and status under the old system will feel they are being discriminated against during cultural change and this will increase their desire

to cling to the past. Even if men are actually privileged in society, the belief they aren’t is enough to respond to perceived discrimination in the same way that people who are actually disadvantaged members of society do. They increase their gender group identification, experience lower self-esteem, get angry, and even lash out at the group they see as doing the oppression”.⁸¹

“I complained in writing about the sex discrimination towards men in SAPOL. This was a serious issue that I wanted to talk about, however, the issue was mocked and I have not been able to bring myself to bring it up again. This discrimination continues.” **Survey respondent**

As Broderick noted, as the gender equality change agenda is pursued, it is important not to overlook traditions, roots and history. A person’s past experiences matter to them. To ignore them will cause people to cling to the past and resist the losses they appear to be facing. SAPOL leaders will benefit from making time to hear and understand members’ fears and help them move beyond these – rather than simply dictating changes to them.

“ It devalues those who have done it the ‘old’ way

Females, simply by their physical nature, are not inclined to want to deal with drunks or drug affected individuals and hence may not want to apply to SAPOL. They should have to do the same stringent physical challenges that males have had to do. The challenges should not be made easier, as they have been, to enable a greater pass rate. This devalues those of us that have had to do the hard yards to get to where we are and it especially devalues those females that have done it the ‘old’ way.

Females are the child bearers of our race ... that cannot be denied, and because of this they have special needs ... I believe they are already more than compensated ... with the remarkably generous leave, part-time and caring conditions that are now available, yet some still feel hard done by. What about us males who had our families 15 or 20 years ago? We did not have the access to paternity leave etc. that now exists. All of this leave takes people from the workplace without replacement and makes it harder for us there day in day out. **Survey respondent**

Sexual harassment

What is sexual harassment?

Sexual harassment is defined as any unwelcome conduct of a sexual nature where it is reasonable to expect that the other person would be offended, afraid or humiliated.⁸²

The behaviour does not have to be repetitive to be considered sexual harassment; a single incident is enough.

People of all genders can sexually harass and be harassed.

Sexual harassment can be:

- comments about a person's private life or about the way they look including asking about a person's sexual history or sexual activities
- sexualised comments, jokes or name-calling
- sexually suggestive behaviour including leering and staring, sexual gestures and indecent exposure
- repeated direct or implied propositions or requests for dates
- unwelcome touching, including kissing, hugging, or cornering a person
- sexual pictures, objects, emails, text messages or literature
- requests or pressure for sex or other sexual acts
- stalking
- sexual assault
- rape.

For the purpose of this Review, predatory behaviour is defined as the misuse of authority or influence with the intention of exploiting others for sexual or other personal gratification.

Predatory behaviour is a form of sexual harassment.

Mutual attraction or friendship with consent is not sexual harassment.

"...it was common for male officers to 'rate' a victim, or witnesses for their attractiveness. They would also rate new police women coming into the team. This would happen in front of me and other women." **Confidential interviewee**

Sexual harassment is unlawful. At its most serious, sexual harassment may be a matter of criminal law. Even if the conduct does not amount to criminal behaviour it is a breach under *Equal Opportunity Act 1984* (SA). Similarly, under workplace health and safety laws, employers must provide a workplace free from risks to an employee's mental, emotional and physical wellbeing. Sexual harassment may amount to a breach of this.

Responsibility for preventing sexual harassment

Employers are responsible for preventing sexual harassment occurring in their workplaces and can be held liable for sexual harassment unless they are able to show they took all reasonable steps to prevent it.⁸³

This responsibility extends beyond traditional work hours and workplace locations to include responsibility for staff attending work-related activities such as training courses, overnight stays, transit, work functions and office parties.⁸⁴

Perpetrators of sexual harassment in South Australia are personally liable for their actions under the *Equal Opportunity Act 1984* (SA) and the *Sex Discrimination Act 1984* (Cth).⁸⁵

What the EOC found

Perceptions of sexual harassment

Of the survey participants, almost 1000 reported that they believe sexual harassment and predatory behaviour occurring within SAPOL (61 per cent) with around 160 (10 per cent) believed it occurs often.

Significantly:

- females were more likely to perceive sexual harassment as occurring than males (69 per cent vs 56 per cent).
- those who identify as lesbian, gay or bisexual were more likely to state sexual harassment occurs (70 per cent vs 61 per cent for heterosexuals) and were significantly more likely to believe that it occurred often compared to heterosexuals (17 per cent vs 10 per cent).
- Those within a metropolitan location were more likely to think that sexual harassment occurs compared to those in regional areas (63 per cent vs 56 per cent).

Targets of sexual harassment

Initially, around 500 survey respondents (30 per cent) indicated that they had, at some point in the past, been a target for sexual harassment in a SAPOL workplace. However, when prompted with a list of specific sexual harassment behaviours, an additional 99 people indicated having experienced one or more of these behaviours. This raised the percentage of people who reported ever having experienced sexual harassment in SAPOL to approximately 36 per cent in total (56 per cent female and 22 per cent male).

Of those who indicated the time frame at which the sexual harassment occurred, around half (46 per cent) said it had happened in the past five years. (21 per cent of females and 8 per cent of males.)

While not a perfect comparator (as the survey included people aged 15 and over) the 2012 Australian community rate for workplace sexual harassment experiences in the past five years was 25 per cent for females and 16 per cent for males.⁸⁶ This indicates that the extent of sexual harassment in SAPOL in the past five years is at a similar level to other workplaces in Australia for women and substantially lower for men.

"I found in [answering this survey] that the culture of sexual harassment ... is so entrenched that even I minimised the behaviour. It was not until now, reflecting back on the incidents, that I realise and acknowledge that along with some of my colleagues I have actually been the victim of sexual offending. If a victim attended the police station and detailed to me the incidents I have just described I would be strongly encouraging that person to pursue criminal charges." **Survey respondent**

"I have been told by a male supervisor ... 'I have a penis, you're a woman, you ... will always be a sexual object to me'." **Survey respondent**

"(T)here is a lot of pressure to look attractive because it feels as though my male colleagues prefer to work with attractive females ... It would be nice to see a change in attitude where the appearance of females isn't so openly discussed or valued by our male colleagues." **Survey respondent**

The nature of sexual harassment

Survey respondents indicated they have experienced all types of sexual harassment. The three most common behaviours experienced were:

- sexually suggestive comments or jokes that made the respondent feel offended. This was experienced by 14 per cent or around 270 people (28 per cent of females and 5 per cent of males).
- intrusive questions about their private life or comments on their physical

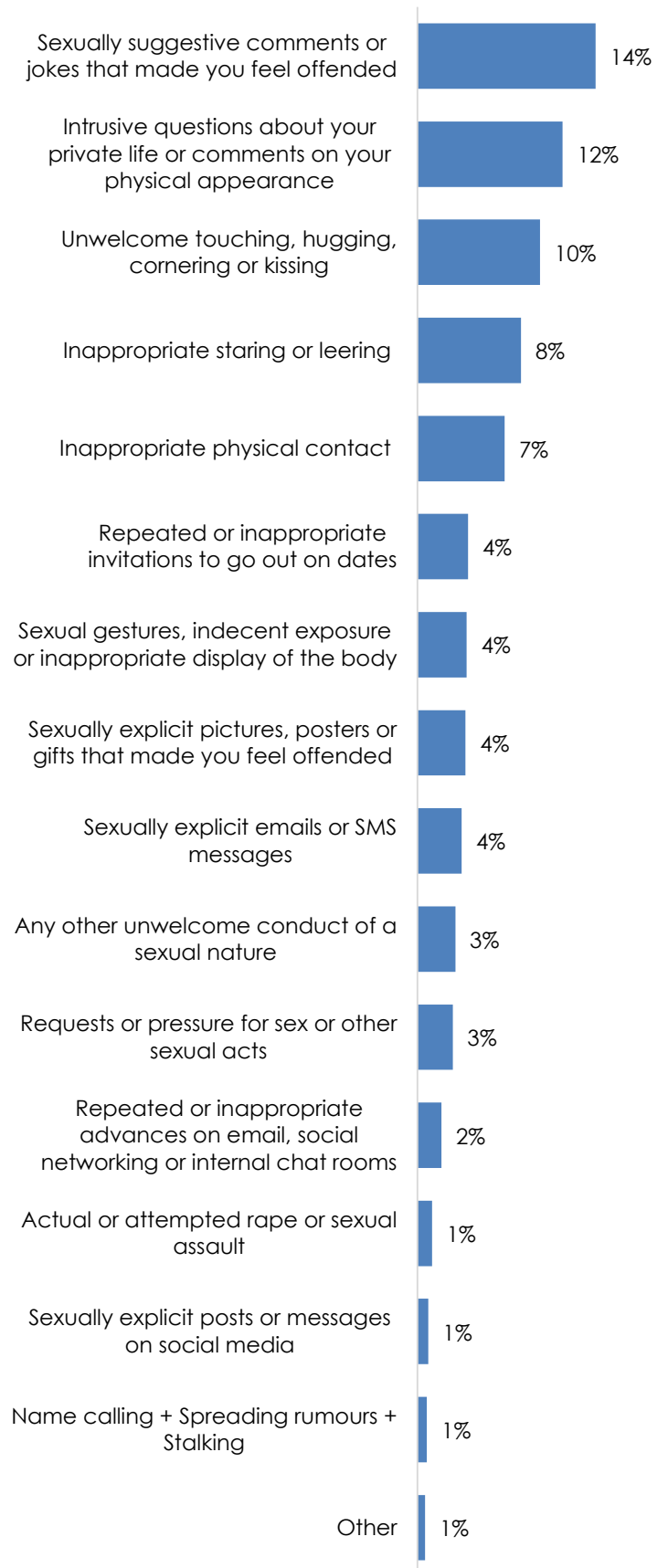
appearance. This was experienced by 12% or around 230 people (22 per cent of females and 4 per cent of males.)

- unwelcome touching, hugging, cornering or kissing. This was experienced by 10% or around 190 people (19 per cent of women and 3 per cent of men).

At the most serious end of behaviours, one per cent, or around 20 people, indicated having experienced actual or attempted rape or sexual assault. This was experienced only by females.

A full list of behaviours experienced are at Figure 3.

FIGURE 3 - TYPES OF BEHAVIOUR EXPERIENCED



Q53. While at SAPOL, were any of the following behaviours directed towards you? MR Base n = 1954

"A new senior member started on our team. He started to make persistent sexual comments and gestures towards me and would send me endless inappropriate text messages. He would tell me things like I want to 'impregnate you'. I told him to pull his head in. I wasn't interested. I started getting more and more text messages including comments about his penis." **Confidential interviewee**

"There was an occasion where men on my team called me at home while they were away on a work trip to ask me about my breast size, which they had been speculating about together." **Confidential interviewee**

*"I have been subjected to ongoing sexual [harassment] by one male colleague that resulted in me becoming highly anxious in my workplace I would feel physically ill at the prospect of seeing him ... When I explained that his actions were unwelcome ... he told me that ... it was all just a bit of fun. **Survey respondent***

"After a work BBQ at which we had all been drinking, a teammate ... had sex with me. I didn't want to, but I was so affected by alcohol I couldn't stop him ... I have never consumed alcohol around any workmates from then onwards. I basically stopped socialising with team mates to protect myself, even if that gave me a reputation for not being part of the team." **Confidential interviewee**

"The majority of managers who have offered support with development opportunities also offer spending time together out of work. They are overly friendly and communication always has sexual overtones that become less subtle over time. If the sexual overtones are questioned/not encouraged the offers of support stop." **Survey respondent**

*"I have been privy to numerous conversations with male colleagues where they rate the 'Top 10 Chicks in the LSA they like to f**k' **Survey respondent***

"I was at a catch-up with a group of colleagues. We were having a laugh about getting older. One of the guys made a joke about their pubic hair not going grey. Sometime after, I got an envelope in the internal mail, with the word 'proof' written on it. It contained what looked to me to be pubic hair. It had to be from my old colleague. I'm usually pretty tough, but this was not OK. I thought he respected me as a colleague. It really upsets me that he probably didn't even realise how offensive and disrespectful this was to me as a woman. How could he think that this is OK? It's not OK." **Survey respondent**

"Sexual harassment is part of the job for women working in SAPOL. You are just expected to put up with it ... just a few examples of the everyday harassment I have experienced ... being ... picked up by the back of my vest and paraded around by males seeking to prove how strong they are (this was demeaning); ... wash[ing] the car fleet – every time you bend over to scrub something you expect that someone will grab you, or make some form of sexual comment; ... one time when I was walking past a waxing salon with a male colleague he ... said 'I bet you go there and are all waxed down there.' I've been told by line managers that women somehow contribute to being sexually harassed." **Confidential interviewee**

The impact of sexual humour

Sexual humour, sexual slang and comments targeting gender can have a significant effect on the culture of an organisation, normalising disrespectful and inappropriate behaviour towards women.⁸⁷ Many review participants spoke of working in an environment at SAPOL in which females were routinely referred to as "trouble makers", "bitches" and "lesbians", and in which putting up with, or accepting, lewd jokes and other sexualised behaviours was seen as part of the job.

"After making an offensive comment a male will now say 'only joking'. And that makes it ok

apparently and the woman overly sensitive if she remonstrates.” **Survey respondent**

“My observations have normally been of inappropriate jokes or suggestive comments which I believe are the offender(s) thinking they are just being funny and normally the victims ‘play along.’ I only know through conversations with them later that they too felt the behaviour was inappropriate ... the victims ... don’t want to cause any fuss by reporting behaviours and even perhaps think they are the weak ones for being offended.” **Survey respondent**

According to resilience research undertaken by Sojo and Wood, when a sexist remark is challenged and the perpetrator responds that they are “just joking” it presents two challenges for the women: first about their gender and second about their sense of humour or social competence in not understanding social norms.⁸⁸ While humour can be an important coping and bonding mechanism within the policing culture, there needs to be better understanding of the insidious impact of sexist humour.⁸⁹ A culture where gender equality is a cultural norm will facilitate an environment where staff can enjoy some jokes and light-hearted ‘banter’ without denigrating and disrespecting others.⁹⁰

The targets of sexual harassment

As has already been noted, females were significantly more likely than males to have experienced sexual harassment at SAPOL (47 v 17 per cent).

Lesbian, gay and bisexual respondents were significantly more likely than heterosexual respondents to have experienced sexual harassment in the workplace while at SAPOL (47 per cent vs 29 per cent).

“I am in a same sex relationship. I have had a male colleague ask me [for a] threesome with him ... He didn’t even try to laugh it off as if he was joking. **Survey respondent**

“When colleagues realise my sexual orientation some make comments like they would like to join in, or would like to watch. I have heard some of my colleagues calling me and my partner names behind our back. ‘Lesbian mafia’.” **Survey respondent**

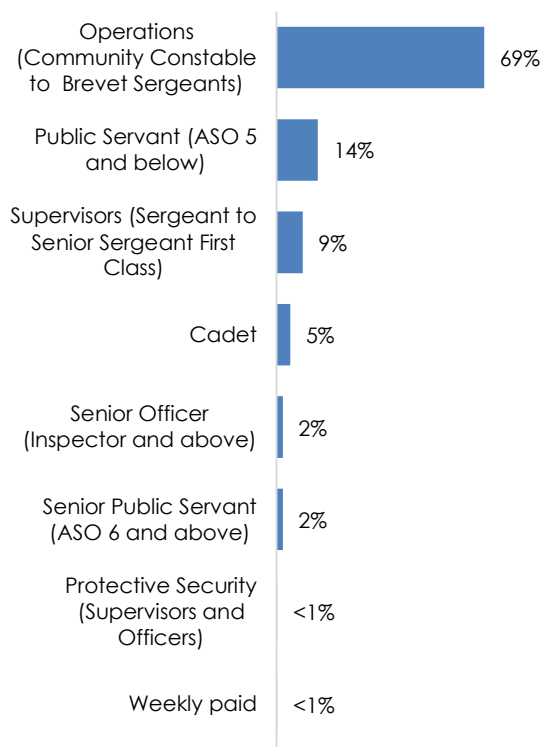
While the most common employment categories of targets of sexual harassment was Community Constable to Brevet Sergeants (69 per cent) sexual harassment is still experienced at higher sworn ranks and by administrative/specialist support staff of all levels.

Those aged 18-34 years old were significantly more likely to have experienced sexual harassment in the past five years while working at SAPOL (83 per cent) compared to those aged 34-54 years (40 per cent) and those over 55 years (23 per cent).

Overall, significantly more sworn employees indicated having experienced sexual harassment (31 per cent), compared to their public service counterparts (23 per cent). However, this trend has shifted with significantly more administrative/specialist support staff indicating they have experienced sexual harassment within the last five years (68 per cent) when compared to sworn staff (43 per cent). This represents a concerning trend.

There were no significant differences between metropolitan or regionally-based staff.

FIGURE 4 - TARGET'S RANK, CLASSIFICATION, OR LEVEL AT THE TIME OF THE HARASSMENT



Q60. At the time the harassment began, what was your rank/classification/level? SR Filter: Q54 filter; Unweighted; base n = 489; total n = 604; 115 missing; 69% filtered out

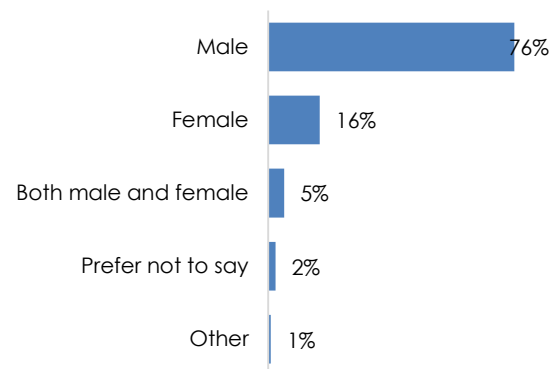
A number of participants in the Review expressed frustration at having their experiences of sexual harassment dismissed because they did not fit the stereotypical perception of a victim. This included those experiencing harassment by a member of the same sex, and males experiencing harassment from females.

“In my experience some women within SAPOL are significantly more predatory than men ... I have experienced sexual harassment by the opposite gender in a number of different workplaces across the organisation over many years ranging from unwanted sexual contact/fondling, kissing, sexual comments, emails and texts. It would be nice for it to be recognised that sexual harassment within SAPOL is not defined by one specific gender against the other.” **Survey respondent**

The characteristics of harassers

SAPOL survey respondents indicated that 76 per cent of harassers were male, with a further 5 per cent stating they had been harassed by both males and females. Cumulatively this indicates that 81 per cent of respondents who experienced sexual harassment were targeted by a male harasser. This is consistent with AHRC data showing the majority of harassers in Australia (79 per cent) are male.

FIGURE 5 - GENDER OF HARASSER



Q56. Was the person/were the people who sexually harassed you? SR Filter: Q54 filter; Unweighted; base n = 478; total n = 604; 126 missing; 69% filtered out

Predatory behaviour in SAPOL

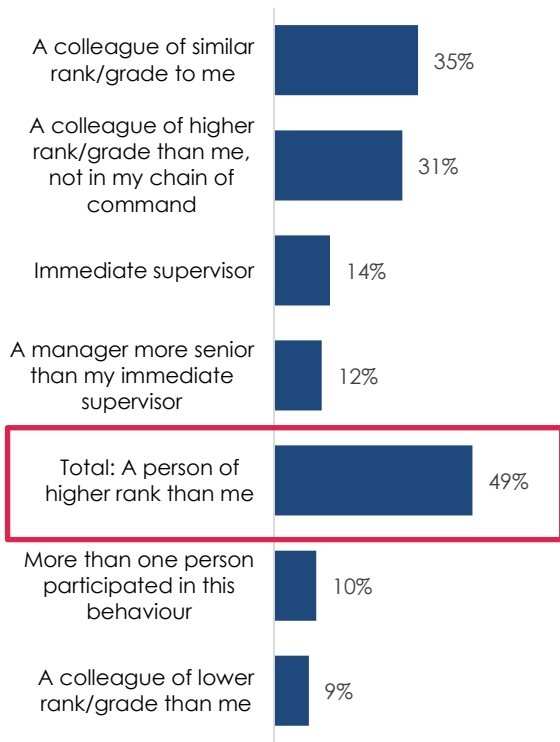
Overall, almost half the targets of sexual harassment (49 per cent) indicated they experienced the behaviour from a person in a position senior to them at the time (see Fig 6).

“My experience has been through a senior officer displaying a higher level of interest in me compared to other colleagues. This has included:

- *being taken out for coffee ...*
- *regular unnecessary physical contact...*
- *standing in [too] close proximity when in a group setting) ...*
- *singling me out for kiss on the cheek ...*

Survey respondent

FIGURE 6- JOB ROLE OF HARASSERS



Q57. Which of the following best describes the harasser(s)? MRFilter: Q54 filter; Unweighted; base n = 604; 69% filtered out.

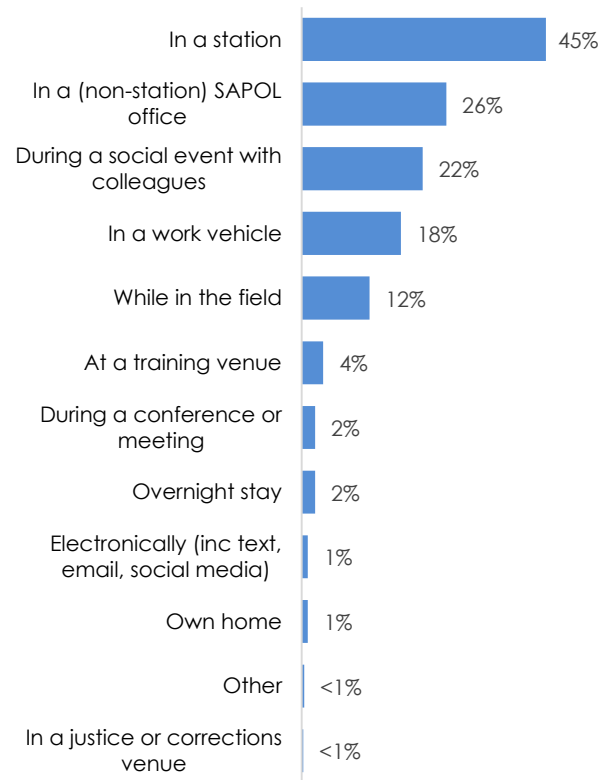
Respondents were able to provide more than one response. Individual categories above cannot be summed. The 'Total: A person of higher rank than me' removes the impact of multiple responses.

The EOC has recommended that SAPOL re-examine the conflicts of interest policy/code to ensure it covers the need to be aware of conflicts of interest that can arise with intimate/familial relationships between supervisors and their direct staff. This should also caution against predatory behaviour

Where sexual harassment occurs

The most often cited locations where sexual harassment had occurred were: in a police station (45 per cent) in a SAPOL office (26 per cent) during a social event with colleagues (22 per cent) and in a vehicle (18 per cent).

FIGURE 7 - LOCATION OF SEXUAL HARASSMENT EXPERIENCED



Q55. Where did the harassment take place? MR Filter: Q54 filter; Unweighted; base n = 604; 69% filtered out

“He made inappropriate advances, comments, and using social media communication ... He would purposely stay back at work and wait for certain females to leave. He would walk with them to public transport afterwards and make them feel uncomfortable. This issue was raised many times and nothing was done.” **Survey respondent**

The impact of sexual harassment

The impact of sexual harassment on those individuals ranged from feeling uncomfortable to feeling suicidal. Although some respondents reported they just “brushed it off”, others provided powerful personal stories of the significant effects on wellbeing. As well as the immediate impact, many confidential interviewees indicated their experiences with sexual harassment had a lasting impact on them. Some described themselves as “damaged”. Others described how they changed to avoid further harm.

*“Whilst typing this information I am reminded of how upsetting each experience has been, even some years later. I am still embarrassed, offended and hurt by these behaviours. I have, over the years, questioned my actions as though perhaps I am somehow causing or encouraging these behaviours. I have over the years battled with my self-esteem, questioning whether I am actually a valued and respected employee/colleague. I have questioned whether my skills and expertise are at all considered worthy or is my ‘f**kability’ more of the point. I worry that although I have never engaged in any of the requests made of me that perhaps my reputation is tainted.”* **Survey respondent**

“It is a daily stressor – because you’re entering a situation every day where you are not sure whether you are going to be the target of behaviours – Is he going to embarrass me? Is he going to belittle me? This can create a lot of personal stress.” **Key personnel interviewee**

“The consequences for me have been depression, anxiety, loss of money, confidence and self-esteem. I feel damaged or broken by all of this.” **Confidential interviewee**

“My experiences changed me as a person. I am hard ... I just wanted to look as unattractive as possible. I stopped wearing makeup, and I would dress in a way to ensure I was as covered as possible. I stopped going to parties, and I made sure not to drink. I knew that girls that acted that way were targeted, and once you had a reputation there was no coming back.” **Confidential interviewee**

“I felt anxious every time at the prospect of working with him after that but we had a small team so had no choice. I didn’t complain. I was new to the organisation and didn’t want to cause trouble.” **Survey respondent**

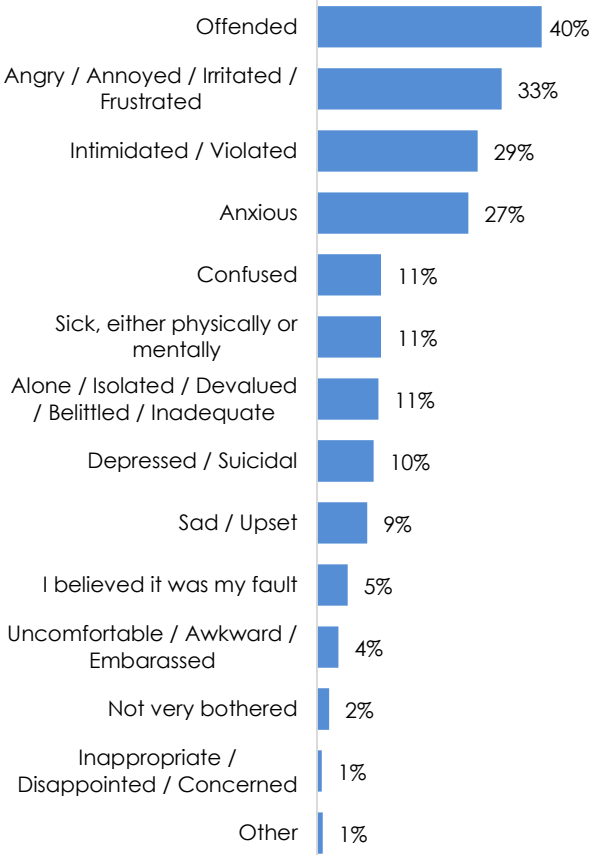
“I regularly blamed myself, and the odd person I did speak to, re-iterated it was my own fault and warned me of how it would look if I made a complaint.” **Survey respondent**

When compared to males, females tended to convey experiencing the impact of sexual harassment more acutely. A significantly larger proportion of females experienced feelings of offence (47 per cent vs 27 per cent) anger/irritation/frustration (41 per cent vs 19 per cent) intimidation/violation (37 per cent vs 14 per cent) anxiety (34 per cent vs 14 per cent) and feeling sick (16 per cent vs 3 per cent).

“ ... A male colleague offered to assist me in getting pregnant again. This was ... highly offensive.” **Survey respondent**

Regional SAPOL employees who experienced sexual harassment were significantly more likely to have felt alone, isolated, devalued, belittled or inadequate (17 per cent) as a result of the harassment compared with those in a metropolitan location (10 per cent).

FIGURE 8 - FEELINGS ARISING FROM SEXUAL HARASSMENT



Q58. This harassment made me feel: MR Filter: Q54 filter; Unweighted; base n = 604; 69% filtered ou

The effects of sexual harassment on the organisation

Sexual harassment can have costly implications for organisations. Review participants advised of drops in team morale and loss of team cohesion as team members 'took sides'. Some also reported a loss of confidence in the organisation, particularly in cases where complaints processes were drawn out, or where team members did not see any consequences for the perpetrators. These issues can lead to a decline in individual and workgroup productivity, increased job turn over, use of sick leave and loss of reputation and public confidence.⁹¹

"I was in a team where there had been allegations of an inappropriate relationship between a young female and a person of significant organisational authority. It was very destructive – it left the team in disarray." **Key personnel interviewee**

Actions taken

After experiencing sexual harassment, the majority of respondents indicated they tried to laugh it off or forget about it (45 per cent) followed by pretending that it did not bother them (42 per cent). A large proportion also reported having avoided the person (39 per cent).

Females were more likely than males to have tried to laugh it off or forget about it (55 per cent vs 27 per cent) pretend it did not bother them (49 per cent vs 31 per cent) avoid the person(s) (49 per cent vs 21 per cent) told someone else about what happened (36 per cent vs 11 per cent) told the person the behaviour was not okay (24 per cent vs 11 per cent) and/or avoided locations where the behaviour might occur (25 per cent vs 8 per cent).

Initially, as indicated in figure 9, only 8% indicated that they 'used official processes to

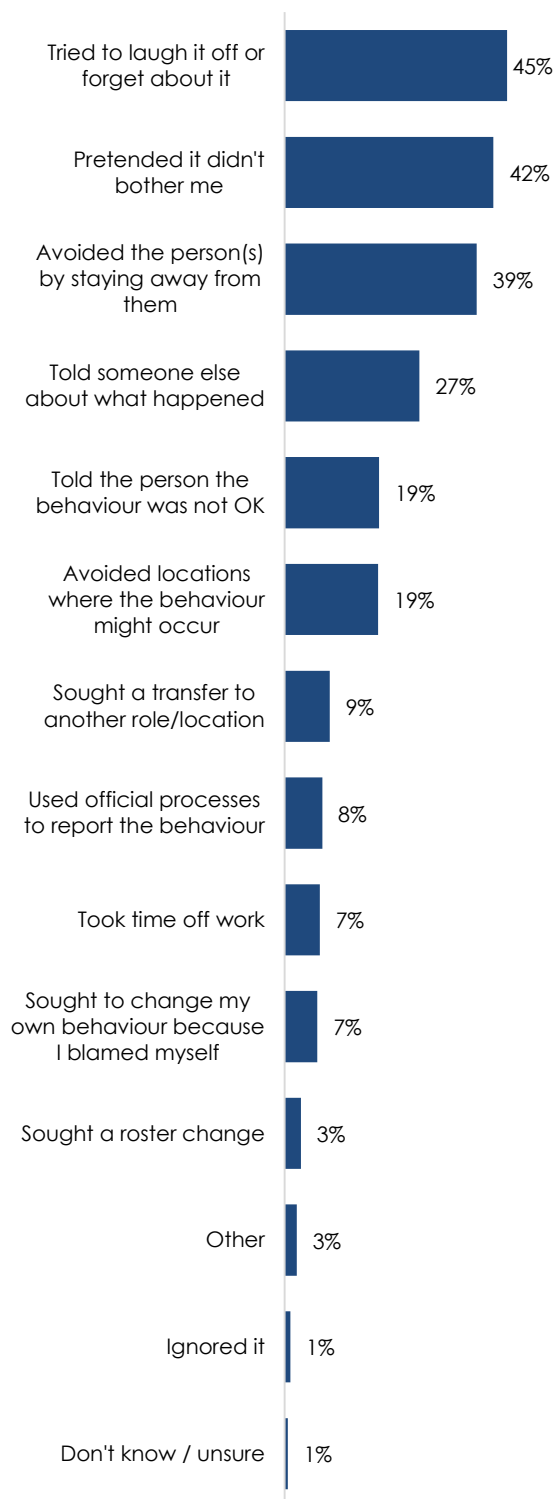
report this behaviour'. When followed up, and asked explicitly if they formally reported the sexual harassment or made a complaint, they personally experienced, more people indicated that they had utilised formal complaints mechanisms, and this percentage rose to 12%.

Reasons for not reporting included:

- a belief that there would be negative consequences to one's reputation or career
- a belief that reporting wouldn't make a difference
- the person took action to make the harassment stop on their own
- the person did not see the need/got over it/ the behaviour was a one off
- the person no longer had contact with the harasser
- a belief that there would be negative consequences for the harasser
- the behaviour occurred a long time ago when there wasn't a complaints mechanism
- the person did not know who to talk to or how to make a complaint
- the person was advised not to complain by a colleague(s) family or friends
- complaining was perceived as going against SAPOL culture.

These issues are discussed further in Chapter 6 Dispute Resolution and Complaints.

FIGURE 9 - RESPONSES TO SEXUAL HARASSMENT



Q59. When the harassment happened to you, did you, at any time afterwards, respond in any of the following ways? MRFilter: Q54 filter; Unweighted; base n = 604; 69% filtered out

“When I started in the job I was young... I learned to adjust my attitude and try to 'fight back' in my own way by desensitising myself to the behaviour, trying to joke and talk myself out

of it or avoiding situations. ... I still tend to joke or laugh my way out of these situations ... I'm embarrassed to say that my 'coping mechanisms' have likely turned me into someone that perpetuates this behaviour as I'm sure I make it seem ok.” Survey respondent

Gaps in understanding

Despite the survey respondents indicating that 49 per cent of harassers were at levels more senior to them at the time of the incident, only 6 per cent of people reported having experienced exploitation by a person in a position of authority and 1 per cent were unsure.

The fact that when told what specific behaviours constitute sexual harassment and predatory behaviour, more people indicated they had experienced it, pointed to a gap in knowledge about the types of behaviours that constitute sexual harassment and predatory behaviour.

Comments such as the one below from a person in a position of authority indicate that even within SAPOL's leadership ranks there may be a lack of shared understanding about what sexual harassment is.

“It is a natural interaction for men and women in the workplace and sometimes flirting goes too far. That's why coppers marry other coppers because they work closely together. You'll get people who come and claim they've been sexually harassed and I'm sure some have been. Hopefully we deal with those things swiftly as best we can. But it's a two way street and I've been the subject of sexual harassment. I've had girls come and lean over my desk. I didn't take it as a bad thing. It's a matter of where the line is for me as an individual. They can't know where the line is until they try it.” Key personnel interviewee

Bystanders

Who is a bystander?

For the purpose of this Review a bystander was described as a person who had seen (witnessed) or heard of, inappropriate sexual behaviours occurring within the workplace.

“I heard another female member telling her Supervisor she needed some time off as she had just found out she couldn’t have children and he then said ‘Oh thanks for reminding me I need to get my cat de-sexed’ ... I was horrified at his reaction.” **Survey respondent**

What the EOC found

Bystander experience

Around 850 survey respondents said they witnessed or heard inappropriate sexual behaviours occurring within the workplace in SAPOL (ever) (52 per cent).

The largest proportion of respondents indicated they had witnessed or heard about sexually suggestive comments or jokes (27 per cent) followed by witnessing unwelcome touching, hugging, cornering or kissing (15 per cent).

Females were significantly more likely to report having witnessed or heard about inappropriate sexual behaviours as compared to men (57 per cent vs 48 per cent). Key differences across the most frequently mentioned behaviours seen included: sexually suggestive comments or jokes which caused offence (31 per cent vs 24 per cent) unwelcome touching, hugging, cornering or kissing (18 per cent vs 12 per cent) intrusive questions about one’s private life or comments on one’s physical appearance that made them feel offended (19 per cent vs 11 per cent) and inappropriate staring or leering that made them feel intimidated (18 per cent vs 12 per cent).

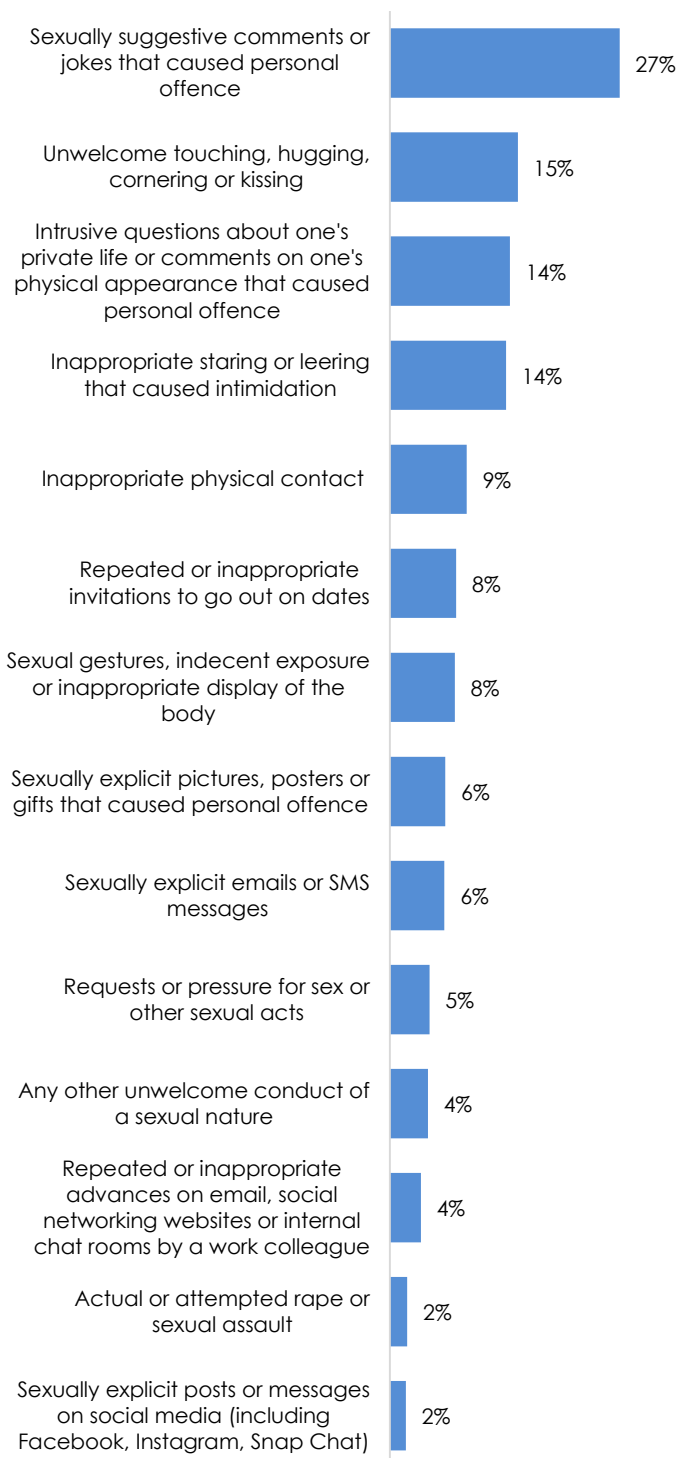
Almost a quarter of respondents (24 per cent) reported witnessing or hearing about

exploitation of another person by someone in a position of authority.

“Everybody knows there are higher ranked police members who use their positions to pursue younger female constables. Everyone knows about it, everyone talks about it, but nothing gets done about it.” **Confidential interviewee**

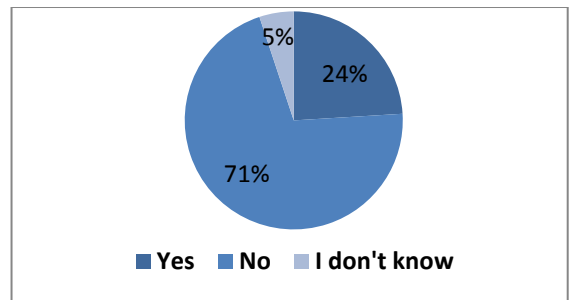
“... I would be hesitant to report any discrimination or harassment as I don't believe SAPOL takes it seriously enough and the victim’s welfare is not a high consideration. I am aware of two reported harassment matters both of which involved supervisors harassing members on their teams. I felt both were quite serious matters and would at a minimum expect the supervisor to have been transferred, but this did not happen. The victims were left exposed to them. I believe SAPOL protects its supervisors to keep up appearances. I would feel more comfortable reporting a harassment matter against a member of the same or lower rank.” **Survey respondent**

FIGURE 10 - WITNESSING SEXUAL HARASSMENT BEHAVIOURS



Q72. While at SAPOL, have you ever/did you ever witness or hear of the following behaviours being directed towards a colleague? MR Total sample; Unweighted; base n = 1954

FIGURE 11 - BYSTANDER TO THE EXPLOITATION OF ANOTHER PERSON BY SOMEONE IN A POSITION OF AUTHORITY



Q73. Have you seen or heard about a person in a position of authority or influence exploiting someone for sexual or other personal gratification? This could include offering special treatment which may lead to the expectations of sexual favours in return. SR Total sample; Unweighted; base n = 1627; total n = 1954; 327 missing

Bystander responses

About 60 per cent of the SAPOL bystanders took some action to support the target, report or minimise harm. This is higher than the level reported in the 2012 AHRC survey⁹² which found that 51 per cent of bystanders took action to prevent or reduce the harm of the harassment.

Where action was taken, the most common response was to offer personal support to the victim (41 per cent). This included talking or listening to the victim, encouraging the victim to report the behaviour, offering advice to the victim and supporting the victim when they reported the behaviour.

“I recently worked with a male who was behaving inappropriately with victims. This had ramifications for the whole team. The difference is rather than accept this behaviour as common practice, the whole team, men and women were prepared to report him. Our whole team had the shared feeling that this behaviour was wrong. We all reported. This occurred, even though this was a male-dominated area and this particular male was friendly with most of the team. This wouldn't have happened 30 years ago. The supervisor acted on the reports straight away. This was really good to see.” Confidential interviewee

Of those who witnessed sexual harassment, just over 200 respondents (31 per cent) did nothing. Males were significantly more likely not to have taken action (35 per cent) than females (26 per cent). Another 8% indicated that their response to witnessing or hearing about sexual harassment was to discuss it with other colleagues.

“This married boss and the new recruit were obviously having a very close relationship. Their behaviour in the workplace did not look and feel right. I could list at least half a dozen people outside the immediate area who said to me this shouldn’t be going on, but they were not willing to raise it.” **Confidential interviewee**

The most frequently indicated reason for not taking action was the belief that the matters were already being dealt with (25 per cent). However, 36 per cent of bystanders cited other reasons for not taking action, including:

- lacking confidence that the organisation would respond appropriately to the behaviour (15 per cent)
- feared being victimised (9 per cent)
- thought nothing would be done (7 per cent)
- thought that the victim may be further victimised (5 per cent).

“I witnessed some really bad behaviour by a senior officer and called it out publicly. Afterwards I was approached by another more senior officer who warned me that if I wanted to survive in the organisation you have to be careful about that kind of thing.” **Key personnel interviewee**

“I believed (reporting) would hinder my own advancement in my career.” **Survey respondent**

“There is commonly male-dominated boisterous behaviour. It is perceived that it is okay and that because it is a male dominated workplace that it is acceptable. If you speak out about it you are

easily outed by other colleagues and people then talk behind your back ... It is really frustrating that if I speak out about constant smut talk then I am the one punished.” **Survey respondent**

Bystander intervention

There is an increasing focus on the responsibility of bystanders to act to prevent and respond to sexual harassment and sex discrimination.⁹³ The AHRC recommends creating “... an enabling environment to encourage and empower bystanders to take immediate and effective action to prevent and reduce the harm of sexual harassment. This will require the development and implementation of a range of strategies ... [including] addressing the risks of victimisation to bystanders...and supporting bystanders who do take action to prevent or respond to sexual harassment.”⁹⁴

“[I was sexually assaulted] in front of numerous other male members including a supervisor who laughed and stated, ‘You can’t do that [name]’ before walking off and laughing. No-one approached me and provided me with any support or advised me of what action to take ... I already knew from that moment that I wouldn’t be supported and that I would be made out to be the ‘new trouble maker’ if I said anything about the incident.” **Survey respondent**

“A male junior frequently used sexually explicit language and made disparaging comments with regards to women and told sexually explicit jokes. I took no action, preferring to ignore the behaviour, until I overheard ASOs and junior sworn members talking to each other about how offensive they found the behaviour. I then spoke to those females and took action directly with the member as well as advising my immediate supervisor of what I had done. The behaviour ceased.” **Survey respondent**

Powell’s 2012 report - *More than ready: Bystander action to prevent violence against women in the Victorian Community*⁹⁵ and the 2012 report, *Encourage. Support. Act! Bystander*

*Approaches to Sexual Harassment in the Workplace*⁹⁶ by McDonald and Flood explore barriers and facilitators to bystander action. They found bystanders were more likely to take action if they:

- knew what constituted sexual harassment
- were aware of the harm caused
- felt responsibility to intervene
- felt they could intervene
- wanted to educate the perpetrator
- empathised with and wanted to support the victim
- were angry and disapproved
- believed in gender equality.

Reasons why they did not act included:

- the ambiguous nature of some everyday sexism and heterosexism
- exclusive group identity; male peer groups based on violence/aggressive masculinities
- fear of being targeted by the perpetrator
- fear that their masculinity will be called into question
- perception that action will be ineffective
- not knowing how to intervene
- impression management, preserving their interpersonal relations.

A key factor in people feeling confident to speak out is the culture of the workplace. If the culture is such that discrimination and sexual

harassment are not tolerated and there are clear and consistently applied consequences, witnesses are far more likely to speak out.⁹⁷

The *Equal Opportunity Act 1984* (SA) includes provisions for people who are victimised for reporting, or assisting others to report, sexual harassment or discrimination. It also contains protections for whistleblowers who are victimised. Whistleblowers who choose to seek recourse under the Act must show that the information revealed was in the public interest.

SAPOL's workplace policies and procedures include protections for those who speak out. However, they are ineffective without organisational commitment to implement them consistently. SAPOL staff need to see real evidence of these policies in action. Where members display inappropriate behaviours, actions need to be swift, fair, consistent and visible. Proactive communication, programs and training initiatives aimed at increasing witness knowledge and confidence can also be key to ensuring success.⁹⁸

"We need a real cultural change. We need people standing up and calling out behaviours that they witness. This will be the biggest change, when other people stand up and say stop doing or saying things that are inappropriate." **Key personnel interviewee**

I once witnessed an extremely inappropriate conversation between several managers [and reported it] ... [In the end] I was made to look like I had lied and was then ostracised by my colleagues. Work became so uncomfortable that I transferred to another station ... [but I still] have to deal with them I feel anxious every time I have to speak to them. **Survey respondent**

Summary

Sex discrimination and sexual harassment are significant issues across SAPOL's workforce. While some improvements have been made since the 1998 Spargo Report, there is much work to be done throughout SAPOL to have a gender equitable and inclusive culture.

The Review found widespread agreement that sex discrimination exists, with around 740 (45 per cent) of those surveyed saying they had experienced this. Women were more likely to experience this. Lesbian and bisexual women and gay and bisexual men also experienced this in higher numbers

Experiences reported included being denied access to jobs and training and development opportunities as well as refused flexible work arrangements.

While sex discrimination can be highly damaging in itself, research has found it also paves the way for sexual harassment and violence. 36 per cent of SAPOL staff had been subject to sexual harassment while employed with SAPOL (ever.) Of these who had experienced it, 43 per cent indicated the behaviours occurred within the past five years. Behaviours reported ranged from sexually suggestive comments and jokes, unwelcome touching and kissing, to rape and other forms of sexual assault.

Women and LGB staff were most likely to be affected by these behaviours. Overall, significantly more sworn employees indicated having experienced sexual harassment, but administrative/specialist support staff were increasingly experiencing sexual harassment, representing a concerning trend.

All levels and classifications of staff reported experiencing these behaviours.

Males were significantly more likely to perpetrate sexual harassment.

The level of sexual harassment in SAPOL in the past five years is in line with the workplace prevalence in the general population. However, the degree of predatory behaviour is higher, with 49 per cent of respondents experiencing and thus almost a quarter of respondents (24 per cent) reporting witnessing or hearing about exploitation of another person by someone in a position of authority.

The level of official reporting of sexual harassment is low – including by bystanders – despite the legislative requirement to do so.

Not unexpectedly, SAPOL has an unconscious masculine lens through which it determines its priorities and approach to running the organisation. These issues are normalised within a 'boys' club' culture where masculine traits such as physical activity, competitiveness, exaggerated heterosexual orientations and misogynistic and paternalistic attitudes towards women are common place.

Such norms indicate aspects of SAPOL's culture that place it at the lowest level on the WGEA gender strategy roadmap in terms of having a gender-inclusive culture – i.e., 'avoiding' – where gender-specific barriers are unrecognised and unaddressed and there is little awareness of a need to shift culture.⁹⁹



Chapter 2

Leadership and accountability

Ideal end goal

SAPOL leaders have the necessary capability, confidence and commitment to build a gender-inclusive culture that is free from sexual harassment and sex discrimination and act as role models for gender equality and inclusion.

Why does this matter?

Leadership is critical to achieving lasting positive change in any organisation. As renowned Harvard professors and consultants Heifetz, Grashow and Linsky noted, organisations are the way they are because the people with power and influence in these organisations want them to be that way (or prefer the status quo to the unpredictability of change).¹⁰⁰

Similarly, WGEA has noted that “Organisational culture is a cumulative reflection of the prevailing attitudes and values prevalent in the workforce. This will be shaped by leaders and managers more than any other single factor. Their attitudes and values, demonstrated by their behaviours (including decision-making) send a clear signal of what is important and expected of others”.¹⁰¹

SAPOL’s current culture is a consequence of the attitudes, actions (or inactions) words and priorities of its leaders, managers and other influential stakeholders – both current and former.

“In SAPOL it’s a case of monkey-see, monkey-do – if a senior condones sexism, so will his juniors; and the culture continues.” **Confidential interviewee**

The cultural problems at the heart of sex discrimination, sexual harassment and predatory behaviour within SAPOL will – like all

organisational cultural problems – require adaptation. They are tangled and complex, involving diverse and conflicting interests, priorities, beliefs, habits and loyalties.¹⁰²

The transformation required cannot be delivered solely with technical solutions (i.e., with operating procedures, policies, guidelines, rules and current know-how). Indeed according to Heifetz, Grashow and Linsky, “The most common cause of failure in leadership is treating adaptive challenges as if they are technical problems”.¹⁰³

What the EOC found

The Review Team interviewed numerous key personnel in positions of significant influence, including all members of the ELT. Perceptions on sex discrimination and sexual harassment in SAPOL were sought. In addition, the team asked for their ideas about organisational improvements that could be undertaken.

Key personnel widely acknowledged current Commissioner Grant Stevens as an agent for change. The Commissioner has spoken openly about his vision of making SAPOL “an employer of choice for men and women” and of improving SAPOL’s culture “through improved workplace equity across the organisation”.¹⁰⁴ The majority of key personnel supported the Commissioner’s vision and supported the end goal of building a diverse, inclusive and safe working environment.

Further, almost all expressed support for the Review and encouraged participation among staff. They spoke openly about their experiences and offered a range of thoughtful suggestions for organisational improvements. There was also evidence of an increasing awareness of potential unconscious biases and other barriers for women.

However, while the Review Team found broad support for change among SAPOL's leaders, strong pockets of resistance remain – including within highly influential roles.

An example of this was experienced by the Review Team when, during a key personnel interview, the interviewee expressed dismissive views about sexism and sexual harassment in SAPOL and the responsibility of the organisation to deal with these issues.

“Sex discrimination must occur in SAPOL as it still occurs in society ... People make lifestyle choices and it's often women who go off and look after the kids but I don't know that that really hinders people. These sorts of audits can be used to bash organisations – ‘we looked under a rock and found some sexism’. Yes there's sexism and yes there's sexual harassment but you know, if you're going to stamp that out you have to stamp out prostitution first.” **Key personnel interviewee**

Many staff expressed concern that certain leaders in SAPOL, including some at the most senior levels, did not emulate the behaviours or values required to bring about lasting change. This theme was raised multiple times by staff in the survey, during confidential interviews and in conversations with the Review Team during site visits.

“SAPOL leadership either participates in or allows sexual harassment and sex discrimination to go on. They do not act to address unacceptable behaviour and sweep these things under the rug. This is a very big problem.” **Confidential interviewee**

“I [heard about] a gentleman's night which was arranged by the LSA social club. I was advised by a male member who attended, that strippers/prostitutes were arranged and performed sexual acts on paying male members. I am aware that a current Officer also attended this event and that LSA management were aware. However, no action was taken ... This is exactly the type of behaviour which will ensure that SAPOL does not reach a consistent 50:50 employment rate.” **Survey respondent**

Cultural change programs, such as the one SAPOL is undertaking, can be undermined by people in leadership roles who behave in this way, causing cynicism and disillusionment.

The need for a Gender Equality Strategy

In order to guide its transformation to a workplace in which gender equality is not only supported, but valued, the EOC recommends that SAPOL develop a contemporary Gender Equality Strategy. The *WGEA Toolkit's* Appendix C contains examples of strategies that could provide guidance to SAPOL.¹⁰⁵ The strategy should include a vision, mission, values, benefits, enablers, and actions under key areas that could draw heavily on this Report. The strategy will need to be underpinned by a business case detailing the case for change and associated benefits, backed up by data and including measures to determine the return on investment.¹⁰⁶ An important element in developing both the business case and the Gender Equality Strategy is engaging stakeholders from across the business (see below discussion).

Business planning

The EOC advises that each SAPOL division include in its annual business plans a gender equality section showing links to the Gender Equality Strategy, with actions designed to address specific issues in their areas.

The annual business plan should include statistics on the current gender split in each division by rank or level, acting opportunities, training accessed, flexible work usage and actions to be taken to improve this. Progress should be monitored on a quarterly basis.

Collection and oversight of data

According to WGEA, in an organisation that has reached the 'Sustainable' level in terms of gender equality, "key business and people-performance metrics are analysed and reported by gender as standard practice and implications routinely assessed".¹⁰⁷ Data is critical to any successful business transformation process and can "help drive the gender equality agenda ... demonstrating to stakeholders that there is an issue to be addressed or a risk to be managed which will create a business benefit".¹⁰⁸ Further, reporting on KPIs will highlight whether or not interventions are delivering the expected results and return on investment.¹⁰⁹

In SAPOL, data that could indicate movement towards gender equality does not appear to be consistently collected. The data that is collected does not appear to be routinely analysed by the ELT (or other levels of leadership or management).

Leaders and managers across the organisation interviewed by the Review Team noted a lack of insightful and decision-useful data about sexual harassment, sex discrimination and associated indicators (e.g., complaints, rejections/uptake of flexible work, and use of the EAP, etc.).

"As a senior manager in the 1 or 2% of the organisation it is really troubling that I don't

know where we are in terms of harassment and discrimination issues. I know what crime's doing, but in terms of culture of the organisation across some of these measures I don't know. I think this is probably more important to know than crime statistics once you are in a position like mine. If you get your own people right the results will follow." **Key personnel interviewee**

Many key personnel stated that as they moved up in the ranks they had become more insulated from inappropriate behaviours and discriminatory practices. This was consistent with the survey data which showed that of those who indicated they had been a bystander to sexual harassment behaviour, operations employees and public servants (of all levels) were significantly more likely to have witnessed incidents in the past five years (47 per cent and 67 per cent respectively) compared to Senior Officers (27 per cent) and Supervisors (29 per cent).

"At the end of the day there is no excuse for 'we didn't know'." **Confidential interviewee**

What SAPOL measures and how it utilises this data tells its employees what really matters. Good data reveals where progress is and isn't being made and should be integrated into regular reporting at ELT meetings and at all levels of leadership and management.

A suite of KPIs for managers across the organisation has been suggested in Appendix G. These KPIs have been designed to monitor movement towards a gender-equitable organisation and to ensure managers are held accountable for progress. It is also recommended that executives performance agreements include gender equality measures.

SAPOL is unlikely to have all the data required for these KPIs initially, but it is recommended that systems to gather this data be prioritised. Once robust and consistent gender equality and inclusion measurement systems are part of SAPOL's standard reporting suite, the

organisation should ensure its leaders and managers understand the numbers and are held to account for progress on targets in their areas (for example, by integrating discussions into regular performance appraisals). Progress against KPIs should be openly published across the organisation, perhaps quarterly.

The EOC recommends that SAPOL implement some form of 360 degree evaluation for its leaders and managers to enable them to gain deeper insight into how they habitually think, how they behave, and, more importantly, how all this impacts their leadership effectiveness. This will involve having the person, their direct reports, peers, supervisors and any external stakeholders, all provide an assessment of the individual's leadership competencies. When implemented well, 360 programs can be a major part of driving accelerated leadership growth as they facilitate awareness of strengths and weaknesses and focus attention on improving in key areas. However, it is crucial that the most senior leaders endorse the use of such tools (and utilise them themselves); the tool chosen is reputable and gives actionable feedback (examples include the LSI 360 degree system and the Leadership Circle); development plans are set and followed up after feedback is given; evaluators understand that the purpose of the exercise is to be constructive, not personal; and the data remain confidential to the individual and their debriefing coach, unless otherwise agreed. The 360 program should be implemented with ELT members in the first instance and then cascaded down to all other managers in the organisation.

A culture-change project

In order to become a gender equitable workplace, SAPOL needs to embark on a major change project, impacting all parts of the organisation. The EOC advises that the project is led by a Project Director reporting to the

Commissioner and resourced by a project team with expertise from key areas. The team will drive the implementation of key deliverables as outlined in Chapter 8 Implementation.

A critical component in ensuring an effective cultural change project is internal communication. Most change efforts fail because of an underestimation of the time and effort needed to convey messages and change behaviours and attitudes.¹¹⁰ The communication should aim to develop a shared understanding about sex discrimination and sexual harassment including the effects of 'low level' sexual slang and comments targeting gender.

A communication and engagement plan should be developed with nuanced messages, adapted to address the attitudes of key staff cohorts. As the *WGEA Toolkit* states, "different stakeholders have varying needs and expectations regarding gender equality, engaging and building support with each requires regular, two-way interaction to identify and respond to these".¹¹¹ To ensure success in engagement, these groups will need to be clearly identified and engaged in a proactive manner.

This internal communications work package cannot be a 'one off' but should be sustained over a number of years and properly resourced. It should involve all members of ELT (to assure all staff that it is on the same page) as well as managers throughout the organisation. Multi-channelled communication activities could include:

- spearheading face-to-face discussions across SAPOL about gender equality, challenging behaviours and attitudes to win the hearts and minds of middle management
- establishing a blog on gender equality and keeping a 'change resistance library' with comments made against gender equality and suggested talking points and responses for use by leaders throughout the organisation

- increasing understanding of unconscious bias and its impact on the workforce
- explaining how merit and gender equality co-exist
- championing leaders and bystanders who speak out and stand up in order to encourage all staff to do so
- promoting channels of support and complaint
- promoting the benefits of flexible work and showcasing those undertaking flexible work.

“I am aware SAPOL is now trying to look at being more inclusive and supportive – it can’t be just rhetoric ... serious and sustained effort needs to go into it and it needs to be expedited and communicated to staff so they can embrace the changes.” Survey respondent

Leading cultural change

Entrenched cultural problems of gender inequality, discrimination and sexual harassment, such as those faced by SAPOL and many other organisations, can only be sustainably resolved through changes in people’s hearts and minds – through helping them to see the world differently. These are often difficult and painful adjustments, particularly in long-established, hierarchical organisations with strong traditions and conventions.¹¹² In such organisations, those who benefit from the way things currently work may fear loss to themselves and others like them. This can result in resistance and even a backlash.

According to Heifetz, Grashow and Linsky, adaptive cultural change involves:

1. significantly displacing, re-regulating and rearranging some of the old organisational DNA

This requires leadership that recognises the losses for some and understands how to counteract the defensive responses that will thus arise in individuals and parts of the system.

2. building on what is working well already

This requires leadership that engages people in distinguishing what needs to be preserved and what should change.

3. active experimentation - because there are no ‘silver bullets’ to cultural change

This requires leadership with an experimental mindset that can improvise, accept failure and learn from this.

4. including diverse views and skills

Research from around the world has demonstrated that with diversity comes stronger decision-making and better performance and organisational outcomes. Thus, the change leaders need to involve diverse voices from across the organisation.

5. allowing time to consolidate into new sets of norms and processes

This means that those leading the change must be persistent, stay in the game - taking the heat along the way, and allow for incremental experiments that build up over time.¹¹³

Resisting the urge to leap to action

An important feature of successful cultural change efforts is that leaders resist the urge to ‘leap into action’.¹¹⁴ In SAPOL, emergency management is a crucial and valued part of the job that saves people’s lives. However, this approach is not appropriate in bringing about sustainable cultural change. Sorting through adaptive cultural challenges takes time and reflection – including engagement with diverse stakeholders to come up with new ways of operating that can be field-tested before implementation.

Throughout the change process the following approach could be usefully fostered by SAPOL’s leaders and managers:

- encouraging questions from staff – no issue should be too sensitive to be raised and it

should be okay to respectfully challenge the senior authority

- a sense of shared responsibility for the future of the organisation as a whole – this means that titles and functional boundaries should not create silos that erode responsibility for the whole organisation
- an expectation of independent judgement from all staff, so that senior people are not expected to have all the answers. Strategy, decision-making and idea-generation can involve people right across the organisation
- a focus on serving the mission of the organisation – not those in positions of authority within it
- processes that institutionalise reflection and continuous learning – both from successes and from mistakes and experiments along the way
- the promotion of communication and interaction across formal and informal boundaries.¹¹⁵

Establishing successful stakeholder engagement processes will require regular two-way interaction from the grassroots up, as well as top down. When implemented effectively, such practices can help leaders to gain a more nuanced understanding of issues arising in the organisation and can help to ensure that staff members feel more engaged in influencing the change process.

In a command and control structure such as SAPOL that relies heavily on a top-down authoritarian operating model, opportunities for constructive consultation can be missed. This can leave key stakeholders and potential supporters of change feeling disengaged.

“A lot of (Officers) feel undervalued and have a lot of experience which isn’t fully used. We did have Senior Officer’s Group meetings. Historically that worked quite well and was a good way to thrash out some issues such as ICT issues or

physical assets, resourcing issues and talk about things from an operational and strategic perspective ... valuing what we’ve got to offer. I think that would be good.” **Key personnel interviewee**

SAPOL has the advantage of a depth of experienced staff whose knowledge and links within the workforce will be important to tap into. As an example, SAPOL already has a Women’s Focus Group (WFG) which, among other key functions, has historically had an important role in providing grassroots advice to the ELT on matters related to sex discrimination and sexual harassment.

However, some participants in the Review raised concerns that as a result of diminishing funding and reduced engagement with senior leadership, the WFG had become more of a gender ‘tick in the box’ and was not functioning as originally intended.

“If we are serious about gender equality we need to do more. The WFG should not just be tacked on as an afterthought. It should be embedded in the organisation. It should be resourced properly. Currently it is operating in a highly unsustainable manner ... SAPOL needs to have a vision for the group. It should be formalised and properly budgeted for ... It could operate as a test group for any policies or proposed changes, as a way to ensure that a gendered lens is put over any new decisions.” **Confidential interviewee**

There was a desire by some participants that men be involved in the group as a means of moving it from being a ‘women’s thing’ to a gender equality tool.

“We need to bring men into the [WFG] group. It should not only be about women. In order to have real gender change men need to be a part of the fabric.” **Confidential interviewee**

SAPOL could consider establishing a Gender Equality Advisory Group, reporting to the Commissioner, which would provide input on

policy development, processes and communications through a gender equality lens.

Gender equality training

The path to lasting performance improvement on any priority starts with leaders and managers right across the organisation. The Leadership Shadow model, developed by Chief Executive Women (CEW) in collaboration with the Male Champions of Change (MCC)¹¹⁶ is currently being implemented by the South Australian Chiefs for Gender Equity (CfGE) and has been utilised and endorsed by Goldman Sachs Australia & New Zealand, Deloitte, KPMG Allianz, Qantas and Mirvac (among others).

The program focuses on the following four areas: communication, action, prioritising and measurement. The Review Team has utilised these areas to shape many of the recommendations of the Report.

The Leadership Shadow model could be rolled out to all SAPOL leaders and managers. While “not a prescription for automatic success” many organisations are finding it very useful in developing more effective ways of making progress.¹¹⁷

It will also be important for SAPOL leaders and managers to become skilled in understanding the potential losses that some employees will feel in moving towards a more gender diverse and inclusive organisation – as well as skilled in helping people move through this fear to a new place. Such fears can include the loss of power, position, jobs, self-esteem, status, relevance, loyalty, identity and competence. People who fear such losses are likely to offer resistance and ‘push back’ which can derail the change efforts.

The AHRC notes that leaders “must identify, deliver and monitor the message [they] send about gender [diversity] as well as ensure it is consistent with [their] actions ... Employees have well-tuned antennae to pick up signals from the top about ‘what matters around here’”.¹¹⁸

The case for promoting gender equality and eliminating sexual harassment must be clearly articulated and integrated into SAPOL’s strategy and its organisational values. SAPOL’s leaders and managers need to speak regularly about this as a priority, provide regular internal and external updates on progress (including challenges) and celebrate successes in order to build and maintain momentum.

Words of commitment must be backed by tangible actions, progress and change. This includes both technical (e.g., with new standards of acceptable and desired behaviours, policies, guidelines and rules) and also by SAPOL leaders and managers role-modelling support for an inclusive and flexible culture that is free from harassment.

“I think outlining people’s obligations and responsibilities in this area is important - you have an obligation and a responsibility to do something and if you don’t you’ve got to think about why you’ve got the rank.” **Key personnel interviewee**

Restorative engagement

As a fundamental foundation for change, the EOC believes that SAPOL’s leaders must engage in listening deeply to the stories of their staff.

Although it is hoped this Report will facilitate awareness of the damaging impact these unlawful acts can have, reading a report will not be enough to create the ‘heart and mind shift’ required.

There are many people who have experienced or witnessed sex discrimination and sexual harassment in SAPOL at some time, whether recently or in the more distant past. Acknowledgement that these behaviours were unacceptable and caused distress would be well received.

“There has never been any public recognition or acknowledgement by SAPOL about the

behaviours and treatment of women in the organisation ... This is the first real time I have told people about these experiences. I think it's time for recognition." **Confidential interviewee**

The Australian Defence Force (ADF), Victoria Police and the AFP have all implemented a process of 'restorative engagement' in which victims in these organisations are able to tell their stories to the organisation's leaders. This process works to promote a much deeper level of understanding of the impact of sexual harassment and discrimination. The latter has already led to far-reaching reform in the ADF. It is also a critical tool in assisting the healing of victims.

The EOC recommends that SAPOL consider developing and implementing a similar model of restorative engagement. This could act in a powerful way to help create the shift in both 'hearts and minds' that needs to take place in SAPOL in order to underpin and sustain the cultural shift required. This should be implemented in a safe and independent setting. Involvement in the process by complainants must be voluntary.

"Giving people the space to tell their own stories is very cathartic. It allows people to understand that they are not alone. There is a real fear of stepping forward and complaining, particularly with regards to sexual harassment. It is important for people to recognise that these types of behaviours happen at all ranks." **Confidential interviewee**

Summary

The EOC currently ranks SAPOL as operating at best at the 'programmatic' level on the WGEA roadmap. At this level, gender equality activity occurs only in response to issues that cannot be ignored and initiatives are ad hoc, reactive and tactical rather than planned, proactive and strategic. This results in initiatives being disconnected and fragmented, which limits

synergies, efficiencies and impact. Business priorities take precedence and regularly displace gender equality action. This leads to the failure of gender programs and initiatives to achieve sustainable progress or change and thus, undermines long-term support.¹¹⁹

At other levels of SAPOL, the picture is more concerning, with structural and cultural barriers to female career progression being unrecognised or denied, discriminatory behaviour towards women normalised, and accountability for gender equality limited to meeting compliance. The Review findings rank the culture of SAPOL's middle management and lower ranks at the WGEA roadmap 'avoid' level, or at best at the 'compliant' level.

Moving the entire SAPOL culture beyond these levels to become a 'sustainable' gender equality organisation will require SAPOL's leaders to build capability, confidence and long-term commitment. Leaders and managers across SAPOL must become role models for gender equality.¹²⁰

Story-telling combined with a leadership development model such as the Leadership Shadow can be used to help managers understand the issues and how what they say, what they do, what they prioritise and what they measure are critical to improving the organisation's performance in all areas, including equality.

This needs to be underpinned by a business case and a Gender Equality Strategy, which link to and support SAPOL's business strategy, objectives, policies and processes throughout the organisation – and with appropriate investment.

In terms of data collection, the EOC has ranked SAPOL on the 'compliant' level on the WGEA roadmap where gender data-gathering and reporting is for meeting compliance obligations.¹²¹ The development of robust key metrics is a core business discipline for understanding performance and it will be

important for SAPOL to collect and use data to measure its progress. Regular reporting will be an important means of building and maintaining stakeholder support.¹²²

A major project should be established to drive the changes required. Important components of this change process will be internal communications.

There is also a role for stakeholder feedback groups including representation by both males and females from all parts of the organisation.



Recommendations

It is recommended that SAPOL:

- Publish a statement endorsed by all members of the ELT that acknowledges that sexual harassment and sex discrimination is unacceptable and apologises for the significant distress caused to victims and bystanders.
- Establish a Restorative Engagement Project (based on the Defence Abuse Response Taskforce's approach - see Appendix E) whereby those who have been previously harmed can safely tell their story to trained senior SAPOL Officers and seek acknowledgement and an apology.
- Develop a Gender Equality Strategy utilising the WGEA *Gender Strategy Toolkit* and roadmap. In order to be sustainable, this will:
 - be based on a specific business case for addressing gender equality in SAPOL in line with the WGEA toolkit
 - link to, and support, SAPOL's overall business strategy and objectives
 - be used to guide effort, investment and specific initiatives – including ensuring that all structural and cultural barriers to female career progression are actively identified, challenged and addressed
 - ensure that gender equality best-practice is integrated into business and people policies and processes so that commitment to, and investment in, progress is unaffected by business challenges
 - establish governance and reporting mechanisms to ensure leadership oversight of progress.
 - be reviewed every 12 months.
- Provide Officers with professional development utilising the Leadership Shadow program (or similar) to ensure they develop the necessary capability, confidence and commitment to the business case for gender equality, build a gender-inclusive culture in SAPOL, and are able to develop and implement personal leadership action plans.
- Implement, starting with the ELT the introduction of a leadership performance feedback tool (for example the Leadership Circle or LSI 360 degree) to provide feedback to managers on their leadership capacities to inform their development as leaders.
- Require each divisional area in SAPOL to develop and implement actions to realise gender equality strategic objectives within their annual business plans and report against these.

- Institute gender equality Key Performance Indicators (KPIs) for all SAPOL leaders (including leaders of administrative/specialist support staff) which are published across the organisation, see Appendix G for details. Progress should be reviewed quarterly by the ELT and used to inform strategy and target problem areas. Gender equality measures should also be included in all executive performance agreements.
- Appoint a highly-respected and experienced executive, who is fully committed to gender equality, reporting directly to the Commissioner, with responsibility for driving the gender equality change project's implementation, alongside ELT and working across the organisation with other managers and staff. The Executive would lead a Gender Equality Project Team of internal and external people with expertise in strategic human resources, change management, communications and policy. It is anticipated this project team would operate for at least three years and provide a bi-monthly progress report to ELT.
- Map stakeholders and develop a communications and engagement plan with nuanced messages and approaches, including a road show and intranet pages (including a change resistance library) to ensure engagement inside the organisation and with key outside influencers. All members of ELT should be involved in communications.
- Form a Gender Equality Advisory Group, with both male and female participants and with appropriate funding, such that key staff across the organisation provide advice to the Commissioner on strategies, policies and communications.



Chapter 3

Workforce management

Ideal end goal

SAPOL is an employer of choice for women and men, with the best people recruited, developed, promoted and retained at all levels.

Why does this matter?

The case for diverse organisations has been well established with multiple studies showing that organisations that are more diverse perform better.¹²³ In a nutshell, “building diverse teams at every level of the organisation improves engagement, retention and performance”.¹²⁴ Gender balance at leadership/executive management levels is particularly important because it improves the quality of strategic decision-making and development of innovative solutions.

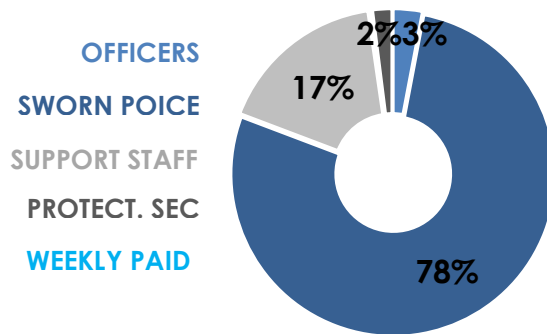
What the EOC found

Workforce composition

SAPOL’s workforce is comprised of three main groups of employees: sworn police (including Officers) administrative/specialist support staff and protective security officers. At 30 June 2016, SAPOL had a workforce of 5,829 Full Time Equivalent (FTE) employees, the majority of whom (81 per cent) were sworn police.

Women comprised 32 per cent of the entire SAPOL workforce;¹²⁵ however, the distribution of women varied significantly between areas. Women are underrepresented in the sworn (27 per cent) and protective security (16 per cent) work forces, and over-represented in police support roles (62 per cent) – primarily in administrative support roles.

FIGURE 12 - DISTRIBUTION OF WOMEN ACROSS PERSONNEL AREAS

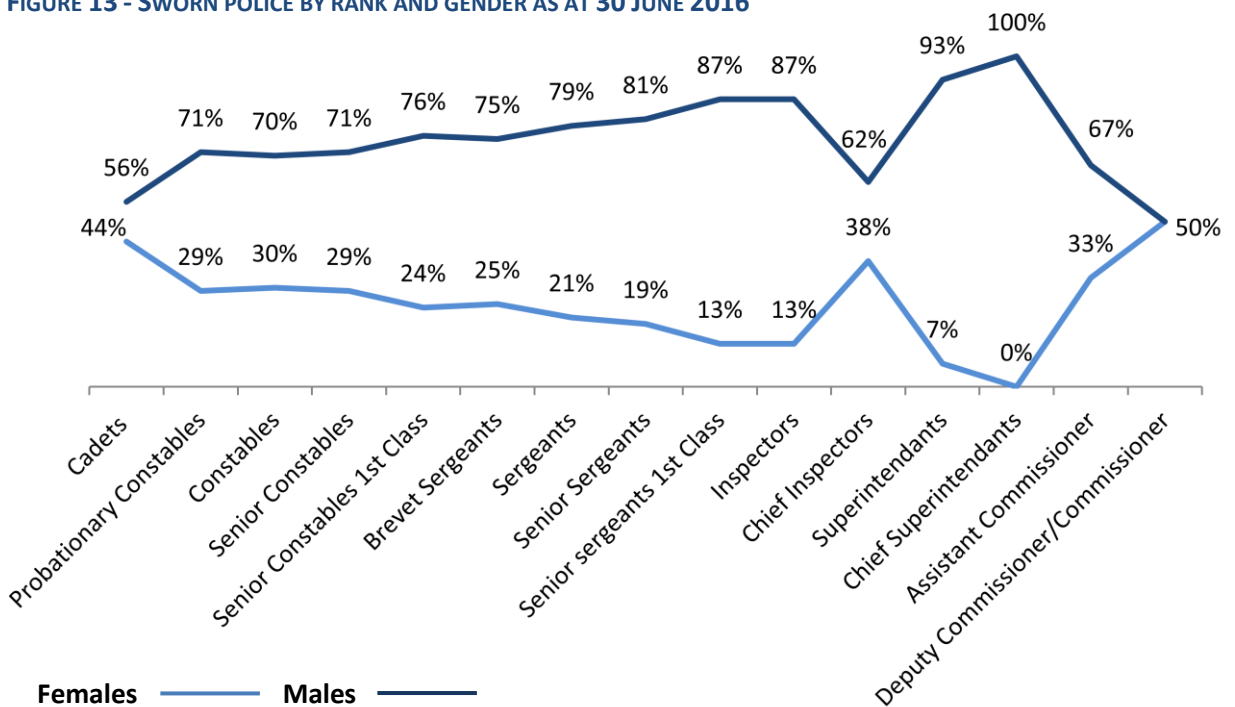


Women in leadership

The proportional representation of females at SAPOL’s executive leadership level over the past five years has increased from two females among a total of 11 executive leaders (18 per cent) to three females among 10 executive leaders (30 per cent). This included the appointment of SAPOL’s first female Deputy Commissioner in 2015.

However, while the representation of executive sworn women exceeds their population size (30 per cent vs 27 per cent) there is a significant gap of women in the pipeline for executive leadership roles, as women are significantly underrepresented within key managerial and leadership positions across all other sworn workforce areas.

FIGURE 13 - SWORN POLICE BY RANK AND GENDER AS AT 30 JUNE 2016



“We need to be very mindful of who is moving into leadership positions. We need to be looking at middle management and considering how we can make a pathway for women to progress to this point. It is important that we identify a promotional pipeline. Right now our ranks are very patchy with regards to where we find women.” Confidential interviewee

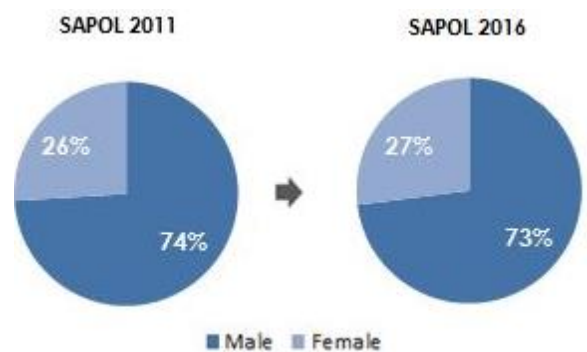
“I think there is a critical lack of development, training and mentoring opportunities across a range of areas including management, specialist areas etc. I believe there needs to be greater emphasis on female leadership and training in SAPOL across all levels particularly ASO [Administrative Services Officer].” Survey respondent

Sworn employees

Women continue to be underrepresented in the sworn SAPOL workforce. At 30 June 2016, only 27 per cent of all sworn police were female.¹²⁶ While there has been an increase in the proportion of female Officers (13 per cent in 2011 vs 17 per cent in 2016) a time series

analysis of gender representation for sworn members from 2011 (26 per cent) to 2016 (27 per cent) indicates little improvement in the overall numbers of females employed by SAPOL.

FIGURE 14 - GENDER REPRESENTATION OF SWORN MEMBERS AT 30 JUNE 2011 AND 30 JUNE 2016



Further, the representation of sworn women is variable by rank, falling off significantly at management and supervisory levels. Figure 13 provides a snapshot of sworn police rank by gender as at 30 June 2016 and provides a stark visual representation of the gender gaps.

If the gender split were representative of the overall workforce, there would be about 27 per

cent women at all ranks. While that holds true to the Senior Constable rank, beyond that, with the exception of Assistant Commissioners and Chief Inspectors, there is a significant gap, especially at Senior Sergeants 1st Class (13 per cent) Inspectors (13 per cent) Superintendents (7 per cent) and Chief Superintendents (zero).

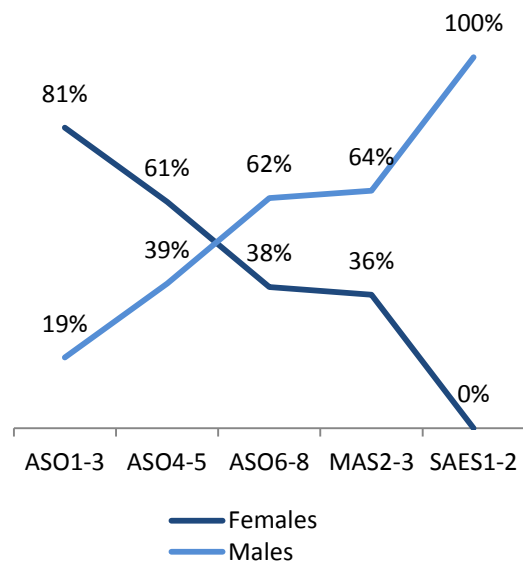
Concerns related to the low numbers of women Inspectors (only 7 FTE females compared with 48 FTE males) were raised by Review participants. The Inspector rank is the stepping stone between non-officers and officers and is thus a key rank for police seeking senior management roles. Unfortunately, time series data has shown a sharp decrease in females at this rank, from 21 per cent in 2013 to 13 per cent in 2016. This is a strong indicator that there will be continued gender gaps in senior leadership positions in SAPOL into the future.

Administration and specialist support staff

As at 30 June 2015 the proportion of female administrative/specialist support roles was much higher (62 per cent) than the sworn workforce.¹²⁷ However, female representation is significantly more prominent in the entry-level administration services officer (ASO) roles,¹²⁸ where women comprise 81 per cent of the lowest three levels.

Women are also under represented at the more senior ASO levels (38 per cent) and management administrative services positions (MAS) (36 per cent). SAPOL has two public service senior executives. Both are male.¹²⁹

FIGURE 15 - PUBLIC SERVANTS BY EMPLOYMENT LEVEL AND GENDER AT 30 JUNE 2015



“I think there is very much a disrespect for unsworn employees. The majority of SAPOL public servants are in ASO2 to ASO4 positions ... (generally) across the board, ASOs are seen as there to do the more meaningless tasks ... there is no development for them, they are on the rough end of it.” **Key personnel interviewee**

It is interesting to note as at 30 June 2015¹ SAPOL had 23 per cent of all the staff at the lowest level of administration in the public sector (146 FTE of 639 FTE). SAPOL’s recruitment at this level increased from 36 starters in 2010/11 to 68 in 2014/15.¹³⁰ This is against the trend in the public sector, where there was a decrease of about 100 FTE ASO1s in the 2015/16 financial year.¹³¹ Without capacity for further development and career opportunities SAPOL may lose these staff to other areas of the public sector.

“ASO1s are very rare in any other parts of the public sector, especially after an initial probation period. ASO1s in SAPOL are many, and they are ASO1s for tens of years, without any opportunities or training. SAPOL is now being increasingly civilianised, solely because it is

¹ Staff level breakdown for public service staffing levels was only provided until 30 June 2015.

² A further 4 per cent indicated they did not wish to

cheaper. The current perspective of not valuing non-sworn staff enough to train them and provide opportunities for advancement needs to change.” Survey respondent

SAPOL also has a small number of specialist public servants classified under the allied professional health stream, the operational service stream, the professional stream, and the Technical grade stream. Representation of women and men across these grades is varied. Due to the small numbers of employees, and without further information on the specific roles being performed by these staff, it is difficult to comment on gender patterns. However, for the purposes of the survey results, all aforementioned employees are classified as police support roles.

Protective Security

Over the past five years there has been a significant gap in gender representation amongst Protective Security Officers (Security staff trained by SAPOL to protect Government buildings and assets). SAPOL employs 123.4 FTE Protective Security Officers, which equates to 2 per cent of the total SAPOL workforce. Only 19.4 FTE (16 per cent) were female as at 30 June 2016.¹³² The peak of female representation was 19 per cent in 2011 and 2014.¹³³ In contrast to sworn and administrative/specialist support staff, the percentage of women increases as the classification level increases (to a maximum of 20 per cent). However, in actual numbers this is only the equivalent of two female FTEs.

Protective security staff represented 1 per cent of the total respondents to the survey. Given this small number, it is difficult to draw conclusions about the culture in this area of SAPOL. However, this is a work area which will need some intervention, considering the significant gender imbalance.

Why does inequality occur?

Unconscious bias

Gender equality in the workplace can be difficult to achieve in part due to the unconscious bias of managers in choosing who they employ and promote.¹³⁴ Such day-to-day decisions may be “informed by a range of automated interpretations, including stereotypes, that an individual is not aware of having”.¹³⁵

According to the Chief Executive Women and Male Champions of Change, common biases that impact decision making are:

- affinity bias – a tendency to favour people who are like us, resulting in homogenous teams and ‘group think’
- confirmation bias – when we seek to confirm our beliefs, preferences or judgements, ignoring contradictory evidence
- halo effect - when we like someone and therefore are biased to think everything about that person is good
- social and ‘group think’ bias – is the propensity to agree with the majority or someone more senior to us to maintain harmony.¹³⁶

Unconscious biases can result in what has been dubbed ‘the merit trap’ – that is, where perceptions of merit become “a shorthand for a package of qualities that we innately recognise”.¹³⁷ This means qualities that do not fit into this stereotype are dismissed as somehow less deserving (discussed below). The danger of unconscious bias in an organisational setting is that it creates a tendency to notice and focus only on information that validates an existing belief, hope or expectation. In this way, unconscious bias acts to “perpetuate the status quo and keeps old patterns, values and

behavioural norms' alive".¹³⁸ "This is highly problematic for women working in male-dominated environments where masculine traits are highly valued, and deeply held beliefs and norms about who is suitable for leadership exist."¹³⁹

"From a prevention point of view we need to remove unconscious bias. The first thing I would do is make selection for promotion ... independent and selections done by people who know how to make a selection without 'mirroring'." **Survey respondent**

In a gender inequitable workforce, what this can mean is that women have less access to powerful mentors, are more likely to be criticised when in authority, and may be placed in a less influential workforce area. This can result in failure to escape the lower rungs of the career ladder, which can often be blamed on them – rather than on the organisation.¹⁴⁰

Unconscious bias can be addressed by leaders championing equality, raising people's awareness of their own beliefs, attitudes and behaviours, breaking down barriers between groups and promoting positive social norms.¹⁴¹

"Often it's part of the SAPOL culture that we will try and solve problems through policy and prescription and I think much of the negative elements of what you will encounter isn't about policy and prescription at all. I think we could write any number of policy and IT systems and they would help but I think what we need to do is to start to work with our workforce to recognise the issue of cognitive bias and how it affects decision making." **Key personnel interviewee**

Gender targets

Targets are an essential part of managing business performance. They act to establish achievable, time-framed objectives which organisations can set on a regular basis to focus their efforts on achieving improved outcomes. In the same vein, gender targets operate as an

important management tool establishing "objectives around a key management area to focus on, in this case gender composition".¹⁴²

According to the WGEA, "(s)etting gender targets can provide an organisation with the necessary focus to improve the gender balance within an organisation and clarify accountabilities. Targets help focus attention and demonstrate a commitment to deliver".¹⁴³ Setting targets also allows for improved benchmarking and mapping of progress.

Gender targets are increasingly being recognised as an important practice in achieving gender equality both in Australia and abroad. A 2016 KPMG review of gender equality progress in a selection of ASX-listed entities found that those "entities demonstrating best practice (had) established quantifiable or objectively measurable targets for achievements, outlined specific initiatives and disclosed their progress against objectives".¹⁴⁴

When implemented strategically, gender targets can ensure greater organisational success. 'Organisations that have been successful in achieving targets report more effective talent and succession planning systems, a more capable workforce with the best person being more likely to be selected for jobs, and an enhanced corporate brand.'¹⁴⁵

The EOC advises SAPOL to consider introducing gender equality targets across the organisation. These targets will relate to women's access to leadership training and other opportunities, ensuring that the percentage of women involved is at least proportional to their representation in the overall workforce.

Recruitment

Attraction and gender parity in recruitment (50:50 Policy)

Only twenty three per cent of survey respondents agreed that what initially attracted them to SAPOL was its reputation as a 'gender equality' employer. However, of those, females were significantly more likely than males to indicate this was the case (28 per cent total agreement vs 19 per cent).

In December 2015, SAPOL Commissioner Grant Stevens announced an initiative to seek 50 per cent female police recruits. The Commissioner expressed that he wanted SA Police to be an 'employer of choice' for women.

Strategies adopted in support of the new policies have included:

- development of female-targeted marketing materials
- profiling of female officers on social media and online platforms
- hosting a Women in Policing Information Session.

Since the announcement, the percentage of female applicants has increased from 30 per cent to 42 per cent.

However, gender parity across the organisation will not be sustainably achieved by the 50:50 policy. Even with a successful 50:50 intake it is estimated that SAPOL's overall female representation would only reach 32 per cent sworn females by 2019.¹⁴⁶ Ensuring equal representation of males and females will require a long term commitment, not only to 50:50 in recruiting cadets, but in understanding what it is about SAPOL's culture, values and practices that have been keeping women away or having them leave – and, most critically, its willingness to change these things.

Fit for duty testing

A new 'fit for duty' test is currently being piloted as part of a suite of entry requirements. The model is designed to more accurately test the functions of patrol officers through real-life incident scenarios and is in line with contemporary police testing across the country.

As an example, the recruit wears a 10 kg vest to simulate a fully operational accoutrement belt and anti-ballistic vest. The 'fit for duty' test begins inside a car, has a recruit carry two 15 kilogram weights approximately 30 metres; run up to and across a balance beam to simulate slippery terrain, step over small obstacles designed to replicate a curb; climb over a 1 metre fence; complete a number of step ups; be able to get from a laying down position to a standing position five times; and be able to fire a weapon a number of times.

Prior to starting the test the recruit will also be given five descriptors of an offender (e.g. Caucasian, male, bald head, medium build, blue trousers) with the expectation they will be able to recall three of these at the end of the test.¹⁴⁷

Dr Susan Robinson, in her article *Rethinking Recruitment in Policing in Australia* (2015) notes that "this style of testing is innovative as it is directly related to the job requirements and the level at which it is set is clearly linked to the job performance required".¹⁴⁸

However, the EOC understands that at present, in addition to the 'fit for duty' test, a cadet must also pass the 'beep' test in order to graduate (where a participant runs continuously between two points that are 20m apart, with the time allowed decreasing at each of the 21 levels a beep alerting the cadet to the level change forcing the cadet to increase their speed over the course of the test.) Cadets must also pass an obstacle course to graduate. Once a person graduates, there is no requirement to pass them again.

Subject to SAPOL's evaluation of the 'fit for duty' test, the subsequent 'beep' and obstacle course tests may be removed from the recruitment process.

Multiple studies have indicated traditional physical performance recruitment tests to be inherently discriminatory towards women¹⁴⁹ as a result of sex-based physiological differences. Also, such test have been found to be generally not "representative of the output necessary for successful job performance".¹⁵⁰

If the new 'fit for duty' test, which focus' on the physical requirements and skills necessary for police officers to adequately perform their jobs, were the only physical tests required, it would remove some of the bias currently built into the testing regime.

Perceptions of the 50:50 policy

SAPOL's new 50:50 recruitment policy has been controversial, both among its own employees and in the community.¹⁵¹ Some survey respondents commented that it is discriminating against males (16 per cent) and a further 3 per cent commented that the policy creates a gender divide. There is a perception that dropping the 'beep' test and obstacle course will lead to new female recruits who are not physically capable for the role.

"If a person is physically incapable of carrying out a job which the community expects of them, or assisting another police officer in an activity which requires physical exertion, how can it be justified giving them the position by simply removing the standards? Who is going to carry these people once they are in the workplace where our physical safety and that of the community is at risk?" **Survey respondent**

Significantly more males were likely to mention sexual discrimination towards males created by the 50:50 policy (24 per cent vs 5 per cent of females). This may reflect commentary in Chapter 1 Workplace culture and behaviours

about men being more likely to perceive discrimination as a zero-sum game.

The finding that males have more concerns about this policy than females is contrary to the view of many key personnel and managers interviewed by the Review Team.

"I'm not surprised that there has been some disquiet about the 50:50 recruitment policy by both men and women. We need to better communicate the rationale behind it and also how it works in practice. The facts do need to get out there and the myths dispelled." **Key personnel interviewee**

Many survey respondents and interviewees made reference to a backlash from the 50:50 policy on women currently employed within SAPOL as well as its newest recruits.

"I think there's a lot of negative information coming out, particularly from the Academy, that these women that have been put into these positions from the 50:50 actually didn't make the grade. These poor women are targeted and labelled as having been selected purely because of their gender rather than their merit. This belief needs to be addressed." **Confidential Interviewee**

"I am now advised by some men to go for promotion because I'll get it no matter what because they want more women to apply. Not the type of thing I want to hear but that's the nature of the beast I guess." **Survey respondent**

"50:50 has made things so much worse for women. We are now like a charity case. We were told ... we were 'only there because the fitness level for women has been lowered (cough cough) I mean changed'." **Confidential interviewee**

Selections and promotions

Applications for employment opportunities

Over half the respondents (58 per cent) indicated they had applied for a position in SAPOL in the past five years (promotional or otherwise). Males were more likely to have applied for a role (60 per cent) as compared to females (55 per cent).

Regardless of sex or sexual orientation, about 60 per cent of those who applied for a role were successful in the outcome. This is in contrast to many survey comments about women and lesbians being favoured in the outcomes of positions.

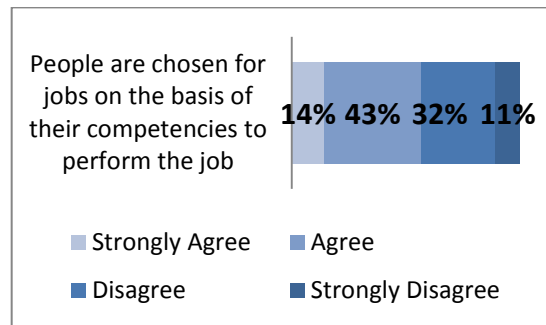
Confidence in selection process

Of those who had applied for a new role in SAPOL, 71 per cent indicated they were satisfied with the outcome of their own selection process (regardless of their success in securing the desired role or not). However, when asked more broadly about whether people were chosen for jobs on the basis of their competency to perform the role, satisfaction with selection decisions dropped to 57 per cent.

“Whilst selection processes have tightened, there are still 'jobs for the boys' situations - a lot of it comes down to who you know, and established (predominantly male) relationships. You're already behind the eight ball if you're not one of the lads. This also applies to opportunities provided within work areas with respect to investigation allocations and secondment opportunities. As a woman you have to perform well above 'Joe Average' to be recognised.”

Survey respondent

FIGURE 16 - SELECTION PROCESS



Q7. Recruitment in this organisation SR Total sample; Unweighted; base n = from 1281 to 1883; total n = 1954; 673 missing

The highest confidence in the recruitment processes was displayed by those in the higher ranks (Inspector and above).

SAPOL has a policy that ensures gender diversity on its selection panels, with at least one woman required to be on each panel and one person from outside the workgroup. Most respondents agreed that the interview panel associated with their most recent job application (promotional or otherwise) with SAPOL represented a diverse range of people (81 per cent). However, due to the smaller number of women available to be on panels there was an element of ‘panel fatigue’ reported. In order to offer some relief while maintaining a gender balance, we recommend including independent female panel members. External panel members are already utilised at the very senior levels.

SAPOL is also considering ‘blind’ short listing from de-identified applications and could also pilot using an independent assessment centre (currently being trialled by the AFP). A ‘pool’ approach, where one process is run to select and rank personnel capable of performing a role, rather than running separate recruitment processes across the State for the same position could also be trialled. This would be more efficient and would allow for a gender equal panel and enable a fair approach across the State. The Review Team understands there are currently legal impediments to this approach, and recommends SAPOL investigate options.

The concept of merit and perceptions of gender bias in promotions

While around 60 per cent of survey participants were successful in applying for a role, survey participants perceived that gender was a factor in applying for promotions. Of all survey respondents, 39 per cent felt gender would impact one's selection for a position and 47 per cent of females believed that for a woman to be promoted she probably had to show superior attributes than a man. Only 8 per cent of male respondents agreed with the latter statement.

"For a female to be promoted they need to work harder, continually prove they are 'right' for the job and consistently do more than is required."

Survey respondent

The survey findings showed that the concept of 'merit' and need for merit-based selections is deeply embedded within SAPOL culture. It was raised multiple times by SAPOL members of all levels throughout the Review process.

"I believe the best person for the job should be selected based on merit and merit alone."

Survey respondent

"I have zero issues with females as my superiors - as long as they are selected on merit."

Survey respondent

Although on face value these views seem to promote a culture of equal opportunity, the concept of merit is more complex for women in SAPOL.

"In a recent promotion, after I found out that I won the position I was told by a person on the panel that I needed to know (that as a female) I was picked on merit and nothing else. It never occurred to be that I would be picked for any other reason. I responded 'isn't it sad that you had to tell me that'."

Confidential Interviewee

"As a woman in SAPOL you can face criticism if you are successful. There is always someone out

there who claims that your success is only the result of your gender."

Confidential interviewee

Unfortunately, research has shown that what counts as 'merit' can be susceptible to bias and clouded judgement. What is considered meritorious can be 'people like us' who have 'done what we did.'¹⁵² In this way, the concept of merit may inadvertently embed inequities and maintain a gender-biased status quo. This phenomenon is known as the 'merit trap' and is part of the unconscious bias explored above.

"I do not understand why alpha male responders are seen as the best managers. I don't understand why other skills aren't also valued. Why do you need to be able to be an incident responder to manage HR?"

Confidential interviewee

Perceptions of caring responsibilities and opportunities for promotions

Women shared stories of missing or having promotional opportunities withdrawn once they disclosed their pregnancy to the organisation. In total, 47 per cent (64 per cent female and 35 per cent male respondents) believed that pregnancy would impact on one's selection for a position.

"[If women] get pregnant [they] have to give up positions they have been promoted to or won on merit through a development course. They are then provided limited opportunity to return. Most often they have to give up their position numbers [and] job-share in other roles and positions at a lower capability. More often they cannot and will not be allowed to fulfil their past specialist role and have to be placed in a front office in uniform"

Survey respondent

Caring responsibilities, particularly for those needing to access flexible work arrangements, was perceived as the biggest blocker to promotion. In total 62 per cent of respondents, (74 per cent female and 54 per cent male) felt that full-time or part-time employment status would impact on selection for a position.

“The opportunities in SAPOL when working part-time are extremely limited. I know that I won’t be considered for promotion or development opportunities until my children reach a certain age and I return to full-time work, irrespective of how good I may be at my job.” **Survey respondent**

Sexual orientation and opportunities for promotions

The issue of sexual orientation and promotions was raised a number of times throughout the review, with 22 per cent of all survey respondents indicating their belief that sexual orientation would impact a person’s selection for a position.

Of the survey respondents, 91 per cent identified as heterosexual and 4 per cent identified as LGB.² This is significantly lower than the broader LGBTIQ population in Australia, which is estimated to be as high as 11 per cent.¹⁵³

A number of concerns were raised by survey respondents about “lesbians getting all the opportunities”, and particularly of “lesbians promoting in their own image”.

“There are several lesbian middle and senior managers in SAPOL who openly show preference to other females of their own persuasion and are untouchable.” **Survey respondent**

While unconscious bias’ may exist, it is likely in a predominantly heterosexual male organisation that women, particularly those identifying as

² A further 4 per cent indicated they did not wish to disclose their sexuality or identified as another sexuality.

lesbian, stand out. This makes any upward mobility more visible and could render them a target of hostility.

Some lesbian women did perceive their sexual orientation as being a possible advantage in an organisation such as SAPOL.

“I don’t feel my lesbianism has impeded my promotional opportunities, in fact it may have even assisted, because traditionally there has been an assumption that lesbians don’t take maternity leave. I believe the shift in openness around this issue and in public awareness in recent years may impact that in due course. Future lesbians may suffer the same bias as heterosexual women in this regard.” **Survey respondent**

Homosexual males, however, tended to find accessing promotional opportunities more difficult. While there have been a few openly gay female officers, to date no openly gay males have reached officer rank.

“I have considered going for the Inspectors exam a number of times, however, I have been told ‘you will be the first gay guy to become an officer’. I don’t want to be the first. I don’t want to hear ‘you only got this because you are gay’. I also don’t want to be paraded around by SAPOL who might pat themselves on the back for having their first openly male gay officer.” **Confidential interviewee**

Equity of access to all roles

While most survey respondents agreed that women and men have equal access to business critical roles in SAPOL (69 per cent) males were significantly more likely to believe this to be the case (74 per cent vs 63 per cent). Despite this perception, the Review Team was told of certain key operational leadership roles and critical workforce areas that are still heavily male-dominated.

“The whole management team is male. ... Senior management meetings consist of 'boys' golf days...” **Survey respondent**

“[Prior to accepting a role at a location] I heard that 'women never get promoted from there'. Then I began to see that happening myself.” **Confidential interviewee**

“Women are second class in my LSA. Women do apply for Sgt jobs but do not win them because 'the male who applied is always the best person for the job' apparently.” **Survey respondent**

The starkest example of this is the STAR Group, which from its inception in the 1970s has had only one female in its ranks. With regards to critical leadership roles, the EOC was told for example, Organised Crime and STAR Group Commanders have not had a female appointed to them.

At the start of the Review all Local Service Area (LSA) commanders were male. Nearing the end of the Review process a female was appointed to the head of South Coast LSA. However, this still only represents one among 13 LSA Commanders (7 per cent). The EOC was advised that prior to this appointment there have been three female LSA commanders in SAPOL's history.

“Our senior women aren't in high visibility areas - they're not in traffic or in major crime or drugs. Those areas are all male, as are the managers in the LSAs. Those positions are ones that front the media often. I don't think this is good - we need to have women, chosen on merit, in these key positions.” **Key personnel interviewee**

Given SAPOL's focus on operational experience as a key capability for promotion, these roles are highly valued. As an example, the EOC understands that all three females who served as LSA commanders in the past have advanced to the Executive Leadership Team.

Valuing some skills over others

As noted previously, a consequence of unconscious bias may be that priority is given to

skills which are not necessary for a role. According to Dr. Susan Robinson, “(a)s police move up the hierarchy and into specialist roles, with the exception of some specific roles such as tactical response [physical and operational] requirements have ... less applicability to the job at hand. Nevertheless, excessive physical (and operational) requirements are imposed in most areas of policing, despite such assessments being heavily biased against women”.¹⁵⁴

Australian research conducted by Irving found women in the force are over-represented in community policing and administrative roles and underrepresented in specialist areas such as major crime, highway patrol, tactical response, drug squad and water police.¹⁵⁵ This is not a result of differences in the career aspirations of male and female recruits towards promotion and specialist policing roles.¹⁵⁶

“In the past, operational experience, and in particular incident management, have been more heavily weighted than any of the other criteria – such as people management. There is unconscious bias towards males who are more likely to have an uninterrupted career in operational roles. This is changing, but recent operational and incident management is still a requirement. It is interesting to note that the Australia New Zealand Policing Advisory Agency has stated that there are 47 key traits that Officers should be recruited against. Incident management is only one of them. Yet we have picked incident management as central to everything we do. I think a shift is necessary in the perception of how important that experience is. Incident management can be learned.” **Confidential interviewee**

Undervaluing people skills

Many survey respondents and interviewees expressed concern that insufficient weight was given to people management skills in the promotion of SAPOL staff to supervisory roles. Such skills were seen as critical to supervisory

roles, yet it was noted that people promoted to these roles often did not have the skills or aptitude to successfully manage staff.

“People who get selected to be managers do not necessarily have the skills to effectively manage people. It does not seem to be an important part of the selection process.” **Confidential interviewee**

SAPOL has a capability framework guideline within which three of the five elements of promotion revolve around people and communication skills:

- communicate with influence
- build working relationships
- display personal drive and integrity.

Assessment is based on self-evaluation and the evaluation by a person’s manager (if they have a current performance plan).

Comments were also made about the need to test candidates experience and commitment to proactively addressing issues of discrimination, harassment and other poor behaviours.

“I’ve sat on a lot of panels before and candidates offer minimal insight into their experiences in dealing with equality issues. They don’t have a lot to offer – the only examples they might provide is something they’ve reacted to ... Responding to stuff is easy but I think during that selection process they should be required to actually provide some behavioural examples where they’ve not just responded but been proactive in trying to reduce discrimination in the workplace. This would shift the emphasis and responsibility back on the person to actively think how they can change and improve the culture. This approach could also be taken in the assessment of applicants for significant courses for example the detective training and prosecutor training course. If it was woven into all significant areas of people’s career progression it would become an important

feature of the attributes of the person we’re looking for.” **Key personnel interviewee**

Consideration should be given to a system whereby prior to promotion to senior roles, a review of a person’s performance, supervisory skills, and a review of whether the person has been the subject of multiple and/or serious complaints should be performed.

Promotion to a level not a role

In many organisations there is a process of identifying individuals with specific talents and then providing them with structured training, including shadowing opportunities and mentoring and internship/acting opportunities so they are ready to take on specific key roles in the organisation. In contrast, SAPOL’s rank system promotes staff into officer roles via the same Inspectors Exam. As they proceed through the ranks, officers are expected, as a general rule, to be generalists. The Review Team was told that these generalists are then placed into positions for which they may have little passion, have not been trained in and have no inherent skills. This means there could potentially be managers in important roles relevant to the Review such as Human Resources Management or Equity and Diversity that do not have the necessary skills and expertise – or even any interest.

“When it comes to promotion, SAPOL doesn’t always value the right skill sets. There should be recognition in the promotional process that people are subject matter experts and should develop them in those positions.” **Key personnel interviewee**

Comments were made that there is a mass movement of management (20 managers may be moved at one time) that does not allow for any work shadowing or formal mentoring of the new person and means that where there are issues in the work group of sexual harassment or sex discrimination, information about this is not passed on.

SAPOL could consider a talent identification process (involving external experts in a similar way as is now being adopted by the Australian Defence Force)¹⁵⁷ and a career planning process that recognises people's abilities and develops them for specific roles.

"Everyone has different strengths; SAPOL should value that diversity rather than expect inspectors to be good at everything." **Survey respondent**

"We need different pathways – you are disadvantaged if you are not a sergeant on the road." **Survey respondent**

Promoting on time served

The Review Team was told that people were often promoted and provided opportunities based on time spent in a role as opposed to aptitude displayed.

It is possible to move up the ranks without the assessment of a person's suitability to manage people. Also, promoting people based on their time in investigations and tactical roles above their workforce capability and potential disadvantages those who take time away from the workforce for caring responsibilities and those who work flexibly.

It is recommended that movement between ranks be based on merit and capability to perform a role. Consideration should also be

given to advertising most roles for a fixed term and appointing on merit and suitability for roles.

Promoting problem staff

Many comments were made to the Review Team about promoting poorly-performing or poorly-behaving staff.

"At present SAPOL rewards bad behaviour by promoting men who behave unacceptably into higher positions, sometimes in the very work areas in which they have been complained about." **Confidential interviewee**

"There is a lot of cover up behaviour in this organisation and rather than punishing people for poor performance and behaviour they are often recommended for promotion to move them out of the area to deal with the problem ... that person then goes on to be an issue in another LSA where they will again be recommended for another higher position. This is why we have so many issues with the people managing us as a whole." **Survey respondent**

Complaints and investigations into claims of sex discrimination or sexual harassment are not assessed during the selection process, which could allow problem staff to continue to rise through the ranks and place them in positions where they are required to manage more people. A review of complaints should be considered where there are multiple/serious complaints against a candidate.

“ They should be out, not getting promoted

While I know this Review is about sexual harassment and sex discrimination, it's important for you to know that there are senior people who behave in an unacceptable way that I am really concerned about and it's not getting addressed. There are narcissistic, micro-managing corporate psychopaths who are getting promoted and moved around, despite the damage they do. If these guys can bully blokes as mature, experienced and tough as me and some of my other male colleagues, it really worries me how they might affect the younger ones, especially the women.

I think the people with these characteristics are not only bullies but they are also likely to be sexual harassers and predators. They are bad for the organisation and should not be tolerated. They should be out, not getting promoted.

It is deeply disappointing to me that I continue to see first-hand at least one senior man who is a known predator and bully, getting moved and promoted. I've seen him yelling and harassing women in the typing room. I've seen people targeted. I know that he is the subject of many complaints and he repeats this pattern of behaviour wherever he goes. It has to stop.

Earlier in my career, when I was at a more junior level I would be reluctant to speak up about what I thought was wrong. That's no longer the case. I want others to feel they can speak up about unacceptable behaviour and that appropriate action will be taken.

Key personnel interviewee

Performance management of discriminatory or harassing behaviour

A common theme among respondents from all levels was a lack of effective performance management particularly in relation to sexual harassment and predatory behaviours and a perception that bullies and harassers were sometimes moved instead of properly managed.

SAPOL's individual performance management plans should be a useful tool in supporting, developing and managing staff and monitoring and addressing discriminatory or harassing behaviours. However, despite SAPOL's requirement for all staff to have a performance plan and for this to be reviewed every six months, 1,934 of the 5,671 SAPOL employees as at 30 June 2016 had not had a performance review in the previous 12 months.¹⁵⁸

The Review Team heard of a lack of support and training for managers in successfully performance-managing problem staff. Many managers said that when they tried to manage staff they often became the subject of bullying and harassment allegations and felt they were 'walking on egg shells'.

"To be an efficient and safe organisation we do need to provide our managers with the confidence to be able to locally manage incidents appropriately ... there is reluctance by managers to apply the Individual Performance Model (IPM) process to address poor performance as it is deemed totally ineffective." **Key personnel interviewee**

"Managers need to have the ability to speak to persons re performance issues and not be in fear of allegations of workplace bullying/harassment." **Survey respondent**

"Very few people in management roles at an LSA level want to take action on sexual harassment or discrimination issues as it is 'all too hard'." **Survey respondent**

Gender differences in remuneration

The gender pay gap is the difference between men's and women's average weekly earnings. As at May 2015 Australia's gender pay gap stood at 16.2 per cent.¹⁵⁹ South Australia's is 11 per cent.

As a result of SAPOL's payment scale structure which pays by rank/level, there is a strong perception of equal pay, with 92 per cent of participants agreeing women and men are paid the same rates for performing similar work within SAPOL. However, according to WGEA, "(o)verall, pay equity within an organisation requires gender-equitable opportunity for career progression (i.e., to the most senior, and usually higher paid roles) which, in turn requires removal of barriers to progress".^{160[i]}

Thus gender pay gaps may exist within SAPOL due to existing gender inequities in the organisation such as:

- a higher proportion of more males in senior roles
- women who are pregnant, have caring responsibilities or work part-time/flexibly are perceived as less ambitious – and therefore given limited promotion opportunities and lower responsibilities¹⁶¹ (the same applies to men in SAPOL who want to work part-time or flexibly, but the majority in this situation are currently women)
- a lack of access to relieving/acting up opportunities.

Gender differences in retention

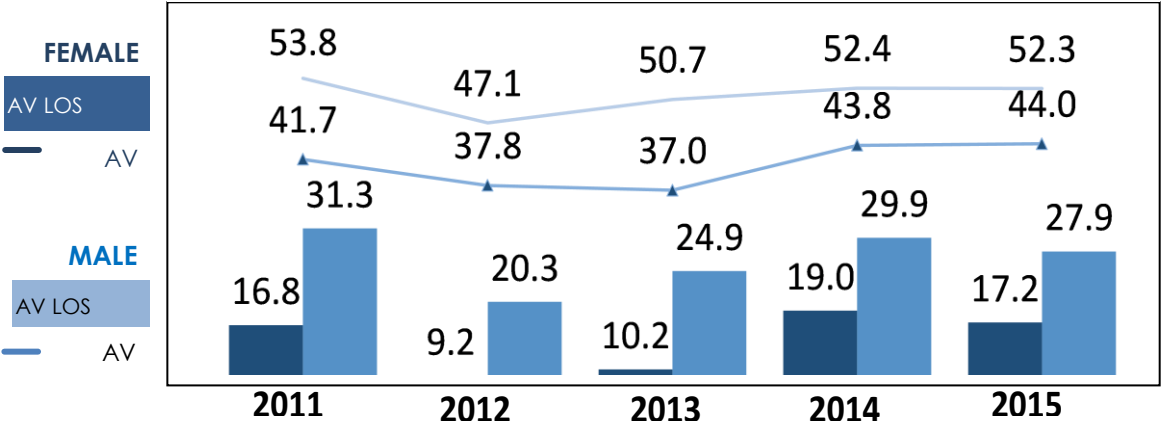
Focusing on the largest cohort of employees (sworn officers, excluding Officers³) SAPOL workforce data from 30 June 2015 indicates that the average age at time of separation for female sworn officers is lower than male sworn officers (44 years vs 52 years) with women having on average 10 years less service than their male counterparts (17 years vs 28 years).¹⁶² Data from 2015 is very similar to the position in 2011 and there was no trend towards an increased retention of females between 2011 and 2015.

Review participants who had left SAPOL or were considering leaving gave reasons including experiences of sexual harassment, lack of flexible and rewarding work options and other perceptions of discriminatory behaviours.

“I often think about leaving the job I love for more flexible and normal family-friendly work arrangements. I’m a single mum managing many things. It can be overwhelming at times.” **Survey respondent**

Given the promotional structure of SAPOL, having women leave the job earlier than men reduces the number of women reaching the higher ranks of the organisation. Further, given the training investment SAPOL makes in each of its employees, losing females early has financial implications. As Spain and Groysberg state, “(i)n today’s knowledge economy, skilled employees are any company’s most valuable asset”.¹⁶³

FIGURE 17 - AVERAGE AGE ON EXIT OF SERVICE LENGTH OF SERVICE (LOS) BY GENDER 2011 - 2015



³ There were no female Commissioned Officers who left between 2011 and 2014.

Facilities and equipment

The AHRC notes that a key female retention strategy should include “providing a physical working environment that caters for both men and women including uniforms, equipment and facilities”.¹⁶⁴

Several interviewees raised examples of locations that do not have sufficient ballistic vests to fit smaller-framed people (such as some women) who may be on duty simultaneously. Others mentioned that some equipment was not designed to fit women’s bodies or needs. For smaller shorter women, in particular, ballistic vests were found to be too big and too long. Even the short vests were deemed to be too long with some women commenting that vests would come down to their thighs, covering their gun holsters and radio, making it difficult to use either. It was commented that this in effect made it more dangerous for these women than wearing the actual vest. As a result a number of women stated they were reluctant to wear them.

It was also commented that other females with larger breasts found ballistic vests, and load bearing vests, difficult to wear, as vests were designed specifically for male torsos and were not designed to accommodate breasts.

Commentary was made about the difficulty for women to go to the toilet while in full uniform.

“For me ... even (a) small (vest) is too long and medium is definitely too long. I had to do my IMOST training in a small vest and, as a result, I had to hitch it up on my equipment belt in order to access my holster. While I understand that ballistic vests are not meant to be comfortable, I ended up with bruising on my hip and general soreness from having the weight of the vest resting on one hip.” Confidential interviewee

“In one station where there are two women on patrols, we only have one vest in a size that is small enough for us to wear correctly. If we wear the larger ones they gape and ride up when we

are seated. If we both go out, one loses out on having equipment that fits. ... issuing enough vests of the correct size must surely be a basic safety issue.” Confidential interviewee

“When we are working at events there are usually only two toilets provided. Because of our uniform and equipment design, women have to drop everything to the floor, which is usually covered with urine. Also when I’m out on the road I need to know where all the secure toilets are. Because of the way our vests are fastened and guns are worn, it takes 5-10 minutes to get in and out of them and adhere to safety regulations.” Confidential interviewee

“I was told to go to Jenny Craig because my old uniforms didn’t fit after having children.” Survey respondent

Exiting

SAPOL’s current exit process consists of employees having the opportunity to participate in an exit interview with a manager or HR. A form is used and sent to HR. Some interviewees were disappointed in the lack of a thorough exit process. They mentioned not being acknowledged for years of service or having an opportunity to advise their reasons for leaving.

Capturing the stories of those who have resigned is important for the organisation to understand its workforce and assist with the development of retention strategies, as well as providing insight into what is working and what is not. Using an independent provider and capturing the data electronically to enable easy analysis would encourage more participation and improve knowledge about reasons for leaving, including gender equality issues.

“When (I was) about to leave the organisation, no exit interview was offered as would have been good HR management practice. I had to ask for one and I was felt nothing would be done with feedback from the interview.” Survey respondent

Strategic HR service

When providing feedback on many areas relevant to this Review, including flexible work and performance management, participants stated they did not believe SAPOL's HR services were meeting the organisation's needs. Comments included that there was a lack of modelling of workforce demographics and assistance with workforce planning, as well as a crisis-management rather than a strategic approach. It was stated that the current HR services were transactional rather than strategic, focused on forms and approvals rather than providing managers with support to maximise staff output and assist with handling difficult behaviours in the workplace.

One model that may be worth considering is having highly-skilled human resources experts partnered with each area of the business and provide coaching, mentoring and hands-on support to managers to build their skills in leading teams and managing bad behaviours.

“There needs to be more time dedicated to strategic workforce planning and less time dedicated to managing constant crisis which are, in the main, our own making. We need to ensure our managers are not overstretched so that they have the capacity and time to dedicate to managing people effectively and thinking strategically. Our HR branch needs to become contemporary with expert HR consultants capable of providing advice across the organisation. At the moment they are generally process drivers and not strategic workforce analysts.” Survey respondent

Summary

Research shows that an organisation with a diverse workforce performs better. Gender balance at executive management levels is particularly important because it improves the quality of strategic decision-making and development of innovative solutions.¹⁶⁵

In its *Toolkit*, WGEA states “a minority gender needs to represent at least one third of a team or group's overall composition before a ‘tipping point’ is reached and the minority can influence the group's decision making on a sustainable basis”. It is key that this occurs across all levels of the organisation.¹⁶⁶

SAPOL's total workforce is 32 per cent female while women make up 46 per cent of the total Australian workforce. In the administrative stream, female participation is skewed to lower-level administrative staff. In terms of sworn police, where women make up 27 per cent, there has been a 4 per cent increase in the past five years in female officers but only a 1 per cent increase in total female sworn members over the same period. SAPOL's gender composition on the WGEA roadmap is deemed to be ‘programmatic’, where there is the “selective monitoring of gender for high-need or high profile groups/segments”. SAPOL's decision to focus on the number of female recruits is an example of this.¹⁶⁷

The EOC rates SAPOL's talent pipeline on the roadmap as ‘programmatic’ where some investment occurs in developing female talent and developing women's capabilities to survive or succeed in a male-centric workplace.¹⁶⁸ The pipeline for female participation in executive leadership is weak. With the exception of Chief Inspectors, and the Assistant Commissioner, women are under-represented in all ranks from Senior Constable First Class. Of concern are the ranks of Senior Sergeants, Inspectors, Superintendents and Chief Superintendents.

Building a robust, gender-diverse pipeline in all areas will be key to ensuring sustainable gender equality for SAPOL. According to WGEA this will involve identifying, attracting, developing, mobilising, fully utilising and retaining female and male talent equally at all levels.¹⁶⁹

Part of the reason for the low level of female participation in higher ranks is the unconscious bias across the organisation, with leaders

unconsciously promoting those who fit into their stereotypical view of what a good manager is. WGEA says that unconscious bias is an intangible but critical barrier to address.¹⁷⁰ As SAPOL is a male-dominated environment where masculine traits are highly valued, women can be excluded because beliefs about what a leader looks like, and the associated skills and experience, favour men. SAPOL needs to create a 'level playing field' that enables women and men to equally realise their full potential and maximise their contribution to the organisation's success.¹⁷¹ Strategies to create this level playing field include leaders championing equality and instituting blind recruitment processes.

Also, job descriptions have historically been written through a male lens and should be reviewed for unconscious bias so that only skills and experience that are required to perform the role are included. This has started with the new fit for duty testing regimes for recruits. SAPOL also needs to ensure that role descriptions for positions which supervise others have a strong focus on people management skills. Consideration should be given to a system whereby prior to promotion to senior roles, a review of a person's performance, supervisory skills, and the number and seriousness of complaints (related to this Review) are assessed.

Other strategies to address the gender inequity include mentoring programs (with both parties choosing with whom they are paired) aimed at encouraging and supporting women to move into leadership. As noted by WGEA, these will help address exclusive cultures and provide women with access to the same type of networks and supports that men currently have.¹⁷²

Setting gender targets helps focus attention and demonstrates a commitment to deliver on gender equality. Targets of 50 per cent female cadet recruitment have already been set by SAPOL and it is recommended that other targets for key promotional and development opportunities be set in line with the total

number of women in the workforce. This would include acting up opportunities, training places and numbers applying for promotional processes.

Consideration should also be given to talent identification and training people to fulfil specific roles rather than developing all people in the same way and promoting them to generalist roles.

SAPOL's performance management system should be reinvigorated so that all staff have up-to-date performance management plans and quarterly meetings to discuss their performance including health/wellbeing issues.

SAPOL needs contemporary HR services if it is to maximise the effectiveness of its workforce. Services should move from transactional to strategic, providing SAPOL with data on contemporary workforce planning and the support needed to manage staff effectively. Importantly, assistance to manage poor behaviours is lacking and consideration should be given to a HR business-partner model where HR experts are partnered with managers and provide coaching and hands-on support.

Recruiting more women will not solve gender inequality if SAPOL cannot retain women in its workforce. Losing skilled women is creating unnecessary funding imposts for SAPOL. While issues raised in this report provide some insight into why women leave SAPOL, developing formal exit strategies to understand this in depth will be important in reversing this trend

As noted by the AHRC, the physical work environment should cater for both men and women. It is recommended that SAPOL assesses its equipment design to address issues raised in the Review.



Recommendations

It is recommended that SAPOL:

- Review all standards and promotional requirements to ensure they are related to the actual capabilities required for performing a role including:
 - undertaking an unconscious bias check to evaluate historic concepts of merit and skills/characteristics in all role descriptions and processes related to selections and promotions. Position descriptions for roles involving staff supervision should be rewritten to include a strong emphasis on people-management and leadership skills.
 - moving to advertising key roles for a fixed term, with applicants demonstrating capability, interest, skills and suitability for the role. Progression points between ranks should be based on demonstrated skill, not time in the role. Acting management opportunities (for longer than a month) should also be advertised through a formal, but brief, Expression of Interest process.
 - prior to promoting to Officer level and above, undertake a comprehensive review of a person's performance (consideration should be given to 360 degree review) and skills and review the person's complaint history for multiple complaints and/or serious complaints.
 - implementing trials for selecting candidates for promotions including the use of an independent assessment centre, blind recruitment and a panel comprised of 50 per cent external members with human resources expertise. Consideration could also be given to investigating impediments to a pool assessment process.
- Set targets for women at promotion and development pathways in line with the proportion of women in the organisation. For example, on current representation of sworn female members, this would mean that a target of a minimum of 27 per cent women would be in place for applicants for the Inspector's course.
- Develop a talent identification program to ready staff for promotion, including developing lower level administrative/specialist support staff. This should include a mentoring program, and allowing of role shadowing.
- Develop a new structured handover process (with checklists and discussions) for management/supervisory positions to ensure poor behaviour of people in the team continues to be appropriately managed.
- Commission an external review of the services provided by Human Resources (HR) with a focus on them being more strategic and providing assistance with contemporary workforce planning. A HR business partner model that provides coaching and mentoring to managers in relation to people and performance management should also be considered.
- Re-examine the conflicts of interest policy/code to ensure it covers the need to be aware of potential conflicts arising from intimate/familial relationships between supervisors and their direct staff. This should also caution against predatory behaviour.

- Reinvigorate the performance management system so that all staff have up-to-date performance management plans and quarterly meetings about their performance, with health and wellbeing issues included in these discussions.
- Undertake a review of equipment to ensure there are practical and suitable options for all women.
- Develop a new exit management strategy for employees, including a simple online survey, externally managed, through which exiting staff can provide feedback about their experiences working with SAPOL and their reasons for departure. A summary should be reviewed quarterly by ELT to inform future strategy and targeting of problem areas and people.



Chapter 4

Training and development

Ideal end goal

All employees have equal access to training and development opportunities. Talent is fully leveraged, irrespective of gender, and all staff are trained in skills that enable them to contribute to a safe workplace that values gender equality.

Why does this matter?

Training and development opportunities are important in helping staff to reach their full potential. As policing researcher Nadia Boni has noted, “Policing is an occupation that requires members to continue to learn, train and update their knowledge in order to keep abreast of improved practices and procedures. In order for this to be realised, active encouragement from senior police is needed, as well as an active commitment to providing career guidance and training to all employees”.¹⁷³

Training and development can also be a powerful factor in helping to move an organisation towards gender equality. As the UN Women’s Training Centre states, “Training is a tool, strategy, and means to effect individual and collective transformation towards gender equality by raising awareness and encouraging learning, knowledge-building and skills development. It helps women and men to understand the role gender plays and to acquire the knowledge and skills necessary for advancing gender equality in their daily lives and work”.¹⁷⁴

What the EOC found

Access to training and development

The majority of survey respondents (78 per cent overall) perceived there was equal access to

training in SAPOL for women and men. Despite this perception, more males than females reported they had participated in training programs or been provided with development opportunities (71 per cent vs 64 per cent) in the past year. The training and development opportunities in which a gender difference was most evident included:

- participation in formal internal courses (41 per cent male vs 29 per cent female)
- opportunities to act in a more senior position (33 per cent male vs 26 per cent female)
- participation in technical skills-based courses (10 per cent male vs 7 per cent female)
- opportunities for job rotation (10 per cent male vs 6 per cent female).

Males were also more likely than females to indicate knowledge of existing training and development opportunities and to indicate higher levels of confidence in accessing these opportunities in support of their career progression, as suggested in responses to the following statements:

- I am knowledgeable about my opportunities for training and development (85 per cent vs 75 per cent)

- If I need training or development, I can ask for it and get it (68 per cent vs 59 per cent)
- I am encouraged to participate in activities that will help my development (62 per cent vs 53 per cent)
- I have been encouraged to consider a wide range of career opportunities (45 per cent vs 33 per cent).

Forty-six people used the free text responses to indicate their belief that there was a lack of training and development for females. Interviewees also spoke of their experiences in being denied training opportunities as a result of their gender.

“I have ... sought development and have discussed my desires (to progress my career) ... I have continued to be overlooked whilst the males around me are provided with opportunities that are not afforded to me. I have been offered positions outside of my immediate workplace ... but have not been released from my workplace to allow me to take up these opportunities. My male co-workers are allowed to follow through with any opportunities presented to them ... I have been prevented from applying for promotion.” **Survey respondent**

“I was approved to go on the course, however, right before it was about to begin I was pulled off ... The reason I was given was that I was the most junior officer ... I accepted this reasoning and the next year applied to do the course again ... I was approved to go and then, again, right before the course was due to commence I was taken off it. This time, however, they had approved a male probationary officer to go instead of me. He was far more junior to me.”

Confidential interview

Perceptions of inequality of opportunities were also higher among respondents who identified as parents and caregivers. Further, in comparing perspectives on beliefs related to organisational support for career development, a higher

proportion of non-parents/caregivers reported being encouraged to participate in activities that would help their development (64 per cent total agreement) compared to parent/carers (56 per cent). More also reported being encouraged to consider a wide range of career opportunities (47 per cent total agreement vs 37 per cent).

“A member cannot move forward/up or even sideways without attendances at courses and experience in different areas ... this is not possible when you are the primary carer for your children. I appreciate it is the choices of our family for my husband to work full-time and for me to work part-time, however, it doesn't seem fair that my working hours should completely prevent me from advancing. It is just simply too difficult and shouldn't be.” **Survey respondent**

There was also a contingent of (primarily male) respondents who indicated, in the free text section of the survey, that they believed females had more access to training and development opportunities than males. The comments referenced the existence of female-specific courses, forums or other opportunities (such as access to funding for tertiary training).

“What I do notice is the increase in women's focus groups and pandering to the needs of certain female groups. This has included special treatment and training in order to have females enter certain areas. This same treatment and training has NOT been made available to male members.” **Survey respondent**

This perception does not align with the survey results indicated above.

Barriers to equal access to training and development (unconscious bias)

A number of participants spoke of certain areas in SAPOL that are well-known for not accepting or supporting female development.

“I was in an investigative role. This role required training, however, I was knocked back from

accessing this training ... Males that weren't in an investigative role were given the opportunity instead. I have now been in this role for 5 years and still haven't been given the opportunity to attend this training." **Survey respondent**

To proceed to the rank of inspector and above, candidates must successfully complete the Inspectors Qualification Program. Application to the program commences with an exam. In 2015 no female sat the exam and only one female applied for the program (having completed the exam previously). Prior to commencing the Review SAPOL had begun to address this issue by holding a seminar where potential female candidates talked to some other women who had been through the process and achieved an Inspector position.

In 2016, the number of female applicants for the qualification program was 16 of 47 (34 per cent). Of the final 18 selected for the program, six (33 per cent) were female.

Acting at higher levels

Acting at higher levels provide significant development opportunities. Currently there is no organisational oversight over who is offered such positions. They are not advertised, and are handled by the local work areas.

"Opportunities (to act up) rely more on individual assessments and decision making. There are not always the processes in place that ensure there is no perceived or actual bias, deliberate or unconscious." **Key personnel interviewee**

Survey respondents suggested a register as an option for increasing diversity of staff able to access these opportunities.

"I see the potential benefit in the introduction of a registration of interest for those who are interested in developing their career pathways ... Opportunities to relieve are about staff development. Neither the staff nor the organisation benefit if we provide these

opportunities to the same person every time."

Key personnel interviewee

It is recommended is that acting management roles for a month or longer are advertised on an Expression of Interest basis.

Training delivery modes can be a barrier

The way training is delivered can be an impediment to some staff accessing it. For instance, live-in training courses or training that is offered only face-to-face in large blocks with no opportunity for online or dial-in learning may be less accessible for those juggling work and family and those living in regional areas.

"Some training courses are provided in a way that creates barriers to access for women who are primary carers. For example, some are run over a long term, or have a significant live-in component. We really need to look at why we approach training in that particular way. Is it really necessary to provide it that way? What's the best way to deliver training to get the skills you need to do that job or progress up the chain. Don't deliver in a particular way because that's what we've always done." **Key personnel interviewee**

Women-only training

SAPOL offers limited female-targeted training opportunities, including funding 12 to 16 women to attend various women's career development programs or conferences and some women-only seminars and operational training courses.

"One positive that I would like to note – I recently attended a course run by SAPOL for women only (mixed courses were also run) for Incident Management Training. It was so helpful to undertake such a course with women only, as men tend to dominate these command roles both in the field and in training environments. I believe this was a first, but the future of running women-

only courses is currently under scrutiny. I would strongly encourage it to continue.” **Survey respondent**

Research on women-only courses has reported they are a way of equipping women with confidence and skills. “Women-only development programs help to provide a supportive and safe environment for the improvement of self-confidence, learning new skills, and learning from successful role-models by enhancing the ability for women to feel confident to be themselves, to express their views and to take risks.”¹⁷⁵ However, the article cautions this is not a silver bullet. “Women-only training may only prove effective if organisation’s work to improve support from senior management, integration with existing recruitment and promotion practices, and systemic factors that create the ‘uneven playing field’ for women.”¹⁷⁶

*“Many women are singled out and made fun of during IMOST training (Incident Management and Operational Safety Training for carrying and using operational equipment) because they are not as good as the men. I was told I was f***ing useless and unteachable I had to go outside the organisation for extra tuition at my own cost as the management would not assist me and would not allow anyone else to assist me at the range”* **Survey respondent**

Training to develop a workplace free of sex discrimination and sexual harassment

When asked about what changes should be made to prevent sex discrimination and sexual harassment and bring about a positive change in culture, 58 survey respondents stated training and development on sexual discrimination, harassment, and what constitutes acceptable behaviour would be required. Training was also raised by 14 interviewees as an area needing improvement.

Gaps in training and development in practical skills identified included:

- people and performance management
- difficult conversations in the workplace
- behavioural expectations
- unconscious bias in the workplace
- maintaining personal resilience
- understanding how flexible work can be applied in rostered situations.

“As far as manager training, you get given the General Orders and processes for complaints when you become a manager, however knowledge about things like strategic decision making is not there ... SAPOL has attempted to teach relevant skills through leadership training but ... managers need training in developing people.” **Key personnel interviewee**

“I think all of our senior managers should have induction training plus training in how to manage people, to be leaders and mentors and an understanding of the impact of the unconscious bias that exists toward women officers.” **Confidential interviewee**

“I think we don’t like to have uncomfortable conversations – things just get swept under the carpet and we re-victimise victims because it’s easier to not deal with problems. I think it’s a management training thing – to be aware of this and how to address issues.” **Confidential interviewee**

Summary

Providing equal access to training and development opportunities is critical for the promotion of those with talent in the organisation, regardless of their gender.

The training offered needs to better address the skill gaps that exist in SAPOL, particularly in people management. It also needs to be better designed and delivered so it is more accessible to those juggling families and living in rural areas.

Training can also be a critical component of changing the attitudes and behaviours of staff in relation to sex discrimination and sexual harassment



Recommendations

It is recommended that SAPOL:

- Provide biennial training:
 - to all staff on
 - sex discrimination and sexual harassment, making clear behaviours that are not acceptable
 - unconscious bias
 - bystanders' responsibilities
 - for all supervisors on
 - identifying and responding appropriately to sexual harassment and sex discrimination
 - understanding and accommodating flexible work

Order of priority should be HR staff and all managers first, then remaining staff.

- Devise a new rolling three-year training delivery plan with a focus on developing people management and performance management skills to enable the appropriate prevention and management of sex discrimination, sexual harassment and other negative behaviours. This should mostly be practical, experiential, scenario-based training as opposed to theoretical. Expert advice should be sought to guide teaching and learning activities.
- Set targets for women for training in line with the proportion of women in the organisation. For example this would currently mean a minimum target of 27 per cent of sworn women for training opportunities.
- Create opportunities for training for members on extended leave to continue their development and facilitate their reintegration into the workforce.
- Review training delivery methodologies to ensure training is more accessible to those working flexibly and with outside responsibilities. This should include a greater mix of online learning and video conferencing options.



Chapter 5

Flexible workplace culture

Ideal end goal

Flexible working arrangements are valued, normalised and equitably accessible at any position or level

Why does this matter?

Flexible working arrangements are “when an employer offers employees alternatives for defining when, where and how their work gets accomplished. Employers can choose from any different methods or combine them in such a way that benefits both the organisation and its personnel”.¹⁷⁷

Numerous studies have shown flexibility to be a cost-effective way for retaining skilled staff, attracting new employees to the job, being recognised as an employer of choice, improving staff morale, reducing turnover (leading to lower recruitment and training costs) and demonstrating to staff that a company values them.¹⁷⁸

According to WGEA, a best-practice flexible workplace is one in which “Flexibility, family-friendly working is expected, normalised and equitably accessible”¹⁷⁹ and in which flexibility is central to all business planning activities and is thus “integral to all business and people practices”.¹⁸⁰

Women in the workforce are disproportionately impacted by a lack of family-friendly policies and practices because they comprise the majority of primary carers in the Australian workforce.¹⁸¹ However, access to flexible work is not just a women’s issue. It is a whole-of-workforce management tool.¹⁸²

A flexible workplace culture can also be a useful tool to enable transition to retirement for older workers. This not only has benefits for the individual but can be a useful succession-planning strategy to ensure valuable skills and knowledge are passed on.

While policies about flexible work can act as a guideline, they are unlikely to be effective in increasing flexibility without a strategy to challenge negative assumptions and attitudes associated with people who choose to work flexibly.¹⁸³ According to the WGEA, best practice in establishing a culture of flexible working requires:

- a team-based approach in which decisions around flexible work are discussed and implemented at the team level
- managers who have the knowledge and confidence to manage flexible teams
- all staff having access to and feeling able to comfortably make use of flexible work arrangements. This includes men and senior leaders embracing, utilising and role-modelling working flexibly.
- performance measurement being based on outputs and results rather than being present in the office. In such a culture, it does not matter why people want to work flexibly – only that they are performing.¹⁸⁴ Value judgements over who is most worthy of flexibility are irrelevant.

“I would like to ask for days off, or at least not feel under pressure to always pick up the extra shifts. However, I believe that as a single person, my commitment to the organisation would be questioned if I did that. The processes need to be looked at to make them far more equitable for everyone.” Confidential interviewee

Flexible work in a policing environment: international findings

Like other Australian organisations, SAPOL faces workforce issues such as:

- an ageing workforce
- more men wanting to be involved in parenting
- an increase in single parenting
- an increase in women in the paid workforce
- the de-institutionalisation of care for the disabled and resultant increased caring pressure on families
- the rising cost of childcare.¹⁸⁵

Around the world, flexible work has been seen to help mitigate these challenges and provide other benefits to policing organisations.

The United Kingdom Home Office looked at rostering and deployment in Response Teams in seven police forces, backed by a national survey of all forces. The study recognised that “police forces have always required officers and staff working on shifts to be flexible about their working hours in order to meet the demands of the force. Flexible working practices are now requiring forces to be flexible in their approach to the hours that their officers and staff are working”.¹⁸⁶ The study found that if the police services moved away from their reliance on a rotating shift pattern (i.e., one that provides the same number of Response Officers at all times) to one that varied according to historic demand,

this would lead to more effective policing, a better work/life balance for staff, and cost savings, and make it easier for forces to manage court attendance, case handling and overtime.¹⁸⁷

Trials in the US have shown job sharing to be a positive flexible working practice. For example, it was found in an evaluation of the Huntington Beach Police Department’s job-sharing arrangements that “The teams are reliable, communicate well with each other and their supervisors, and make the job share program a smooth operation”. The department based these conclusions on debriefing the job sharers and their supervisors, as well as evaluating the employees’ work products.¹⁸⁸

“Right now we theoretically provide a lot of options for staff, however the practical realities of implementing some of those options, like part-time, compressed hours, purchased leave etc. are more challenging. We are not unique in trying to balance the needs for flexible working. Every organisation, public and private, has to deal with this. Take nursing for example, a workforce that is 24/7 shift work that is predominately female-based, that most likely has huge numbers of part-time workers. We can’t say it’s not achievable. It’s just that historically [we have a] ‘this is how we do it and you can’t do it any other way’ type of attitude.” Key personnel interviewee

What the EOC found

SAPOL’s flexible work policies

The policies that guide SAPOL’s approach to flexible work arrangements are contained in *General Order 8420*. The Orders also recognise that Voluntary Flexible Working Arrangements (VFWA) are integral to attracting and maintaining a diverse workforce in a contemporary work environment. It theoretically provides SAPOL employees with the opportunity to access a broad suite of VFWAs and makes it

clear that these are available for staff in order to help them manage family and community responsibilities – balanced with the needs of the organisation and the expectations of the community for 24/7 services in some areas of SAPOL. The Order notes that “The availability of such arrangements will therefore be dependent on business, operational and service delivery requirements (internal and external) of individual workplaces. Some employees may need assistance to balance work and personal commitments, whilst many others have family responsibilities associated with caring for children, a spouse or partner, aged parents, grandparents or a family member with a special need or disability. These arrangements recognise the benefits of assisting employees to balance their work, personal and family responsibilities”.¹⁸⁹

Available VFWAs include

- purchased leave
- compressed weeks
- flexi-time
- part-time (incorporating job share)
- working from home
- special leave without pay (including career breaks).¹⁹⁰

In relation to roles and responsibilities around VFWA, the following are laid out in the *General Order*:

Senior Executive Group will:

- ensure that SAPOL’s service obligations to the community, organisational and operational needs are met whilst providing employees with access to VFWAs where possible
- foster a workplace culture where VFWAs are promoted for their contribution to the achievement of gender equity and improved customer service

- ensure that employees are assisted and supported to balance work/life responsibilities through the provision of access to VFWAs where possible
- ensure SAPOL’s compliance with legislation, whole of government public sector requirements, awards and enterprise agreements, as they pertain to work and family responsibilities and voluntary VFWAs.

The Assistant Commissioner, Human Resources Service has accountability for the development, implementation, monitoring and evaluation of VFWAs *General Orders* and procedures.

The Manager, Human Resource Management Branch shall oversee the administering of VFWAs and provision of advice to management and employees by relevant employees within the Human Resource Management Branch.

The workplace manager will:

- ensure that the business, operational and service delivery requirements of their workplaces are met when considering providing employees with access to VFWAs
- be aware of their responsibilities in accordance with this *General Order*
- demonstrate support for VFWAs, consistent with SAPOL’s commitment to gender equity
- support employees’ access to VFWAs where possible
- review individual VFWAs in the context of the ongoing review of their business performance and resourcing requirements.¹⁹¹

SAPOL's flexible work in practice

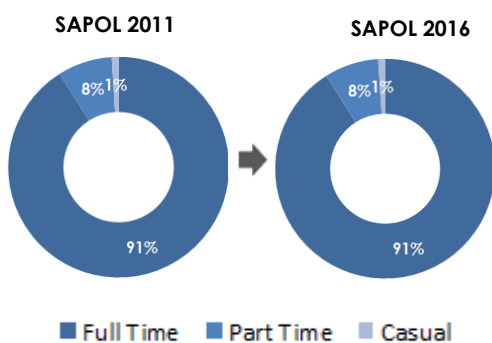
There appears to be a misalignment between written policy and the practical reality of VFWA in SAPOL, as there is very little adoption of these options and numerous review participants, particularly sworn police, suggested they are difficult to access.

“The current (flexible work) policy settings, while having good intent, create issues for keeping good people because they are so restrictive or interpreted narrowly.” Key personnel interviewee

Total flexible work take up

SAPOL data shows that only 8 per cent of employees (506 of 6,045) were part-time as at 30 June 2015. Part-time workers as a percentage of the total workforce have hovered around 8 per cent for the last five years.

FIGURE 18 - % OF FULL TIME, PART-TIME OR CASUAL SAPOL STAFF AS AT 2011 AND 2016.



While recognising that the work of policing has its own unique demands, SAPOL's part-time workforce is significantly lower than the rates of part-time employment across the broader SA public sector (45 per cent of all public sector employees were part-time as at June 2015).¹⁹² The whole of public sector data includes other 24/7 agencies such as hospitals and other emergency responders.¹⁹³

Australia-wide, male-dominated occupations such as machinery operators, technicians and trade workers had 14-18 per cent part-time employment as at June 2015.¹⁹⁴

Who accesses flexible work?

Part-time

Of the 506 (8 per cent) of employees working part-time at 30 June 2015:¹⁹⁵

- 94 per cent were female (ranging from 92 per cent to 94 per cent since 2011)
- 66 per cent were sworn and 33 per cent were public sector employees
- 70 per cent were aged 35-54, followed by 19 per cent aged 15-34 and 11 per cent aged 55 and above.

No Officers accessed part-time arrangements between 30 June 2011 and 30 June 2015. However, 30 per cent of review participants indicated that they would like to work part-time – including some at senior levels.

“There is a perception, although it's not written in policy anywhere, that flexible work arrangements are not available to more senior managers, for example at Inspector level ... we need to ... critically assess whether we can be more open to flexible work arrangements ... it could also open up opportunities for us to plan for, and support people, who will be transitioning to retirement.” Key personnel interviewee

“Flexible work must be afforded to all employees. Whilst the focus is on the participation of women in the workplace, unless the role of men in caring for families is recognised the culture will not change. Many men want a higher level of participation in the lives of their families, but feel they must undertake the role of full-time worker as part of that family unit. To change culture, men must be encouraged to participate both in caring and work roles, availing themselves to the flexible workplace arrangements, just as women do.” Survey respondent

Other types of voluntary flexible work

Take-up of other forms of flexible work (other than part-time) is very low. As at 30 June 2015, only 1 per cent (59 people) had other types of VFWAs (30 per cent men, 70 per cent women). The peak for other forms of VFWA in the past five years was 79 people in 2012-13 (1.3 per cent of the workforce).

Of the 59 people on other voluntary flexible arrangements:

- 81 per cent were sworn officers and 19 per cent public sector employees
- 80 per cent were aged 35-54, 14 per cent aged 15-34 and 7 per cent aged 55 and over.
- none were Officers.

Requests for flexible work

SAPOL only maintains official data about who has successfully accessed flexible work arrangements. There is no data on who has unsuccessfully sought flexible work, which level of management rejected an application, or the reasons for rejection.

"We are hampered by the fact that there is no oversight mechanism for looking at the number of flexible work applications that are rejected. There is no visibility, and people are too scared to challenge rejections. Therefore we have no real understanding about what the demand is, and what the reasons are for requesting these arrangement or the reasons for rejecting them."

Confidential interviewee

In lieu of official SAPOL data, results from the review survey were used to assess application patterns. It was found that 26 per cent had requested a change in working arrangements in the past five years. Of these, 50 per cent were granted in full, with an additional 21 per cent granted in part and 26 per cent were declined. No response had yet been given to 3 per cent of applicants.

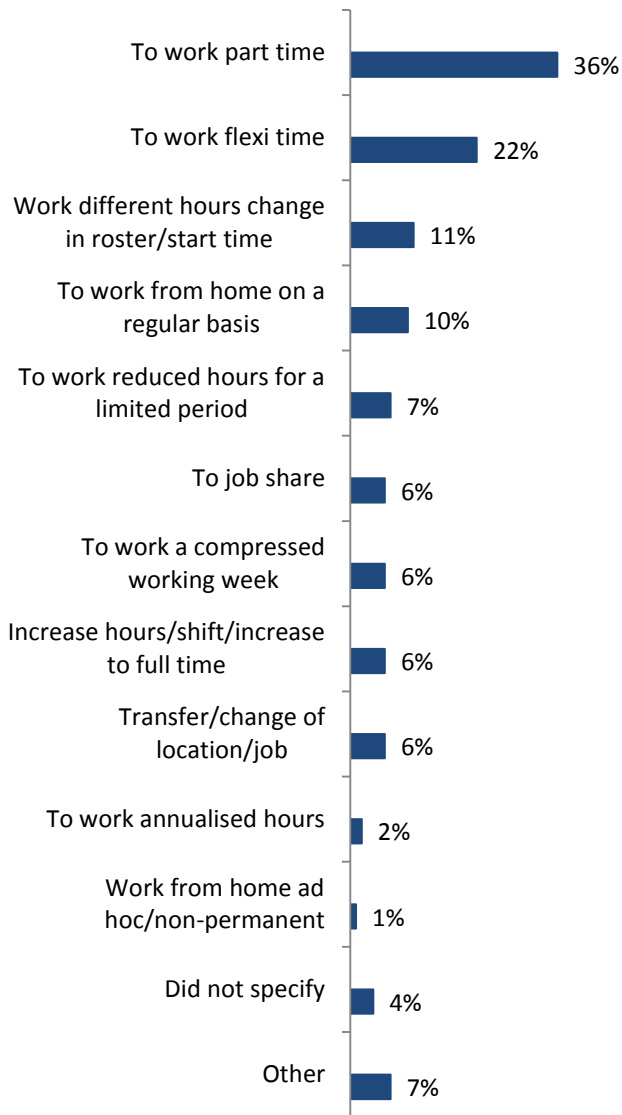
In line with SAPOL data, females were more likely to have a request either partly or fully granted (74 per cent vs 65 per cent of males).

The most common type of request overall was a change in hours (83 per cent) with the highest sub-proportion requesting part-time work (36 per cent) followed by working flexi-time (22 per cent). Females were significantly more likely to have applied to work part-time (48 per cent vs 13 per cent) to job share (8 per cent vs 3 per cent) and to increase their hours (9 per cent vs 1 per cent). Males were more likely to have applied for flexi-time (37 per cent vs 14 per cent).

In terms of working from home, 41 per cent of respondents indicated they would like to work some regular paid hours at home. However, only 4 per cent indicated they had ever done so.

Of those wanting access to work from home, the majority were females (49 per cent) those aged 35-54 (45 per cent) and parents and carers (45 per cent). Of those who already had access to working from home arrangements, a higher proportion of senior officers indicated they currently worked regular paid hours at home (17 per cent) compared to supervisors (5 per cent) operations employees (2 per cent) and public servants (2 per cent).

FIGURE 19 - TYPE OF REQUEST



Q15. In the past five years have you asked for a change in your work arrangements in terms of flexibility, Q16. Was your request
MR Filter: Q15 filter; Unweighted; base n = 464; 76% filtered out

Experiences of flexibility

Perspectives on flexible work

Survey results show a widespread perception that taking up flexible working arrangements may hinder opportunities for career progression:

- Almost 1180 (70 per cent) of respondents did not believe flexible work practices of any kind were encouraged in their work area

- Around 760 respondents (45 per cent) believed their commitment to SAPOL would be questioned if they made a choice to utilise flexible work options. This perception was more prevalent among females (50 per cent vs 43 per cent).

In regard to part-time work, in particular:

- Around 1040 (61 per cent) of respondents strongly agreed it was very difficult to work part-time and have a career at SAPOL
- Around 930 (64 per cent) of respondents did not believe part-time workers were supported to advance
- Around 1,140 (67 per cent) did not perceive that being a part-time manager was a viable option.

“ Out of a potential 40 year career with SAPOL, they won't give me 2 to 3 years of flexibility

My application [for flexible work] was successfully supported by all levels of management at my LSA. However, once it reached headquarters it was refused. Although it is frustrating to be refused, I don't think it is the refusal which made me the most upset – it was the way it was done.

- 1) The time taken to send me the refusal: It took a number of months before I received my refusal. During this time my team and I had organised our work rosters around the assumption it had been approved (as it had been at a local level). I had also arranged my childcare hours to match my work schedule.
- 2) No consultation: The way I was refused was really insulting. I was just forwarded a massive report including graphs and statistics and references to unrelated teams that had no bearing on my personal situation. It was clear that someone had spent a lot of time and energy looking for a reason to say 'no'. Meanwhile, no one had bothered to pick up the phone and speak to me, or my local team about how we could make it work. There was no 'give and take' and no negotiation.
- 3) Lack of flexibility: I was refused on the Friday, and told that by Monday I would have to be in the office four days a week. I had no childcare options available to me. My mum had to take time off of her job to support me. No consideration or flexibility was given to me. They took months to come back to me, but my response was supposed to be instantaneous.

I have appealed the decision to reject my flexible work arrangement. It has been with head office for weeks and I still haven't heard anything. I felt very jaded and tempted to give up. It's the only time in over a decade of working with this organisation that I've felt so 'pissed off' in the workplace. I feel demotivated and unfocused ... I have always had a good work ethic and feedback on my performance, but am not valued enough by SAPOL to be given flexibility for this time in my life ... It seems SAPOL would rather not have my years of experience at all, than have my less hours.

Out of a potential 40 year career with SAPOL, dedicated to one organisation, they won't give me two to three years of flexible arrangements to have one child. My original aim was to be in the job with SAPOL till retirement ... but am considering studying to allow for different careers with flexible working arrangements. **Confidential interviewee**

“ SAPOL is an excellent workplace for men whose wives stay at home while they work full time

Around six months into my parental leave I started to seek opportunities to return to SAPOL on a part-time basis. As a single parent it was important that I could work day-shift hours.

I put forward a lot of different suggestions about what areas I believed part-time could work, and how my part-time needs could match business needs. I looked everywhere. I even applied ... roles that the department was struggling to fill. The answer was always 'No. There are no part-time positions in CIB'. Even roles that had been vacant for some time in areas that were screaming out for my specialist skills said no. They would rather have no one in the role than have someone working part-time. The discrimination was both organisational and personal by some managers.

This went on for six months. I wasn't able to find anything. This was the time I was supposed to be bonding with my child and instead I was spending hours each day chasing SAPOL and a significant amount of time suffering stress and anxiety.

The week before I was due to return, I was handed a police report that had been typed by an Officer which stated I would relinquish my ... role and instead be placed on the front desk as a part-timer. I was told 'If you want to start back at work Monday sign this'.

I was forced to move to a less skilled role.

I had the skills and drive to be working ... but no one would take me. It was really depressing and belittling. On top of this I was belittled by an Officer in the LSA I returned to. He walked up to me one day and mocked me by saying 'Who are you? Oh you used to be a detective but now you work down here'.

SAPOL is an excellent workplace for men whose wives stay at home full-time with children while he works full-time. The system is perfect for them ... If you are a square peg watch out. Any variation to a roster is met with resistance. **Confidential interviewee**

Personal experiences of flexible work

When asked to reflect on issues related to the Review most relevant to them, 111 of 750 respondents (15 per cent) who had tried to use flexible working arrangements commented on the lack of support for families, carers and the difficulties of accessing part-time or other flexible working arrangements (24 per cent of all female respondents and 8 per cent of male respondents flagged flexibility as an issue).

Further, when asked what changes survey respondents would make with regards to how SAPOL prevents and responds to sexual harassment and sex discrimination, 74 comments were made in relation to changing practices related to flexible work (13%). Additionally, 56 per cent of confidential interviewees made comments related to difficulties with flexible work arrangements.

“SAPOL spends so much time justifying ‘why not’ - they never actually think about ‘how we can’. It’s all about ‘no’.” Confidential interviewee

Additionally, 56 per cent of confidential interviewees commented on difficulties connected with flexible work arrangements. Among survey respondents, around 370 (22 per cent) indicated they had considered leaving SAPOL in the last six months due to a lack of flexibility with over 200 females indicating this, making them more likely to have considered leaving than males (30 per cent vs 16 per cent).

“Retention is important for SAPOL but unfortunately a lot of women are told they cannot continue in their current or original positions if they wish to apply for part-time work or reduced hours. I have ... been told to find myself another job [and] not supported in applying for a part-time position in my previous operational position.” Survey respondent

“I am a highly skilled operator with a lot of skills. This counts for a lot ... You will have to spend all that money again, and spend all that time again retraining someone new – but it didn’t seem like

the organisation cared. The message to me was you are replaceable. If you ask for flexible leave you are a problem. We would rather you left the workforce and we threw our investment away than work with you to accommodate your needs for this short period of your life.” Confidential interviewee

“As a part-time worker in SAPOL you work twice as hard to throw off the stigma of being ‘part-time’ & pull your weight.” Survey respondent

*“F***king part-timers’ is a phrase that I have heard often in SAPOL.” Survey respondent*

“Stigma exists regarding part-time personnel. It is believed that they do not work as hard. I see part-time members with the exact same workload as full time members and 1/2 the time to do it in. Personally I feel pressure to keep up with that workload rather than discuss its difficulty, so as to not tarnish my reputation or that of other part-time workers. Weekly I receive “joking” comments like “guess you are going onto another week of days off now” and “you part-timers swan in and out when you wish”.” Survey respondent

Many respondents reported that they were overlooked for training and advancement opportunities due to being part-time. This is despite the Order clearly saying that a member who works part-time “should be considered on an equitable basis for opportunities to relieve in higher duties, be informed of any increase in hours and by mutual agreement, either undertake the higher duties on a full-time or part-time basis”¹⁹⁶.

“Choosing to go part-time has been a massive barrier to progressing my career. I have never been asked to relieve up because there is still this perception that supervising a team cannot be done part-time. It is my belief that supervising a team part-time, especially in the area I work, with the level of experience required to work here, can be done. I do not think I need to look over their shoulder 24/7. I believe having part-

time managers is a possibility.” Confidential interviewee

It was reported that women returning to work or working part-time were often pigeon-holed into office jobs and no longer allowed on the front line. This was despite many women wanting to return to their previous operational roles.

“A number of years on I am still struggling to apply for roles suited to my skills. I have continued to offer my skill set in areas where other people really don’t want to work. Currently they are forcing people into the role I have applied for because no one will put their hand up, but there continues to be this view that the position is only for full-timers. This is a very limited and backwards view. If they did peak time mapping they would see that the job can be successfully performed by someone working part-time.” Confidential interviewee

The long-term consequences of stigmatising part-timers were acutely felt by many. Those denied access to their previous roles described having lost confidence, skills, ambition, money and career progression, and felt their commitment to SAPOL had changed.

“When I first requested to perform part-time duties as a patrol officer due to a change in my marital status and an urgent need for flexibility ... I encountered nothing but resistance. I was told my only option was to work in the front station. ... I wanted to work in an operational role. I lost a lot of my skills by being placed in the station. SAPOL took the hard line and as a result dismayed a member who genuinely loved going to work.” Survey respondent

Significantly, in terms of future promotion, the loss of access to operational experience was perceived to block any opportunity for further advancement through the organisational rank structure.

“I would like to be able to go back to operational policing but unless I can go out and find someone to job share my role with me, I can’t return to operational policing without full-time duties. Operational policing is such a big part of becoming an Officer, so this prevents progressing and pigeon-holes staff.” Confidential interviewee

“[Being part time and working at a desk] is hindering me getting on a course.... This is what I resent the most that through no fault of my own I have nothing current to show for [many] years’ experience in SAPOL. Had I been allowed to work in a more operational position with ‘more pinches’ things would be different. Fair? I think not.” Survey respondent

I was an experienced and qualified employee ... I had worked very hard to obtain the qualifications and experience however, [when I needed workplace flexibility for childcare] these were ignored by HR who were very unhelpful ... [I was told] ... that I had to make all enquiries myself from home to try and find a suitable position in my field of work ... Eventually I had to [take] a position ... well below my qualifications and not in a field I had previously worked in. I had to concede a loss in rank (and a substantial loss in remuneration. Survey respondent

Experiences of carers

Survey respondents were asked if they had had any caring responsibilities in the past five years (for children as well as other family members). Almost two thirds of respondents reported having a caring role during this time (65 per cent). About 44 per cent indicated they were a parent only, 4 per cent a carer only, 13 per cent had both caring and parental responsibilities, and 4 per cent indicated having some form of caring/parental role but did not specify which.

These respondents were then asked to reflect on their experiences in SAPOL with regard to work/life balance. A large proportion of parents and carers said it was difficult (or very difficult) to manage the demands of work and personal/family life (47 per cent). Similarly, 46 per cent of parents and carers felt it was somewhat/very hard to take time off for caring responsibilities.

“As long as the organisation continues to not recognise that raising children is a significant event in a person’s life then all carers, regardless of gender, will be treated unfairly. I believe that this is not just a gender issue. It is a human issue; anyone who needs some flexibility in their life. It just so happens that women remain the primary carers in society, and so it starts to look increasingly like sex discrimination. This is about being fair and being a smart organisation.”

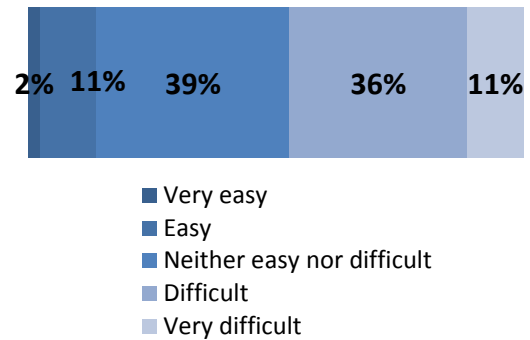
Confidential interviewee

“I was offered position and asked to give an answer within a [matter of hours] ... I was unable to accept in such a short time as I could not secure child care for the extra day ... [As a result] I was told that I would be required to return to work full time..”

Survey respondent

Significantly more females, those in younger age groups, and those in the Operations levels at SAPOL found it difficult to manage work and family life, and younger female employees were most likely to encounter difficulties in accessing time off for caring responsibilities.

FIGURE 20 - CAPACITY TO MANAGE WORK/ LIFE DEMANDS



Q36. How easy or difficult is it for you to manage the demands of your work and your personal/family life? SR Filter: Parent or carer filter; Unweighted; base n = 1009; total n = 1280; 271 missing; 34% filtered out

There was also substantial agreement that employees have to make a choice between their jobs or their caring responsibilities (65 per cent) – particularly for females and younger to middle-aged employees.

“I am not able to be the mum that I want to be, I am not able to be the police officer I always wanted to be and I am struggling. I barely keep my head above water ... I just want to quit.”

Survey respondent

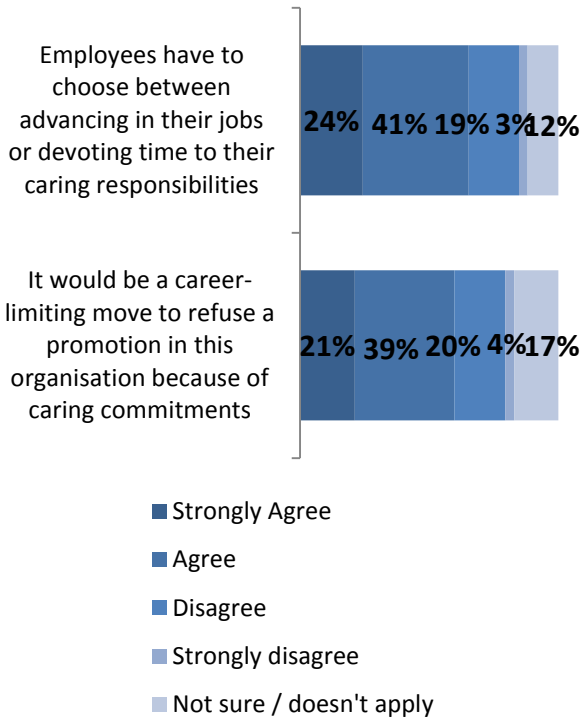
Indeed, 34-55 year olds were the most likely to have requested a change in working arrangements over the past five years (30 per cent) compared to 22 per cent of 18-34 year olds and 19 per cent of those aged 55 years and over. The peak age ranges coincides with the care giving years for children and parents.

“There is a perception that to make it in this organisation as a woman that you need to be childless.”

Confidential interviewee

Sixty per cent of respondents felt it would be a career-limiting move to refuse a promotion due to caring commitments.

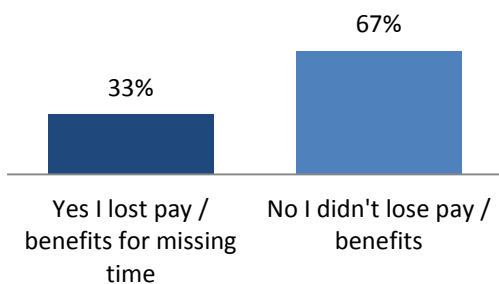
FIGURE 21 - VIEWS ABOUT WORK AND CARING



Q40. Your views about work and caring arrangements SR Filter: Parent or carer filter; Unweighted; base n = from 1243 to 1246; total n = 1280; 37 missing; 34% filtered out

There was a perception that carers leave was not easily accessible, with one third of parents and carers who responded to the survey stating they had lost pay or benefits for missing time at work due to caring responsibilities.

FIGURE 22 - PENALTIES ASSOCIATED WITH MISSING WORK TIME



Q38. Did you lose pay or benefits for missing this time, or were you penalised in some other way? SR Filter: Parent or carer filter; Unweighted; base n = 881; total n = 1280; 399 missing; 34% filtered out

“I was once told by a manager ‘I know your child has been in hospital and very sick but that is not

my problem. My problem is why you changed your shift.’” Survey respondent

Barriers to creating a flexible work culture

Management

Many participants stated that management was a key impediment to SAPOL having a flexible work culture. Whether a person was able to access flexible work arrangements was perceived as highly dependent on who the manager was, and whether or not they personally supported flexibility in the workplace.

“I think the opportunity for flexibility in the workplace is there but how it is implemented by some managers is the problem. Some recognise the value whilst others see it as an inconvenience to them and see any flexibility given as a reduction of their managerial control” Survey respondent

“We need a shakeup at management level to change the mindset regarding people trying to access VFWAs. It should not be viewed as inconvenient from the outset. I often wonder how managers who have worked for 10 years plus would feel if they tried to request long service leave and were denied it. They would be shocked if denied what they had long been told was a ‘perk’ of working here and being loyal to an organisation... they would argue it was their right.” Survey respondent

Female survey respondents were most likely to indicate they had encountered difficulties in accessing flexible work options as a result of lack of support from their supervisor (25 per cent females vs 18 per cent males) and some areas were recognised as ‘no go zones’ for those seeking flexible work.

“On my first day on the job my manager called me into his office. He had a tape recorder out to record our conversation. He said he wanted it on

record that I would never ask to go part-time in this role. I had no warning this was going to happen. I was taken aback. I just told him that I didn't plan to go part-time." **Confidential interviewee**

"I am lucky within my immediate workplace with current management supporting reasonable flexibility so that can care for my children and work part-time. My situation is rare in this organisation. It is good that part-time exists as an option for working mothers where 30 years ago you would have been forced to quit. However, the general understanding for female members in SAPOL is that you have to choose between home or work." **Survey respondent**

"As a male parent, I have very limited opportunity to work part-time or flexible working hours to fit around my children. I am retraining [to take on a role with more flexibility]....[As a result] I believe my skills will be a loss to [my current area of expertise]" **Survey respondent**

Seventy-one per cent or over 1050 survey respondents believed that flexible working practices are applied inconsistently across

SAPOL. Another often-cited problem was that an approved VFWA could be reversed if the staff member's manager changed.

"The process of applying for part-time was very difficult for me. Management had told me that it was not going to be an issue when I returned to work, however when I put my application in six months prior to returning to work 'new' management rejected my application and told me that I would have to give up my position unless I found another person with the same qualification." **Survey respondent**

It is important to assist those in middle management to better understand the need for flexible work, to know how to implement flexible work arrangements and to understand that employees working part-time are as committed to their work as full-time employees – they just have other commitments in their lives.

“ If we want to attract and retain the best people ... we need to respect the significance of raising children

As a senior manager I have listened to the biased views of my managerial colleagues with respect to flexible working arrangements and watched as this has negatively affected their assessment of flexible work applications from members of their staff.

Some senior managers view part-time, work from home and other flexible options as unworkable (I don't agree) and in my view this plays into their prejudiced decision making. I have also witnessed the inconsistent application of SAPOL General Order Voluntary Flexible Working Arrangements. Some managers use reasons such as 'You cannot work split shifts when caring for children at home'. 'What happens if you are involved in a car accident while driving your child to an appointment on a work from home day' and 'Anyone who does anything at home (other than work for 8 consecutive hours) on a work from home day is falsifying their timecard' as reasons to reject a 'work from home' application. These reasons are generally raised to knock back applications from women with young children as 'child rearing' is not viewed as exceptional enough in the eyes of the person determining the application. On other occasions however, the same managers are prepared to turn a blind eye to the abovementioned reasons in order to approve work from home for other employees with equally deserving applications.

If we want to attract and retain the best people over a 40+ year career the least we can do is respect the significance of raising children and recognise that by enabling an employee to 6, 12 or 18 months of flexibility at a certain point in their career. They are likely to reciprocate with loyalty to the organisation for the rest of their working life.

As a senior manager advocating on these issues I feel I am potentially jeopardising my own career as I don't get the impression that my views are widely shared by my managerial colleagues.

Survey respondent

Why managers don't support flexible work

The review found many SAPOL managers did not believe in flexible work or understand the benefits of flexible working, did not trust staff, did not believe flexible arrangements could work in operational teams on 24/7 rosters, and feared an inability to fill shifts.

There was little evidence in many workforce areas of flexible work being applied in a strategic team-based manner to improve business efficiency, customer service or staff retention. Some managers stated that part-time work was an administrative headache.

Some managers reported concerns over providing flexible work that were the result of hypothetical situations that they had not actually encountered, but which they feared they may encounter. This included a fear that every staff member would suddenly want to work part-time or that all people on flexible work would want to work the same shifts (generally a belief that women would only want to work the day shift, and would never want to work weekends) and that SAPOL managers would be forced to decide whose claim was most worthy. However, a UK study into flexible working practices in the Police Services in 2001 showed this is unlikely. "The fear of the same patterns being requested is not supported by evidence in previous research on police and in other organisations, which show that people vary to a great extent their work preferences."¹⁹⁷

A further reason for managers' reluctance to support flexible work was their distrust of staff. Almost every key personnel approached had a story about a person who they said had tried to abuse the system. Managers who had a negative experience of a staff member on flexible working arrangements, or who had heard of someone else who had a negative experience, tended to generalise these experiences and apply a perspective that no staff seeking these arrangements would perform. Those who held

these perspectives saw those on VFWA as inflexible, unwilling to work nights or pick up extra shifts, only willing to work desk jobs, and not performing appropriately. This often directly contradicted the experiences of those on flexible work or wishing to access flexible work, who very often wanted to work in operational areas and who saw themselves as flexible and highly responsive employees.

The notion that individuals who work flexibly do not give 100 per cent commitment is contrary to research that has found that increased flexibility in the workplace engenders greater commitment from individuals".¹⁹⁸ Performance management of staff and the provision of flexible work need to be treated as two separate issues.

"We also need to have greater trust in our own people. The presumption shouldn't always be that they are out to 'rip the organisation off'. Employees should be trusted until they show themselves not to be worthy of this trust. It is possible you will get a bad employee, but if you do, the solution is to performance manage them, not to cut off all flexible work arrangements to the entire workforce." **Confidential interviewee**

There also tended to be a high level of uncertainty among managers of how to make flexibility work, particularly in operational response teams. Survey results revealed there was a belief that it would be difficult to utilise flexible work options due to the nature of work at SAPOL (49 per cent, among which 54 per cent were male vs 42 per cent female).

"Part-time employment is a disaster ... who work there part-time cannot do a proper job of investigating rapes and other serious crimes as they are away 3 or 4 days out of the week and this causes problems with the quality of the investigation, professionalism towards the victim(s) and staffing issues. Said part-timers are a headache for supervisors to organise investigations with very limited manpower that require more intensive investigation throughout the week and other investigators cannot and

should not get involved due to complexities, missed evidence through differing investigators not being familiar with the case etc. This is not serving the victim whatsoever, but because of the availability a supervisor has to cope with trying to fix the problem for the victim and the investigation.” **Survey respondent**

Similar to findings from a 2004 UK Home Office study into rostering practices in the UK Police Force, the Review found that uncertainty connected to flexible work “derived from a traditional view of resourcing of response teams which were discrete teams of officers who spend each shift with one another, who book on and off at the same time, work the same rosters, who are a second family”.¹⁹⁹ Even where this traditional view was not apparent, a wide variety of shift patterns across the organisation made it difficult to match rosters or share resources between different work areas and created challenges for couples looking to share caring responsibilities.

“I think that unfortunately the nature of policing is a 24/7 occupation. We all know that when we join. Unfortunately that is not always family friendly. That is the reality.” **Survey respondent**

“We recently had a situation where a female member wanted to work part-time. The reality is that we just cannot carry someone part-time in this position. It would just not be fair on the rest of us to have to carry the outstanding portion of that person’s workload. By the time she comes in on limited shifts per week she has to read and action all of her emails she still has to do first aid and the myriad of other training needs that we have to do to keep up to date – it left very little time for her to actually do any police work. Also the nature of the work ... makes part-time not really workable. I felt sorry for her but it was just not fair for the rest of us to have to carry her. If she wants to work part-time then she needs to go to another area where the nature of the work is not so ongoing but reactive (e.g. a patrol or station situation). We have so many females who only want to work day shift and not be

operational. That is just not realistic. The nature of our work is 24/7 and there are limited places available. There needs to be a balance.” **Survey respondent**

While there were examples of successful part-time arrangements in some areas, including for rostered patrol teams in some LSAs, and the use of a preferential flexible rostering arrangement (and supporting system) in the Communications Centre, these examples were isolated and resources and learnings were not shared across the organisation in a systematic manner.

Among many key personnel, and leaders who purported to support flexible work in theory, there were fears of a ‘tipping point’ at which the level of part-time work would be unsustainable from either a service delivery or cost perspective, if too many VFWA were provided. However, it was not clear what this point was.

“I know policing part-time is possible ... we should be looking around at other organisations such as health. If they can do it why can’t we? I believe the answer is because SAPOL hasn’t had to. Organisations such as health have a much higher female-based workforce so they have had to work it out. SAPOL hasn’t been forced to do it yet so it hasn’t.” **Confidential interviewee**

Given that other 24/7 businesses such as hospitals, and male-dominated fields such as mining, support higher rates of part-time work than SAPOL, there is room to significantly increase uptake without sacrificing service delivery, continuity and quality. Modelling to determine demand levels and the resultant number of response officers required on duty at different times of the day and week would assist with this. This should be coupled with investment in a demand-based rostering system that makes it easier for managers to plan rostering and accommodate requests for flexible work.

“SAPOL needs to invest in a rostering program. This would free up our staff to do the job they are

trained for. It would also make the idea of providing part-time work much easier for managers to juggle.” Confidential interviewee

Administrative and procedural barriers

Applications for flexible work are complex, with eight different General Orders (policies) governing what is possible.

“Our policies (General Orders) give us every reason why you can’t do things, not a guide as to how you can approach something. We can also get swamped in the paperwork.” Key personnel interviewee

Despite the plethora of detailed policies it is not clear, for instance, who the approving level/person is in all policies, as all approvals need to be provided up the chain of command. To request part-time work, for instance, endorsement must be provided through many layers of management with approval by an Assistant Commissioner.

Some respondents commented on the inconsistency of decisions and that flexible arrangements that had been devised locally to work for both the employee and the organisation were being rejected by central HR.

“HR is doing my head in. There is so much red tape, so many approvals are needed for things that should be decided locally and there is inconsistency in the decisions on transfers, part-time proposals and leave requests. As an operations manager this is frustrating and undermines my ability to keep things running smoothly ... examples include perfectly workable rostering proposals that we have worked out, which allow flexibility and will meet operational and individual needs, which are being knocked back in HR.” Key personnel interviewee

There is secrecy around the Order with warnings on the Orders all that “they must not be divulged to any person not officially connected with SAPOL”.²⁰⁰ This suggests it would preclude a staff

member sharing an Order with a support person (legal or otherwise).

More than half (53 per cent) of survey respondents found the process of applying for flexible working arrangements difficult.

“I have witnessed many managers, particularly senior male officers, make decisions which impact significantly on females with family commitments. There is a small group of officers who seem to deliberately make it difficult for women to work flexible or relevant part-time duties. Working from home is mostly a non-existent option for any member of staff. Some of the flexibility in working part-time, or reduced hours is also impacted by either conditions in the Police Award, or the interpretations placed on them by various personnel. The ability to transfer between a range of jobs is particularly difficult because of a very strict interpretation used in relation to what is termed 'like jobs' by Human Resource staff. While there are obviously several senior male officers who continue to make decisions which significantly impact the ability to work part-time, or from home, there is also a significant group of senior female officers who seem to have the attitude that 'I got where I did without any favours in relation to flexible working conditions, so therefore so should all of the young females'. Times have changed and so should management styles across the whole of the organisation.” Survey respondent

Need to re-apply

A clear area of frustration was the need for employees approved for part-time and ‘work from home’ arrangements to reapply for this arrangement with a new application form (requiring a new agreement if approved) every six months (or more frequently).

The Review Team was told this requirement:

- contributed to feelings of insecurity and instability as the person is never certain of

whether their employment conditions will be varied. This leads to a lack of capacity to put in place long-term plans including ensuring stable child-care.

- devalued their contribution to the workforce by continuously forcing them to justify their work output
- required significant time that should have been spent performing their role.

Some supervisors of employees on these agreements also expressed frustration with this requirement and the extra time needing to be spent on each application.

“It is extremely unfair that part-time contracts are only ever for 6 months at a time, where at any time, the goal posts can be moved!” **Survey respondent**

Onus on the individual

In SAPOL, all roles appear to be treated as full-time and there is no central place where managers can advertise part-time roles enabling employees to apply for them. Instead, the employee who wishes to go part-time usually has to find a balancing person to make up one full-time equivalent (FTE). For example, if an employee wanted to return to work 0.6 FTE after maternity leave, the onus is on her to find another employee willing to balance the role as a 0.4 FTE. While HR holds a register of individuals who are interested in working part-time in the future and part-time coordinators are employed to assist, survey respondents reported that in reality the onus was on the person wanting flexible work.

“...after maternity leave ... Human Resources were initially EXTREMELY unhelpful! I was advised I needed to find my own position, and find someone to job share with, and an Officer-in-Charge who approved this.” **Survey respondent**

A number of survey respondents and a key personnel interviewee stated that under the industrial agreement with PASA, SAPOL is not allowed to advertise part-time roles. The Review Team could not find any impediments to advertising part-time roles in legislation or the enterprise agreement.

In PASA’s June 2016 *Police Journal*, president Mark Carroll states that “Clearly, women need better, easier access to family-friendly work arrangements. Why make it so unnecessarily difficult for them and, therefore, bring about disputes ... a major problem SAPOL has to sort out is the limited work options on offer to women after they return from maternity or parental leave.”²⁰¹

SAPOL should give consideration to working with PASA to establish ways to increase availability of, and ease of access to, part-time and other flexible working conditions.

Working from home

The principles in the Order on working from home state that “Working from home is not an appropriate substitute for dependent care”,²⁰² which means that parents with children at home are not able to access working from home for this reason, despite any approach they may take to managing the care of their family while they work.

“The idea that work from home cannot be used for child care is really short sighted. I had support from family members on my [work from home day] and I always produced great results. I think the concern with ‘presenteeism’ over productivity is counterproductive. My subordinates never felt disadvantaged ... I was always contactable by email and phone. When I had support from SAPOL [for] the work from home day this made me work even harder. I knew that SAPOL was supporting me and I wanted to give back.” **Confidential interviewee**

The rule around those working from home not doing a split shift on a given day was seen as similarly restrictive.

“The rule around ‘no split shifts’ is a real issue, as is the rule around no work from home for caring responsibilities. Most women need flexibility, such as work from home, for caring responsibilities. However, under the current policies this is not allowed. This has forced some women to have to lie to the organisation. Personally, I believe that if the role can be accommodated to allow work from home, I don’t care what hours the employee is working, as long as I am getting results. If they need time to drop their children off at school, but will work an extra hour that should be fine.” **Confidential interviewee**

Normalising flexible work

Another barrier to the implementation of a flexible workplace culture was the failure to normalise flexible work across gender or level. Flexible work is still very much seen as a ‘women’s issue,’ and more specifically a ‘mother’s issue’ within SAPOL. Almost all employees on formal flexible work arrangements at SAPOL are female; only 24 per cent of survey respondents indicated that men are actively encouraged to adopt flexible work arrangements.

“The general perception is that flexible work arrangements are only there for women to support them with their family caring responsibilities. They are in fact available to provide an opportunity for anyone to support their personal responsibilities or diversify their interests outside of work.” **Key personnel interviewee**

Infrastructure barriers

The Review Team heard there were a number of infrastructure barriers to working more flexibly. This included lack of access to mobile devices such as laptops, tablets and mobile phones, as well as lack of remote access to email and intranet (although the latter two issues are being addressed).

“SAPOL needs to ensure they put in place supportive systems and infrastructure to ensure flexible work can work to the best of its ability and does not create greater stress for managers. Something as simple as giving people access to technology – i.e., having tablets rolled out to more people in the workforce to allow them to be able to be mobile would be fantastic.” **Confidential interviewee**

Part-time arrangements are largely seen as an operation problem for managers. Upon making application, the process was difficult, I was made to feel uncommitted...I believe that part-time/caring type arrangements are now tolerated if you are a female – because managers know they have to, but if you are a male who needs to take time off for family commitments or go part-time, you are perceived as weak.There is a general feeling within SAPOL that ‘do not buck the system, do not complain or life will get hard for you’. There have been serious changes in relation to women in recent years and I believe this has changed because managers have been told it has to. When it comes to males we operate in a typical government para-military organisation which is ‘fit in or look out’ **Survey respondent**

Pregnancy, parental leave and return to work

Policies

The Fair Work Ombudsman recognises best-practice employers as those who will “go beyond their minimum obligations and strive to implement initiatives that benefit their business as well as their employees and which recognise that employees who feel valued and supported are more likely to remain attached to their workplace and be flexible and committed employees”.²⁰³

To achieve best practice employers will:

- discuss keeping in touch (how, what and when) with the employee during the period of leave
- begin discussions early about how the employee plans to manage their return to work and what their role will be, including giving consideration to any requests the employee makes for flexible working arrangements
- speak to the employee about how the employer can accommodate them (e.g., access to a place for breastfeeding or expressing and storing breast milk, flexible working arrangements during the early weeks for settling a young child into child care, etc.)
- clearly communicate expectations around working hours and the taking of leave.²⁰⁴

Pregnancy, parental leave and return to work policies

Policy guidelines outlining pregnant employees' rights and responsibilities are set out in *General Order 8420, Human Resource Management, Pregnant members*.

The Order states that staff must advise the organisation within three months of knowing they are pregnant. Written advice from the woman's medical practitioner is required that details the expected date of birth, the woman's fitness to perform both operational/non-operational duties, their fitness to be a shift worker, limitations on lifting heavy objects or wearing accoutrement belts and any other relevant information. The manager can request written certification of the member's fitness for duty during intervals during the pregnancy. These intervals are not defined.

The manager must ensure the woman is not unlawfully discriminated against on the grounds of pregnancy by “denying or limiting access to opportunities for promotion, transfer, training or to any other benefits connected with the pregnant member's employment”.²⁰⁵

If there is deemed to be a risk to the pregnant women's health, a risk to the unborn child or the pregnant woman identifies a risk in performing her current duties, the woman may be allocated to alternative duties. “In any event, alternative duties may be allocated after the first three months of pregnancy.” Any evaluation of the potential risks associated with particular duties “must be based on proper evidence including, where necessary, appropriate statistical evidence and medical opinion pertinent to the individual member”. The officer in charge is expected to modify duties and “make every reasonable effort to permit a pregnant member to remain in their current position.”²⁰⁶

A pregnant woman can request an alternative posting but also “may be seconded to another position for reasons of individual health and safety or organisational efficiency”.²⁰⁷

Once a pregnant woman reaches three months of pregnancy she is no longer allowed to wear the uniform. This could preclude a sworn woman from carrying on many of the core policing roles, thereby limiting her opportunity for development during this period. This would also

act to visibly identify a woman as pregnant to her colleagues and could increase the likelihood for discrimination.

Types of leave SAPOL employees have access to various forms of parental leave including prenatal leave, parental leave, maternity leave, special maternity leave, adoption leave and child care leave.

SAPOL General Order 8420, Human resource management, Leave, Parental leave states that on return to work from parental leave members “are to return to their substantive position ... or where such a position no longer exists, that they shall return to a position of the same rank commensurate with their qualifications, knowledge or experience”.²⁰⁸

Access to parental leave

Parental leave (unpaid and paid)

Understanding who is accessing parental leave is important for future workforce modelling. It is also important to understand the gender breakdown of who is accessing this type of leave as a benchmark for interventions to normalise shared caring responsibilities in the organisation.

In the 2014-15 financial year, 516 employees (9 per cent) accessed some form of parental leave, with 228 of these accessing some form of paid parental leave.²⁰⁹ All forms of leave were utilised by staff during this period (adoption, maternity, parental and prenatal.)

Police Officers

Consistent with workforce composition data, sworn officers represented the majority of employees accessing parental leave. Of the 516 people who accessed some form of parental leave in 2014-15, 461 (90 per cent) were sworn police officers.²¹⁰

In terms of female sworn officers, 386 women accessed parental leave during this period, with 159 (41 per cent) on paid parental leave and a further 227 (59 per cent) on unpaid parental

leave. Of those on parental leave 183 (47 per cent) people accessed maternity leave, 120 (31 per cent) accessed parental leave, 82 (21 per cent) accessed prenatal leave and one (0.25 per cent) accessed adopted leave.²¹¹

Those who took maternity leave represented 4 per cent of the total sworn workforce (4,817) and 14 per cent of the total female workforce as at 30 June 2015. This is particularly important for future workforce modelling, anticipating there will be a higher proportion of women in the sworn ranks in future.

In terms of male sworn officers, 75 men (1 per cent) accessed parental leave.²¹² There was a significant jump in the number of males who accessed parental leave of any kind between the 2010-11 financial year (8) and the 2011- 12 financial year (58).²¹³ This change coincides with the legislative change in 2011 that introduced Australia's first paid parental leave scheme. Since this time, the rate of male take-up has remained steady at around 1 per cent of the total sworn workforce. Take-up by males has predominantly been the shorter-term prenatal leave as opposed to longer-term parental leave. As an example, in the 2014-2015 financial year, 17 males accessed parental leave while 58 accessed prenatal leave.²¹⁴

Other staff members

In the 2014-15 financial year, 55 public servants, protective security officers and weekly paid staff accessed some form for parental leave. About 50 per cent of those who accessed parental leave had accessed paid parental leave (28 people).²¹⁵ All of these staff who took up parental leave were female. In the past five years, all of the staff taking up parental leave were female.²¹⁶

Separations post maternity

SAPOL workforce data indicates that very few employees do not return to the workforce following their maternity leave. Overall, between 30 June 2012 and 30 June 2015 only 30 women

(3 per cent) who had taken maternity leave left SAPOL after the leave.

Perceptions of the organisational approach to pregnancy by all staff

All survey respondents, regardless of whether they had children or not, were asked to provide their opinion of organisational support of parenting responsibilities (including birth, leave, returning to work). More males than females agreed that women who take maternity leave return to their previous jobs (74 per cent vs 47 per cent) and that women are able to return to their previous jobs on reduced hours (61 per cent vs 31 per cent).

“There are also a lot of older men in SAPOL whose partners gave up work when they had babies. I think they expect us to do the same.”

Confidential interviewee

Females also were more likely to disagree that managers/supervisors were supportive of employees who continue to breastfeed after returning (36 per cent vs 23 per cent). Further, 54 per cent of females believed that managers and supervisors were supportive of females who were pregnant compared to 70 per cent of men.

Experiences of pregnancy, parental leave and return to work

Access to paid parental leave has been effective in addressing some aspects of discrimination. However significant issues still arise. Of the female parents who responded to the survey, 28 per cent indicated they felt discriminated against in the past five years due to pregnancy. This is consistent with the data in a 2014 report by the AHRC that found 27 per cent of mothers experienced discrimination at work during pregnancy.²¹⁷

Experiences of discrimination in SAPOL prior to a woman becoming pregnant, for example where she has expressed a desire to become pregnant, or disclosed to an employer that she was on IVF, were described.

“I was offered a new position. When I advised my new boss that I was [trying to get pregnant] I was promptly told I no longer had the position.”

Survey respondent

Some women reported experiencing discrimination simply because there was a potential for them to get pregnant, or because there is an expectation that due to their age or stage in life, they will get pregnant and leave SAPOL.

“I was advised that I should stop pursuing this career and have children instead.”

Survey respondent

“When I applied to do a course for a very specialised position, in my early 30s, I got through the application process and the physical and psychological tests. At interview, at which it was known that I was in a long term relationship, I was asked whether I planned to have children ... I did not get the position on the training course.”

Confidential interviewee

Most female parent survey respondents reported receiving support to work close to the date of birth of their child (88 per cent). However, there were several examples of behaviours experienced by women while pregnant which could be defined as sex discrimination. Incidents involved comments from both managers and colleagues around the individual's work ethic, work capacity and commitment to the job, issues that had not been raised prior to disclosing their pregnancies.

The loss or denial of opportunities for women who become pregnant was raised by many survey respondents. Similar stories were told by those returning from maternity leave, particularly where flexible work arrangements were requested.

“My pregnant partner was denied the ability to participate in training and courses which was a clear breach of General Orders by SAPOL.”

Survey respondent

Discrimination also related to assumptions by managers about a pregnant woman’s capacity. SAPOL’s Orders state that the allocation of alternative duties should be based on “proper evidence which should include medical advice specific to the individual in question”.²¹⁸ Despite this, anecdotal evidence suggests that many managers perceive all pregnancies as risky and make assumptions about the capacity of the woman to continue to adequately perform their job. Consequently, the Review Team heard that women who are pregnant are often given a lower-skilled or lower-paid job during pregnancy. It is arguable that failure to allow women to wear uniforms once they are more than three months pregnant could exacerbate discrimination.

“When I told the [all male] team that I was pregnant, I was moved to the Academy and one of my fellow team mates was openly unhappy as he saw this as an opportunity for development and something that would give me an advantage over him for promotion. I didn’t see this as an opportunity and was not something that I had asked for or necessarily wanted, it was more a case of them not knowing what to do with me.”

Confidential interviewee

Other respondents reported being denied adjustments perceived as necessary for their health and safety during their pregnancy.

The Review Team also heard stories from women who had lost pregnancies while employed at SAPOL, but who received little support in the aftermath.

“I was working in a front line role when I first became pregnant. I lost my first baby. It was really difficult. I probably came back to work too early following the loss. I was told by my male

colleagues just to get over it.” **Confidential interviewee**

“SAPOL reports to be a family friendly, equal opportunity workplace. It is not. Pregnancy and child caring responsibilities are career sabotages, often leading to workplace displacement and pressure to return to full-time hours.” **Survey respondent**

Maternity leave

Some significant feedback was received about the culture around maternity leave and the inability to backfill behind a person on maternity leave. In most modern organisations, where a staff member goes on longer-term leave (such as parenting leave) there is an assessment of their workload, the workload of their team members and generally the person’s position is backfilled. The Review Team was told by Key Personnel that in SAPOL, often positions at the higher level are backfilled but there is then a shortage of people at the lower ranks to enable positions to be backfilled so that for instance patrols, particularly those in regional areas, can be down a team member. It was highlighted by the Key Personnel that it isn’t possible to replace sworn staff easily as they couldn’t be sourced from a temporary agency.

“SAPOL has created a situation which is really not fair to teams or for women needing to use maternity leave. There is no plan B for maternity leave. There has been no workforce planning and modelling. There is no planning foresight. There is some explanation given around not being able to backfill while someone still has a position number. That is just an excuse. They can do anything they want. Other workforces backfill maternity leave.” **Confidential interviewee**

“At present we can’t back-fill until the person is on leave without pay, or unless the person going on leave is willing to go on the Employee Management Register (EMR) and give up their position. We also don’t get any funding to cover relief for maternity leave. Both of these cause

increased pressure, especially in smaller locations.” **Key personnel interviewee**

“There is misunderstanding around the maternity leave backfill process and reality. If leave is less than 12 months it won’t be backfilled. However if over 12 months, then we can recruit against the position and relinquish the person on leave from the position. This is because technically it takes 12 months to actually recruit someone, get them through the Academy and ready to undertake duties. However, this is a very mobile organisation. There are people coming out of the Academy all the time, and people acting up and shifting around in roles all the time. Where there is organisational need there is no reason why you could not shift a person into a certain role to backfill the position. We are a large and fluid organisation. It is a complicated process as so many transfers of staff are happening at the one time but it can be done.” **Key personnel interviewee**

The Review Team was told that women were often made to feel guilty for taking maternity leave, were accused of not being fully committed to the job and of letting their workmates down. There were some examples of women being pressured to come back earlier than they planned in order to satisfy business requirements.

Most of the animosity towards maternity leave seemed to be associated with SAPOL’s failure to backfill. Rather than recognise and seek to address this organisational challenge in a holistic manner, many managers and team mates blamed the individuals seeking leave.

In other instances the Review Team heard of women wanting to return to the workforce who were forced to extend leave beyond their initial return dates because no job was offered upon their return. Difficulties negotiating re-entry into the workforce often went hand-in-hand with an inability to secure flexible working arrangements.

“I was willing and wanting to return to work. I was flexible as to days/shift/start times. I was refused part-time by management. Comments made included management ‘did not want to set precedence for part-time supervisors’ **Survey Respondent**

The Review Team heard that there is currently very little contact with employees during parental leave. A pilot ‘Stay in Touch’ program had been underway for two years. However, this had not progress as a result of decisions to cut off those on extended leave from email and the network. This is despite the fact that there seemed to be a genuine desire from both employees and employers to have an established way to keep in touch in place.

“We should be looking at a way for people to pick up extra shifts from time to time. In the NSW police they have a pool of workers which allows those on long term leave, or others (for example part-time workers) to stay engaged by taking occasional shifts or pick up extra shifts when they can.” **Confidential interviewee**

These issues have been acknowledged as barriers by SAPOL. During the course of this Review, email access was upgraded and the Team was informed that this should enable all staff email access off site. In addition, SAPOL is currently in the process of investigating secure options to allow access to SAPOL’s intranet for staff off site. These changes will hopefully allow the ‘Stay in Touch’ program to progress.

“A ‘keep in touch’ program would also be really great. I would have loved to have continued to be involved in the workplace and to have been able to keep up to date with my training.” **Confidential interviewee**

Participants in the Review also noted a lack of communication from their team and HR during their maternity leave caused stress, particularly in relation to attempts to negotiate returning to work on a flexible basis.

“During my time away from work I was consumed with organising my return to work and what was going to happen with my position ... I ultimately felt worthless to the organisation due to having a child. I felt I spent most of my time off when I was meant to enjoy my new child worrying about my return to work.” **Survey respondent**

There appears to be a lack of understanding by some managers about how much effort is required to arrange childcare for the return to work, particularly as the childcare industry is structured around standard working hours.

“...a week before I was due back at work I was asked to change [my part-time arrangement] and there was anger from management when I advised my childcare centre did not have vacancies on those newly suggested days. I was then told that they would be unable to approve my part-time arrangement.” **Survey respondent**

Return to work

While the Order mandates that women return to their previous role, or to a similar role with the same responsibilities and pay, 28 per cent of female survey respondents who accessed maternity or parental leave indicated this was not their experience.

Many of the issues faced by women attempting to return to work are intertwined with stereotypes surrounding flexible work, and gender roles and caring.

“There is little to no recognition of the abilities and skills of return to work mothers (note I am not commenting on return to work fathers as I don't know any) who are provided extremely limited roles within the workplace ... Often workloads given to part-time members are well above an achievable level and members are treated as being dispensable. The process to return to work is also fraught with difficulty – negotiating job shares, suitable rosters and once again, limited options with work areas. I am also aware of a number of female members of ... who

have been refused part-time positions over the last 12 months and have had to leave their work area. This discrimination is directly contributing to females discontinuing their rank advancement and/or leaving SAPOL.” **Survey respondent**

“When I contacted HR in preparation for my return to work ... I was told that I was being placed into a full time position in an area ... not in any way in line with my knowledge, rank, skills and experience. I was told ... that I was solving HR's problem by filling it.” **Survey respondent**

It is very hard to put into words the amount of stress I went through to be able to be a carer and work for SAPOL. I should have been enjoying motherhood. I instead came to the realisation that my career had ended.” **Survey respondent**

I believe that I have always had a reputation of being a proactive and hardworking employee. Since becoming a parent this has been a very different story for me.

- *[After advising of my pregnancy] I lost a position on a course*
- *[My parental leave] was consumed with organising my return to work and what was going to happen with my position*
- *[On return to work] I was advised that ... part-time I was attempting to negotiate was not going to be facilitated. I then had the option of fighting ... or of leaving my position.*

I was incredibly stressed to the point of wanting to resign altogether ... I lost a lot of respect for the organisation and felt like I had worked hard for nothing. I ultimately felt worthless to the organisation due to having a child. I felt I spent most of my time off when I was meant to enjoy my new child worrying about my return to work. **Survey respondent**

Breastfeeding

In an article examining the usefulness of work-life policies, Renda, Baxter and Alexander of the Australian Institute of Family Studies state, “for

mothers of young children ... one issue in managing return to work can be having access to facilities to enable them to continue breastfeeding. Not having access to such facilities may mean they delay their return to work, or that they cease breastfeeding. Stopping breastfeeding early is a concern to policy makers as a substantial body of evidence demonstrates the positive effects of breastfeeding on mother and infant health and wellbeing".²¹⁹

Of those surveyed, 35 per cent of female parents (who became parents while at SAPOL) indicated they continued to breastfeed after returning to work after having a baby. However, in relation to perceived support to continuing breastfeeding upon returning to work, and having access to facilities to express milk, a large proportion of 'unsure' responses were observed, as well as substantial disagreement. Thirty nine per cent of survey respondents disagreed that women could continue breastfeeding when they returned to work, and 40 per cent were unsure whether this would be possible.

With regards to whether expressing facilities existed, 56 per cent of respondents disagreed and a further 34 per cent were unsure. Females were significantly more likely to believe these facilities did not exist (76 per cent vs 46 per cent).

"I have had to express milk in the locker room and was questioned by a boss on the one occasion when I sought use of the medical room as male contractors were working in the locker room." **Survey respondent**

Of the female parents who responded to the survey, 6 per cent indicated being treated unfavourably on the basis of breastfeeding.

"When breastfeeding there were comments made about taking an 'extra-long lunch'. There were no freezers available to store milk." **Survey respondent**

Other examples of some of the attitudes faced by women who may wish to continue

breastfeeding upon returning to work were captured in the survey.

"I do not agree with breastfeeding in the workplace. How do you manage that fairly to other members both male and female (time taken off-bringing child in-going home to feed? paid breast feeding time??) ... this does affect workplace efficiency. Sometimes people need to make sacrifices, it's not about entitlement all the time ... fairness is about everyone NOT just child bearing females." **Survey respondent**

"You want me as a general patrols supervisor to answer a question about whether it is suitable to breastfeed a baby? NO it's not as a patrol officer, and a police station is not a suitable environment for a baby in any case. Any female member I have come across who has come back from maternity leave has been looked after. They are required to complete their shift just like anyone else." **Survey respondent**

Fathers and partners

Fathers and partners who had become parents through birth, surrogacy or adoption while employed at SAPOL were asked a series of questions in relation to their experiences.

Antenatal appointments

Since 18 May 2011, SAPOL partners of expectant mothers have been entitled to access accrued sick leave in order to attend their partners' prenatal medical appointments.²²⁰ Of the fathers and partners who responded to the survey, just over half (56 per cent) indicated they took time off for antenatal appointments. In line with SAPOL workforce data, there seems to be a shift in attitude towards greater acceptance of partners being able to attend these appointments with a higher proportion of 18-34 year-old males reporting taking time off for appointments (63 per cent vs 44 per cent of those aged 34-55 years old and 23 per cent of those aged 55 years and over).

However, of those who did not access this leave, 12 per cent indicated that they would have liked to do so but chose not to seek it because they did not believe they would be supported. This may be a matter of perception but it should be noted that support by managers to enable partners to attend such appointments (where reasonable) is a matter of equal opportunity and of industrial law in accordance with the *South Australia Police Enterprise Agreement*.²²¹

Paternal leave

Only a small proportion of male respondents (20 per cent) indicated they had sought or took paternity leave from SAPOL around the birth or time of surrogacy or adoption of a child. A further 10 per cent indicated they wished to access this leave but did not seek it on the belief they would not be supported in doing so. For those who did seek to access paternity leave, only 47 per cent of respondents were supported by their managers.

Parental/carers leave

Survey results indicated a slightly larger take-up of parental and shorter term ad hoc carers' leave by male parents with 53 per cent of male parents indicating that they have used this leave to be the primary carer of a child at some point during their career. Further, 68 per cent of males who took up this leave stated that it was paid leave. Males seeking parental or carers leave also indicated far greater support from their immediate manager or supervisor in accessing this type of leave with 76 per cent saying they were supported.

Summary

There is a growing community and organisational awareness that flexible work arrangements benefit both employees and organisations, allowing them to retain skilled staff, have a strategic demand-driven approach to workforce planning and boost morale. However, while SAPOL has flexible workforce policies in place they are not implemented effectively or fairly. Those who seek to work flexibly are often discriminated against and stigmatised.

In terms of the WGEA roadmap, the EOC has rated SAPOL at the lowest level in regard to opportunities for flexible work: 'avoiding'.

There appears to be little or no recognition of how effective flexible work and family-friendly policies/practices can promote gender equality and diversity²²² and provide other business benefits.

Considering the low level of part-time and flexible work in place in SAPOL, there seems to be a significant amount of time, cost and angst generated. There are many examples of workplaces with 24/7 challenges that manage flexible work in a way that successfully meets employees' needs and those of the organisations. SAPOL and its people would benefit by increasing its flexible work rate.

To become a 'sustainable' gender equal organisation on the WGEA roadmap, SAPOL should aim to become a workforce where "flexible, family-friendly working is expected, normalised and equitably accessible, it will also be integral to all business and people practices".²²³



Recommendations

It is recommended that SAPOL:

- Adopt an 'all-roles flex' approach across all operational and leadership areas, normalising flexible work for all staff regardless of gender or level. To support this SAPOL should consider:
 - re-writing policies so they are simpler and less prescriptive and so flexible working conditions are more open to negotiation. As an example, split shifts should be allowed.
 - removing the requirement to state a reason for a request to work flexibly. If flexible working is normalised it should not be necessary to provide reasons for working this way.
 - removing the six-month maximum time limit on Voluntary Flexible Working Arrangements and enabling applicants to return to their previous full-time equivalent at the end of an agreement.
 - making policies, such as the flexible work policy, freely available to all staff and any support people (such as lawyers or family).
 - allowing flexible work applications to be managed and signed off locally to encourage a team-based approach and prevent unnecessary time delays.
 - ensuring refused applications for flexible work (and the reasons for their refusal) are reviewed and reconsidered by the Assistant Commissioner for HR with a quarterly report provided to ELT.
 - encouraging men and senior staff to take up flexible work opportunities in order to normalise the practice.
- Fund the backfilling of staff on maternity leave. The filling of a 'balancing' FTE should not be a precursor to an application for flexible leave being approved. Part-time roles should be advertised across the organisation.
- Invest in technology, facilities and equipment to support flexible work, return to work, the needs of pregnant women, and staff on extended leave in the organisation including:
 - exploring using a simple demand-based rostering system across the organisation. The development of this system should not preclude managers approving flexible work in the interim.
 - providing private and clean areas for expressing breast milk and fridges or freezers for the cold storage of breast milk at work sites where required.
 - providing uniforms for pregnant women.
 - providing appropriate secure infrastructure, such as mobile devices and remote access, to facilitate employees working flexibly and support a 'stay in touch' program.
- Develop a 'stay in touch' policy in line with the recommendations of the Fair Work Ombudsman's *Best Practice Guide Parental Leave*.²²⁴



Chapter 6

Dispute resolution and complaints

Ideal end goal

Processes to resolve workplace gender equality and sexual harassment complaints (and other issues) and channels for complaining, are accessible, transparent, trusted, fair, timely and consistent.

Why does this matter?

To address sexual harassment and gender inequities in the workplace there needs to be a trusted and fair mechanism to resolve complaints. The culture needs to be supportive of those who make complaints, take positive and timely action to resolve these, and prevent similar issues from happening in the future.

How an organisation deals with complaints about staff behaviours that clash with its published values is indicative of the 'culture in action' of the organisation.

The AHRC *Good practice guidelines for internal complaint processes* state there are five characteristics of a good process:

- **Fair** – both sides have the opportunity to present their versions of events and respond to any potential negative decisions, and the arbitrator should be impartial and not prejudge the complaint in any way
- **Confidential** – the information is only provided to those people who need to know about it for the complaint to be actioned properly
- **Accessible** – the process should be easy to access and understand and everyone should be able to participate equally
- **Transparent** – the process and possible outcomes should be clearly explained to those involved and participants should be

kept informed of the progress of the complaint and the reasons for any decisions

- **Efficient** – the process should be conducted quickly.²²⁵

The Guide suggests there should be an initial contact person(s) who is not the same person who is responsible for investigating or making decisions about a complaint. The role of the first contact person is to:

- listen to an employee's concerns about discrimination or harassment without forming a view of the merit of the allegations
- provide information about the internal complaint process and other options such as lodging a complaint with an external agency
- advise the person of how the complaint may need to be treated if it is serious (e.g., if there are potential legal issues)
- where needed, provide support for a person if they want to try and resolve the issue personally
- provide information about support services such as counselling.

The AHRC suggests two pathways for complaints: early resolution and formal resolution. Early resolution works best where a complainant wants to discuss the matter with the respondent

informally. It can also work where it appears there has been a misunderstanding or miscommunication. This process may be managed through a direct private discussion between the complainant and the respondent, or may require an impartial third person helping those involved to talk to each other and find a solution.

If a more formal pathway is taken “the person investigating and making decisions about a complaint should be impartial and not favour the complainant, respondent or prejudice the complaint”.²²⁶

What the EOC found

Current SAPOL complaints structure

There are a number of avenues through which SAPOL employees can make a complaint of sexual harassment or sex discrimination. Internally, the two primary pathways are through the Equity & Diversity (E&D) Unit and the Internal Investigation Section (IIS). Complaints can also be made to local managers, a senior officer or through a Grievance Officer. Externally, a complaint could be taken to bodies such as the Police Ombudsman, the EOC, AHRC, SafeWork SA or Return to Work (if physically/emotionally damaged).

“Some people will take a machine gun approach to making complaints to see what sticks – when there is probably one avenue that is more appropriate than another. This means that multiple investigations into the same incident can be happening at once. I think there needs to be a better relationship between the areas to reduce this occurring.” **Key personnel interviewee**

Under the *Police Act 1998* (SA) there is a legal requirement to report an alleged breach of the *South Australia Police Code of Conduct*. The reporting process is that the police member must “immediately report such matters to the senior police office on duty (not being the

employee involved)”²²⁷ (and) complete a PD185 and submit it to the IIS. It is also mandated that non-sworn employees must report under the *Public Sector Act 2009* (SA).²²⁸

SAPOL’s approach to managing complaints for sworn police is governed by the *Police (Complaints and Disciplinary Proceedings) Act 1985* (SA) and the *Police Regulations 2014* (SA) approved by the Governor. Administrative/specialist support staff are governed by the *Public Sector Act 2009* (SA). Both categories of staff are also subject to General Orders, local policies and Instructions.

“Our focus in the last 10-15 years has been on getting policies and systems in place ... At the time that we took the ‘policy and system’ focus we needed that as an organisation, but now we need to move on to more of a ‘humanistic’ focus.” **Key personnel interviewee**

Equity and diversity complaints process

Complaints to E&D can be made verbally or in writing via *PD351* forms. The complaint form includes the details of when the behaviour occurred, what occurred, what was said, if the behaviour was reported at the time and to whom, and the feelings about what happened. The form also asks if the event constitutes a pattern of behaving and if the behaviour was happening to others. However, the complaint form does not require the complainant to identify the types of behaviour to which they believe they have been subjected. Determination of behaviours rests with the E&D Manager.

The *PD351* may be assessed as not satisfying the definition of bullying, sexual harassment or discrimination and may be filed and recorded as a non-equity and diversity report. For example, when the behaviour relates to one event and the behaviour is not repeated, the report “may be brought to the attention of relevant parties such as supervisors and managers to take appropriate action to prevent escalation of the behaviour”.²²⁹

If a manager or supervisor becomes aware of unreasonable behaviour they are required to contact E&D to discuss the identified behaviour and proposed response. Any action taken should be reported to E&D so it can assess the report and determine if any further action is necessary. Any person involved in an early intervention notification who disagrees with the process can seek a review by the Manager, E&D. The Manager, E&D may consult with the Officer-in-Charge, Ethical and Professional Standards Branch and Officer-in-Charge, Human Resource Management Branch, when making an assessment of a report.

If a matter is assessed as a level 1 (not wilful or malicious, not caused physical injury or serious or ongoing psychological injury and does not have legal liability issues for SAPOL) the investigation will be delegated to a local manager. "A level 1 investigation usually involves relevant parties being spoken to, versions captured and for the unreasonable behaviour to cease. It is common for standards and expectations to be discussed. The conduct of those involved is monitored and outcomes such as training or an apology may be applied. The process aims to resolve matters by conciliation and is not disciplinary."²³⁰

Outcomes from a local workplace investigation could include gaining a commitment that the behaviour will not be repeated, gaining a commitment to standards and expectations, an apology, counselling support, education or training, or mediation.²³¹

A matter is considered to be a level 2 if it is unreasonable or unlawful behaviour that may breach legislation, breaches SA public service conduct codes, constitutes sexual harassment and discrimination, has legal ramifications for SAPOL, results in physical injury or serious or ongoing psychological injury, is part of a worker's compensation claim, or is complex.

The Order is silent on what action could be taken following an investigation. While this is not

stated in the Order the matter is then treated by the IIS branch as if it were a PD185 (see IIS section below).

There are two staff members in the E&D Section, the Manager of E&D (a Commissioned Officer) and an administrative/specialist support staff member. The Officer rotates into the position at the request of the Commissioner. There is no requirement for them to have any experience or interest in equity and diversity before being appointed to the role.

IIS complaints process

Complaints relevant to this Review (sexual harassment or sex discrimination) can be referred to IIS as well as E&D. IIS is established under the *Police (Complaints and Disciplinary Proceedings) Act 1985* (SA) with the mandate of carrying out investigations as requested by the Commissioner or matters referred by the Police Ombudsman. The Officer-in-Charge of IIS can report directly to the Commissioner.

IIS receives a high volume of cases. Staff advised they deal with between 400 and 500 files at any one time. A significant percentage of these relate to internal workplace issues.

A complaint can be raised by a staff member submitting a *PD185*. It should also be noted that it is mandatory for a member of staff to report an alleged breach of the *Code of Conduct* using the same form.

IIS holds a case allocation meeting every morning. At this meeting the cases are triaged. Cases referred by the Police Ombudsman can be dealt with in four ways: conciliation, minor misconduct informal inquiry, preliminary investigation or full investigation.

Cases that are not registered with the Police Ombudsman can be triaged in three ways: minor misconduct informal inquiry, full investigation or diverted through a 'management support process'.

The decision about which organisation deals with a complaint is based on an 'intention vs consequence model'. Intention refers to "the greater the intent of the employee to breach the Code of Conduct" and consequence refers to "the greater the consequences the behaviour has on SAPOL or the Community" (See Appendix F). Other principles include the level of seriousness of the conduct and the need for technical and/or specialist investigative skills and the need for independence.²³²

In cases that are set to be conciliated, "matters will generally be allocated to an LSA/branch manager or supervisor".²³³ Likewise, preliminary investigations are generally allocated to an LSA/branch manager or supervisor. The Review Team was advised that sometimes misconduct complaints (PD185s) are sent to an adjoining LSA manager/branch if there are perceived or known conflicts of interest.

It appears from the Order that 'minor misconduct informal inquiries' and 'preliminary investigations' would be 'desk-top' exercises. Only when a matter is deemed to require a 'full investigation' are "all parties involved to be interviewed".²³⁴ "Due to the nature of these matters they will ordinarily be allocated to an IIS member for investigation, however, the file may be allocated to the initiating LSA/branch for investigation depending on the circumstances".²³⁵

Where IIS has determined that the complaint should be "diverted through the management support process" the LSA Manager or supervisors need to obtain agreement from the involved employee to deal with the issue by managerial support or conciliation. Outcomes can include conflict resolution, no action, training or improving an inappropriate behaviour. Outcomes are recorded but not in probity/integrity reports. If the matter is more serious than first thought it can be referred back to IIS.²³⁶

The proof required is 'proof on the balance of probabilities', which is not the same as in criminal matters which is 'proof beyond reasonable doubt'.

The Professional Conduct Section is responsible for adjudicating and recommending a course of action to the Officer-in-Charge, Ethical and Professional Standards Branch which has the authority to approve all disciplinary actions (including the category of charge) against employees. The Review Team was unable to determine the range of penalties as this does not appear to be documented.

If a matter is alleged to be a 'serious breach of the various codes of conduct'²³⁷ it goes to the Police Disciplinary Tribunal. Penalties include termination or suspension, reduction in rank, transfer, reduction in remuneration up to \$1,250, a reprimand recorded in a person's conduct and service history or 'not recorded', counselling, education or training.

Police administrative/specialised staff are subject to different disciplinary measures to sworn police, as set out in the *Public Sector Act 2009* (SA). Under the Act they may be subject to certain disciplinary action where employee misconduct is determined to have occurred. Possible actions include termination, reprimand, suspension (without remuneration or accrual of leave rights) reduction in level/ salary, or transfer of the employee to other employment (including change of location, area or duties).²³⁸ Within SAPOL, enquiries into administrative/specialist support staff misconduct are usually undertaken by a public sector director, who has the autonomy, subject to the requirements of the Act, to determine the most appropriate disciplinary action required as per the seriousness of the misconduct.

Employees who are subject to disciplinary measures under the *Public Sector Act 2009* (SA) have a right to review. This review may be performed internally or externally. Where accusations of unfair dismissal arise the matter

may be the subject of a review by the Industrial Relations Commission as per Chapter 3 Part 6 of the *Fair Work Act 1994* (SA).

The reality of having two classes of staff governed by two separate acts could lead to differing standards of treatment of employees, despite both groups being public servants. SAPOL has greater autonomy to impose more serious sanctions on administrative/specialist support staff than sworn police without the requirement of a tribunal order. This issue is currently a matter of public, and political debate.²³⁹

Complaints process before Parliament

The complaints process is currently under review with a Bill being considered in the SA Parliament which would remove the Police Ombudsman's role with complaints going to the Office for Public Integrity (OPI). Under the Bill the IIS would remain and complaints could be referred between the IIS and the OPI. Under the changes, all complaints made to IIS would be recorded on a complaint management system, regardless of whether the report is deemed to be trivial, frivolous or vexatious. Corruption issues and other issues deemed appropriate would be referred to the OPI.

The Bill proposes that the Police Disciplinary Tribunal would remain, however the Acting Police Ombudsman has criticised the continuation of this system saying that "a proposed reform of the Police complaints system which does not address the current legal framework which requires that disciplinary proceedings be conducted as if they were criminal proceedings before the Magistrates Court is not a reform which goes as far as it should".²⁴⁰

The Acting Police Ombudsman has called for greater powers for the Police Commissioner to discipline staff, arguing that the "Commissioner should be the central umpire. He or she should

be able to deal immediately with (relatively) minor infractions, leaving the really serious matters to be referred to a tribunal or to the courts. The lack of ability to deal quickly with misconduct is a difficulty".²⁴¹

Capacity to manage complainants/respondents and identify hot spots

The SAPOL Health Safety and Welfare (HS&W) Branch Manager chairs a multi-branch fortnightly meeting designed to identify multiple complainants or multiple respondents and devise the most effective strategy for managing the person's difficulties and/or behaviours. Attendees are managers of E&D, IIS, Human Resources Management Branch and a representative from the Office of General Counsel. Any attendee from the meeting can nominate a case to discuss and to establish if the person is the subject of reports to one or more parts of the organisation.

"At any one time there's between 500 - 600 active worker's compensation claims and around 300 IIS cases. So we are careful to strike a balance between getting the Committee involved in discussing the right cases, rather than biting off more than it can effectively deal with." **Key personnel interviewee**

The committee does not sit in a chain of command, no-one has the authority to ensure there are agreements put in place and the committee is not bound to act on what is agreed. There is also no central database that enables the committee to ensure it is discussing the most critical cases and is readily able to identify patterns of behaviour and hot spots. Essentially it relies on people's memories.

As proposed in changes to the *Police (Complaints and Disciplinary Proceedings) Act 1985* (SA) it will be important for SAPOL to introduce one new central reporting database which will enable the organisation to track the progress of complaints. The database should also include reporting

dashboards to make it easy to identify where there are problem locations and individuals that are the subject of multiple/serious complaints.

“We rely on a lot of anecdotal evidence to identify issues and problem areas. To be proactive in employee case management we need a better database for related reporting.”

Key personnel interviewee

Mediation

SAPOL internal human resources policies (*General Order 8420, Human Resource Management, Equity and Diversity*) state that mediation by a trained mediator exists as a dispute management option. However, the Review Team was told that in reality this option is rarely used. Many participants did not seem to be aware that mediation for disputes was available. For those who were aware, the cost of using an external mediator was often cited as a barrier.

“In the last three years we have only sent one or two matters to a mediator. Thus, I question the value of this process. We currently do not have these skills internally. We are required to seek outside mediation assistance. This costs the organisation around \$2000 a time. I would like to have these skills in-house. I think that it is demonstration of best practice to have a range of tools in your tool kit. Perhaps we would use mediation more readily and earlier if we already had the skills on hand. So far we have been unsuccessful in securing funding from ELT to do this.” **Key personnel interviewee**

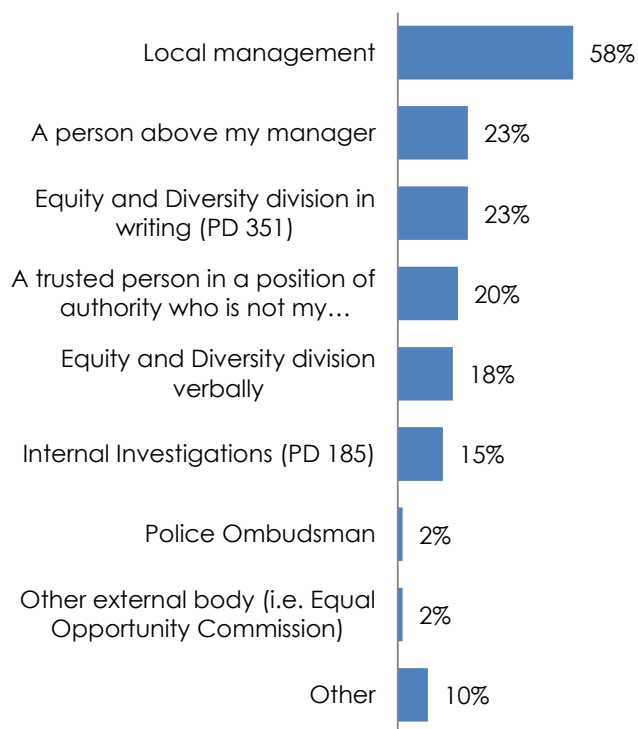
Formal complaint rates

Sexual harassment

SAPOL data shows that 20 matters recorded by the IIS and 41 matters recorded by the E&D over the past five years refer to sexual harassment. Survey responses from the Review indicated significant underreporting of sexual harassment

with only 12 per cent of those who had experienced sexual harassment stating they had made a formal complaint. Of those who had reported sexual harassment, the largest proportion chose to report it to local management (58 per cent) followed by a person above one’s own manager (23 per cent) and in writing to E&D (23 per cent) (Fig 23).

FIGURE 23 – REPORTING SEXUAL HARASSMENT



Q61. Have you ever formally reported or made a complaint to your organisation about sexual harassment that you personally experienced. Q62. If yes, who did you report/make a complaint to? (tick all that apply) Filter: Q61 filter REPORTED; Unweighted; base n = 60; 97% filtered out Base sizes too small for statistical analyses.

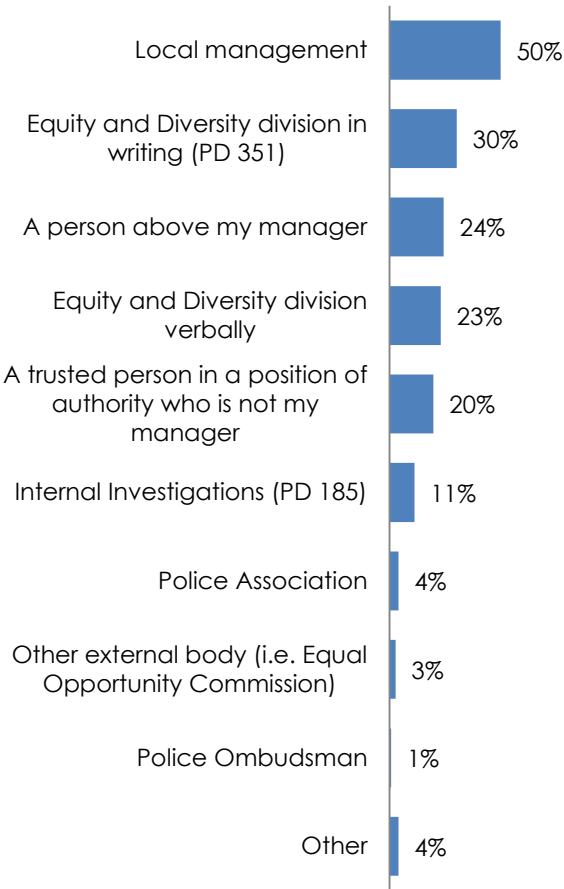
Sex discrimination

Of the 45 per cent (around 740 people) of survey respondents who indicated they had experienced sexual discrimination in SAPOL, 21 per cent reported it. Of those who had reported, the largest proportion did so to local management (50 per cent) followed by the E&D in writing (30 per cent) and a person above their own manager (24 per cent).

There is a discrepancy between the data from the Review and SAPOL data from the past five years. The latter shows there was only one matter recorded by the IIS that referred to sex discrimination (in combination with racial discrimination) and no matters recorded by E&D that identified sex discrimination.

“As my situation was never recorded – there would be no data on it going forward, to even be able to say I was unhappy with the process.”
Confidential interviewee

FIGURE 24 – REPORTING SEXUAL DISCRIMINATION



Q41. Have you ever formally reported or made a complaint to your organisation about sex discrimination that you personally experienced? Q42. If yes, who did you report/ make a complaint to? Filter: Q41 filter REPORTED; Unweighted; base n = 155; 92% filtered out

The gap between the number of people who indicated they had reported sex discrimination and the number of matters actually recorded could be due to a number of factors, including:

- survey results related to lifetime reporting behaviours, whereas data received from SAPOL related only to the past five years
- where respondents indicated they reported locally the matter may not have been recorded in the IIS or E&D systems (or not classified in the same way)
- where matters are submitted on a PD351 or PD185, the complainant/reporter does not need to state what they believe to be the nature of the matter (e.g., sex discrimination). Instead, they describe the situation and it is interpreted by the relevant area
- matters involving elements of direct or indirect sex discrimination may involve other behaviours and may be interpreted and classified in other ways such as ‘bullying’ or may have been assessed as more general ‘performance management’ matters
- multiple reporting channels may have been used including reporting as a ‘grievance’ about an administrative decision or selection process. Grievance records do not state whether the grievance relates to sex discrimination.

As a check of classification of matters, the Review Team conducted a desktop audit of the synopses of 120 matters recorded by E&D over the past five years. This indicated that about five should have been more appropriately classified as sexual harassment, or as having elements of sexual harassment. However, it was not possible to identify any matters that would have been more appropriately classified as sex discrimination.

A review of de-identified summary information from 30 matters recorded by IIS over the past five years included one matter classified as a combination of racial and sex discrimination which was classified as a combination of bullying and sexual harassment. There were also four

related matters involving an email circulation with racist and sexist comments, which was classified only as racial discrimination. These should have been classified as race and sex discrimination. In total it was deemed 24 of the 30 matters reviewed related to either sex discrimination or sexual harassment.

To understand what is happening in the workplace and address any systemic problems, a shared understanding of the behaviours and practices that constitute direct and indirect sex discrimination, and reliable mechanisms to record and report them, are vital.

“My complaints to Equity and Diversity have been swept under the carpet. One time a complaint wasn’t even recorded because they decided it wasn’t significant enough. What right do they have to decide not even to record it?”
Confidential interviewee

Barriers to making a formal complaint

Despite the requirement in *General Order 8420, Human resource management, Equity and Diversity* to lodge a PD351 “whenever an employee is aware of unreasonable or unlawful behaviour that is creating a risk to health and safety of an employee,”²⁴² few people who experience sexual harassment and sex discrimination in SAPOL have reported the behaviour.

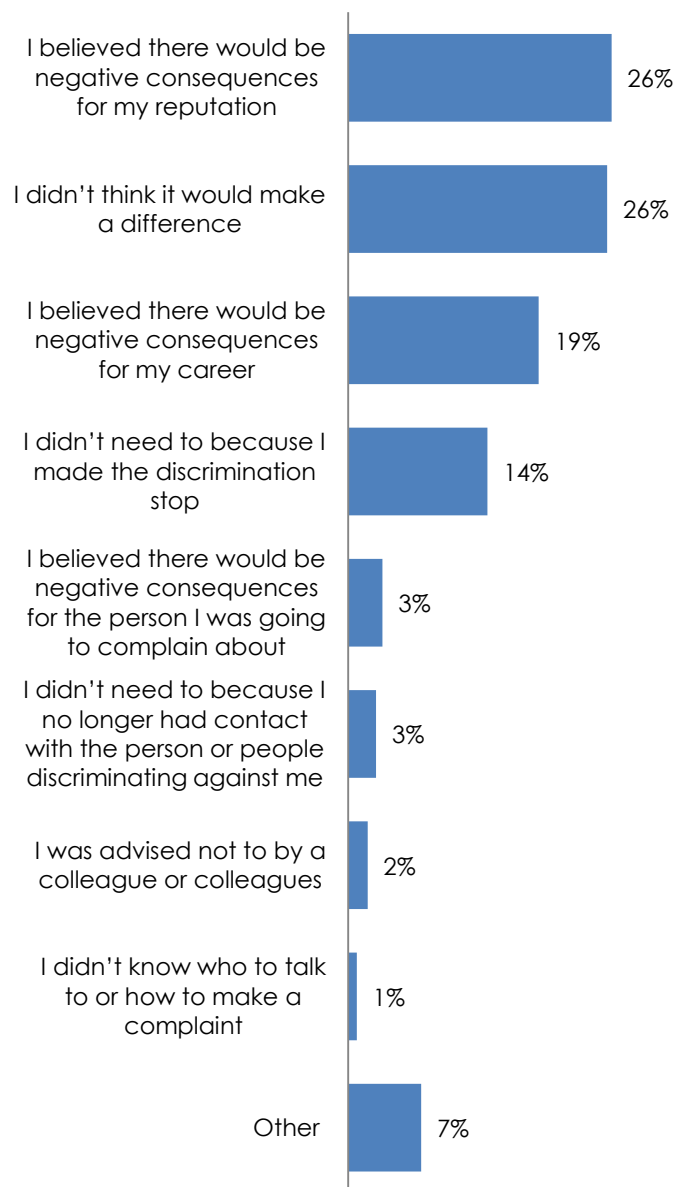
Survey respondents cited many organisational and cultural barriers that stopped people making formal complaints. These included:

- inadequate and/or ineffective reporting procedures
- high tolerance for inappropriate workplace behaviours and perceived lack of action against perpetrators
- a culture of stigmatisation and victimisation of people who complain

- peer pressure to not complain
- fear of negative consequences for one’s reputation or career
- concern that reporting would not have any effect.

The survey findings indicate that in the main, the SAPOL environment is deemed by employees to be unsafe for victims to report sexual harassment and sex discrimination.

FIGURE 25 - REASONS FOR NOT REPORTING SEXUAL DISCRIMINATION



Q48. Please indicate if any of the following happened to the discriminatory party as a consequence of being reported? Q49.

"It is very difficult to make complaints, formal or informal, because there is always the chance that a respondent will either remain in the same work space, or reappear in a future work space, and there are frequent examples of friends/networks of respondents providing relentless 'pay back' to a complainant, in the form of ongoing bullying/harassment, being overlooked for positions, missing out on overtime opportunities, being subjected to the worst jobs, not being properly backed up in dangerous tasks, being subjected to gossip and rumour and being ostracised." **Survey respondent**

"I am personally aware that some people are reluctant to report inappropriate workplace behaviour as they are concerned about how they will be perceived ... by management and co-workers. This stigma does prevent people from reporting." **Survey respondent**

"Recruits [are encouraged to] challenge inappropriate behaviour ... However, after a few years in SAPOL you soon learn you can be labelled 'weak', 'hard to manage', 'psych issues', 'they take anyone now-a-days', 'they were scraping the bottom of the barrel were they?' If you challenge inappropriate behaviour ... your fate is determined by whether you are part of the 'in' crowd and networked groups." **Survey respondent**

"People in my office keep saying to me how brave I was for reporting ... I am older than most people in my team. I am no longer looking at moving up the organisation so I felt like I could do it ... However, even though I knew his behaviour was so wrong I still hesitated for a while ... It felt wrong that other people wanted to and didn't because they were young in the job, because they were worried about the ramifications for their career. There is a real risk that they could apply for a job in the future and he would be sitting on their panel, or they could

be reliant on a recommendation from him for promotion. People did not feel safe to report and to be honest, if I hadn't been at this stage of my career I may not have either." **Confidential interviewee**

Self-help mechanisms

A number of respondents indicated adopting self-help mechanisms in responding to workplace harm. Fourteen per cent of survey respondents who experienced sex discrimination and 15 per cent of people who experienced sexual harassment did not report the behaviour because they took direct action with the perpetrator.

"I challenged the behaviour. I was aware that the individual had made similar remarks in the past and had been spoken to by management." **Survey respondent**

A further 3 per cent who had experienced sex discrimination and 5 per cent who had experienced sexual harassment chose not to report because they no longer had contact with the person.

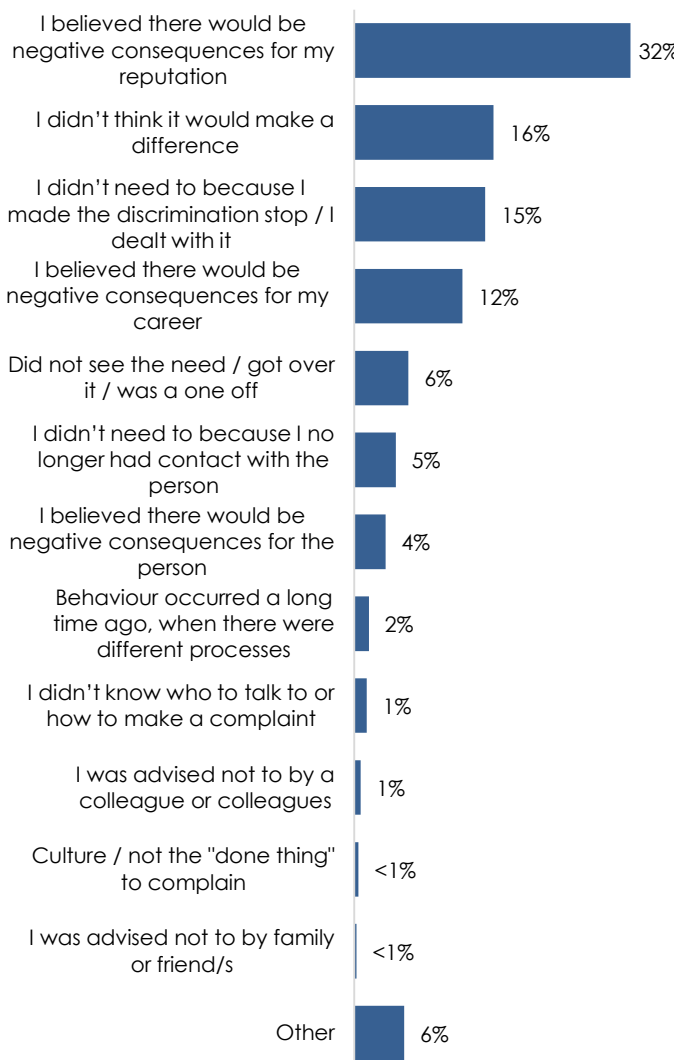
"I made a choice. My approach to coping ... was to revert back to a lower rank so that I could get out of that environment and explore alternative interests for a while." **Key personnel interviewee**

One option for people experiencing inappropriate behaviours is to request a transfer on welfare/compassionate grounds. This allows for a person to transfer teams. It is unclear how many people have utilised this option in the past five years as this information is not recorded. SAPOL states the information is not captured because the data is held in an open system that many administrators access and people do not want to have welfare transfers on record. However, it is important that oversight of welfare and compassionate transfers occur, enabling the early recognition of patterns. A solution to the privacy issues would be to hold

data relating to welfare transfers in a secure database.

If the complaints system becomes more trusted, there should be fewer people who feel the need to move areas rather than make a complaint.

FIGURE 31: REASONS FOR NOT REPORTING SEXUAL HARASSMENT



Q71. If no, why did you not report the harassment? SR Filter: q61 filter DID NOT REPORT; Unweighted; base n = 425; total n = 442; 17 missing; 77% filtered out

Experience of formal complaints process

Of those who complained about sex discrimination, only 47 per cent said the process had been satisfactory. Similarly, only 50 per cent of sexual harassment complainants were happy

with the process. By contrast, the AHRC's *Working without fear: Results of the Sexual Harassment National Telephone Survey (2012)* found that 74 per cent of respondents who made a formal report or complaint about sexual harassment in the workplace in the past five years were satisfied or extremely satisfied with the complaint process.²⁴³ Areas of dissatisfaction included:

- time taken to resolve complaints
- overly legalistic and adversarial (for accused and victims) systems focusing more on technicalities than behaviours experienced or complainants' wellbeing
- too much paper work/form/process-based, with victims having to tell their stories many times
- failure to keep complainants (or respondents) informed through the process
- lack of independence when matters were referred to management for review
- no capacity in E&D to mediate resolution
- no authority for the heads of related areas to agree to and implement a course of action weighing up costs, benefits and risks (e.g., to stop an IIS investigation when WHS has acknowledged a psychological injury)
- confusion between secrecy and confidentiality
- matters bouncing back and forth, and lack of continuity
- negative treatment of complainants and a perception of a failure to hold perpetrators to account.

"The complaint process is formal, long winded and restrictive and very discipline-orientated. A formal complaint is laid, there is an investigation, allegations are put. The alleged perpetrator will always deny what happened in the belief that if they make any admission there will be severe

consequences. There may be other ways to address a problem before it gets to the level of a complaint. There needs to be enough trust in the alternative process so that it's ok to admit, 'yes I said that', but do something about it. Perhaps acknowledge, apologise and stop the behaviour, before the situation gets out of hand." **Key personnel interviewee**

"Matters that are raised get sent back to LSAs or a branch manager who isn't independent, and they are not trained in mediating or conciliating. They only know how to investigate, so there will be an investigational outcome with a winner and a loser. Our policy is about investigating and not about coming to a consensus or respecting victims or making perpetrators accountable."

Confidential interviewee

For both sexual harassment and sex discrimination complaints there were similar levels of dissatisfaction about being kept informed about the complaints process, as well as about the progress and outcome of the complaint.

"SAPOL has a very poor way of dealing with matters related to sexual harassment and sex discrimination. There is no transparency in the process. There is also an assumption in head office that those making the complaints know all the procedures. I personally had no idea what processes I would go through, what the potential consequences or penalties would be for the perpetrator or how I would be supported."

Confidential interviewee

The greatest dissatisfaction was with the inadequate explanation for the final outcome (57 per cent of sexual harassment complainants and 60 per cent of sex discrimination complainants). Further, 20 per cent of survey respondents who reported sexual harassment and 14 per cent who reported sex discrimination stated they did not know or were unsure of the outcome.

"We need to improve how we communicate about complaints. When a person reports

something to IIS or E&D, it is important they are informed along the way about what has happened with that complaint. Currently we are more process driven than driven by human interactions. We need to turn this on its head. Employees and managers are 'left in limbo' for too long about outstanding complaints and investigations." **Key personnel interviewee**

Time to resolve complaints

The AHRC's study into sexual harassment in Australia found that where people chose to complain about their experiences of sexual harassment at work 78 per cent had their complaints finalised in less than a month, with 49 per cent finalised immediately or on the next working day. Only 3 per cent took longer than 12 months to be finalised.²⁴⁴

SAPOL's complaints finalisation process is often much longer. While almost half of the survey respondents who reported sexual harassment or sex discrimination had their complaints resolved in less than three months, 7 per cent of sexual harassment complaints and 9 per cent of sex discrimination complaints took over a year to finalise.

Official complaints times

The average time taken to resolve the 23 IIS complaints (the 24th complaint was still active at the time the data was provided) was 229 days, with the longest investigation taking 1654 days to finalise.

For E&D complaints the average duration of complaints was 163 days. Complaint times ranged from same day resolution to 1504 days to finalise.

Official outcomes of complaints

SAPOL E&D data from July 2010 to May 2016 indicates 41 sexual harassment complaints were received, 56 per cent were substantiated, 7 per

cent unsubstantiated and 37 per cent unclear. One complaint had no status recorded.

SAPOL IIS outcomes data over the same period indicates a total of 24 complaints related to sex

discrimination or sexual harassment of which 33 per cent were substantiated, 58 per cent were unsubstantiated, 4 per cent had no status recorded and 4 per cent were still under active investigation.

Substantiated IIS complaints

Where reports were substantiated, IIS data from the same period indicates the following disciplinary actions were taken:

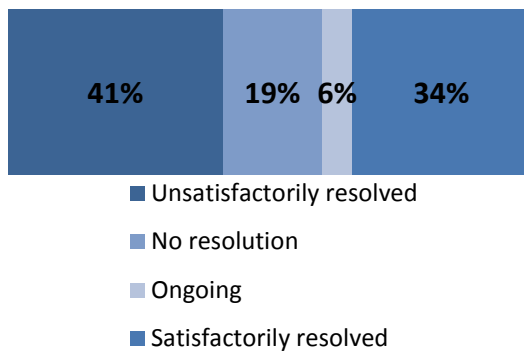
TABLE 2 - SUBSTANTIATED IIS COMPLAINTS

Summary of substantiated behaviour	Penalty/ Action	Respondent's level at the time of complaint
Rubbed back seductively and pulled on nipple	Recorded advice X 3	Senior Officer (Inspector and above)
Serial bullying, intimidation, sexually inappropriate behaviour (sexually charged comments)	Training	Supervisor (Sergeant to Senior Sergeant First Class)
Abusive phone calls and turning up to domestic premises irate	Counselling	Operations (Community Constable to Brevet Sergeants)
Email circulated with racist and sexist comments	Managerial support	Operations (Community Constable to Brevet Sergeants)
Email circulated with racist and sexist comments	Managerial support	Operations (Community Constable to Brevet Sergeants)
Numerous phone calls and SMS. Accessed victim's phone messages. Threatening messages to current partner.	Intervention order issued	Operations (Community Constable to Brevet Sergeants)
Inundated with sms and phone calls. Concerned for own safety	Intervention order issued	Operations (Community Constable to Brevet Sergeants)
Sexist/racist jokes in training session. Trivialised rape	Counselling, education, recorded advice	Supervisor (Sergeant to Senior Sergeant First Class)

Satisfaction with outcomes

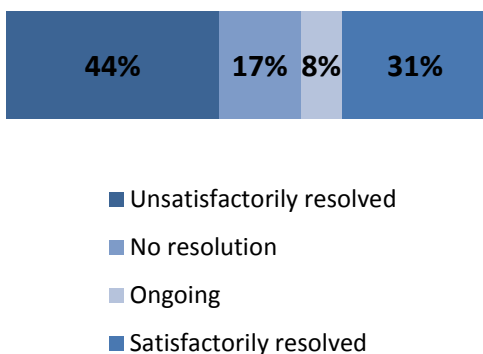
In terms of the outcome for survey respondents who formally complained about sex discrimination, 34 per cent felt a successful resolution had been reached, 41 per cent reported an unsatisfactory outcome, 19 per cent reported no resolution and 6 per cent were ongoing. Similarly, 31 per cent of sexual harassment complainants reported satisfaction, 44 per cent felt their complaint was unsatisfactorily resolved, 17 per cent had no resolution and 8 per cent were ongoing.

FIGURE 26 - SATISFACTION WITH OUTCOME OF SEXUAL DISCRIMINATION COMPLAINT



Q45. Was the outcome of your sexual discrimination complaint?
SR Filter: Q41 filter REPORTED; Unweighted; base n = 153; total n = 155; 2 missing; 92% filtered out

FIGURE 27 - SATISFACTION WITH OUTCOME OF SEXUAL HARASSMENT COMPLAINT



Q65. What was the outcome of your complaint? SR Filter: Q61 filter REPORTED; Unweighted; base n = 59; total n = 60; 1 missing; 97% filtered out Note: Base sizes are too small to permit statistical analyses.

"SAPOL is stuck in a bit of rut. You are brought up in this command and control environment, but when these HR issues arise they can't quite work out how to blend command and control with dealing with actual human problems. There needs to be some sort of recognition that where there are real problems, people need a channel to be heard. There also needs to be a feedback mechanism so that outcomes and reasoning for actions can be better explained to staff. I think that even if people don't like the ultimate outcome, they would be much happier if they understood why something was happening."

Confidential interviewee

"Discrimination is rife in SAPOL ... there are numerous well known bullies ... but they are protected, as those that complain are seen as more damaging to the organisation ... [after reporting a problem] I was asked by a Senior manager if I had been sodomised by my line manager ...when I replied 'No'... He shrugged and remarked ... 'it's just a clash of personalities then'"

Personal consequences for complainants

Sex discrimination

Of the survey respondents who reported sex discrimination, 46 per cent had experienced negative outcomes for themselves. Twenty-nine per cent of complainants reported being ostracised or ignored by colleagues, followed by 23 per cent who reported being bullied, and 22 per cent labelled as trouble-makers. Another 21 per cent indicated they had experienced other negative consequences, including denial of training and promotional opportunities, and 16 per cent had their duties, rosters or locations changed in a manner they felt was detrimental to them.

"I had a meeting and was told there was no case of discrimination, that this was simply an administrative error. I was then asked by the E and D officer 'How are you at cooking? Bake a

cake, bring it in and bond with people. You need a can-do attitude if you want people to give you work' I was also told 'don't worry I won't tell anyone you were crying'. **Confidential interviewee**

Positive outcomes reported by complainants were that the behaviour stopped (20 per cent) and that the roster was changed in a way that was beneficial to them (9 per cent). Only 5 per cent indicated they felt safer in their workplace after making a complaint.

Sexual harassment

Of those who made a formal report about sexual harassment, 47 per cent indicated positive outcomes and 43 per cent indicated negative outcomes. Thirty-two per cent indicated that the behaviour stopped and 15 per cent felt safer in their workplaces. The most commonly reported negative consequences were being ostracised by colleagues (37 per cent) being bullied or victimised by colleagues (32 per cent) labelled a trouble-maker (22 per cent) and/or experiencing other negative outcomes (18 per cent).

The Review Team heard multiple stories about retaliatory behaviour, often in the form of shunning, isolating and ostracising the victim after reporting. This included:

- failing to provide backup in critical frontline situations
- refusing to communicate or cooperate with the target on assignments
- destruction of personal property
- exposure to ongoing harassment and stalking
- denial of employment opportunities (promotions, training, secondments, acting up)
- forced movement of the target to another work environment, including forced reduction in rank

- performance-managing or bullying a victim out, including improper use of the complaints processes, whereby a perpetrator, or someone connected to the perpetrator (usually someone in a position of power) will lodge PD185s against the complainant.

Many perceived complaining as analogous to flipping a coin, with the outcome unknown and the risks possibly outweighing the likely benefits.

"[After reporting my supervisor for sexual harassment] he started treating me like crap, bad-mouthing me. After that I felt completely isolated and ostracised. I managed to line up another job, but I was pulled off it without knowing why, and any work I submitted had my name changed to someone else's. I was also excluded from opportunities to go interstate to help out with police efforts." **Confidential interviewee**

"The grievance process is a joke. ... No one believed me ... I received abusive messages ... I was ignored and ostracised by others. I had personal property both damaged and stolen. I was made to feel like a liar. ALL I DID WAS ASK FOR HELP. Every person involved in my resolution process was male. All were of superior rank to me." **Survey respondent**

"Management continue to discriminate against those who stand up ... If I need a reference or wish to apply for advancement or another role, I am denied, sabotaged or not supported in doing so as [I am] labelled as a trouble-maker. After making a formal complaint it appears that nothing is based on merit – and instead is based on the personal opinion that management have of you being the 'trouble-maker'. I find that grossly unfair." **Survey respondent**

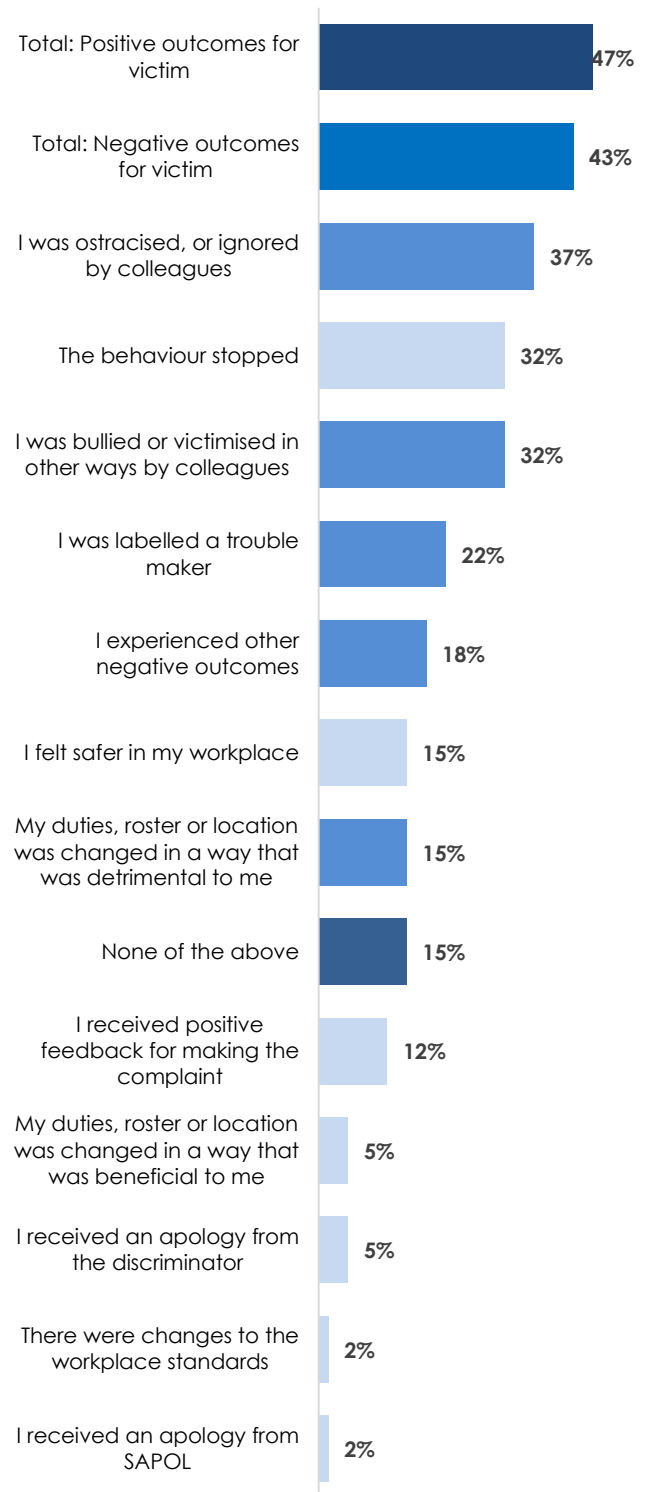
"SAPOL just move the problem around, and by problem, I mean the victim. They don't deal with the perpetrator they victimise the victim further. I was told by HR to move and give up my role. They told me I would have to take a rank

reduction as well. I was told that if I didn't comply they would take away my permanency. I refused to fold ... I hate to imagine what would happen to someone who had less inner strength." **Confidential interviewee**

"I was managing a person who was a victim of sexual harassment. [The incident] was still being investigated [when] she received news the perpetrator was moving into the same building and would be working on the same floor She expressed her concerns at this and I agreed this was an unsafe situation for her and was causing significant emotional trauma. I went to a manager above me to express my concern ... This manager told me that he had spoken to the Senior Officer who told him to tell her 'toughen up and get over it'." **Confidential interviewee**

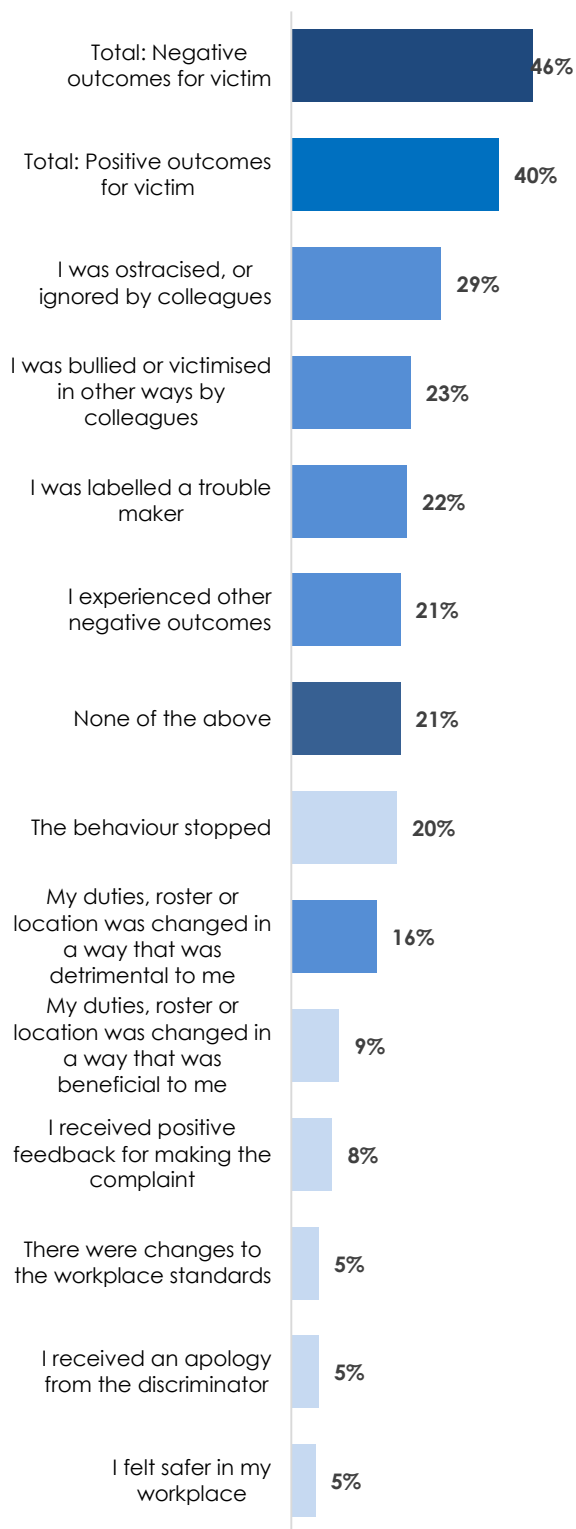
"No one wants to complain out of fear of repercussions. When I complained it took months to come back to me. Yet when a supervisor lodged a PD185 against me, suddenly IIS was investigating. The investigation process is horrendous. I felt like it was a witch hunt. There was no balance in the actions taken. They used a sledge hammer over minor matters I was accused of, yet my complaints about my safety were ignored or brushed aside." **Confidential interviewee**

FIGURE 28 - PERSONAL CONSEQUENCES FOR REPORTING SEXUAL HARASSMENT



Q67. Were there any other consequences for you in taking this action? MRFilter: Q54 filter AND Q61 filter REPORTED; Unweighted; base n = 60; 97% filtered out Note: Base sizes are too small to permit statistical analyses.

FIGURE 29- PERSONAL CONSEQUENCES FOR REPORTING SEXUAL DISCRIMINATION



Q47. Were there any other consequences for you in taking this action? MRFilter: Q41 filter REPORTED; Unweighted; base n = 153; 92% filtered out

“ Will I actually make it home tonight?

It got out amongst my team that I had made an informal complaint to my supervisor about the incidents [of sexual harassment]. The result was that I began to be isolated and ostracised from my team to the point where it was too dangerous for me to continue to work in the area.

I was on a job, and was put into a situation where I needed back up. I was dealing with two well-known, high profile criminals. I was on my own and unsure of how they would react. The thought of ‘will I actually make it home tonight?’ went through my mind while I was dealing with these men. My station and several of my team members were only a 5-minute drive away. When I put in the call for back up on the radio my voice was audibly stressed. No one came to support me. Instead I had to wait for back up from another crew (who I did not know) and they were over 20 minutes away.

I later heard from another SAPOL member who was visiting our station that several members from my team were sitting in the typing room when my request for assistance came through. They would have heard the stress in my voice. It was then that I made the decision to leave that team ... I did not want to work with people who did not support me.

... I loved that role. I know I will never return to the same team and will do my best to avoid working with those people again. I find the whole experience disappointing and very sad. The perception that a victim who complains will be further victimised isn't a perception; it's a reality. In my experience, if you complain you will be ostracised, bullied, excluded or tagged as a trouble-maker. There appears to be little or no consequence for the perpetrator and it is written off as a ‘interpersonal conflict’. I have also stood up for other members who were not capable of defending themselves however at the end of the day the consequences for you outweigh any good from complaining.

It's strange to say, I still love my job and it fits my personality perfectly - but we pay a high price when we stand up against unacceptable behaviour. It's a big task and I am not sure how SAPOL can change the behaviour of some individuals who seem to have not evolved since the cave man age. **Confidential interviewee**

Perceptions of outcomes for the perpetrator

In contrast to the perception of high risk for complainants, consequences for perpetrators are perceived as too low or non-existent.

For both sex discrimination and sexual harassment complaints, the most common known outcome for the perpetrator was that they were 'spoken to'. This was followed by an absence of any consequences with about one third of complainants (regardless of behaviour complained about) indicating they knew of no consequences for the perpetrators in their cases.

"The person that was complained about has created havoc in the workplace for years, but he is still in the workplace, and still in a position of power. He is still doing many of the same things without consequence." **Key personnel interviewee**

"[After 18 months of sustained sexualised behaviour] I felt really uncomfortable so I complained to my immediate supervisor, who told me 'Well someone has to be picked on'. I also approached the relieving manager who was above my supervisor. I received no support there either. In fact he told me how difficult it must be for [the perpetrator] to move to another area." **Confidential interviewee**

The perceived lack of consequences was of great concern for many participants. They indicated frustration and a lack of trust of the organisation, and particularly of senior management, as a result.

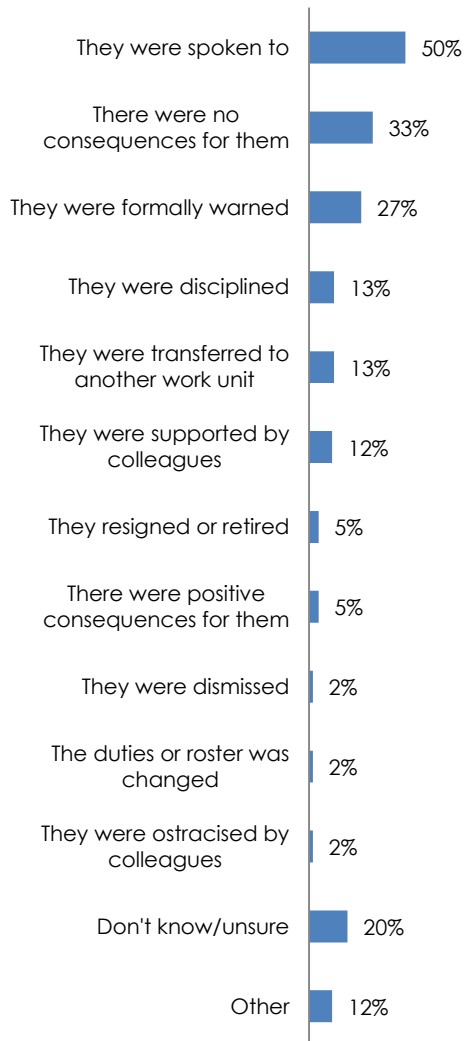
"There is an 'old boys club' amongst senior management who clearly protect senior supervisors and/or managers in terms of disciplinary action. I am aware of an incident of where [sexual assault] by a manager [was reported]. ... The offending manager was only given informal words of advice by an Officer who was a close personal friend" **Survey respondent**

"I don't feel satisfied with the outcome of my complaint ... But I love my job and as much as I'd

like the outcome to have been different I've moved on with my life. That doesn't change what happened to me though. This will be with me forever as will the fact that the offender didn't really suffer any consequences." **Survey respondent**

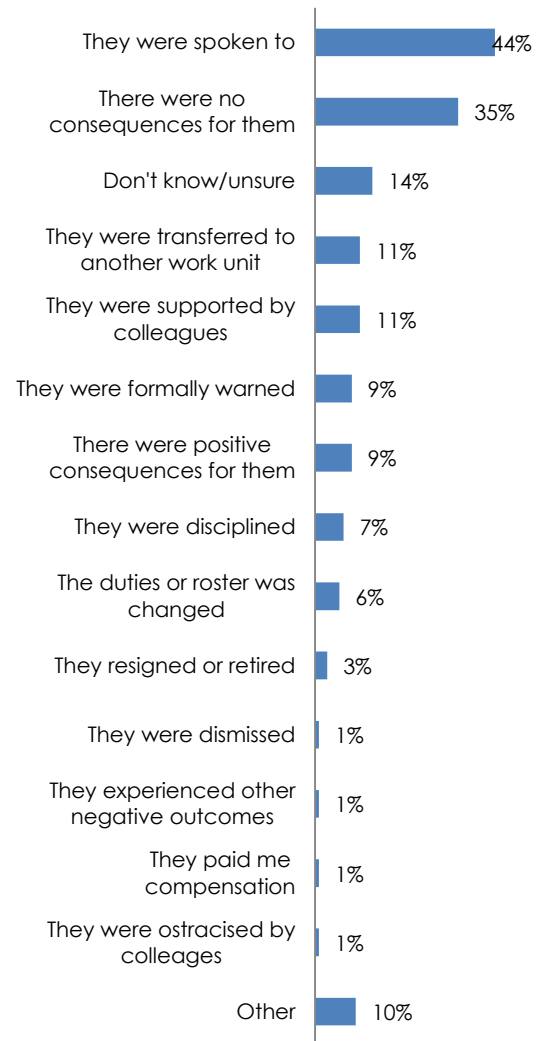
"When I reported harassment to my supervisor they sent me to counselling SAPOL management are aware of this person and nothing has been done, he continues to sexually harass and assault women." **Survey respondent**

FIGURE 30 - OUTCOMES TO THE PERPETRATOR OF SEXUAL HARASSMENT COMPLAINT



Q68. Please indicate if any of the following happened to the harasser or harassers as a consequence of the harassment being reported. (you may select more than one) MRFilter: Q61 filter REPORTED; Unweighted; base n = 60; 97% filtered out Note: Base sizes are too small to permit statistical analyses.

FIGURE 31 - OUTCOMES TO THE PERPETRATOR OF SEXUAL DISCRIMINATION COMPLAINT



Q48. Please indicate if any of the following happened to the discriminatory party as a consequence of being reported? MR Filter: Q41 filter REPORTED; Unweighted; base n = 155; 92% filtered out

“ This is an organisation charged with the protection of women, and this is how we behave to our own people

In the end he was found guilty [of sexual harassment] but he was not punished as far as I can tell. I was advised the result was ‘Recorded Advice’. I think this means he was just verbally warned. That seems totally inadequate considering the severity of what he was doing. Other workplaces would not tolerate someone like that. They would be gone.

He was very clever. He played the system. He said he had behaved the way he had because he was ‘unhappy’ and ‘stressed’. He used the same language as an alcoholic to describe his clear sexual harassment and sex discrimination. He played the victim. I don’t accept this. There was no acknowledgement of what happened to me. There was no apology. When I followed up on why there weren’t any consequences for him I was told that he has friends in high places. This was highly disappointing.

Despite being a mature, strong woman, I was scared – even terrified – of coming across this person again. I can’t understand why he is still in the job. He will never stop. He is like a protected species. He kept his rank. You need a sponsor to get anywhere in this organisation and he clearly has one ... I have never been in a workplace where a person is allowed to behave so badly in such a systematic way; where the behaviours can be known and nothing is done about it. The level of tolerance for this behaviour is unbelievable. This is an organisation charged with the protection of women, and this is how we behave to our own people.

It is common knowledge this man has multiple complaints against him and yet nothing gets done. I decided to undertake this process to ensure that he would never hurt anyone again. I justified making the complaint from a work health and safety perspective. I couldn’t live with myself if any of my colleagues harmed themselves as a result of this man’s behaviour. But I failed. This man is still in the workplace, still in a position of power and still able to inflict harm. Nothing has changed for him. He hasn’t changed his behaviour at all.

Under the current complaints processes there is no incentive to complain. As a victim I have more to worry about than he does ... I think he’s very dangerous. I am sure he is continuing to trash my reputation ... These conversations happen at the pub between ‘mates’ then leak out. SAPOL also has a culture of other members calling each other unofficially before a new person comes to work with them ... He can say whatever he wants about me without consequence.

Complaints processes in the future need to be independent, conducted by people from outside the organisation. The current processes simply do not work. No one should have to tolerate this type of behaviour in a workplace. **Confidential interviewee**

Overall effect on the organisation

If complainants feel they have not been treated fairly and the systems and processes do not uphold the organisation's values, they can become detached from the organisation and unwilling, or unable, to contribute 100 per cent.

"As a manager, I have seen some of my most valued staff members become the most difficult staff members to manage after they have reported – because they have become so disengaged and re-victimised as a result of the systems and processes ... The ultimate impact on the person is not actually the initial incident. It is because of what has been created as a result of the management or mismanagement of that particular circumstance." **Key personnel interviewee**

While many SAPOL employees expressed high levels of concern around the existence of sexual harassment and sex discrimination, there were some who expressed attitudes suggesting women were at fault.

"A member would post scantily-dressed photographs of herself on Facebook and would naturally receive many comments for the months following. This same female officer once stated that another male officer had seemingly become obsessed with her and had once accosted and 'went in' to kiss her following a shift against her will. I admit it was hard to take this seriously given her general behaviour." **Survey respondent**

"Numerous instances of female probationers openly flirting and interacting physically with field tutors and supervisors to get required benchmarks signed off, or female officers in patrol teams pursuing senior members ...to carry favour for their own applications. Not to say I blame them, play to your strengths and all, but if your work can't get you advancement, then don't think that your 'extracurricular activities' will ... even though it often does." **Survey respondent**

There were also allegations of organisational-sanctioned victim blaming. A number of participants spoke of their distress at having their sexual history questioned after reporting incidents of sexual harassment perpetrated against them by colleagues.

"[After reporting sexual assault] IIS called me ... wanting me to detail all the relationships I had ever had from my days in Academy until the present." **Confidential interviewee**

"The perpetrator lied and said that we were in a relationship. He claimed that it was fine for him to be behaving like this towards me. No one asked me if the perpetrator's allegations were true or not. The manager, without speaking to me, made the decision to stop the PD351 process. No one approached me to tell me that it had been stopped ... [when I followed up] ... I was told 'It's in your best interest to make this go away'." **Confidential interviewee**

Victim blaming can be extremely detrimental to the person experiencing the behaviours. Targets who experience, or witness "negative responses and blame, tend to experience greater distress",²⁴⁵ guilt and self-doubt. Such attitudes can also impact on colleagues' willingness to stand up to behaviours and support targets, as well as managers' commitment to holding perpetrators to account.²⁴⁶

"The culture HAS to change in SAPOL. Sadly, most of the victims are victimised and THEY are moved to other work areas. Interestingly, we remove domestic violence perpetrators from homes and leave the victims in the home but the opposite happens in SAPOL – the victims are usually moved to other work sites. I would NEVER encourage anyone to report these incidents as I have no confidence in SAPOL with dealing with them and NOTHING is ever confidential." **Survey respondent**

Fixing the process

Fixing the complaints process was the suggestion most commonly provided by survey respondents (128 people or 22 per cent) when asked what could be done to prevent sexual harassment and sex discrimination in SAPOL. Ideas included:

- greater support for targets in the aftermath of reporting to manage stigma, reputation damage and victim blaming
- higher and more visible penalties for perpetrators
- an independent external/civilian board or body to manage and coordinate complaints to avoid potential conflicts of interest
- taking immediate action, consulting and talking with targets and perpetrators and using mediation services.

Overall, the key theme was the need to have trusted and reliable complaints processes.

“You can work as hard as you like on systems and processes but the fundamental determinant of whether they work or not is whether there is trust in the organisation ... this inhibits many people with the perception that ultimately the organisation won’t do anything, or if it does it will be in the organisation’s interest and at the expense of the individual.” **Key personnel interviewee**

Many targets wanted to feel they had been heard. They wanted an opportunity to tell their story without fear of further victimisation or judgement. They also wanted an apology and acknowledgement from the organisation of the harm caused to them by this process.

“It’s so disappointing after such a long career, not to even have an apology from SAPOL for anything.” **Confidential interviewee**

It is recommended that one new unit for all internal complaints related to bullying, harassment, victimisation and all forms of

discrimination that are currently handled by E&D and IIS be established. This unit would be staffed by trained, professional mediators who are recruited from outside SAPOL. The latter is very important because it would be inappropriate for people who are already employed by SAPOL to mediate cases involving other employees. For instance, if a sworn staff member of the rank of inspector was mediating a complaint involving a constable and a superintendent (that the mediator may later rely on for promotional support) given cultural deference to rank structure, it would be likely that the mediator would not be able to act impartially in this situation of power imbalance. Further, it is unlikely that at a minimum, the mediator and one of the parties would not have had a prior working relationship. The Law Council of Australia’s *Ethical Guidelines for Mediators* stress the importance of impartiality and avoiding conflicts of interest. It states: “a mediator may mediate only those matters in which the mediator can remain impartial and even handed ... The mediator must be certain of [their] ability to undertake the mediation with independence and neutrality so as to ensure impartiality.”²⁴⁷

The unit must also act to ensure the confidentiality of complainants and responders and should be physically located where confidentiality can be assured for those entering and exiting the unit.

The unit would have a bias for mediating outcomes quickly by sitting down with both parties to talk through the issues prior to it becoming adversarial. The unit could adopt a case-management approach. Complaints could be assessed in line with the standards set out in the *Equal Opportunity Act 1984 (SA)* and on the basis of their plausibility. This is a standard of proof which is less an assessment on the balance of probabilities and far less than beyond reasonable doubt.²⁴⁸ This approach would appear to address many of the concerns voiced to the Review Team.

If both parties were agreeable, the mediator would facilitate a discussion about the complaint so both sides could present their versions of events, and attempt to mediate an outcome with both parties. Matters would only be referred for investigation if the complainant wanted this.

Where there was found to be criminal behaviour, the matter would be dealt with through normal police and courts processes in line with changes to the *Police Complaints and Discipline Bill 2016*.

“SAPOL needs to work on early resolution of matters, stopping their escalation into formal ‘cloak and dagger’ IIS investigations and adversarial processes that drag on (in my case for 2 years) and are ultimately costly to everyone. In hindsight I would have liked to have been told early on that the person was offended by my behaviour. I would at the time have acknowledged my error of judgement and apologised in person or in writing and undertake not to repeat the behaviour. Instead, I first I heard of the problem was when an Administrative Order was issued to me. By that time the window for apology and local resolution had long passed. Ultimately the matter became the subject of a confidential agreement, on which no one can reflect and learn. I hope this is added [to the Review report] so the organisation does change for the better.” Confidential interviewee

Summary

While SAPOL has structures and policies in place for handling complaints, these do not appear to be working effectively. When compared to the AHRC’s *Good practice guidelines for internal complaint processes*²⁴⁹ it is evident that SAPOL does not meet the criteria of a good process that is characterised by fairness, confidentiality, accessibility, transparency and efficiency.²⁵⁰

Under the *Police Act 1998* (SA) and the *Public Sector Act 2009* (SA) it is mandatory to report sexual harassment and sex discrimination.

However, it was clear from the survey that neither victims nor witnesses report the extent of what is occurring in SAPOL.

This is due to widespread mistrust of the complaints and dispute resolution system, including the time taken to resolve complaints; the overly legalistic and adversarial process; too much paper work/form/process-based; victims having to tell their stories many times; failure to keep the parties informed through the process; lack of independence when matters are referred to management for review; lack of confidentiality; lack of continuity; negative treatment of or outcomes for complainants (including a culture of ostracisation and victimisation); and a perception of a failure to hold perpetrators to account (with perpetrators often avoiding appropriate penalties by being moved or even promoted).

The lack of one central reporting database means that it is difficult to track the progress of complaints or easily identify problem areas or individuals.

There is also a lack of consistent disciplinary processes in dealing with different classifications of SAPOL staff with the *Police (Complaints and Disciplinary Proceeding) Act 1985* (SA) and the *Public Sector Act 2009* (SA) prescribing different disciplinary processes. This is despite both classifications being public servants, and both working for the same agency.



Recommendations

It is recommended that SAPOL:

- Establish a new and streamlined internal Complaints Resolution Unit that reports directly to an Assistant Commissioner that would:
 - be responsible for all internal complaints related to bullying, harassment, victimisation and all forms of discrimination that are currently handled by Equity and Diversity (E&D) and Internal Investigations Section (IIS).
 - be staffed by trained, professional, mediators who are recruited from outside SAPOL to ensure they bring fresh perspectives and are impartial and act confidentially.
 - have a bias for mediating outcomes quickly, with mediators sitting down with both parties to talk through the issues prior to matters becoming adversarial. Complaints should be evaluated on the impact of the behaviour and on the basis of plausibility. Where complaints cannot be mediated, the complainant will be given the option to pursue the complaint further through legal pathways.
 - be based in a location where absolute confidentiality can be assured in access to and from the unit.
- Establish a confidential complaints management tool in which all complaints would be recorded. This would enable the complainant and respondent to be kept regularly informed of the progress of a complaint and support the identification of hot spots, issues or individuals. Such a tool would be managed centrally and confidentially by the Complaints Resolution Unit. Consideration could be given to publishing de-identified outcomes for greater transparency.
- Organise the training of Police Disciplinary Tribunal, Police Review Tribunal and Complaints Resolution Unit staff on sexual harassment, sex discrimination and unconscious bias, including the impact on victims.
- Establish a taskforce to investigate allegations of sexual assault and sexual misconduct within SAPOL that have emerged as a result of the Review and where complainants indicate they want a matter pursued.
- Review disciplinary processes and penalties for poor behaviour and consider revising classifications for end of service to include 'resigned under investigation' in cases within the remit of this Review.



Chapter 7

Wellbeing and support services

Ideal end goal

All employees have access to trusted, specialist wellbeing services to support them when needed.

Why does this matter?

The welfare of an organisation's staff is so critical to its success that *Beyondblue* chairman Jeff Kennett recently called for professional bonuses of chief executive officers to be "partially tied to the mental wellbeing of their employees".²⁵¹

Research undertaken by the Centre for Ethical Leadership indicates that sexism and sexual harassment in the workplace are directly related to women's mental and physical health as well as their capacity to perform in the workplace.²⁵² Similarly, Safe Work Australia states that "Mental stress claims are the most expensive form of workers' compensation claims because of the often lengthy periods of absence from work typical of these claims".²⁵³

Preventing worker's compensation claims is only one motivating factor for ensuring employees have access to a safe psychological working environment. Creating a safe and healthy workplace also improves business outcomes by reducing costs associated with worker absence and high worker turnover, increasing productivity, minimising stress levels and improving moral.²⁵⁴

While frontline police have a higher mental health risk due to exposure to operational incidences, the way the organisation treats the individual can mitigate or exacerbate the impact of this.²⁵⁵

What the EOC found

SAPOL's current support structures

Health, Safety and Welfare (HS&W) Branch role

The primary function of SAPOL's Health, Safety & Welfare (HS&W) Branch is to discharge corporate obligations in safety management and injury management and to maintain an adequate system for reporting workplace hazards and risks.

The HS&W Branch has three main sections:

- **HS&W Advisors** responsible for developing and recommending policy and administering an effective hazard and risk management system across the organisation
- **Employee Assistance Section** which has psychologists, social workers, nurses and a chaplaincy network. HS&W Advisors often refer staff to this section. The section also provides a confidential external Employee Assistance Program (EAP) where staff and their families can go for some psychological help and support. (However, the level of awareness of this independent support channel among survey respondents was inconsistent as was the level of trust that it would be truly confidential.)

- **Injury Management Section** which addresses worker's compensation claims, including for psychological stress and anxiety, workplace conflict, and bullying and harassment (the number of which has grown over time).

The Review Team heard that difficulties can arise where work health and safety claims intersect with internal investigations, as discussed in Chapter 6 Dispute Resolution. Currently, SAPOL does not have mechanisms to deal with the possibly conflicting concerns of addressing an individual's mental injury and pursuing a complaints process.

"When a person is off work with a significant psychological illness and it has been agreed to accept our liability about it being a work-injury, we need to be more cautious about continuing to pursue an internal investigation that would include interviewing the already ill person, and potentially create a further injury." **Key personnel interviewee**

Equity Contact Officers

There is a network of volunteer Equity Contact Officers (ECOs) who promote equity and diversity in the workplace and support management and employees who may be affected by unreasonable or unlawful workplace behaviours in support of official channels.²⁵⁶

ECOs can be useful for the elimination and prevention of inappropriate workplace behaviour. "A properly trained contact person can quickly help employees with any discrimination or harassment questions or problems before they develop (and) can confidentially support and advise people."²⁵⁷

SAPOL's *General Order 8420, Human Resource Management, Equity and Diversity* requires that those interested in becoming an ECO submit an expression of interest to the Manager, E&D through their local manager.²⁵⁸ Checks are carried out by the Manager, E&D to determine a

candidate's suitability before appointment.²⁵⁹ However, the criteria for suitability are unclear.

A number of participants expressed that they did not trust some ECOs. Comments to the Review Team revealed a perception that some ECOs could not be trusted as they were in the 'in cliques' within SAPOL and helped perpetuate poor behaviours.

"I feel like some of them are there simply as a box ticking exercise in order to work their way to promotion and even if they are identified as not having the right attitude toward the role, they are allowed to continue in the role. If the role as ECO was not ... looked at favourably in promotional requests, I am not sure how many of them would ... continue to act in these roles. Just because you have an 'official role' doesn't mean people will trust you." **Confidential interviewee**

To ensure real commitment to the principles of equal opportunity, staff selected as ECOs should be credible and respected by their colleagues.

A number of ECOs interviewed spoke of the difficulties in performing the role due to the broader lack of organisational support structures for complainants. In particular, the history of poor outcomes for victims left some ECOs feeling disillusioned.

"I am an ECO. The things I have heard and seen working in SAPOL have made me lose faith in the organisation." **Confidential interviewee**

Further, while ECOs must receive annual training,²⁶⁰ comments to the Review Team indicated that this did not always occur. Further, it was not readily apparent to the Review Team whether debriefing services were offered to help ECOs cope with the trauma of hearing stories of harassment, abuse and discrimination of their colleagues.

"I approached an Equity Contact Officer. He didn't know what to do and hadn't been approached before with a problem as serious as this." **Confidential interviewee**

Gay and lesbian liaison officers

SAPOL's *General Order 8420, Human Resource Management, Equity and Diversity* establishes Gay and Lesbian Officers (GLLO) stating that the GLLO role is to "provide internal support to LGBTIQ members within SAPOL promoting equity and diversity in the workplace, and advise and support management and GLBTIQ employees who may be affected by unreasonable or unlawful workplace behaviour".²⁶¹ No comments were received during the Review process relating to GLLOs.

Gaps in support

Currently, there does not seem to be a mechanism within SAPOL whereby when a report is made of sexual discrimination or sexual harassment, the victim or witness is proactively contacted to check on their wellbeing and ensure they are aware of the support services available to them.

"I do not feel supported in the position I am in and not ONE person has called to see if I am ok after reporting the (sexual harassment) incidents. SAPOL does NOT deal with these matters effectively." **Survey respondent**

"Not once did anyone say they believed me, or that it took courage to come forward. No one has debriefed me on it. I felt I had to absorb it all for all the staff who complained about him." **Confidential interviewee**

Fifteen per cent of female survey respondents felt that better victim support and encouragement of reporting would be beneficial, compared to 3 per cent of males.

"Those who 'speak out' need to be supported. Victims need to be respected in regards to having control and a voice in the reporting process. They need to be provided with enough support to make informed decisions. Equally bystanders who speak out also really need to have our support. People need to not be afraid to stand up

and say when they think behaviour is inappropriate." **Key personnel interviewee**

"We have a responsibility to look after our own people and the general public – and it's probably not something we do very well – look after our own people in terms of this and other areas as well." **Key personnel interviewee**

External SAFE Space

It is recommended that SAPOL establishes a new SAFE Space service in order to bridge the gaps in support and ensure those impacted by poor behaviours have immediate access to confidential, unlimited counselling services where required.

The service should be managed independently of SAPOL with access being direct, rather than through SAPOL HR. It would be a specialist service which is experienced in responding sensitively, and confidentially, to victims of harm. Specifically it would provide the following services:

- ensure the immediate safety/wellbeing of the complainant
- provide advice and advocacy on options, including support, formal reporting and redress
- enable complainants to report workplace harm informally and confidentially if they choose to do so
- support complainants to make a formal complaint to SAPOL if they chose to do so.

The service provider could share de-identified information with SAPOL where it receives the explicit consent of complainants.

The proposed service could support staff taking place in the Restorative Engagement Project.

Domestic violence

Whilst the Review did not expressly ask about domestic violence by police against police, disclosures of domestic abuse by both current and former members of SAPOL were raised five times in survey responses and in eight confidential interviews. Disclosures included experiences of physical, emotional and psychological abuse. As the survey did not specifically ask about domestic violence incidents in the workplace it is not possible to assess its prevalence in SAPOL.

SAPOL has become a White Ribbon-accredited organisation, demonstrating its commitment to tackling violence against women in its workplace. Disclosures to the Review Team indicate further steps are required to support victims in the workplace, especially complex situations where both parties to the violence are employed by SAPOL.

“ My calls for help to keep me safe from my ex, including at work, were largely dismissed

I just want to do my job well, but I have felt unsafe and unsupported at In fact, I feel that I have been treated in a way that is unethical and morally reprehensible. I have been the subject of domestic abuse from my ex-husband who is also a police officer. As a domestic violence victim I have been discriminated against because of my occupation.

Like any worker I am entitled to expect a safe work environment. But my calls for help to keep me safe from my ex, including at work, were largely dismissed, with comments like 'it's only verbal or psychological', and 'there's nothing much we can do about it', despite a pattern of behaviour witnessed by many people. As well as being physically intimidating, my ex had access to firearms at our station. At times I was terrified of what my ex might do to me, our children, my mother and my new partner.

Where can you turn if you are a police officer experiencing domestic violence and no one will intervene? What if the domestic violence perpetrator is mates with a boss and others in the process? No one listened to me. There should be a separate section that deals with domestic violence against SAPOL's own people.

At the same time that I have been going through all this, my ex-husband's mates, including a fairly senior officer in a position of authority, ostracised and victimised me. They allowed my ex to access my workplace and roster details, they isolated me in the workplace and left me unsupported when I have called for backup in dangerous situations for me or the community.

They have also used the tactic of lodging *PD185* complaints against me twice during all this. One has been quashed and the other is still ongoing. I feel these have been used as a way of harassing me and wearing me down.

Then my part-time work arrangements were challenged, when they had been working perfectly well for everyone until then.

The whole situation has caused enormous stress for me and my family. I think they just want me to give up and go away. But I am stronger than that. **Confidential interviewee**

Post-traumatic support

There were many unprompted comments to the Review Team about a lack of support for staff wellbeing. These included a failure to provide appropriate debriefs and support after major and traumatic incidents and failure to properly support employees following suicides and suicide attempts by colleagues. This is beyond the scope of the Review, but warrants further consideration by SAPOL.

“We don’t routinely get post-incident de-briefs. No wonder people get PTSD.” **Confidential interviewee**

“I believe suicide support in SAPOL is another area which desperately needs attention. We attend the funerals of our fallen co-workers, but it is well known, and openly discussed, how many of these people did not get the proper support they needed. I am not into blaming, I am into supporting each other, however I find SAPOL can be an organisation cast with many people who simply do not care less about others. Knowing you are not going to be supported by the organisation you work for is not only upsetting but unacceptable. It is a long way from promoting a compassionate, fair and safe work environment.” **Confidential interviewee**

Monitoring health and wellbeing

SAPOL could use its performance management process, which is designed to ensure regular conversations occur between employees and their supervisors, to check the health and wellbeing of individuals. This could help bring to the surface early indicators.

SAPOL does not undertake frequent cultural surveys to test the health and wellbeing of its staff. These can be very useful lead indicators which enable an organisation to be proactive and deal with problems before they become major workforce issues. Cultural surveys, when done well and acted upon, also contribute to

employees feeling valued.²⁶² They are recommended in the WGEA Toolkit.²⁶³

Summary

An important component of wellbeing is for staff to feel supported in their workplace. Particular attention should be given to supporting staff experiencing domestic violence or post-traumatic stress and those going through complaints processes.

SAPOL does have some mechanisms in place such as ECOs and employee assistance, which if refined and strengthened could provide appropriate support.

Frequent cultural health surveys would provide SAPOL with early indicators of staff wellbeing, including in relation to issues relevant to this Review, enabling the organisation’s leaders and managers to take action to address issues.



Recommendations

It is recommended that SAPOL:

- Establish a new externally-provided SAFE Space which staff can access directly for confidential, unlimited support. This will be person-centric with an initial contact person available by phone, email, Skype or in person; the contact person would note the complaint and advise on support services and appropriate avenues of complaint. The service would prioritise support, safety and confidentiality of the victim.
- Establish mechanisms to ensure the safety and confidentiality of alleged victims of domestic violence and their alleged perpetrators when both work for SAPOL.
- Train staff and managers in domestic violence intervention, including risk audits and safety planning.
- Review the roles and responsibilities of ECOs to ensure the role is focused on supporting employees (in addition to the professional support provided through the SAFE Space). The review should include considering which staff are best able to support their colleagues and, if necessary, call for additional nominations. Training should be initially provided for all ECOs, then updated annually. ECOs should be able to access de-briefing services available through the SAFE Space.
- Monitor staff perspectives of organisational responses to sexual harassment, sex discrimination and wellbeing through monthly, confidential cultural surveys with findings reviewed quarterly by ELT, see Appendix G for more information.



Chapter 8

Implementation

Re-setting the culture to deliver a workplace is just the way business is done is an immense task that will be delivered in many small steps rather than one giant leap. It will require changes to occur throughout the organisation, radically shaking up the current 'way we do things around here'.

The Report's recommendations, when applied together, will shift organisational strategies, structures and process – and with them behaviours and attitudes. Implementing the EOC's recommendations will require a dedicated project director and experienced, multi-disciplinary team to drive the change required across the organisation. Project management methodology should be used, ensuring that action is taken, activities coordinated and progress tracked and reported.

A high level Gantt Chart has been developed to guide the timing of activities. It is recommended a more granular Gantt Chart be devised to ensure the project stays on track.

It will be important to win the hearts and minds of staff. This will be possible through some quick wins, strong and consistent leadership, and decisive action when the wrong behaviours are displayed.

It will also be crucial to communicate vision, actions and achievements strongly and often. The ELT and the Project Team will need to invest heavily in face-to-face meetings, and be mindful that absorption and up-take of their messages will be a long, slow process. It will likely take even longer before staff feel confident that their workplace recognises and accepts the new attitude and approach.

This change is likely to engender significant pushback from those who are invested in the existing structures and processes. The recommendation that the project director reports directly to the Commissioner not only signifies the project's importance to the organisation but provides the project director with the capacity to address recalcitrance quickly.

The EOC will monitor the implementation of these recommendations and the resultant change in the culture on a bi-annual basis.

It is recommended that implementation of this project be transparent with regular progress reports shared with all staff.

The recommended high-level tasks and their indicative timing are shown on the following table.

TABLE 8 - SUGGESTED HIGH LEVEL IMPLEMENTATION TASKS AND TIMING		Phase 1	Phase 2	Phase 3
		Dec 16 - June 17	July 17 - Dec 17	Jan 18 - June 18
1. Leadership				
1	Written statement of acknowledgement/apology endorsed by ELT and published (rec 1)			
2	Restorative Justice Engagement Project established (rec 2)			
3	Business case and Gender Equality Strategy developed (rec 4)			
4	Officers complete Leadership Shadow or equivalent model training and develop personal action plans (rec 5)			
5	Key performance indicators agreed (rec 8)			
6	Gender Equality Advisory Group established and providing input to policies/communications (rec 11)			
7	360 degree feedback implemented with ELT (rec 6)			
8	Gender equality metrics added to all executive performance agreements (rec 8)			
9	Key Performance Indicators established (rec 8)			
10	Quarterly performance metrics begin being published (rec 8)			
11	All divisions' annual business plans include gender equality actions (rec 7)			
12	Gender Equality Strategy starts being reviewed annually (rec 4)			
2. Governance and communications				
Project Team appointed				
13	High-level Project Director, reporting to the Commissioner, appointed (rec 9)			
14	Project budget devised and established (rec 9)			
15	Project team recruited (rec 9)			
16	Bi-monthly reporting to ELT begins (rec 9)			
Communications				
17	Communications and engagement plan developed (rec 10)			
18	Key messages developed and intranet pages established (rec 10)			
19	Change resistance library established (rec 10)			
20	Road show logistics and collateral organised (rec 10)			
21	Road show to staff on the Review findings and SAPOL's initial response begins (rec 10)			

Suggested high-level implementation tasks and timing (cont)		Phase 1	Phase 2	Phase 3
		Dec 16 - June 17	July 17 - Dec 17	Jan 18 - June 18
3. Workforce management				
Appointments				
22	All workforce policies, including policies on assessment of capability and roles able to be performed by pregnant women, reviewed for historic gender bias/compliance (rec 12)			
23	Role descriptors reviewed for historic bias and ensure they include people-management and leadership skills (12)			
24	Unconscious bias check completed of selections and promotions processes (rec 12)			
25	Upcoming key roles/acting opportunities advertised (rec 12)			
26	System of reviewing Inspector and above applicant's skills, experience and complaint history established (rec 12)			
27	Trial new promotional selection methods and implement where successful (rec 12)			
Development				
28	Structured handover process implemented for supervisory and management roles (rec 15)			
29	Pathway targets set (rec 13)			
30	Talent identification program, including mentoring programs and role shadowing, for sworn staff, public servants and security staff implemented (rec 14)			
Performance Management				
31	HR reviewed by external experts and HR business partner model established (rec 16)			
32	Conflict of interest policy re-examined to ensure it covers the need to be award of potential conflicts arising from intimate/familial relationships between supervisors and direct staff (rec 17)			
33	Performance management system reviewed and expanded to include health/wellbeing (rec 18)			
34	All staff have up-to-date performance management plans (rec 18)			
35	Quarterly performance management meetings start to be held with all staff (rec 18)			
36	Review equipment to ensure there are practical and suitable options for all women (rec 19)			
Exit				
37	New exit management strategy starts, including exit surveys managed independently (rec 20)			
38	ELT begins to review exit data quarterly (rec 20)			

Suggested high-level implementation tasks and timing (cont)		Phase 1 Dec 16 - June 17	Phase 2 July 17 - Dec 17	Phase 3 Jan 18 - June 18
4. Training and development				
39	Expected workplace behaviours and flexible work training developed (rec 21)			
40	All Supervisor and HR staff training completed (rec 21)			
41	All staff have completed expected workplace behaviours training (rec 21)			
42	Training targets for women set (rec 23)			
43	Training delivered to Police Disciplinary Tribunal, Police Review Tribunal and Complaints Resolution Office (rec 32)			
44	Review of training for those on extended leave and training accessibility completed (rec 24, 25)			
45	Rolling three-year training delivery plan developed (rec 22)			
5. Flexible work				
46	All flex approach adopted, promoted and encouraged (rec 26)			
47	All policies related to flexible work re-written (rec 26)			
48	New application approach developed (rec 26)			
49	All rejected applications reconsidered by A/C HR with quarterly report to ELT starting (rec 26)			
50	Backfilling maternity leave begins and part-time roles advertised (rec 27)			
Technology, facilities and equipment to support flexible work				
51	Demand-based rostering system investigated (rec 28)			
52	Suitable breastfeeding/expressing locations in workplaces identified (rec 28)			
53	Fridge/freezer for the cold storage of milk in workplaces (rec 28)			
54	Uniforms appropriate for pregnant members procured (rec 28)			
55	Staff have access to technology to support flexible work arrangements (rec 28)			
56	'Stay in touch' policy activated (rec 29)			

Suggested high-level implementation tasks and timing (cont)		Phase 1	Phase 2	Phase 3
		Dec 16 - June 17	July 17 - Dec 17	Jan 18 - June 18
6. Dispute resolution and complaints				
New complaints area established				
57	Complaints unit scoped and processes drafted (rec 30)			
58	Feedback received on new draft processes (rec 30)			
59	New complaints records management tool procured (rec 31)			
60	Staff recruited to complaints unit (rec 30)			
61	New system in place to manage complaints (rec 30)			
62	New complaints unit operational (rec 30)			
63	New taskforce established (rec 33)			
64	Disciplinary processes, penalties and nomenclature reviewed (rec 34)			
7. Wellbeing and support services				
65	SAFE Space provider procured and operating in non-SAPOL location (rec 3)			
66	Supports established for alleged victims and perpetrators of domestic violence (rec 35, 36)			
67	Monthly cultural climate survey begins with results reviewed by ELT quarterly (rec 38)			
68	ECOs roles and responsibilities reviewed (rec 37)			
69	ECOs recruited and trained (rec 37)			
70	All ECOs trained on annual basis (rec 37)			

Appendices

Appendix A - Terminology

ADF	Australian Defence Force - the military organisation responsible for defence of Australia: Royal Australian Navy, Australian Army, Royal Australian Air Force.
AHRC	Australian Human Rights Commission - the government body overseeing the application of federal legislation relating to human rights, anti-discrimination, privacy and social justice.
ASO	Administrative Support Officer under the <i>SA Public Sector Act (2009)</i> .
Brevet Sergeants	A temporary designation for an officer in a particular position that would require specialised skills, such as a Detective.
Bystander	A person who has seen (witnessed) or heard of, inappropriate sexual behaviours.
Cadet	A person who has undertaken training at the Police Academy and elsewhere in order to qualify for entry into the South Australia Police. A police cadet is not a member of SA Police and is not a public sector employee.
Carers Leave	An employee may have to take time off to care for a family member who is sick or help during an emergency. The leave comes out of the employee's personal leave balance.
Command	Can be used to refer to chain of command - a system of military organisation by which instructions are passed from one person to another; a management style (as in command and control) involving directing, with authority, the employees and resources to perform the required roles and tasks.
Commissioned Officer / Senior Officer	Sworn member of police ranked Inspector or above.
Commissioner	The Equal Opportunity Commissioner and Police Commissioner are statutory officials appointed to work in their specified fields.
Community	Within this report community refers specifically to the South Australian region.
Conflict of interest	A conflict of interest occurs when an employee's interests are or may reasonably be seen to be, in opposition to or have potential to compromise their position, duties or responsibilities.
Confidential interviewees	Interviews held with 30 SAPOL employees who approached the Review Team for an interview.

Culture	Culture can be defined as the set of shared norms in the organisation, a consensus about what things mean and how things get done. It is learned through a process of socialisation. These shared patterns identify the members of a culture group while also distinguishing them from other groups.
Domestic violence	Domestic violence is a pattern of abusive behaviour by one person against another in a couple relationship such as a marriage or dating, or within a family across generations. It is damaging to victims, their children, family and friends, and occurs in all social, age and cultural groups. It includes physical and sexual violence, emotional and verbal abuse, property damage, financial hardship, threats to harm, and stalking.
Dispute resolution	Dispute resolution involves processes by which disputes are brought to an end. Processes can involve a negotiated outcome (between parties themselves) a mediated outcome (where an independent mediator helps) or an arbitrated/adjudicated outcome (where an independent arbitrator or court determines how to resolve the dispute and makes a binding decision).
ELT	Executive Leadership Team - SAPOL's leadership team, consisting of the Commissioner, Deputy Commissioner, six Assistant Commissioners and two Senior Executive Public Servants.
EOC	Equal Opportunity Commission of South Australia.
Equity contact officers (ECOs)	A network of equity contact officers has been established throughout SAPOL to support SAPOL's commitment and responsibilities to manage equity and diversity in the workplace. Their role is to promote equity and diversity and to support strategies which aim to eliminate discrimination, sexual harassment and bullying in the workplace. They also support management and employees who may be affected by unreasonable or unlawful workplace behaviour.
Flexible work	Defined as mutually agreed working hours between the employer and employee which accommodate personal commitments or preferred working hours.
Gender equality	Gender equality refers to the equal rights, responsibilities and opportunities of women and men and girls and boys. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female. Gender equality in the workplace is achieved when all employees are able to access and enjoy the same rewards, resources and opportunities regardless of whether they are a woman or a man. Gender equality in the workplace requires such measures as equal pay, removal of barriers to the full and equal participation of women in the workforce, access to all occupations and industries regardless of gender and the elimination of discrimination based on gender.
General order	A Policy in which the Police Commissioner may make or give general or special orders for the control and management of SA Police and the police cadets and police medical officers.

Key personnel interviewees	Those in decision-making roles or key functions of the organisation approached and interviewed by the Review Team.
LGBTIQ	Lesbian, gay, bisexual, transgender, intersex or questioning.
Local Service Areas	The main organisational unit to provide policing services to the public, containing a number of police stations and specialist services to support frontline police, such as detectives and traffic police. Each LSA has a designated office known as a 'Complex' where the majority of operations in the area start. The LSAs then have smaller community police stations.
Officers of Police	A member of SA Police of or above the rank of inspector. Officers act primarily as managers and generally do not take part in operational policing.
OPS	Office for the Public Sector, formed in 2014 by the South Australian Government to centralise a number of public sector management services and improve productivity. Responsibilities include administering and implementing the <i>Public Sector Act 2009</i> . The Office aims to build a strong world-leading public sector to allow the State to prosper by building strong foundations, engaging people, forging the state's future and upholding public sector values.
Parental Leave	Defined in the <i>Fair Work Act SA 1994</i> , Section 72 and the <i>Police Officers Award</i> , clause 6.4. Parental leave encompasses maternity, adoption and childcare leave.
Participants	Those people who contributed to the Review through participating in a confidential or key personnel interview, providing a written submission, completing the survey or speaking with the Review Team on site visits.
PASA	Police Association of South Australia.
Paternity Leave	Paternity leave is the time a father takes off work at the birth or adoption of a child. This kind of leave is rarely paid.
Police Disciplinary Tribunal	When the Commissioner of Police charges a member of the police force with a breach of discipline and the officer denies it, the charge is heard and determined by the Police Disciplinary Tribunal [<i>Police (Complaints and Disciplinary Proceedings) Act 1985 (SA) ss 37-45</i>]. The person who made the complaint and witnesses (if any) may be required to give evidence before the Tribunal. The Tribunal is constituted of a magistrate and the proceedings are heard in private, unless the Tribunal decides otherwise.
Predatory behaviour	The misuse of authority or influence with the intention of exploiting others for sexual or other personal gratification. Predatory behaviour is a form of sexual harassment.
Probationary Constable	Cadets graduate from the Academy with the rank of Probationary Constable. The rank of Probationary Constable is held for the first sixteen months of service of on-the-job training. Upon completion of the probationary period, officers receive a Diploma of Public Safety (Policing) and are appointed to the rank of Constable.

Public servant/s	Personnel of South Australia Police who are not sworn officers and are instead employees of the South Australian Public Sector, including forensic officers, administration staff, senior medical advisors, and (unless specifically excluded) executive officers.
Rank	Rank represents the employment levels of SAPOL sworn police staff. A full list of SAPOL's rank structure can be found in Appendix B.
Review Team	Consists of some of the SA Equal Opportunity Commission staff as detailed in the Acknowledgements.
SafeWork SA	SafeWork SA is responsible for providing work health and safety, public safety and state-based industrial relations services across South Australia.
SAPOL	South Australia Police.
Sex discrimination	<p>Sex discrimination occurs when a person is treated less favourably because of their gender. This can also occur when there is a rule or policy that is the same for everyone but has an unfair effect on people of a particular sex.</p> <p>For the purposes of this report sex discrimination includes all forms of gender-based discrimination (e.g., discrimination based on pregnancy, parental responsibilities, breastfeeding, sexual orientation, gender identity, inter-sex status, part-time status and access to flexible working arrangements).</p>
Sexual harassment	<p>Sexual harassment is defined as any unwelcome conduct of a sexual nature, where it is reasonable to expect that the other person would be offended, afraid or humiliated. It is unlawful under the <i>Equal Opportunity Act (1984) SA</i>, section 87. The behaviour does not have to be repetitive to be considered sexual harassment, a single incident is enough. People of all genders can sexually harass and be harassed.</p> <p>Regardless of the intent of the perpetrator, sexual harassment is determined having regard to all the circumstances, a reasonable person would have anticipated that the person harassed would be offended, humiliated or intimidated. Sexual harassment can be: comments about a person's private life or about the way they look including asking about a person's sexual history or sexual activities; sexualised comments, jokes or name-calling; sexually suggestive behaviour including leering and staring, sexual gestures and indecent exposure; repeated direct or implied propositions or requests for dates; unwelcome touching, including kissing, hugging, or cornering a person; sexual pictures, objects, emails, text messages or literature; requests or pressure for sex or other sexual acts; stalking; sexual assault; and rape.</p>
Survey	This was an online survey for South Australia Police staff, completed by almost 2,000 staff members to find out what members thought about issues that affect women and men in their workplace, and their experiences with gender equality in SAPOL.
Sworn members	Sworn members of SAPOL have certain police powers under the <i>Police Act 1998</i> (SA) and have the ability to enforce the law.

Unconscious bias	Decisions that are made without being aware of an underlying consideration or thought, which has influenced that decision.
Unsworn members	Unsworn members of SAPOL include those employees in non-policing and support roles. You can be a sworn member working in an unsworn role.
VEOHRC	Victorian Equal Opportunity and Human Rights Commission.
Victim	Refers to people who have experienced, but not limited to, sexual discrimination, sexual discrimination or predatory behaviour. We acknowledge that this word can affect people in different ways, especially for people who have been targeted by such behaviours.
Volunteer	A person who acts on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).
WGEA	Workplace Gender Equality Agency.
White Ribbon	A structured initiative to enable employees working at all levels of an organisation to better understand men's violence against women and to make the link between workplace culture and the attitudes and behaviours that support gender inequality.

Research / analysis terms

MR/SR	Multiple responses question (e.g. pick as many as apply) / Single response question (pick one only)
Sample	All respondents to a particular question
Unweighted	Data is not post-weighted, and proportions and data cited in this report remain the same as collected in the original survey.

Appendix B - SAPOL workforce data

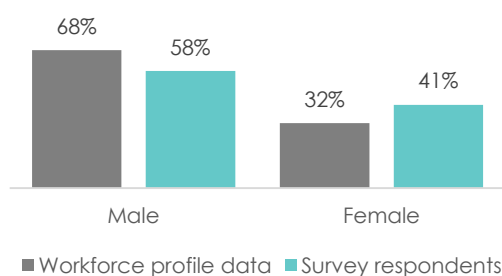
	FULL TIME EQUIVALENT (FTE)											
	ACTIVE			INACTIVE			TOTAL					
	M	F	Total	M	F	Total	M	F	Total	% Male	% Female	
Police Act Employees												
Commissioner	1.0		1.0				1.0		1.0	100.0%		
Deputy Commissioner		1.0	1.0					1.0	1.0		100.0%	
Officers												
Assistant Commissioners	4.0	2.0	6.0				4.0	2.0	6.0	66.7%	33.3%	
Chief Superintendents	7.0		7.0	1.0		1.0	8.0		8.0	100.0%		
Superintendents	41.0	3.0	44.0	2.0		2.0	43.0	3.0	46.0	93.5%	6.5%	
Chief Inspectors	18.0	11.0	29.0	1.0		1.0	19.0	11.0	30.0	63.3%	36.7%	
Inspectors	48.0	7.0	55.0		1.0	1.0	48.0	8.0	56.0	85.7%	14.3%	
Non Officers												
Senior Sergeants First Class	78.0	12.0	90.0		1.0	1.0	78.0	13.0	91.0	85.7%	14.3%	
Senior Sergeants	110.0	25.5	135.5	1.0		1.0	111.0	25.5	136.5	81.3%	18.7%	
Sergeants	506.4	132.2	638.6	6.0	4.5	10.5	512.4	136.7	649.1	78.9%	21.1%	
Brevet Sergeants	501.9	166.3	668.2	7.0	6.6	13.6	508.9	172.9	681.8	74.6%	25.4%	
Senior Constables First Class	588.6	182.0	770.6	8.0	9.6	17.6	596.6	191.6	788.2	75.7%	24.3%	
Senior Constables	791.4	320.5	1111.9	10.0	13.7	23.7	801.4	334.1	1135.5	70.6%	29.4%	
Other Ranks												
Constables	527.4	223.2	750.6	2.4	12.2	14.6	529.8	235.4	765.2	69.2%	30.8%	
Probationary Constables	91.0	38.0	129.0				91.0	38.0	129.0	70.5%	29.5%	
Community Constables	16.8	6.6	23.4	2.0		2.0	18.8	6.6	25.4	74.0%	26.0%	
Sub-total	3330.5	1130.2	4460.7	40.4	48.6	89.0	3370.9	1178.8	4549.7	74.1%	25.9%	
Cadets	87.0	68.0	155.0				87.0	68.0	155.0	56.1%	43.9%	
External Secondments				1.0		1.0	1.0		1.0	100.0%		
Total Police Strength	3417.5	1198.2	4615.7	41.4	48.6	90.0	3458.9	1246.8	4705.7	73.5%	26.5%	
Protective Security Act Employees												
Protective Security Supervisor	8.0	2.0	10.0				8.0	2.0	10.0	80.0%	20.0%	
Protective Security Officer First Class	48.0	11.4	59.4	1.0		1.0	49.0	11.4	60.4	81.1%	18.9%	
Protective Security Officer	48.0	6.0	54.0				48.0	6.0	54.0	88.9%	11.1%	
Total Protective Security Strength	104.0	19.4	123.4	1.0		1.0	105.0	19.4	124.4	84.4%	15.6%	
Unsworn Employees												
Public Servants	355.7	558.3	914.0	18.5	46.9	65.4	374.2	605.2	979.4	38.2%	61.8%	
Weekly Paid	9.6	8.7	18.3	1.0		1.0	10.6	8.7	19.3	54.9%	45.1%	
Total Unsworn Strength	365.3	567.0	932.3	19.5	46.9	66.4	384.8	613.9	998.7	38.5%	61.5%	
Total Strength of SAPOL	3886.8	1784.6	5671.4	61.9	95.5	157.4	3948.7	1880.1	5828.8	67.7%	32.3%	140

Appendix C - Survey respondents demographics

Survey respondent demographics were compared to the SAPOL workforce profile figures (as at 30 June 2016). Totals were used in calculations (including active and inactive FTE).

Females were overrepresented in the survey data compared to within the organisation. SAPOL was comprised of 32 per cent females and 68 per cent males. Respondents to the survey were 41 per cent female and 58 per cent male.⁴

FIGURE 32 - GENDER COMPARISONS



Survey Q1. What is your gender? SR
Total sample; Unweighted; base n = 1954

Proportions of survey respondents were fairly similar across many age brackets, when compared to the workforce profile figures. Overall, compared to the workforce statistics, 25-34 year olds were mildly underrepresented in the survey, and 45-54 year olds were overrepresented.

TABLE 3 - AGE AND GENDER

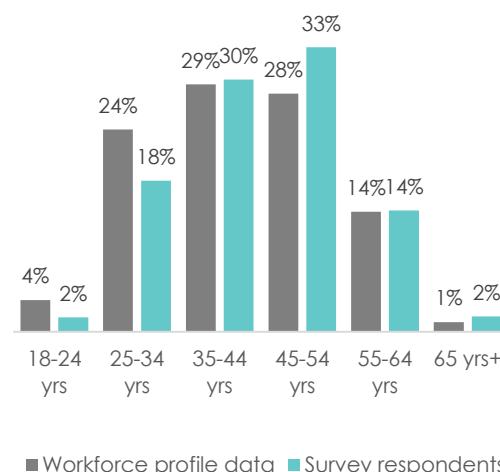
Age group	Workforce profile data		Survey respondents	
	Male	Female	Male	Female
18-34 yrs ⁵	17%	10%	10%	9%
35-54 yrs	37%	20%	36%	27%
55 yrs+	11%	4%	11%	5%
TOTAL	66%	34%	57%	41%

Survey Q1. What is your gender? SR
Survey Q3. How old are you? SR

⁴ The remaining 1% said 'Other' or preferred not to mention

⁵ Note: SAPOL Workforce profile data includes 20-34 year olds, while survey data includes 18-34 year olds

FIGURE 33 - AGE GROUPS OF SURVEY RESPONDENTS⁶



Survey Q3. How old are you? SR
Total sample; Unweighted; base n = 1954

The survey data was close to being representative of the SAPOL workforce for many ranks, levels and employment types. For example:

- public servants constitute 17 per cent of the SAPOL workforce vs 15 per cent of survey respondents
- Senior Officers (Inspector and above) make up 3 per cent of the SAPOL workforce vs 5 per cent of survey respondents
- Cadets comprise 3 per cent of the SAPOL workforce vs 1 per cent of survey respondents
- Protective Security (Supervisors and Officers) comprise 2 per cent of the SAPOL workforce vs 1 per cent of survey respondents
- Operations employees (Community Constable to Brevet Sergeants) who constitute 60 per cent of the workforce, were underrepresented in the survey (50 per cent of respondents).
- Supervisors (Sergeant to Senior Sergeant First Class) (15 per cent of the workforce) were slightly overrepresented in the survey (21 per cent of respondents).

⁶ Note: SAPOL Workforce profile data collects age group data cut for 20-24 years, while survey data collected 18-24 years.

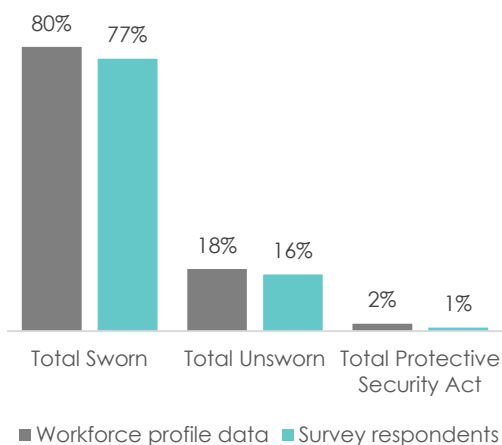
TABLE 4 - RANK / LEVEL / EMPLOYMENT TYPE

	Workforce profile data	Survey respondents
Operations employees (Community Constable to Brevet Sergeants)	60%	50%
Public Servants	17%	15%
Supervisors (Sergeant to Senior Sergeant First Class)	15%	21%
Senior Officers (Inspector and above)	3%	5%
Cadet	3%	1%
Protective Security (Supervisors and Officers)	2%	1%
Weekly paid	<1%	<1%
Volunteer	NA	2%
No longer employed with SAPOL	NA	2%
Prefer not to say	NA	2%

Survey Q4. What is your current rank/level/employment type? SR
Total sample; Unweighted; base n = 1954

When looking at total figures for sworn, administrative/specialist support staff (defined as public servants above) and Protective Security Act employees, the proportions of survey respondents are very close to representing the SAPOL workforce.

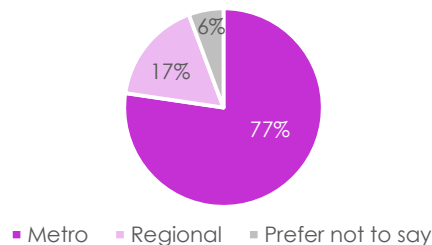
FIGURE 34 - CONSTITUTION OF SAPOL WORKFORCE



Survey Q4. What is your current rank/level/employment type? SR
Total sample; Unweighted; base n = 1954

Respondents to the survey were primarily located in metropolitan locations (77 per cent) with 17 per cent in regional locations.⁷

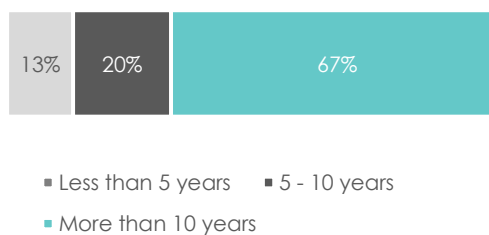
FIGURE 35 - CURRENT LOCATION OF SURVEY RESPONDENTS



Q5. What is your current location? SR
Total sample; Unweighted; base n = 1954

Two thirds of survey respondents had worked for SAPOL for more than 10 years (67 per cent); 20 per cent for five to 10 years, and 13 per cent for less than five years.

FIGURE 36 - LENGTH OF SERVICE OF SURVEY RESPONDENTS



Q6. What is your length of service? SR
Total sample; Unweighted; base n = 1954

The majority of survey respondents identified as heterosexual (91 per cent).

TABLE 5 - SEXUAL ORIENTATION OF SURVEY RESPONDENTS

	%
Heterosexual	91%
Lesbian, gay or bisexual	4%
Other / prefer not to specify	4%

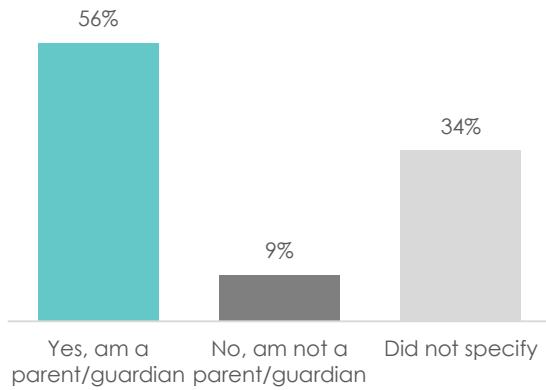
Q2. What is your sexual orientation? SR
Total sample; Unweighted; base n = 1954

⁷ Workforce data for location, length of service and sexual orientation not available for comparison.

Parent / Carer Status

Overall, over half of the respondents (56 per cent) indicated that they were a parent or guardian of a child, while 9 per cent reported not being a parent or guardian. A large proportion (34 per cent) did not specify.

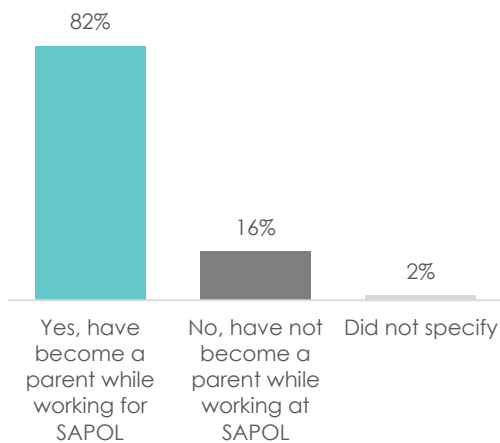
FIGURE 37 - PARENT OR GUARDIAN



Q30. Are you the parent or guardian of any child of any age? Include your own birth children, stepchildren, adopted children, foster children, grandchildren or others for whom you are responsible and act as a parent. SR
Total sample; Unweighted; base n = 1954

Of those who indicated they were a parent or guardian, 82 per cent reported that they became a parent (through birth, surrogacy or adoption) during their time working for SAPOL.

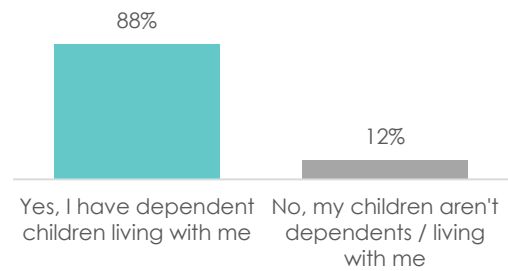
FIGURE 38 - BECAME A PARENT WHILE WORKING IN SAPOL



Q24. During your time working for this organisation have you become a parent either through birth, surrogacy or adoption? (Please note that other forms of parenting relationships and/ or caring responsibilities will be addressed later in the survey) SR
Filter: Q30 filter; Unweighted; base n = 1097; 44% filtered out

Of those who were parents, the majority (88 per cent) indicated they had dependent children living with them.

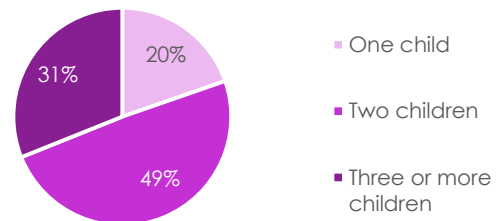
FIGURE 39 - DEPENDENT CHILDREN LIVING WITH YOU



Q33. Do you have dependent children living with you? SR
Filter: Q30 filter; Unweighted; base n = 845; total n = 1097; 252 missing; 44% filtered out

Respondents were asked the ages of their children. Of those who answered, the largest proportion (49 per cent) indicated they had two children, followed by 31 per cent who had three children, and 20 per cent who had one child.

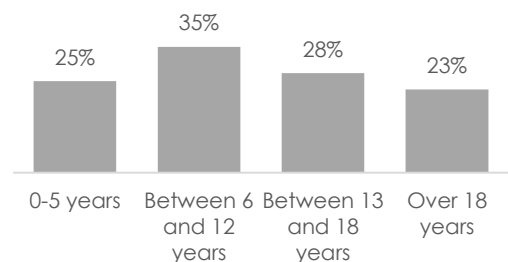
FIGURE 40 - NUMBER OF CHILDREN



Q31. How many children do you have? SR
Filter: Q30 filter; Unweighted; base n = 782; total n = 855; 73 missing; 56% filtered out

The largest proportion of respondents' children were aged between 6 and 12 years (35 per cent).

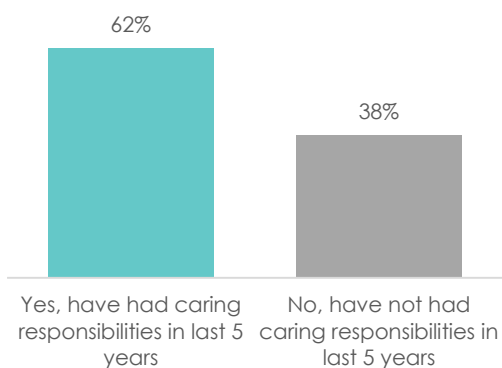
FIGURE 41 - AGE OF CHILDREN



Q32. Are there any children in the following age ranges (select all that apply) MR
Filter: Q30 filter; Unweighted; base n = 1097; 44% filtered out

Respondents were asked if they had had any caring responsibilities in the last five years, for children as well as family members in need of assistance. Almost two thirds reported having a caring role during this time (62 per cent).

FIGURE 42 - CARING RESPONSIBILITIES IN THE LAST 5 YEARS

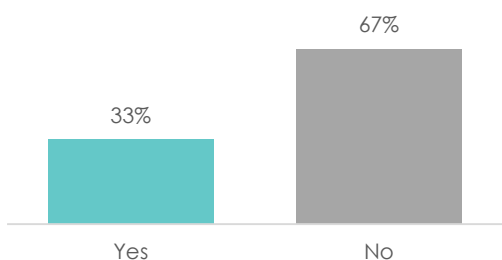


Q29. Have you had any caring responsibilities in the last five years? (Includes responsibilities for caring for children, as well as other family members in need of assistance, either because they are elderly, have a disability or a health problem) SR

Total sample; Unweighted; base n = 1678; total n = 1954; 276 missing

Of those with caring responsibilities, a third reported a current caring role to a family member in need of assistance due to old age, disability or a health problem (33 per cent).

FIGURE 43 - CURRENT CARING RESPONSIBILITY

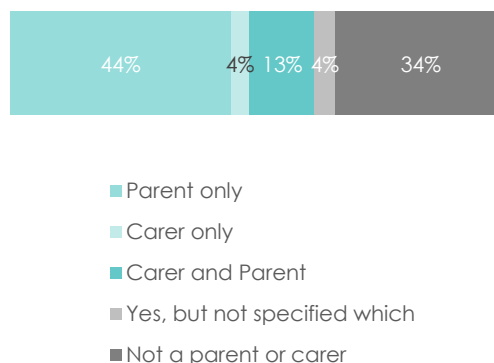


Q34. Do you currently have the responsibility for providing care or support to a family member in need of assistance, either because they are elderly, have a disability or a health problem? SR

Filter: Q29 filter; Unweighted; base n = 1017; total n = 1036; 19 missing; 47% filtered out

When looking at the data in an aggregated manner, it is clear that a large proportion of respondents are parents only (44 per cent) followed by 13 per cent who have had caring and parenting roles over the past five years. Around a third of respondents are not parents or carers (34 per cent).

FIGURE 44 - PARENT OR CARER



Aggregation of Q24, Q29, Q20 and Q34
Total sample; Unweighted; base n = 1954

The table below shows that of respondents, significantly more parents and carers are employed at the Senior Officer level (7 per cent, compared to 2 per cent non-parents/carers) and the Supervisor level (26 per cent, compared to 10 per cent non-parents/carers). This is a function of age: significantly more parents and carers are aged 35-54 years (70 per cent) compared to their non-parent/ carer counterparts (50 per cent).

TABLE 6 - RANKS OF PARENTS / CARERS

	Parent and/or carer	Not a parent or carer
Senior Officers (Inspector and above)	7%B	2%
Supervisors (Sergeant to Senior Sergeant First Class)	26%B	10%
Operations employees (Community Constable to Brevet Sergeants)	50%	51%
Cadet	0%	2%
Total: Sworn	83%B	65%
Senior public servants (ASO 6 and above) + public servants (ASO 5 and below)	12%	22%
Weekly paid	0%	1%
Total: public servants	12%	23%
Protective Security (Supervisors and Officers)	0%	1%
Volunteer	1%	6%
No longer employed with SAPOL	2%	2%
Prefer not to say	2%	3%
Column Names	A	B

Q4 What is your current rank / level/ employment type? by Parent or carer
Total sample; Unweighted; base n = 1954

Multiple comparison correction: False Discovery Rate (FDR) (p = 0.05);
Column comparison symbols: a, b, c... (p <= 0.05) A, B, C... (p <= 0.001); No test symbol: -; Not significant

TABLE 7 - AGE GROUPS OF PARENTS / CARERS

	Parent and/or carer	Not a parent or carer
18-34 yrs	12%	33%A
35-54 yrs	70%B	50%
55 yrs+	16%	15%
Column Names	A	B

Q3 How old are you? by Parent or carer

Total sample; Unweighted; base n = 1954

Multiple comparison correction: False Discovery Rate (FDR) (p = 0.05);
Column comparison symbols: a, b, c... (p <= 0.05) A, B, C... (p <= 0.001); No test symbol: -; Not significant

Appendix D - Interview summary

Overall there were 58 interviews/written submissions conducted. These were broken into two categories of interview: key personnel – SAPOL staff in key roles in the organisation who we approached for their opinion, and confidential – current and former staff who contacted us for interview. There were 23 key personnel and 35 confidential interviews.

FIGURE 45 - PERCENTAGE OF TOTAL INTERVIEWS (N=58) BY INTERVIEW TYPE AND GENDER

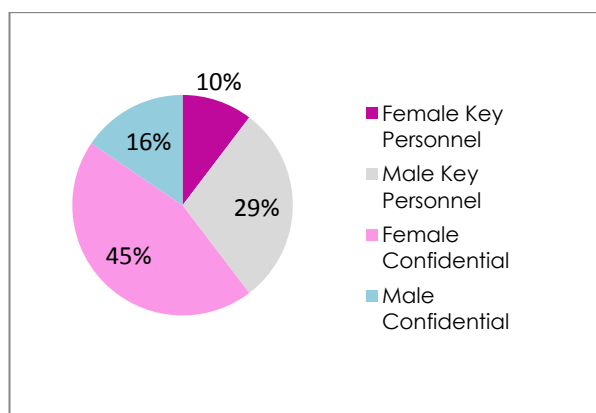


FIGURE 46 - PERCENTAGE OF INTERVIEWS BY INTERVIEW TYPE

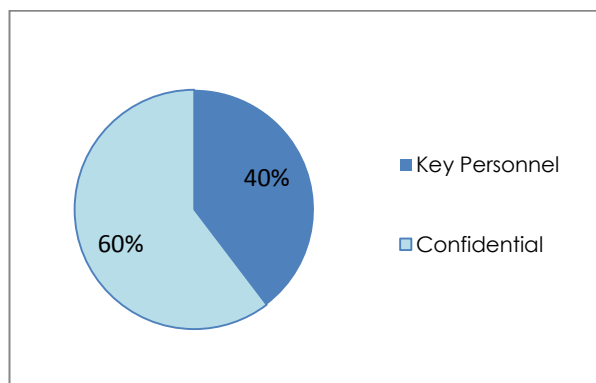


FIGURE 47 - PERCENTAGE OF INTERVIEWS BY SWORN AND OTHER STAFF

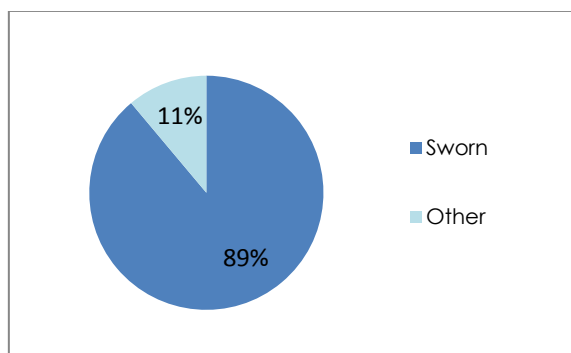
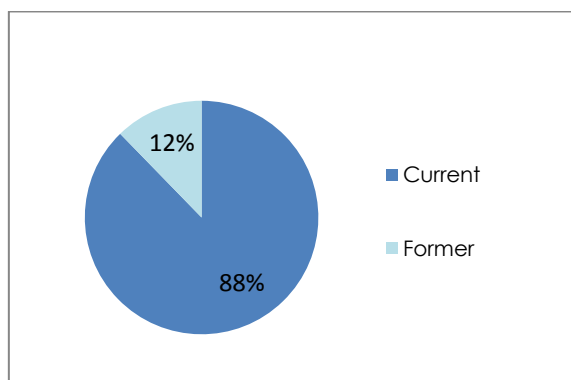


FIGURE 48 - PERCENTAGE OF INTERVIEWEES AS CURRENT OR FORMER MEMBERS



Appendix E - Restorative engagement program protocol



DEFENCE ABUSE RESPONSE TASKFORCE

RESTORATIVE ENGAGEMENT PROGRAM PROTOCOL

The Restorative Engagement Program is an innovative program developed by the Defence Abuse Response Taskforce (the Taskforce) in cooperation with Defence (which includes the Australian Defence Force (ADF) and the Department of Defence).

This Protocol records the arrangements reached by the Taskforce and Defence for the implementation of the Restorative Engagement Program.

1. COMMENCEMENT AND TERM

1.1 This Protocol comes into effect immediately and continues until 31 May 2014 unless varied or terminated earlier by mutual agreement.

2. BACKGROUND

2.1 The Taskforce will offer the Restorative Engagement Program as one of the outcomes available to complainants who advise they wish to participate in the Program, and who are assessed as suitable for such participation. Those participants will have satisfied the Taskforce that they have suffered plausible incidents of sexual or other forms of abuse in Defence.

2.2 Defence has agreed that suitable, senior ADF members and senior public service employees of the Department of Defence will participate in the Restorative Engagement Program as representatives of Defence (Defence Representatives).

3. OBJECTIVE AND GUIDING PRINCIPLES

3.1. The objective of the Restorative Engagement Program is to allow complainants' personal accounts of abuse to be heard, responded to and acknowledged by Defence.

3.2 The Restorative Engagement Program has been developed taking into account academic and practical learning and experience gained in the area of restorative justice and mediation.

3.3 The Taskforce and Defence agree that the Restorative Engagement Program must be guided by the following principles:

- any action taken under the Restorative Engagement Program or this Protocol must have regard to the principle that no further harm is to be caused to complainants;
- the confidentiality and privacy of complainants is of paramount importance;
- at any time when the consent of the complainant is sought in the restorative engagement process, that consent must be fully informed and freely given; and

- all parties taking part in the Restorative Engagement Program must have a clear understanding of their role in the restorative engagement conference and a realistic appreciation of its possible outcomes.

4. ARRANGEMENTS RELATING TO RESTORATIVE ENGAGEMENT CONFERENCES

4.1 Most restorative engagement conferences between complainants and Defence are expected to take place at a face-to-face meeting convened by a trained facilitator. In some cases, the Restorative Engagement Program may be conducted by telephone, videoconferencing, email or letter.

4.2 The role of the Defence Representative in the Restorative Engagement Program conference is:

- to hear, acknowledge and respond to the personal account of abuse experienced by the complainant; and
- to respond through appropriate expressions of regret, apology or other tangible or symbolic action.

4.3 All Defence Representatives nominated to participate in the Restorative Engagement Program will attend a briefing session developed and delivered by the Taskforce prior to their participation in any restorative engagement conferences.

4.4 An ADF member participating in a conference as a Defence Representative will wear uniform unless requested not to do so.

4.5 The Taskforce will:

- consult the complainant about his or her preference (if any) as to the Defence Representative to participate in a particular matter, and
- consult with Defence on the most suitable, available Defence Representative, taking the complainant's preference into account.

4.6 Prior to the restorative engagement conference, the facilitator will liaise directly with the nominated Defence Representative's office in relation to his or her preparation for the conference. The facilitator will:

- provide information in relation to the matter in the form of a case summary;
- provide information about possible outcomes the complainant has identified; and
- make arrangements for the conference, (date, time, location and so on).

4.7 The restorative engagement conference will be confined to the matter(s) contained in the case summary. If the complainant seeks to raise any new matter, the facilitator will adjourn the conference so the facilitator can advise the complainant how he or she may deal with that matter otherwise than through the restorative engagement conference

4.8 Defence and each Defence Representative will:

- ensure that any Restorative Engagement Program documents and other information are kept securely and confidentially and that access is strictly limited to people who have a need to know; and

- at the conclusion of the matter, return all documents and other information (including all copies) relating to the complainant and the conference to the Taskforce.

4.9 Neither the Defence Representative, complainant or support person will make any record (including handwritten, taped or electronic records) of the restorative engagement conference, except:

- where the complainant agrees to the making of such record and Defence is aware that the record is being made; or
- where the facilitator prepares a written record of the agreed outcome at the conclusion of the conference with the agreement of the parties.

4.10 If an outcome agreement is prepared, the facilitator will ensure that both the complainant and the Defence Representative sign and receive a copy.

4.11 After the restorative engagement conference, the facilitator will provide a report to the Taskforce:

- setting out details of the time, duration, date and place the conference was held;
- advising the names of the parties (including any support person) attending the conference and the rank, title or position of the Defence Representative in attendance;
- whether an apology or expression of regret was offered by the Defence Representative and the complainants response to it;
- enclosing a copy of any outcome agreement reached at the conference; and
- advising the Taskforce of any other relevant matters or issues requiring the Taskforce's further attention or follow up.

4.12 The Taskforce will monitor the outcome agreement and Defence will keep the Taskforce informed of any steps which are taken in accordance with it.

4.13 The Taskforce will provide a quarterly, (de-identified) report to Defence in relation to Restorative Engagement Conferences. The Report will include qualitative and quantitative information.

4.14 The Taskforce and Defence agree that the Restorative Engagement Program Framework will outline other, more detailed aspects of Defence's role and participation in the Restorative Engagement Program. The Framework is being developed in consultation with Defence and will include specific details, for example, on how:

- proposed Defence Representatives will be assessed for suitability;
- appropriate locations for conferences will be identified; and
- Defence Representatives will be briefed prior to restorative engagement conferences.

5. CONFIDENTIALITY AND REPORTING BY DEFENCE

5.1 Information communicated about or by the complainant in the Restorative Engagement Program cannot be disclosed, published or released without the complainant's fully informed and freely given consent and then only in accordance with and to the extent allowed by the terms of that consent.

5.2 Where a complainant makes it clear (verbally or in writing) at any stage of the Restorative Engagement Program that he or she does not want his or her complaint to be investigated or for any further action to

be taken by Defence in relation to it, Defence will maintain confidentiality of the information provided by the complainant unless and then only to the extent that:

- there is a serious or imminent threat to human life or safety; or
- disclosure is required by law.

5.3 Except in an emergency situation, Defence will consult with the Taskforce’s Defence Liaison Office about the steps to be taken to meet the requirements set out in paragraph 5.2 in any case where some level of disclosure is required and will inform the Taskforce of the result. Where possible, the Taskforce will inform the complainant of the disclosure and outcome.

Signed by the Hon Len Roberts-Smith RFD, QC

Chair, Defence Abuse Response Taskforce _____

2013

Signed by General David Hurley, AC, DSC

Chief of The Defence Force

2013

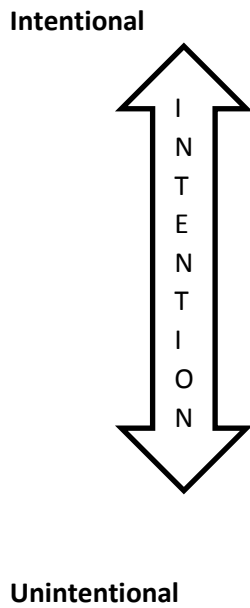
Signed by Mr Dennis Richardson, AO

Secretary

Department of Defence _____

2013

Appendix F - Intention vs consequence model



<p>Quadrant 2</p> <p>Intentional – Low consequence</p> <p>Investigation if there are wider implications; otherwise, resolve informally</p>	<p>Quadrant 4</p> <p>Intentional – High consequence</p> <p>Investigation shall be conducted</p>
<p>Quadrant 1</p> <p>Unintentional – Low consequence</p> <p>Investigation will not be conducted.</p> <p>Resolve informally</p>	<p>Quadrant 3</p> <p>Unintentional – High consequence</p> <p>Investigation shall be conducted</p>



	Q1	Q2	Q3	Q4
REPORT	MSP	MSP – MMII	MMII	CONDUCT
COMPLAINT	CONCILIATION	MMII	INITIAL OR FULL INVESTIGATION	

Appendix G - Suggested key performance indicators

It is acknowledged that SAPOL will not initially have the data to report all key performance indicators (KPIs). It is recommended that work be undertaken to set up systems to enable SAPOL to monitor these indicators as they will demonstrate progress and drive accountability. They should be published quarterly across the organisation, unless otherwise stated.

General Wellbeing - established through monthly all-staff health monitoring survey

Statistics by gender, by division, by manager

- I feel supported within my team
- My team has a positive culture where all are valued for their diversity and treated equally
- SAPOL supports flexible work
- Are you confident in reporting workplace harm?
- Are you confident SAPOL will respond appropriately?

Overall KPIs

- Percentage gender split by division by manager

Flexible work

Statistics by gender, by rank/level, by division, by manager

- % of staff on flexible work agreements
- type of flexible work applied for
- number of requests for flexible work
- number of requests for flexible work approved
- reasons for flexible work rejections
- time taken to determine outcome of application

Training and development

Statistics by gender, by rank/level, by division, by manager

- % of staff who have undertaken training and type of training undertaken
- number of applications for training
- number of applications for training approved
- time taken to determine outcome
- number of staff on VFWA's undertaking training
- reasons for refusal of training and development requests by FTE/PTE
- training undertaken by level

Promotions

Statistics by gender, by rank/level, by division, by manager

- number of applications for positions by FTE/PTE
- career advancement of flexible workers
- applications for acting positions by FTE/PTE
- number of women promoted

Sexual harassment and sex discrimination

Statistics by gender, by age (range) rank (range) by division, by manager, by location of incident for complainant and for respondent (*to be seen only by ELT*)

- number of complaints
- number of complaints substantiated
- outcomes of substantiated complaints (action taken against responder)
- time taken to resolve complaints
- complainant by FTE/PTE
- number of transfers on compassionate grounds
- number of work cover claims related to sexual harassment and/ or sex discrimination

Other

Statistics by gender, by rank/level, by division, by manager

- number of Return to Work claims
- workplace absenteeism
- disciplinary complaints

Appendix H - Survey analysis process

The following analysis steps were undertaken:

1. Data cleaning and checking
2. Data file set-up
3. Coding of open-ended responses
4. Data processing
5. Cross-tabulations of frequency data
6. Charting
7. Top-line analysis and reporting
8. Subgroup analyses and significance testing
9. Development of full report.

Data checking and cleaning

Before commencing analysis, the raw data file was checked for errors, inconsistencies and anomalies to ensure validity of responses, accuracy, completeness, and overall integrity.

All data cleaning was documented, with an accompanying rationale.

Data file set up

The data file was set up to best support analysis.

For example, survey questions may be worded to help the participant understand or respond, but this may not represent how best to display the responses to address research objectives. In these cases, manipulation of the variable may be needed.

In addition, filters were applied where logic determined it necessary (e.g., questions about children were filtered by parents/carers, etc.).

Coding of responses

Open-ended responses

All open-ended questions were closely examined in a qualitative manner, and a framework of codes developed to encapsulate responses in a logical and meaningful manner. All code frames were tested and approved before responses were categorised.

'Other specify' responses

Back-coding was performed for 'other' responses. This involved categorising comments into existing code frames where these may have been missed by the respondent, and creating codes where a critical mass of responses existed.

Small numbers of less common responses were left in the 'Other' category, and are reported in lists under relevant questions. The lists display frequencies of (most commonly) one to three responses in total.

Data analysis/subgroup analysis and significance testing

Analysis of statistically significant differences between various subgroups was performed where base sizes permitted ($n \geq 30$). Univariate statistical analyses were undertaken, including chi square, z-tests and t-tests. All significant differences at the $p < 0.05$ were stated underneath each figure (confidence interval=95%).

Differences within the following subgroups were explored:

- gender
- location (metro/regional)
- age (18-34 years/35-54 years/55 years and over)
- sexual orientation (heterosexual/lesbian, gay or bisexual)
- length of service (less than 5 years, 5-10 years, more than 10 years)
- rank/level/employment type
- parent/carer status
- gender of immediate manager.

Statistically significant differences are noted throughout the report. Wherever a difference is noted (e.g., “more likely”, “less likely”, “larger proportion”) this denotes a statistically significant difference. Where proportions do not differ statistically, no observation regarding difference is made.

How to interpret the report

Base sizes and proportions

Proportions for responses against every question have been calculated from the base of respondents exposed to the question.

For most cases missing values have been excluded where respondents missed a question. Missing values are reported where it is important to calculate the question of the entire base; e.g., to determine the incidence of a certain activity within the sample.

Responses of “not sure” have been included where they were asked; e.g., in scales asking levels of agreement.

Proportions as displayed in figures and tables may not appear to add exactly to 100 per cent; this is due to rounding to no decimal places.

Filtering of sub-questions and logic

Certain questions which are applicable to subgroups of the sample only (e.g., parents) have been filtered by the base of respondents exposed to each question.

Filters and associated base sizes have been reported at the base of each figure or table where applicable.

Figures and tables

Figure 1 - Personal experience of sex discrimination in SAPOL.....	13
Figure 2 - Female parents' parenting responsibility: Treatment over past 5 years	14
Figure 3 - Types of behaviour experienced	20
Figure 4 - Target's rank, classification, or level at the time of the harassment	23
Figure 5 - Gender of Harasser.....	23
Figure 6- Job role of harassers.....	24
Figure 7 - Location of sexual harassment experienced	24
Figure 8 - Feelings arising from sexual harassment.....	25
Figure 9 - Responses to sexual harassment.....	27
Figure 10 - Witnessing sexual harassment behaviours	29
Figure 11 - Bystander to the exploitation of another person by someone in a position of authority	29
Figure 12 - Distribution of women across personnel areas.....	44
Figure 13 - Sworn police by rank and gender as at 30 June 2016	45
Figure 14 - Gender Representation of Sworn Members at 30 June 2011 and 30 June 2016.....	45
Figure 15 - Public Servants by employment level and gender at 30 June 2015.....	46
Figure 16 - Selection process.....	51
Figure 17 - Average age on exit of service Length of Service (LOS) by gender 2011 - 2015	59
Figure 18 - % of Full time, Part-time or Casual SAPOL staff as at 2011 and 2016.....	74
Figure 19 - Type of request.....	76
Figure 20 - Capacity to manage work/ life demands.....	81
Figure 21 - Views about work and caring	82
Figure 22 - Penalties associated with missing work time.....	82
Figure 23 – Reporting Sexual harassment	104
Figure 24 – Reporting Sexual discrimination	105
Figure 25 - Reasons for not reporting sexual discrimination	106
Figure 26 - Satisfaction with outcome of sexual discrimination complaint	111
Figure 27 - Satisfaction with outcome of sexual harassment complaint	111
Figure 28 - Personal consequences for reporting sexual harassment.....	113
Figure 29- Personal consequences for reporting sexual discrimination	114
Figure 30 - Outcomes to the perpetrator of sexual harassment complaint.....	117
Figure 31 - Outcomes to the perpetrator of sexual discrimination complaint	117
Figure 32 - Gender comparisons	141
Figure 33 - Age groups of survey respondents.....	141
Figure 34 - Constitution of SAPOL workforce	142
Figure 35 - Current location of survey respondents.....	142
Figure 36 - Length of service of survey respondents.....	142
Figure 37 - Parent or guardian.....	143
Figure 38 - Became a parent while working in SAPOL.....	143
Figure 39 - Dependent children living with you	143
Figure 40 - Number of children	143
Figure 41 - Age of children.....	143
Figure 42 - Caring responsibilities in the last 5 years	144
Figure 43 - Current caring responsibility	144
Figure 44 - Parent or carer.....	144
Figure 45 - Percentage of total interviews (n=58) by interview type and gender	146
Figure 46 - Percentage of interviews by interview type.....	146
Figure 47 - Percentage of interviews by Sworn and other staff.....	146

Figure 48 - Percentage of interviewees as current or former members	146
Table 1 - WGEA's Stages of the Gender Equality Roadmap	xi
Table 2 - Substantiated IIS complaints	110
Table 3 - Age and gender.....	141
Table 4 - Rank / level / employment type.....	142
Table 5 - Sexual orientation of survey respondents.....	142
Table 6 - Ranks of parents / carers.....	145
Table 7 - Age groups of parents / carers	145

References

- 1 Australian Human Rights Commission, *Working without Fear: Results of the Sexual Harassment National*
- 2 *Ibid*, 39.
- 3 *Ibid*.
- 4 J Daley, J., McGannon, C., and Ginnivan, L. *Game-changers: Economic reform priorities for Australia*, (Grattan Institute, Melbourne, 2012).
- 5 Workplace Gender Equality Agency, *The Business Case for Gender Equality*, (Commonwealth Government of Australia, 2016).
- 6 Committee for Economic Development Australia, *Australia Adjusting: Optimising national prosperity* (Committee for Economic Development Australia, 2013)', at <http://www.ceda.com.au/research-and-policy/research/2013/11/austadjusting> (accessed 2016).
- 7 Dr Niki Vincent, 'Management must think again if we're to meet nation's need,' *The Australian* (Sydney) February 8, 2014
- 8 Australian Workforce and Productivity Agency, *Future Focus: 2013 National Workforce Development Strategy* (Commonwealth Government of Australia, Canberra, 2013) at <http://apo.org.au/resource/future-focus-2013-national-workforce-development-strategy>(accessed 2016).
- 9 Workplace Gender Equality Agency, *Gender Equality Toolkit* (Australian Government 2016) at <https://www.wgea.gov.au/lead/building-gender-equality-strategy> (accessed 2016).
- 10 *Ibid*, 1.
- 11 Victorian Equal Opportunity and Human Rights Commission, *Independent Review into Sex discrimination and Sexual Harassment, Including Predatory Behaviour in Victoria Police*, (Victorian Equal Opportunity and Human Rights Commission, Victoria, 2015).
- 12 Elizabeth Broderick & Co., *Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police*, (Elizabeth Broderick & Co, New South Wales, 2016).
- 13 Workplace Gender Equality Agency, above n 9, 12.
- 14 *Ibid*, 12.
- 15 Australian Human Rights Commission, above n 3, 15.
- 16 *Ibid*, 6.
- 17 Workplace Gender Equality Agency, above n 13, 12.
- 18 *Ibid*, 32.
- 19 Tuffin. R and Baladi. Y, 'Flexible Working Practices in the Police Service', (Police Research Series Paper 147, United Kingdom Home Office, 2007), 69.
- 20 Australian Human Rights Commission, above n 15, 47.
- 21 Workplace Gender Equality Agency, above n 18, 5-9.
- 22 Fair Work Ombudsman, *Best Practice Guide Parental Leave* (Commonwealth Government of Australia, 2016), 1
- 23 Workplace Gender Equality Agency, above n 5, 1.
- 24 *Ibid*, 1.
- 25 *Ibid*.
- 26 Australian Human Rights Commission, above n 20.
- 27 Jenkins, K, '*Accelerating Change: Gender Equality from the Household to the Workplace*', (Speech delivered at the National Press Club, Canberra, 20 April 2016)

-
- ²⁸ UN Women, *Causes, Protective and Risk Factors, Virtual Knowledge Centre to Prevent Violence against Women*, (2012) at <http://www.endvawnow.org/en/articles/300-causes-protective-and-risk-factors-.html>, (online, accessed 2016).
- ²⁹ *Declaration on the Elimination of Violence against Women* GA res, 57th sess, 85th plen mtg, UN Doc A/RES/48/104 (20 December 1993, adopted on 23 February 1994) defines violence against women as ‘any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.’
- ³⁰ TNS Australia, *Reducing Violence Against Women and their Children; Research Informing the Development of A National Campaign*, (Commissioned by Australian Government Department of Social Services, 2015).
- ³¹ VicHealth, *Australians’ Attitudes to Violence against Women: Findings from the 2013 National Community Attitudes towards Violence against Women Survey (NCAS)*, (VicHealth, Victoria 2014).
- ³² Victorian Equal Opportunity and Human Rights Commission, above n 11.
- ³³ Elizabeth Broderick & Co., above n 12.
- ³⁴ Community Oriented Policing and U.S. Department of Justice, *Future Trends in Policing*, (Office of Community Oriented Policing Services, 2014), 45.
- ³⁵ Heyer. G, ‘Shape or Adapt: The Future of Policing’, (2013) 1(1) *Salus Journal*, 41 - 53, 51.
- ³⁶ *Ibid*, 51.
- ³⁷ See for example: Den Heyer.G, ‘Shape or Adapt: The Future of Policing’, (2013) 1(1) *Salus Journal*, 41 – 53; Neyroud. P, ‘Leading policing in the 21st century: Leadership, Democracy, Deficits and the New Professionalism’, (2011) *Public Money & Management*, 31(5), 347-354; Bayley, D and Nixon, C. *The Changing Environment for Policing*, (2011), (1985-2008. Washington, DC: National Institute of Justice)
- ³⁸ See for example: Mitchell, M. and Casey, J. (Eds), (2007) ‘Police Leadership and Management’, (Federation Press, Sydney); Weisburd. D and Neyroud. P.W., (2011), ‘Police Science: Towards a New Paradigm’, (National Institute of Justice, Washington DC); Heyer. G, ‘Shape or Adapt: The Future of Policing’, (2013) 1(1) *Salus Journal*, 41 - 53 and Bayley, D and Nixon, C. (2011), ‘The changing environment for policing’, (1985-2008, Washington, DC: National Institute of Justice)
- ³⁹ Elizabeth Broderick & Co., above n 33, 30.
- ⁴⁰ Heifetz R.A., Linsky. M and Grashow. A, *The Practice Of Adaptive Leadership: Tools and Tactics for Changing your Organisation and the World*, (Cambridge, MA: Harvard Business Press, 2009), 19
- ⁴¹ *Ibid*, 19.
- ⁴² Australian Human Rights Commission, above n 26.
- ⁴³ Workplace Gender Equality Agency, above n 21, 12.
- ⁴⁴ *Ibid*, 18.
- ⁴⁵ *Ibid*, 12.
- ⁴⁶ Australian Human Rights Commission, *Women in Male-dominated Industries: A Toolkit of Strategies* (Australian Human Rights Commission, Sydney 2013)
- ⁴⁷ Australian Human Rights Commission, above n 42.
- ⁴⁸ Fair Work Ombudsman, *Best Practice Guide Effective Dispute Resolution* (Commonwealth Government of Australia, 2013)
- ⁴⁹ The Center for Advanced Research on Language Acquisition (CARLA), *What is Culture?*, (University of Minnesota, 2014) at <http://carla.umn.edu/culture/definitions.html> (Accessed 2016)
- ⁵⁰ Schein .E.H, *Organisational Culture and Leadership*, (Wiley, 4th ed, 2010)
- ⁵¹ Pitkin .S, ‘The Role of the Board in Corporate Culture’, (August 2016) *Company Director* 16, 16.
- ⁵² Office for the Public Sector, *Strategic Objectives*, (Government of South Australia, Adelaide, 2015)

-
- 53 Pitkin .S, above n 51, 16.
- 54 Ibid, 17.
- 55 Workplace Gender Equality Agency, above n 43, 18.
- 56 Community Oriented Policing and U.S. Department of Justice, above n 34, 45.
- 57 *Public Sector Act 2009* (SA) pt 3, s5(5).
- 58 Office for the Public Sector, *South Australian Public Sector Values and Behaviours Framework*, (Government of South Australia, Adelaide 2015), 5
- 59 Elizabeth Broderick & Co., above n 39
- 60 Robinson .S, 'Promotional and Non-Stereotypical Policing Roles: Are Women Opting Out?' (2013), 1(3) *Salus Journal* 4
- 61 See example: Robinson .S, 'Promotional and Non-Stereotypical Policing Roles: Are Women Opting Out?' (2013) 1(3) *Salus Journal* 4; Rabe-Hemp .C, 'Survival in an "all boys club": Police Women and their Fight for Acceptance', (2008); 31(2) *Policing: An International Journal of Police Strategies and Management* (2008)
- 62 Australian Human Rights Commission (Cth), above n 46.
- 63 Independent Broad-based Anti-corruption Commission inquiry into senior level officials at the former Victorian Department of Education and Early Childhood Development in early 2016 uncovered a 'boys' club' at the centre of a corruption scandal. The findings warned of the potential of such environments to foster bad behaviour and create inappropriate relationships that can facilitate corruption and other integrity breaches.
- 64 Robinson .S, above n 60, 4.
- 65 Ibid, 4.
- 66 Wooden .K and Nixon .J, 'The Incorporation of Obedience to Authority into New South Wales Police Force Recruit Training'(2014) *Salus Journal* 2(1),45.
- 67 Ibid 51.
- 68 Lawson .C, 'Police Culture: Changing the Unacceptable' (2011), 8(1) *Scan Journal*, at <http://www.scan.net.au/scan/journal/display.php?journal_id=159> (accessed 2016)
- 69 Robinson .S, above n 65, 3.
- 70 Australian Human Rights Commission, *Sex Discrimination; Know your Rights*, (Australian Human Rights Commission, Sydney, 2014), 2.
- 71 See example: *Equal Opportunity Act 1984* (SA); *Sex Discrimination Act 1984* (Cth).
- 72 VicHealth, above n 31, 16
- 73 Australian Human Rights Commission, *Supporting Working Parents: Pregnancy and Return to Work National Review Report*, (Australian Human Rights Commission, Sydney, 2014) 26
- 74 Hoel .H, Sparks .K and Cooper .C, *The Cost of Violence/Stress at Work and the Benefits of Violence/Stress-Free Working Environment*, (University of Manchester Institute of Science and Technology, date unknown)
- 75 Sojo .V and Wood .R, *Resilience: Women's Fit, Functioning and Growth at Work: Indicators and Predictors*, (Centre for Ethical Leadership and Gender Equality Project, Parkville VIC 2012) 17
- 76 Ibid, 17.
- 77 Ibid, 20.
- 78 See example: Chung .D, Zufferey .C and Powell .A, 'Preventing Violence Against Women in the Workplace: An Evidence Review: Full Report' (2012) *VicHealth* 26 - 29; S Valentine-French and H.L. Radtke, 'Attributions of Responsibility for an Incident of Sexual Harassment in a University Setting' (1993) 21 (7-8) *Sex Roles* 545–555.
- 79 Kehn .A and Ruthig .J.C, 'Perceptions of Gender Discrimination across six Decades: The Moderating Roles of Gender and Age' (2013) 69(5) *Sex Role*

-
- 80 Cassino .D, 'Why more American Men Feel Discriminated Against' (2016) *Harvard Business Review*, at <https://hbr.org/2016/09/why-more-american-men-feel-discriminated-against> (accessed 2016)
- 81 Ibid.
- 82 *Equal Opportunity Act 1984 (SA)* s87.
- 83 See example: *Equal Opportunity Act 1984 (SA)* and *Sex Discrimination Act 1984 (Cth)*.
- 84 See: *Vergara v Ewin* [2014] FCAFC 100.
- 85 See example: *Equal Opportunity Act 1984 (SA)*; *Sex Discrimination Act 1984 (Cth)*.
- 86 Australian Human Rights Commission (Cth), above n 47, 16.
- 87 Ford .T.E, Boxer .C.F, Armstrong .J and Edel .J.R, 'More Than "Just a Joke": The Prejudice-Realising Function of Sexist Humor,' (2008) 34(2) *Personality and Social Psychology Bulletin* 159-170
- 88 Sojo .V and Wood .R, above n 75, 20
- 89 Woodzicka .J.A and Ford .T.E, 'A Framework for Thinking about the (not-so-funny) Effects of Sexist Humor,' (2010) 6(3) *Europe's Journal of Psychology* 174-195
- 90 Twaddle .A and Gatland .G, *No Tolerance for Sexual Harassment in the Workplace* at <http://www.dtilawyers.co.nz/no-tolerance-for-sexual-harassment-in-the-workplace> (accessed 2016)
- 91 National Women's Law Center, *Sexual Harassment in the Workplace* (2000) at <https://nwlc.org/resources/sexual-harassment-workplace/> (accessed 2016)
- 92 Australian Human Rights Commission, above and 86, 51.
- 93 Powell .A, *More than ready: Bystander Action to Prevent Violence against Women in the Victorian Community* (Victoria Health Promotion Foundation, 2012), 6
- 94 Australian Human Rights Commission, above n 92, 8.
- 95 Powell .A, above n 93, 25
- 96 McDonald. P and Flood. M, *Encourage. Support. Act! Bystander Approaches to Sexual Harassment in the Workplace*, (Australian Human Rights Commission, Sydney 2012)
- 97 Ibid, 30
- 98 Ibid, 38
- 99 Workplace Gender Equality Agency, above n 55.
- 100 Heifetz .R.A., Linsky .M and Grashow .A, *The Practice of Adaptive Leadership: Tools and Tactics for Changing your Organisation and the World*. (Cambridge, MA: Harvard Business Press, 2009) 19
- 101 Workplace Gender Equality Agency above n 99, 12.
- 102 Heifetz .R.A., Linsky .M and Grashow .A, above n 100, 19
- 103 Ibid, 19
- 104 Grant Stevens, 'Letter to the editor: Safety Slur an Insult to Female Officers,' (2016) *The Advertiser*.
- 105 Workplace Gender Equality Agency, above n 101, Appendix C ,56
- 106 Ibid, 26..
- 107 Ibid 26.
- 108 Ibid, 26.
- 109 Ibid 26.
- 110 J Kotter, 'Leading Change: Why Transformation Efforts Fail' (2007) *Harvard Business Review*, <<https://hbr.org/2007/01/leading-change-why-transformation-efforts-fail>>.
- 111 Workplace Gender Equality Agency, above n 109, 23

112 Ibid, 5.

113 Heifetz .R.A., Linsky .M and Grashow .A, above n 103.

114 Ibid.

115 Ibid.

116 Chief Executive Women and Male Champions for Change, *It starts with us: The leadership Shadow* (Australian Human Rights Commission, Sydney, 2014)

117 Ibid 14.

118 Ibid, 6.

119 Workplace Gender Equality Agency, above n 112, 12.

120 Ibid, 12.

121 Ibid, 26.

122 Ibid, 26.

123 See example: Williams .A and Woolley et al, 'Evidence for a Collective Intelligence Factor in the Performance of Human Groups', (2010) 330 (6004) *Science*; Marinova, Plantegna and Remery, *Gender Diversity and Firm Performance*, (2010) Utrecht School of Economics; European Commission, *The Costs and Benefits of Diversity: A Study on Methods and Indicators to Measure the Cost-Effectiveness of Diversity Policies in Enterprises* (2003); Sojo V and Wood R, *Women's Fit, Functioning and Growth at Work: Indicators and Predictors* (2012); McKinsey & Company *Women Matter: women at the top of corporations: Making it happen* (2010).

124 Workplace Gender Equality Agency, above n 123, 29

125 South Australia Police Data, received 4 August 2016

126 Ibid.

127 Staff level breakdown for public service staffing levels was only provided until 30 June 2015.

128 South Australia Police Data, above n 127.

129 Ibid.

130 Ibid.

131 Office for Public Sector, *South Australia State of the Sector Report 2015* (South Australian Government 2015)

132 South Australia Police Data, above n 131.

133 South Australia Police Data, received 26 July 2016

134 EY, *Navigating Disruption without Gender Diversity? Think Again*, EYGM Limited (2016) 3

135 ANZ, *The ANZ Women's Report: Barriers to Achieving Financial Gender Equity* (2015) at <http://www.women.anz.com/content/dam/Women/Documents/pdf/ANZ-Womens-Report-July-2015.pdf> (accessed 2016), 59

136 Chief Executive Women and Male Champions for Change, *In the Eye of the Beholder, Avoiding the Merit Trap* (2016) at <<http://cew.org.au/wp-content/uploads/2016/08/MCC-CEW-Merit-Paper-FINAL.pdf>> (accessed 2016), 4

137 Ibid, 4.

138 Diversity Best Practice, 'Proven Strategies for Addressing Unconscious Bias in the Workplace' (2008) 2(5) *CDO Insights* 11

139 Chief Executive Women and Male Champions for Change, above n 138, 4

140 Kandola .B, *The Value of Difference: Eliminating bias in Organisations* (Pearn Kandola Publishing, 2009), 146

141 Ibid, 171.

-
- ¹⁴² Workplace Gender Equality Agency, *How to Set Gender Diversity Targets* (2013) at <https://www.wgea.gov.au/sites/default/files/SETTING-GENDER-TARGETS-Online-accessible.pdf> (accessed 2016), 8
- ¹⁴³ Ibid, 10
- ¹⁴⁴ KPMG, *ASX Corporate Governance Council and Principles and Recommendations on Diversity* (KPMG, 2016) at <http://www.asx.com.au/documents/asx-compliance/asx-corp-governance-kpmg-diversity-report.pdf> (accessed 2016), 6
- ¹⁴⁵ Workplace Gender Equality Agency, above n 144, 11
- ¹⁴⁶ South Australia Police, 'Detractors to Women Entering Policing' (Speech delivered at the SAPOL Training and Development Coordinators meeting day, SAPOL Academy, 26 May 2015)
- ¹⁴⁷ South Australia Police, Fit for duty information for SAPOL website, received 22 November 2016
- ¹⁴⁸ Robinson .S, 'Rethinking Recruitment in Policing in Australia: Can the Continued Use of Masculinised Recruitment Tests and Pass Standards that Limit the Number of Women be Justified?' (2015), 2(3) *Salus Journal* 43
- ¹⁴⁹ See: Victorian Equal Opportunity and Human Rights Commission, *Independent Review into Sex Discrimination and Sexual Harassment, including predatory behaviour in Victoria Police: Phase one report* (2015); Robinson .S, 'Rethinking Recruitment in Policing in Australia: Can the Continued Use of Masculinised Recruitment Tests and Pass Standards that Limit the Number of Women be Justified?' (2015), 2(3) *Salus Journal* 34 - 56; Anderson G.S., Plecas .D.B and Segger .T, *The Physical Abilities Required for General Duty Work in British Columbia's Municipal Police Forces: Re-Validating the Police Officer's Physical Abilities Test* New Westminster (Justice Institute of British Columbia Police Academy, 2000)
- ¹⁵⁰ Robinson .S, above n 149, 43.
- ¹⁵¹ See example: Rice .S, 'Police Officers have Rejected a New 50-50 Gender Recruitment Quota,' (2016) *The Advertiser* 2016; Rice .S, 'Blue Over Women: Top Cop hits out at insult' (2016) *The Advertiser*; Elizabeth Henson, 'SA Police Voice Fears over Reforms they say are Designed to Achieve Budget Cutes' (2016) *The Advertiser*
- ¹⁵² Chief Executive Women & Male Champions of Change, above n 137, 3
- ¹⁵³ Department of Health, Australian Government, *National Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Ageing and Aged Care Strategy* (2012), 4
- ¹⁵⁴ Robinson .S 'Promotional and Non-stereotypical Policing Roles: Are Women Opting Out?' (2013) 1(3) *Salus Journal* 6
- ¹⁵⁵ Irving .R, 'Career Trajectories of Women in Policing in Australia' (2009) 370 *Trends & Issues in Crime and Criminal Justice* 1-6
- ¹⁵⁶ Robinson .S, , above n 69, 6.
- ¹⁵⁷ Chief Executive Women & Male Champions of Change, above n 153, 10
- ¹⁵⁸ South Australia Police Data, received 26 September 2016
- ¹⁵⁹ Workplace Gender Equality Agency, *Gender Pay Gap Statistics*, (Commonwealth Government of Australia, 2016), 4
- ¹⁶⁰ Workplace Gender Equality Agency, above n 125, 30.
- ¹⁶¹ Workplace Gender Equality Agency, *Manager Briefing: Gender Pay Equity Guide for Managers*, (Commonwealth Government of Australia, 2014)
- ¹⁶² South Australia Police Data , received 26 July 2016
- ¹⁶³ Spain .E and Groysberg .B, 'Making Exit Interviews Count' (2016) *Harvard Business Review*
- ¹⁶⁴ Australian Human Rights Commission, above n 62, 14
- ¹⁶⁵ Workplace Gender Equality Agency, above n 161, 29.

-
- 166 Ibid ,29.
- 167 Ibid, 29.
- 168 Ibid, 32.
- 169 Ibid, 32.
- 170 Ibid, 32.
- 171 Ibid, 32.
- 172 Ibid, 32.
- 173 Boni .N, *Contemporary Issues facing Women in Policing* (Australian Centre for Policing Research, 2009) 6.
- 174 UN Women, *Training for Gender Equality and Women’s Empowerment*, (date unknown) at <http://www.unwomen.org/en/how-we-work/capacity-development-and-training> (accessed 2016)
- 175 Clarke. M, ‘Advancing Women’s Careers through Leadership Development Programs’, (2011) 33(5) *Employee Relations* 498-515.
- 176 Ibid.
- 177 Perrine .L, ‘Job Sharing - A Viable Option for Law Enforcement?’, [2009] *Federal Bureau of Investigation - FBI Law Enforcement Bulletin*.
- 178 Rose .P, *New Zealand Police – Flexible Employment and Best Practice* (New Zealand Police, 2001); L. Burgmann, *Managing in a Flexible Work Environment: White Paper November 2012*, (Australian Institute of Management NSW & ACT Training Centre, 2012); J Baxter, *Families Working Together: getting the balance right* (Australian Government, 2013); Australian Institute of Family Studies; R Wood and V Sojo, *A Review of the Evidence Regarding Work-Life Policies* (Centre for Ethical Leadership, 2013); R Walters, ‘Driving and Implementing a Flexibility-at-Work Agenda’, (Robert Walters Whitepaper, unknown date); Fair Work Ombudsman, *Work and Family* Commonwealth Government of Australia.
- 179 Workplace Gender Equality Agency, above n 173, 31.
- 180 Ibid 31.
- 181 Australian Bureau of Statistics, 4125.0 Gender Indicators, Australia, February 2015
- 182 Workplace Gender Equality Agency, above n 181, 31.
- 183 Ibid, 31.
- 184 Ibid, 31.
- 185 Australian Government, *Australia’s Demographic Challenges*, (The Treasury, Australian Government, date unknown), at http://demographics.treasury.gov.au/content/download/australias_demographic_challenges/html/adc-02.asp (accessed 2016) .
- 186 Tuffin .R and Baladi .Y, ‘Flexible Work in the Police Service’, 9 Police Research Series Paper 147, Home Office 2001), 69.
- 187 Accenture, *Study of Police Resource Management and Rostering Arrangements*, (Home Office (UK) 2004).
- 188 Perrine .L., ‘Job Sharing - A Viable Option for Law Enforcement? [2009] *Federal Bureau of Investigation - FBI Law Enforcement Bulletin*.
- 189 South Australia Police, *General Order 8420 Human resources management, Voluntary flexible working arrangements, Compressed weeks (Public Sector Act, Protective Security Act and Weekly Paid)* , (South Australia 2016).
- 190 Ibid, 4
- 191 Ibid, 4
- 192 Office for Public Sector, above n 132.
- 193 Ibid.

-
- 194 Australian Bureau of Statistics, *Labour Force, Australia, Detailed Quarterly, May 2016* (2016).
- 195 South Australia Police Data, received 26 July 2016.
- 196 South Australia Police, *General Order 8420 - Human Resource Management, Voluntary flexible working arrangements, Part-time employment (Public Sector Act, Protective Security Act and weekly paid)* 9.
- 197 Tuffin .R and Baladi .Y, above n 187, 49.
- 198 Home Office, *Flexible work in the Police Service* (Home Office UK, 2007).
- 199 Accenture, *Study of police Resource Management and Rostering Arrangements, (2004) Home Office (UK)* 7.
- 200 South Australia Police, above n 197, 1.
- 201 Police Association of South Australia, 'True Flexibility - A Need Greater than 50-50' (2016), *Police Association of South Australia Journal* 11.
- 202 South Australia Police, *General Order 8420 Human Resources Management, Voluntary Flexible Working Arrangements, Working from Home* ,7.
- 203 Fair Work Ombudsman, *Best Practice Guide Parental Leave* (Commonwealth Government, 2016) 1.
- 204 Ibid.
- 205 South Australia Police, *General Order 8420 Human Resources Management, General HR Management, Pregnant Member* 4, (South Australia 2016).
- 206 Ibid.
- 207 Ibid.
- 208 South Australia Police, *General Order 8420 Human resource management, Leave, Parental leave*.
- 209 South Australia Police Data, received 26 July 2016.
- 210 Ibid.
- 211 Ibid.
- 212 Ibid.
- 213 Ibid.
- 214 Ibid.
- 215 Ibid.
- 216 Ibid.
- 217 Australian Human Rights Commission, above n 73, 26
- 218 South Australia Police, *General Order 8420 Human Resources Management, General HR Management, Pregnant Member*, (South Australia 2016)
- 219 Renda .J, Baxter .J and Alexander .M, 'Exploring the Work- Family Policies Mothers Say Would Help After the Birth of a Child' (2009) 12(1) *Australian Journal of Labour Economics* 65-87, 68
- 220 South Australia Police *General Order 8420, Human Resource Management*, (South Australia 2016)
- 221 South Australia Police, *South Australia Police Enterprise Agreement 2016*, clause 29.2
- 222 Workplace Gender Equality Agency, above n 185, 31.
- 223 Ibid, 31.
- 224 Fair Work Ombudsman, *Best Practice Guide Parental Leave* (Commonwealth Government of Australia, 2016), 1
- 225 Australian Human Rights Commission, *Good practice guidelines for internal complaint processes* (Australian Human Rights Commission, Sydney 2014) 1-2.
- 226 Australian Human Rights Commission, Ibid, 1.

-
- 227 South Australia Police, *General Order Complaints and Disciplinary Framework* (Adelaide 2016), 15.
- 228 *Public Sector Act 2009* (SA) s5(6).
- 229 South Australia Police, *General Order 8420 Human Resource management, Equity and diversity*, (South Australia 2016), 15.
- 230 *Ibid* 16.
- 231 *Ibid* 18.
- 232 South Australia Police, *Investigations #1 Allocation and Assessment of Complaints and Reports* 8 - 9.
- 233 South Australia Police, *General Order Complaints and Disciplinary Framework*, (South Australia 2016),16.
- 234 *Ibid*, 17.
- 235 *Ibid*, 17.
- 236 South Australia Police Ethical and Professional Standards Branch, *Managerial Support Process Instructions* 1 - 3.
- 237 South Australia Police, above n 236, 21.
- 238 *Public Sector Act 2009* (SA) s55.
- 239 Harmsen .N, *Police Ombudsman Critical of Long Delays in SA Disciplinary Cases*, ABC News (online), 18 October 2016 at <http://www.abc.net.au/news/2016-10-18/police-ombudsman-disciplinary-cases-face-long-delays/7940984> (accessed 2016).
- 240 Police Ombudsman, *2015-16 Police Ombudsman Annual Report* (South Australian Government, 2016), 11.
- 241 *Ibid*, 11
- 242 South Australia Police, above n 232, 13
- 243 Australian Human Rights Commission, above n 94.
- 244 Australian Human Rights Commission, *Gendered Violence & Work, Safe at Home, Safe at Work? National Domestic Violence and the Workplace Survey* (Australian Human Rights Commission, Sydney, 2011), 44
- 245 The Canadian Resource Centre for Victims of Crime, *Victim Blaming* (Canadian Resource Centre for Victims of Crime, Canada, 2009)
- 246 George W.H. and Martinez L.J., 'Victim Blaming in Rape: Effects of Victims and Perpetrator Race, Type of Rape, and Participant Racism' (2002) 26(2) *Psychology of Women Quarterly* 110-119
- 247 Law Council of Australia, *Ethical Guidelines for Mediators*, (Law Council of Australia, Canberra, ACT, 2011), 4-5.
- 248 Defence Abuse Response Taskforce, (2014) 'Report on Progress, Operations and Future Structure' (Commonwealth of Australia: Barton ACT), 10
- 249 Australian Human Rights Commission, above n 227.
- 250 *Ibid*, 1- 2.
- 251 Hannan .E, 'Tie CEO pay to Staff Health: Kennett', *The Australian* (24 October 2016) 1 and 6
- 252 Sojo .V and Wood .R, above n 88.
- 253 Safe Work Australia, *Incidence of Accepted Worker's Compensation Claims for Mental Stress in Australia* (South Australia 2013), 15
- 254 Australian Human Rights Commission, *Workers with Mental Illness: A Practical Guide for Managers* (Sydney 2010)
- 255 Victoria Police, *Victoria Police Mental Health Review: An Independent Review into the Mental Health and Wellbeing of Victoria Police Employees* (Victoria 2016), 6
- 256 South Australia Police, above n 243.

²⁵⁷ Equal Opportunity Commission of South Australia, *Equal Opportunity at Work Information Booklet* (Government of South Australia), 18.

²⁵⁸ South Australia Police, above n 257.

²⁵⁹ *Ibid.*

²⁶⁰ *Ibid.*

²⁶¹ *Ibid.*

²⁶² Brown. D, Bersin. J, Gosling .W and Sloan .N, *Engagement – Always On*, (Deloitte University Press, 2016)

²⁶³ Workplace Gender Equality Agency, above n 223, 34

