

Review into the NSW Police Force Promotions System

2019

Review into the NSW Police Force Promotions System including identification of Cultural Issues that Impact on Women's Promotion Opportunities and Career Progression

Contents

Executive Summary, Principles and Recommendations	5
A. Executive Summary	5
B. Principles and Recommendations	12
Chapter 1: The Nature and Scope of the Review	16
1.1 Background	16
1.2 Methodology	17
PART A	19
Chapter 2: The NSW Police Force Promotions System	19
2.1 Introduction	19
2.2 The current NSW Police Force promotions system: history and rationale	20
2.3 The current NSW Police Force promotions system: achieving eligibility	21
2.4 Conclusion	23
Chapter 3: The call for change	24
3.1 Introduction	24
3.2 It is time for a new promotions system	24
3.3 Suggestions from the field	41
3.4 Findings and Conclusion	47
PART B	48
Chapter 4: Gender, the promotions system and career advancement: structural and cultural factors	48
4.1 Introduction	48
4.2 Women's distribution across the NSW Police Force	48
4.3 Women's participation in and progression through the promotions system	49
4.4 Flexible work arrangements	50
4.5 Are there specific challenges for women in the promotions system?	52
4.6 Why gender diverse leadership matters	59
4.7 The online survey results and comments from police officers	66
4.8 Findings	76
4.9 Conclusion	84

© Elizabeth Broderick and Co 2019

This work is protected by copyright. Apart from any use permitted under the *Copyright Act 1968* (Cth), no part may be used or reproduced by any process.

Design and layout:
Dancingirl Designs

 **ELIZABETH
BRODERICK
& Co.**

GPO Box 396, Sydney NSW 2001
admin@elizabethbroderick.com.au

www.elizabethbroderick.com.au

Executive Summary, Principles and Recommendations

A. Executive Summary

a. Introduction

The NSW Police Force is the principal law enforcement agency of NSW. Its role is to “work with the community to reduce violence, crime and fear.”¹ It works to achieve this by preventing, detecting and investigating crime, monitoring and promoting road safety, maintaining social order and performing and coordinating emergency and rescue operations.

The NSW Police Force is Australia’s oldest Police Force and has a strong history and tradition. The vast majority of members, police officers, and non-police officers alike, have a deep commitment to the Police Force, their work and to the successful future of the organisation. As police officers told the Review Team:²

I LOVE my job and enjoy coming to work every day for the [many] years I have been a police officer. [emphasis theirs]

Being a police officer is a very rewarding job. It is great to know you are doing something good for the benefit of the community.

Since it first began as a force largely made up of convicts and known as the Night Watch, the NSW Police Force has evolved into a sophisticated law enforcement organisation, with a workforce of almost 16,700 sworn officers and over 4000 public servants.

The NSW Police Force is currently undergoing a transition to ensure it has the necessary capability to meet the ongoing needs of the NSW community whilst also meeting the emerging challenges unique to 21st century policing, including the impact of globalisation and technological advancement.

In order to achieve this, the NSW Police Force requires a workforce that is agile, skilled, flexible and appropriately responsive. It must attract a breadth of talent and its people must reflect the diversity of the Australian community. The Force requires leaders who have the skills and abilities to bring out the best in their teams, including being inclusive and creating an environment where everyone is valued, respected and has equal access to opportunities to thrive.

The Review undertaken by Elizabeth Broderick & Co, builds on the strong efforts of the NSW Police Force in addressing these issues. Specifically, the NSW Police Commissioner, Mick Fuller APM, asked the Review Team to examine:

- whether the NSW Police Force’s promotions system negatively impacts on leadership opportunities for women;
- the factors that may contribute to the under-representation of women in the NSW Police Force in leadership roles; and
- to identify strategies that may be implemented to ensure that women have the same leadership opportunities as men within the NSW Police Force.

1 https://www.police.nsw.gov.au/about_us (viewed 30 April 2019).

2 The Review or the Review Team as referred to in this report mean the Review conducted by Elizabeth Broderick & Co.

Early in the Review process, it became apparent that, in addition to interest in discussing the issues arising from the terms of reference, there was also a deep interest and strong appetite across all levels of the NSW Police Force to discuss the promotion system in its entirety, and importantly, its impact on all police officers. Accordingly, this report includes data on both the promotion system itself and the under-representation of women in more senior roles within the NSW Police Force. The report is divided into two parts. Part A specifically examines the promotions system. Part B examines whether the promotions system and the culture in which it operates, acts as a barrier to the advancement of female police officers.

The Police Commissioner recognises that a strong, transparent and fair promotions system, operating in an environment where both talented men and women can succeed, will enhance the overall capability of the NSW Police Force. It will help build capability which will contribute to strengthened operational effectiveness.

b. The NSW Police Force Promotions System

i. General

The NSW Police Force promotions system has been in operation for the past 12 years. It was developed as a response to the findings of a number of investigations and inquiries. Those investigations found the existing system for promotion required modernising, in part because it did not provide sufficient protection against corruption and nepotism. A new promotions system was established and enshrined in legislation under the *Police Amendment (Police Promotions) Act* and provided specific criteria for promotions for Sergeants, Inspectors and Superintendents. These included:

- the appointment to a position by way of promotion is to be made by selection of the highest ranked available officer from a promotion list for the rank concerned, and not by individual application and selection for individual positions;
- individuals seeking placement on a promotion list must have spent the requisite time at rank and must successfully complete a pre-qualifying assessment, a promotion examination, an applicant evaluation and an eligibility program;
- officers who qualify for a promotion list will be given an eligibility mark and will be ranked according to order of merit (from the highest mark to the lowest);
- a new promotion list for each rank or grade within a rank will be prepared for each year and an unsuccessful applicant may remain on a list for only 3 years before having to re-qualify for the list;
- the abolition of the right of appeal to the Government and Related Employees Appeal Tribunal (GREAT) against an appointment of another applicant to a particular position.

Whilst the promotion system may have been an appropriate response to the needs of the NSW Police Force at the time, there is now an almost universal dissatisfaction with the existing promotions system among NSW police officers. There is a general view that the promotions system as it currently operates does not always ensure that the best candidate is promoted, a flaw which can impact on a teams' and the organisations' overall capability. Among the key concerns presented to this Review include: the rigidity of the system, onerous preparation expectations, long lead time from beginning the promotion to attaining a role, the perceived limited opportunities for police to demonstrate their practical abilities and potential, the impact of caring responsibilities and the impact of 'cliques'/'in-group'/'in-crowds' within the NSW Police Force.

Linked to these issues, police officers also believe that there is insufficient focus on leadership development within the NSW Police Force, and are frustrated that such development is not embedded over the life cycle of an officer's career. Many felt that this is a missed opportunity to build emerging leaders at rank, rather than relying on the promotions system as a pathway to leadership.

Police officers have called for substantial reform of the promotions system. Through this Review they have called for a range of changes including greater emphasis to be placed on: experience, including time at rank and relieving; performance and ability; and leadership capabilities.

The Police Commissioner recognises the need for change and has established a Promotions Review Steering Committee that includes members of the police force and officials from the NSW Police Association. The new Committee is charged with developing a new promotions system that would better serve the organisation and its individuals. In the Principles and Recommendations section of this report, there is a list of proposals that the Steering Committee should consider when developing a new promotions system.

ii. Women's experience of the promotion system

Currently, women are underrepresented in all leadership roles, including Sergeants, Inspectors, Superintendents and Assistant Commissioners. There is one woman at the level of Deputy Commissioner. To date there has not been a female Commissioner of Police.

In commenting to the Review, many police officers considered the system has no overt discrimination on its face (i.e. it appears gender neutral) but because of the particular attributes of women (e.g. more likely to be carers etc) it operates in a manner which disproportionately adversely impacts on them. Further, when examined within the culture of the NSW Police Force more broadly, many female police officers considered their gender to be barrier to successfully undertaking the promotions process and achieving leadership roles.

The online survey conducted for this Review found a number of points of difference between the perceptions of male and female police officers in relation to promotion to leadership roles. It is of note that 79% of men agreed or strongly agreed with the statement 'men and women have the same opportunities to succeed in the current promotions system', whereas only 47% of women agreed or strongly agreed with this statement. Further, women were significantly more likely to agree it was difficult for females to achieve any rank compared to males. For example, 54% of female police officers compared to 13% of male police officers agreed it was difficult for female police officers to achieve the rank of Commissioner, while 8% of male police officers and 7% of female police officers agreed it was difficult for male police officers to achieve the rank of Commissioner. When asked about the potential barriers to promotion, women were significantly more likely to agree that family or caring commitments (76% compared to 48% of males), relocation (65% compared to 45% of males), unequal access to relieving opportunities (50% compared to 39% of males) and, gender (38% compared to 8% of males) were barriers.

A key reason for men and women's different perceptions of the promotion system related to the impact of flexible work and caring responsibilities on promotion opportunities. Police officers who work in a flexible work arrangement, particularly part-time, believe they are not afforded the same opportunities as full-time officers in relation to promotion. Given that women overwhelmingly carry the bulk of caring responsibilities it is not surprising that the majority of NSW police officers who are on flexible work arrangements are women. As such, the issue of promotion and flexible work impacts on female police officers to a greater extent than male police officers. Through the Review, female police officers commented that working part-time meant they are overlooked for training and relieving opportunities. Further, managing the expectations of study and preparation time with work and caring responsibilities is particularly difficult. This can be especially challenging for single parents – an issue impacting both men and women.

The Review Team heard that loss of standing due to working part-time creates a cascading effect where women are less likely to be given "the big jobs" which can impact on their opportunities to further progress. It is rare for those in operational roles, and in particular those at Sergeant, Inspector and Superintendent level, to have access to working flexibly or part-time. This is by far the single biggest barrier to women seeking promotion and many women described "opting out" due to the limited organisational support for flexible and part-time work.

The research is clear. Those organisations, including law enforcement agencies, that are committed to flexible work practices and have a culture that supports flexible work, attract and retain more women. Flexible work is increasingly becoming the norm in contemporary workplaces around the globe, including police forces, with many adopting an 'all roles flex' policy. For these organisations, flexible work arrangements make good business and operational sense. The NSW Police Force is currently examining ways to encourage and increase the uptake of flexible work arrangements.

Other barriers to promotion cited by women in the survey included ‘a culture of ‘cliques’ / ‘in-group’ / ‘in-crowd’ within the NSW Police Force’ (68% women compared to 51% men) and the ‘absence of successful female role models at senior levels’ (54% women compared to 5% of men).

c. The importance of gender diverse leadership

Extensive studies and research confirms that an increase in the representation of women in leadership roles in male dominated organisations results in higher performance. In the last few decades corporate and government sector agencies have increased efforts to expand their talent pool of leaders by elevating high performing, skilled women. Gender diversity has, for these organisations, become one of their key priorities.

The benefits and outcomes of gender diverse and inclusive organisations, particularly when gender diversity is at leadership level, is also true in policing organisations where the changing law enforcement landscape now demands a range of diverse and new skills, adaptability and expertise. It follows then that access to greater skills, talent and experience – qualities that *both* men and women can bring – strengthens capability. As a result, police and law enforcement agencies around the world are accelerating efforts to recruit a more diverse workforce and to ensure there is diversity, including gender diversity in leadership roles.

Women police officers bring to policing a range of skills and capabilities. They tend to rely on a style of policing that uses less physical force and can de-escalate potentially violent and dangerous situations. They are less likely than male police officers to use lethal force. Their particular communication skills can help to build trust and cooperation with communities and they often respond more effectively to incidents of sexual and domestic violence against women.³ The research also suggests that the appointment of more female police officers into leadership roles will bring about successful long term change in policing given that women are involved in promoting a different kind of police leadership, using more consultative and holistic styles – styles not traditionally associated with police forces.⁴

Despite the benefit to police forces of increasing the representation of women police officers in leadership, women continue to face a number of barriers to career advancement. The traditional police cultures where male norms are strongly embedded have, at least in part, been responsible for the relatively low rate of women reaching leadership positions and senior leadership positions.

Data provided to the Review Team from the NSW Police Force shows that whilst there has been an increase in women entering the NSW Police Force as officers over a number of decades there has not been a concomitant increase in the number of women gaining senior roles. This picture is consistent with other jurisdictions both in Australia and overseas. Changing this situation will ultimately have a significant and positive impact on the NSW Police Force’s overall capability and operational effectiveness.

d. Cultural factors and women’s career advancement

In order to properly examine the impact of the promotions system on the career advancement it is critical to look at the culture within which the system operates. As noted above, as a stand-alone model and on its face, the promotions system does not appear to discriminate against men or women. It appears entirely gender neutral. However, there are a number of cultural and systemic barriers that do inhibit the promotional opportunities of women police officers at the same rate as men.

3 M Natarajan (2008) *Women Police in a Changing Society: Back Door to Equality*, Aldershot, Hampshire, England; JP McElvain and A.J. Kposowa (2008) “Police Officer characteristics and the likelihood of using deadly force” *Criminal Justice and Behaviour*, 35 505–521.

4 J.H Savoi (2015) *Skills women bring to the position of chief of police*, Walden University, Minneapolis Minnesota; M Silvestri, S Tong and J Brown (2013) Gender and Police Leadership: time for a paradigm shift? *International Journal of Police Science and Management* Volume 15, Number 1. J Whittred (2008) A qualitative exploration into the transformational leadership styles of senior policewomen, University of Leicester, Leicester.

There is no doubt that across a range of areas, the culture of the NSW Police Force has improved in relation to the treatment of female police officers, allowing them to successfully seek opportunities for career advancement that may not have been available in previous years. Many women have also had positive and rewarding careers and competed successfully for leadership positions with their male counterparts. However, through this Review a significant number of women spoke of their experiences of entrenched aspects of the culture that continue to limit their opportunities.

Many police officers believe that as the numbers of women entering the Police Force increase, there will be a natural “trickle up” of women into leadership roles. Whilst increasing numbers can be a positive catalyst for change, the research clearly shows that this alone will not translate into greater representation of women at leadership levels. In fact, the proportion of women applying for the role of Sergeant in the NSW Police Force declined from 2014 to 2018. Similarly, ad hoc programs, projects or initiatives will not ensure a critical mass of women will attain roles at leadership levels.

Research confirms that “we are drawn to those who think, look and act like us.”⁵ For women working in male dominated environments, such as police forces, where there are deeply held beliefs and norms about who is suitable for leadership, this presents a particular barrier to female police officers gaining promotions and senior roles.

There was a strong view, particularly among male police officers, that women will be promoted if they are meritorious. The notion of merit was considered paramount in any leadership appointments. As such there was a strong belief that any interventions to promote women are contrary to merit. However, many studies have shown that the concept of merit in recruitment and promotion processes can often mask unintended biases driving decision-making. This is because we are drawn to those who think, look and act like us. There is compelling evidence to show that in situations where merit is emphasised as a basis for selection and performance decisions, men are more likely to be selected and more likely to be awarded higher salary increases compared to equally rated women.⁶ Merit actually reinforces the status quo.

To achieve an increase in women leaders, there needs to be a suite of strategies and interventions that address those aspects of the organisational structures and culture that inhibit women’s advancement. Without such interventions, the promotion of women will remain slow. Importantly, for the NSW Police Force, it will also mean that it misses out on the significant enhanced organisational capability that a gender diverse workforce brings. The following issues were identified throughout the Review as impacting on women’s opportunities for leadership roles:

i. A masculine culture

Like the vast majority of police forces around the world, the history of the NSW Police Force is of an organisation that has been founded by and for men. As a result, and understandably, its structures and norms have evolved through the typical life and career pattern of men (i.e. a full-time worker with no visible caring responsibilities and no significant periods out of the workforce). When entering into this culture, women have had to conform to those norms and structures to find their position in the organisation. Many female police officers told the Review that the strength of the masculine culture impacted on how they were treated or perceived by some male colleagues and superiors, including in relation to their opportunities to advance in the Police Force.

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

6 EJ Castilla & S Benard (2010). ‘The Paradox of Meritocracy in Organizations’ in *Administrative Science Quarterly* 55: 543-576; Male Champions of Change, (2017) *In the Eye of the Beholder: Avoiding The Merit Trap*, Sydney Australia.

ii. Attitudes about women's place, capability and ambition

The Review's online survey revealed a large disparity between women and men's belief that there should be more women police officers in leadership roles. Women in the NSW Police Force overwhelmingly believed this should occur (64%), compared to men (17%). Women police officers reported that some male police officers still consider female police officers to have a narrower range of capability and are less ambitious. For some, there was a belief that effective policing relies heavily on physical strength and an ability to step into physical conflict.

There was also a belief, primarily among male police officers, that overall, women police officers are less ambitious than male police officers, particularly once they have children. Conversely, the survey results showed that male and female police officers are equally ambitious to progress their career. Indeed, research shows that when organisations create a positive culture and attitude regarding gender diversity, most women—mothers included—are eager to move forward.

Like women in other male-dominated organisations, female police officers conveyed to the Review that they have to modify their behaviours and are constantly trying to “prove themselves” in order to be “accepted” and “taken seriously”.

iii. Sponsorship, networking and “cliques”

Male and female police officers considered that sponsorship and informal networks can indirectly impact on promotional decisions, particularly at the Inspector and Superintendent level. Whilst a number of female police officers reported that they had very positive and rewarding experiences with mentors and sponsors, others felt that female officers were disadvantaged by the ongoing reliance on networks to get ahead. They commented on a culture of “cliques” and networking among a so-called “boys club” of which they are not a part. Indeed, the survey found that women were more likely to cite ‘a culture of ‘cliques’ / ‘in-group’ / ‘in-crowd’ within the NSW Police Force’ (68% women compared to 51% men) as a barrier to promotion. Furthermore, women cited ‘nepotism / networks favour male candidates’ (22% female vs 6% male) as reasons why men and women do not have the same opportunities to succeed in the current promotion system.

Exclusion from even informal networks can impact on women police officers' ability to progress, as it can deprive them of an important source of information and feedback, to make contacts, cultivate sponsors and build alliances – all of which contribute to work-based success.

iv. Sexism and Sexual Harassment

Experiencing sexism and sexual harassment are major obstacles to an employees' ability to advance in an organisation. As the research shows, women make up the majority of the victims of these behaviours. Further, studies show that sexual harassment in particular, keeps women out of leadership positions and positions of power and prevents gender equality from ever occurring in an organisation.

The NSW Police Force has made considerable efforts to prevent and respond to sexism and sexual harassment, particularly since 2006 following Chris Ronalds' *SC Inquiry into sexual harassment and sex discrimination in the NSW Police Force*. Ms Ronalds' found 47.5% of those police officers she interviewed had experienced sexual harassment.

The positive changes in the organisation were confirmed in the Review by many female police officers who also noted the particular commitment of the Police Commissioner to actively respond to any behaviours that constitute sexual misconduct.

Nevertheless, the results of the online Survey and the comments from police officers indicate that sexual harassment and sexism still occurs in some parts of the Police Force. One in three women (34%) and 13% of men reported having experienced sexual harassment in the course of their duties with the NSW Police Force or at a work-related event from a colleague in the last five years. Further, 20% of women and 8% of men have experienced sexual harassment in the course of their duties with the NSW Police Force or at a work-related event from a colleague in the last 12 months.

In addition to this, police officers were reluctant to report an incident (only 15% of both male and female police officers indicated that they would make a formal report), citing the following reasons:

- believing there would be negative consequences for their reputation (e.g. that they would be blamed or not believed);
- believing there would be negative consequences for their career;
- thinking it would not make a difference; and
- feeling as though it wasn't necessary to report it, as they were able to make the harassment stop.

Poor leadership is a common factor when instances of sexism and sexual harassment occur. There must be a strong visible commitment to a zero tolerance approach to these behaviours by leadership at all levels of the NSW Police Force. Strong messaging about the unacceptability of any sexual misconduct must be regularly and effectively communicated and offenders must be properly held to account.

e. Strong and Courageous Leadership

The success of the changes to the promotions system and to increasing the representation of women in leadership roles is dependent upon strong and courageous leadership at all levels of the NSW Police Force. Although leadership at the most senior levels is essential, leaders from across the organisation should visibly commit to change. Members of the NSW Police Force who contributed to the Review were supportive of changes already implemented by Commissioner Fuller and his commitment to ridding the Force of unacceptable attitudes and behaviours was strongly acknowledged and welcomed.

As well as the Commissioner, his Deputies and Assistant Commissioners, police in middle management have a critical role to play in championing and implementing change, particularly change that involves increasing gender diversity in leadership. These police are the cultural ambassadors of the NSW Police Force as they have the day to day interaction with police officers on the ground. What they do and say matters. Equipping these middle managers with the language and tools to convey the strong and real business case for increasing the numbers of women in leadership, the benefits of flexible work arrangements, responding to any unacceptable behaviours and attitudes, is vital.

Strong and sustained messaging from leaders at all levels, articulating the organisational benefits of diversity and inclusion is required to achieve meaningful change and importantly, to minimise the risk of backlash against women who progress through the ranks.

B. Principles and Recommendations

The Reviews findings and recommendations are drawn largely from the many voices of members of the NSW Police Force – their stories, opinions and experiences. They are also drawn from the advice of senior leaders, results of the online survey, relevant policies and data, and academic literature, including best practice approaches to key issues. Information was also provided by officers from the NSW Police Association who met with the Review Team on a number of occasions. The recommendations are linked to five principles which will underpin success in creating a strong and transparent promotions' system and achieving greater gender diversity in leadership roles across the organisation:

Principle 1 – A rigorous and fair promotions system is one that appropriately tests for capabilities, including leadership capability, work performance, achievement and potential, and its outcomes are delivered in a timely and transparent way.

1. The NSW Police Commissioner should work with the Minister for Police and Emergency Services to repeal the *Police Amendment (Police Promotions) Act 2014* and relevant regulations so that any new promotions system is not embedded in legislation. This would enable the Commissioner to amend the process as the needs of the NSW Police Force evolve.
2. The NSW Public Sector Capability Framework should be used as the basis for a new promotions system. The Framework provides a set of capabilities that are required of all NSW public sector employees at every level and in every organisation, such as knowledge, skill and ability to communicate effectively, manage self, and plan and prioritise.
3. Leadership training should be offered to all police officers wishing to be promoted and satisfactory completion of that training, as well as any demonstrated examples of positive and proactive leadership, should be a pre-requisite for promotion.
4. Any training deemed relevant to assisting police officers to understand and effectively participate in a new promotions system should be made available equitably across the NSW Police Force.
5. All training opportunities and opportunities to relieve in positions should be available to both men and women equitably, in a range of geographical locations and to those who work part-time. To assist with this process, a review of the current process for selecting those in relieving positions that considers issues such as gender, geographic location, and full or part-time status, should be undertaken.
6. Relevant work experience, performance, achievements, potential, and leadership capability (including understanding of and ability to lead diverse teams) should be key criteria in the assessment of a candidate's suitability for promotion.
7. The Police Commissioner should consider the introduction of a portfolio system that enables officers to demonstrate capability and performance over time.
8. Feedback and performance development should be embedded into each component of the promotions system, and into the career life cycle of a police officer. In addition, the capability of senior officers in providing feedback should be strongly developed.

9. The duration of the application process for a promotion should be reduced, such that it is comparable with good practice in other policing organisations and/or relevant NSW public service agencies.
10. A strong focus on transparency of process and transparency of results should be maintained in any new promotions system.
11. In considering an application for promotion, it is essential that the candidate must first meet the core capabilities of the role. Accordingly, it is recommended that the training opportunities (Recommendations 3-5) are aligned to developing core capabilities as described in the new Capability Framework and are offered to officers through accessible mechanisms.
12. The Commissioner should ensure that the development of a new promotions system is underpinned by principles of gender equality in its process and outcomes.
13. The Diversity and Inclusion Advisory Group (recommendation 29), should be responsible for providing advice on whether the new promotions system may result in any unintended disadvantage for women or other group, and to advise on strategies to address any such disadvantage.

Principle 2 – A good talent promotions system is one that challenges the biases and assumptions underpinning an uninterrogated view of merit and ensures that both women and men have equal access to opportunities to advance their careers.

14. The Commissioner should address misconceptions about merit and any bias (unconscious or otherwise) that may preclude women from being considered for roles by:
 - ensuring there is a gender diverse pool of applicants, allowing for a greater choice of talent and skill;
 - ensuring all promotion panels are gender balanced; and
 - considering the appointment of a representative, independent of the NSW Police Force, on each promotion panel, where practicable.
15. The Commissioner should:
 - strengthen the existing mechanisms for developing, mentoring and sponsoring women;
 - identify opportunities for women in the NSW Police Force to access broader training and development programs, such as the programs offered by Chief Executive Women; and
 - explain the business case for a gender diverse workforce and leadership team to ensure buy-in from all employees of the NSW Police Force.
16. The Diversity and Inclusion Advisory Group (recommendation 29), should be responsible for setting ambitious but attainable temporary special measures to increase the promotion of women and other diversity groups, to each senior rank and for devising strategies to achieve those outcomes.

Principle 3 – Flexible work practices are a key capability driver and, as far as practicable, should not be an obstacle to promotion.

17. The Commissioner should ensure that changes currently under development in the NSW Police Forces' Human Resources policy to embed greater flexibility across a wider range of roles, links to the promotions process, with a view to maximising access to promotion for those on flexible work agreements.

18. As part of the changes to the Human Resources policy, the Deputy Commissioner (Corporate) as leader of that work, should:
- review job design, duty statements and team work allocation to identify those positions where full-time work is the only reasonable model. All other roles should be identified as potentially available in flexible work arrangements;
 - develop strategies to encourage senior leaders to work flexibly (ie within the full definition of the term and not merely part-time) so they can model the building of a strong career whilst utilising a flexible work arrangement;
 - develop and provide training to Commanders and other supervisors on how to manage police on flexible work arrangements effectively;
 - develop a communications strategy that identifies the organisational and individual benefits of flexible work arrangements; and
 - ensure strong organisation- wide messaging promoting the individual and organisational benefits of police officers accessing flexible work arrangements.

Principle 4- Sexual misconduct reduces promotional opportunities for individuals, diminishes team performance and impacts on organisational capability.

19. Leaders at all levels of the NSW Police Force – Sergeants, Inspectors, Superintendents and Assistant and Deputy Commissioners – should join with the Commissioner in consistently and visibly committing to a zero-tolerance approach to sexism and sexual harassment. Strong messages about the unacceptability of sexism and sexual harassment must be regularly and effectively communicated, including at team meetings and other work related gatherings.
20. The Commissioner should establish a model that encourages complainants to report sexual harassment (as well as other unacceptable workplace practices) and that addresses the key reasons and barriers for under-reporting identified in this Review. The model should consider any necessary legislative amendments or by agreement with the Law Enforcement Conduct Commission that enables officers to report misconduct confidentially removing the duty to formally report, except if the matter is considered criminal.
21. To further enhance formal reporting of sexism and sexual harassment the Commissioner should establish a discrete unit to provide support to complainants and advice to investigators that addresses sexual harassment and any other sexual abuse within the Police Force. This unit should:
- enable complainants to report an incident by either texting, emailing or calling the unit;
 - be resourced by subject matter experts with specialised skills and capability;
 - provide regular updates on the status of a complaint to complainants and respondents, or on request;
 - be available to offer advice to Commanders on how to appropriately deal with sexual harassment and other sexual misconduct matters in their Commands, including strategies for maintaining a respectful, safe and productive working environment when a complaint has been made; and
 - collect data on all sexual harassment and sexual abuse complaints including the location, functional area, nature and, where appropriate, alleged perpetrator. The Commissioner and the Commissioner’s Executive Team should be provided with quarterly updates on sexual harassment and sex discrimination complaints including the strategic measures that the organisation has undertaken in response to key trends and patterns identified in the data.

Principle 5 – Courageous leadership will help drive successful and sustainable reform.

22. All senior leaders from Superintendents and above should participate in a leadership course based on a model that is tailored to the specific needs of the NSW Police Force.
23. The Commissioner should engage an independent, specialist coach to work with each member of the senior leadership team and the group as a whole, to assist them to continuously develop and implement their personal leadership action plans and foster a culture of diversity, inclusion and respect.
24. The Commissioner should issue a video message on the Police Force's intranet, announcing his intention to amend the promotions system and then reiterating his commitment to a gender diverse and inclusive organisation and leadership teams, and communicating his response to the recommendations of this Review.
25. The Commissioner, Deputy Commissioners and Assistant Commissioners should develop and deliver a clear and strong written commitment statement (signed by all) that articulates the business case for change, reinforces their zero tolerance to sex discrimination and sexual harassment and signals their commitment to the full implementation of the Review's recommendations.
26. Commanders should seek to understand how the Review is relevant to their area of responsibility and undertake "conversations" with their teams about the issues that have emerged from this Review. In particular, Commanders should seek from these conversations: to determine whether the workplace over which they have responsibility and control is inclusive and respectful; to address any backlash from changes; and to report on the strategies they will put in place to implement the reforms outlined in this report.
27. To strengthen the leadership capabilities of those in middle management, specific training should be provided to police officers in those positions to enable them to:
 - better understand the need for, and champion, the positive and tangible outcomes of a more gender balanced workforce and leadership team; and
 - commit to building a culture that is more consistently supportive of women and other diverse groups across each PAC and each Directorate, including increasing access to appropriate training and relieving opportunities.
28. The Commissioner should allocate responsibility to the Deputy Commissioner (Corporate) for the implementation of the recommendations from this report.
29. A Diversity and Inclusion Advisory Group should be established, and to reflect its importance and priority for the organisation, it should: be sponsored by the Commissioner and chaired by a Deputy Commissioner; be gender balanced; and include leaders from across functional areas who are champions of reform and/or are in positions of influence or are likely to be in the future.
30. The Women in Policing network should be given increased prominence and report directly to the Diversity and Inclusion Advisory Group on strategies that progress the recommendations of this Review.

Chapter 1: The Nature and Scope of the Review

1.1 Background

In July 2018, Elizabeth Broderick & Co (EB & Co or the Review Team) was engaged by the NSW Police Force to examine and make recommendations, where appropriate, on its promotions system (the Review). Specifically, EB & Co was engaged to examine:

- whether the NSW Police Force's promotions system negatively impacts on leadership opportunities for women;
- the factors that may contribute to the under-representation of women in the NSW Police Force in leadership roles; and
- to identify strategies that may be implemented to ensure that women have the same leadership opportunities as men within the NSW Police Force.

In exploring these issues and to identify strategies for improvement, the Review Team consulted widely. Police officers across different ranks, and in different business areas and locations, were invited to contribute to the Review through small discussion groups, confidential individual interviews and a confidential written submission process. Police officers and public servants were also provided with the opportunity to complete a confidential online survey. These, and other inputs, were then analysed and (in those areas identified as requiring action) practical recommendations for reform have been made. The Review methodology is discussed in further detail at section 1.2.

Early in the Review process, it became apparent that, in addition to interest in discussing the issues directly within the scope of the Review, there was also a strong appetite across all levels of the NSW Police Force to discuss the promotion system in its entirety. Accordingly, this report includes data on both the promotion system itself and the under-representation of women in more senior roles within the NSW Police Force.

In conducting this Review, the Review Team received strong support from the Commissioner of Police. Further, the majority of those who spoke to the Review Team were enthusiastic about the Review, although the reasons for supporting the Review differed across gender. Male police officers in particular, were more supportive of the Review's potential to deliver overall reforms to the promotions system, rather than its focus on women in the Police Force. On the other hand, women police officers, whilst forthcoming about the promotions system in general terms, also spoke of its specific impacts on their leadership opportunities. Women police officers also spoke about the broader cultural and systemic issues within the Police Force that can adversely impact their career advancement.

This report is divided into two parts. Part A deals specifically with the promotions system and its impact on all police force members, drawing on the voices of the many police officers and public servants who participated in the Review. Part B examines those aspects of the NSW Police Force culture that impact on the leadership opportunities for women.

The vast majority of all those who participated in the Review expressed a deep desire to serve the community and therefore a strong engagement in and fulfilment from their role in the NSW Police Force, including across the many fields of police endeavour. They were proud to be working in the NSW Police Force. Many spoke of the challenges and risks of police work but also of the enormous satisfaction they derived from providing a critical public service and protecting the community.

In spite of this positive attachment to their jobs, the vast majority of those who contributed to the Review believed that the current promotions system requires reform. Most considered that the system as it currently exists contains a number of deficiencies and does not guarantee that the best possible police officers are promoted. These views were common findings from both the quantitative and qualitative data gathered for the Review.

The Review Team thanks all those who contributed to the Review for their advice, candour and honesty, for sharing their personal experiences, and for their suggestions for change.

1.2 Methodology

The findings and recommendations in this report are supported by strong and robust evidence obtained from both qualitative and quantitative data. Data from an online survey, focus groups, one on one interviews with individual NSW police officers and police public servants, a review of academic literature and the NSW Police Force's own policies and statistics underpin the conclusions of this report.

All participation in the Review was voluntary and police officers had a choice as to how they engaged. It also ensured that police officers could be involved in the Review on a confidential basis through a number of avenues.

The following section provides a description of the methodology adopted for the Review.

1.2.1 Focus Groups and Interviews

Nineteen focus groups were held with NSW Police Officers in a number of locations. 105 people participated in focus groups including at:

- Sydney City
- Parramatta
- Dubbo
- Coffs Harbour
- Goulburn

Focus group facilitators were guided by a structured series of questions designed to explore themes relevant to the scope of the Review.

73 individual interviews were conducted in person or by telephone with a Review Team member.

The focus groups and individual interviews were documented by the Review Team. Quotes used in this Report are taken directly from the notes made by Review Team members or from comments made in the online survey (see 1.2.3). Participants in focus groups and individual interviews were made aware that any statements made by them and used in this report would be de-identified.

This Report reflects the views and experiences of police officers and a small number of police public servants. The scope of the Review did not extend to investigating or making findings about any individual incident or allegations made by or about a police officer or police public servant.

1.2.2 Written Submissions

92 written submissions were received from police force members via the Review Team's confidential email address.

1.2.3 Online Survey

An online survey (the survey) was administered across the NSW Police Force from 13 December 2018 to 4 February 2019. 16.8% of the NSW Police Force responded to the Survey (n=3,498).

All NSW Police Force employees were invited to participate in the survey. Public servants working for the NSW Police Force were not asked about their views and perspectives of the promotion system, but were asked about their perception and experience of the broader culture of the NSW Police Force in which the promotions system operates. This included a focus on any aspects of the current promotions system and the culture in which it operates that requires reform to make the system more equitable, with a particular focus on gender equality. Survey responses were weighted to the employment profile of the NSW Police Force. This accounted for: officer role in the Police Force (operational or non-operational), gender, rank, work status, age, duties and directorate.

The survey was administered by the Social Research Centre, a leading research institution affiliated with the Australian National University. The Social Research Centre also performed the analysis of the survey data on behalf of the Review Team. The survey questions reflected the issues discussed in focus groups and interviews and provided an alternative avenue for NSW Police to engage with the Review and confidentially state their views and experiences. The findings are reported throughout this report. Given the comprehensive nature of the survey instrument, only the most pertinent data is presented in this report.

1.2.4 NSW Police Force Documentation and Literature reviews

During the course of the Review, the Review Team requested and received documentation and information from the NSW Police Force, including policies, strategies and other key data. The Review Team also undertook literature reviews in several areas to support its recommendations.

1.2.5 Briefings and meetings

Briefings and meetings were held with senior leaders within the NSW Police Force, including the Police Commissioner, Deputy and Assistant Commissioners and senior officers of the NSW Police Association.

PART A

Chapter 2: The NSW Police Force Promotions System

2.1 Introduction

A strong and transparent promotions system benefits both employees and organisations. A robust promotions system based on fairness and equity is a visible demonstration of an organisation's investment in its staff, its commitment to high quality leadership and to promoting the best possible talent. The promotions system is also one of the key ways in which an organisation provides rewards for high performing individuals. A well-respected promotions system gives confidence to employees that their leaders will make appropriate and ethical decisions. These factors go to the heart of an individual's connection to their organisation, their sense of belonging and importantly, the organisation's overall operational effectiveness and capability.

Recent US research has found that an employee's perception of the fairness of organisational processes and procedures can influence their motivation, behaviours and judgements about the institution. All these factors impact on performance of employees and their relationship to their organisation. Researcher, Michael Carter maintains that:

Negative perceptions of fairness and organisational justice can be detrimental to organisational effectiveness, and in public service organisations, such as police departments, negative perceptions can influence the ways in which departments serve the public.⁷

Further research confirms that a fair promotions system is critical to retaining diverse officer groups.⁸

In his Australian study, *An Identification of Factors Influencing Police Workplace Motivation* using the Queensland Police Service as an example, Sommerfeldt found that the perception of a fair promotions system was a key factor impacting on police officers' job satisfaction and motivation. Specifically, he found that:

Factor analysis in this study shows that police considered promotion as recognition by the organisation of the individual's value and closely tied to the dominant element to emerge in this study, recognition.⁹

7 M.C Carter (2017) *Seniority and Transparency in the Perceived Fairness of Seniority-Based Police Promotion*, Walden University <https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=5884&context=dissertations> (viewed 3 April 2019).

8 U.S. Department of Justice (2016) *Advancing Diversity in Law Enforcement* <https://www.eeoc.gov/eeoc/interagency/police-diversity-report.cfm> (viewed 3 April 2019).

9 V. Sommerfeldt (2010) *An Identification of Factors Influencing Police Workplace Motivation*, Queensland University of Technology, Queensland., p. 277

2.2 The current NSW Police Force promotions system: history and rationale

The NSW Police Force promotions system has undergone significant changes since the early 2000s, largely to address allegedly corrupt and unethical practices in the past in the promotion of police officers.

In April 2001, the Police Service (as it was then known) commenced a Special Crime and Internal Affairs investigation into police abuse of the promotions system and a task force was established to investigate whether certain members of the Police Service had engaged in misconduct in respect of the Police Service promotions system.

In 2002, a series of administrative reforms were introduced, designed to make the police promotional selection process more rigorous and objective and to enhance the integrity and security of the selection system. Further, in that year, the *Police Service Amendment (Promotions and Integrity) Act 2001* (NSW), came into force and was designed to “improve the integrity and efficiency of the police promotions process, ensuring promoted officers commence duties in the new positions as quickly as possible in accordance with corruption-resistant selection procedures.”¹⁰ Among the changes under that Act were that all applicants for police promotional positions, from Sergeants to the Commissioner, were asked to sign a statutory declaration that they have not engaged in misconduct generally or a specified form of misconduct. Any officer who does not sign is ineligible for promotion. Greater powers were also provided to the Commissioner to revoke a promotion.

Further legislative changes were introduced in 2006 and on 1 January 2007 the promotions systems, as it largely exists today came into effect. The intent of the reforms was to ensure that the promotion system “creates an equitable system of promotion [by ensuring] that a person is not prevented from achieving promotion other than by their individual performance during the process.”¹¹

Key issues underlying the reforms included:

- the need to reduce delays in appointments and the associated vacancies;
- the need to strengthen the link between promotions, and professional development and training systems;
- the need to address concerns regarding inexperienced or junior officers being, at times, placed into critical command or supervisory positions;
- issues associated with the review of workplace performance by commanders; and
- the need to recognise and weight experience in the promotions system.

In addition, the Police Integrity Commission had noted the need to “diminish the opportunity for the system to be hampered by abuse of the interview process”, and to improve the assessment of merit.¹²

The new system as set out in the legislation included the following elements and provides the criteria for the system as it exists today:

- appointment to a position by way of promotion is to be made by selection of the highest ranked available officer from a promotion list for the rank concerned, and not by individual application and selection for individual positions;
- individuals seeking placement on a promotion list must have spent the requisite time at rank and must successfully complete a pre-qualifying assessment, a promotion examination, an applicant evaluation and an eligibility program;
- officers who qualify for a promotion list will be given an eligibility mark and will be ranked according to order of merit (from the highest mark to the lowest);

10 The Hon Michael Costa, MLC, former Minister for Police, *Police Service Amendment (Promotions and Integrity) Bill*, 5 December 2001, 2nd Reading Speech Hansard.

11 T Stewart, MP, *Police Parliamentary Secretary, Police Amendment (Police Promotions) Bill*, 30 August 2006, 2nd Reading Speech, Hansard.

12 Police Integrity Commission, Report to Parliament, Operation Jetz, January 2003, cited in *Ministerial Inquiry into Police Promotions: Final Report*, p. 2.

- a new promotion list for each rank or grade within a rank will be prepared for each year and an unsuccessful applicant may remain on a list for only 3 years before having to re-qualify for the list;
- individual vacancies will no longer be advertised and instead the number of estimated vacancies for each rank concerned will be advertised annually;
- candidates for progression through the promotion list requirements will be selected on the basis of merit and numbers of candidates restricted on the basis of quotas determined with respect to Reviewed vacancies; and
- the abolition of the right of appeal to the Government and Related Employees Appeal Tribunal (GREAT) against an appointment of another applicant to a particular position.

The *Police Amendment (Police Promotions) Act 2014* (NSW) sought to further improve the process for promoting NSW Police Force officers and gave enhanced powers to the Commissioner in relation to applicants for specialist positions.

2.3 The current NSW Police Force promotions system: achieving eligibility

The current promotions system is used to promote officers to the ranks of Sergeant, Inspector and Superintendent. Importantly, the process assesses candidates “on their suitability for promotion to the next rank, not necessarily for a specific position.”¹³

Candidates seeking promotion must progress through a series of competitive stages culminating in the awarding of an Eligibility Mark. That mark, which is a score out of 100, is used to rank candidates on a promotions list.

The stages of the promotion process are as follows:

• Pre-qualifying

- Time at rank.** There is a minimum time at rank that must have been completed for an officer to prequalify to seek promotion. For Senior Constables, the time at rank required to pre-qualify is 2 years; Sergeants and Inspectors are required to complete three years at rank in order to pre-qualify for promotion.
- Pre-Qualifying Assessment (PQA).** This is a multiple-choice exam. Candidates are required to have a PQA score of 80 or above in order to progress to the next stage of the promotions process.
- Management Performance Review (MPR).** The MPR is effectively performance feedback provided by the officer’s Commander against seven specific competencies. Again, candidates are required to achieve a certain minimum rating against each of the competencies in order to progress through the process. *This counts for 10% of the candidate’s final Eligibility Mark.*
- Exams.** Based on performance in the above, all eligible candidates are then invited to sit the exam. Candidates are ranked in order based on their exam score and invited to an Eligibility Program in list order. *This counts for 15% of the candidate’s final Eligibility Mark.*
- Eligibility Program (EP).** Successful candidates are then invited to participate in the Eligibility Program. The number of places in the EP for each rank each year is determined by the Commissioner based on operational need. *A candidate’s success in the Eligibility Program accounts for 70% of the candidate’s final Eligibility Mark.*

13 NSW Police Force, Workforce Management Branch 2018, *Overview of Police Promotions Process 2018-2019*, p. 3.

- f. **Completed years of Service.** Each candidate is then given a mark which recognises their completed years of service at a specific rank (up to a maximum of ten years' service). There is a specific arrangement for candidates with previous service in either the NSW Police Force or other police forces. *This counts for 5% of the candidate's final Eligibility Mark.*

• **Eligibility Mark**

The candidate is then provided with an Eligibility Mark (a mark out of 100). This mark is made up of the following results:

- 15% of the Eligibility Mark comes from the Examination result;
- 10% of the Eligibility Mark comes from the MPR;
- 70% of the Eligibility Mark comes from the EP;
- 5% of the Eligibility Mark comes from completed years of service at rank.

Business rules also allow for a proportion of a candidate's ranking to be determined by tertiary qualifications.

• **Promotions List**

Based on their Eligibility Mark, candidates are placed in mark order on the promotion list for the following year. Candidates can remain on that list for up to three years. As new candidates are added in subsequent years, the ranking is readjusted (i.e. new candidates are placed on the promotions list based on their Eligibility Mark, which may cause candidates already on the list to move further down the ranking). The list is published on the NSW Police Force intranet site and is accessible to all employees.

• **Filling positions**

In the first instance, vacancies at Sergeant and Inspector rank are filled via the mobility/lateral transfer process. If this process does not identify a suitable candidate, then the position will be offered to the highest ranked candidate on the list. Offers are conditional on candidates being cleared on both integrity and medical grounds. An officer who declines the position offered to them will not be considered for another position at that rank from the same advertised round and can potentially be suspended from the promotion list for up to three months.

The Commissioner is able to appoint any officer on the promotions list to a vacant Superintendent position, regardless of their ranking, following a selection process.

• **Other Issues**

» ***Flexible work agreements***

All vacancies advertised to candidates on the promotion list (all ranks) are full-time unless otherwise indicated. The current system requires that anyone seeking to work part-time must negotiate such an arrangement with the Commander prior to submitting for the advertised vacancy. This issue is explored further in Chapters 3 and 4.

» ***Officers who have achieved maximum medical improvement***

Officers who have achieved maximum medical improvement status may only apply for vacancies that have been advertised as "May be suitable for officers who have achieved maximum medical improvement."

» ***Specialist qualifications***

Where a qualified officer is not available for a position requiring specialist qualifications, the vacancy will be re-advertised to candidates on the relevant promotion list. The promotion may then be offered to a candidate indicating that they are willing to obtain the relevant qualifications. Under certain circumstances, the Commissioner may promote a candidate from outside the promotions list to a specialist position.

2.4 Conclusion

As this description of the current promotions system demonstrates, the NSW Police promotions system has undergone considerable and complex reforms. The key aims of the reforms were to ensure the process was fair, merit-based and was underpinned by integrity and transparency. Further, the modifications were implemented to ensure the best candidates were promoted to leadership roles, thereby strengthening the capability of the Police Force.

The reformed promotions system has now been in operation for some 12 years. It is timely to reflect on the views and experiences of those who have had direct experience with the promotions system to understand whether the reforms continue to deliver the desired outcomes for the NSW Police Force.

Chapter 3: The call for change

3.1 Introduction

As noted in the Introduction, the overwhelming view from those police officers who participated in the Review was that the promotions system contains a number of defects and shortcomings and needs change. The participants provided a number of commonly agreed reasons to support their view. They commented, for instance, on how the current system impacted adversely on their decision to seek advancement in the organisation. They also commented on their confidence in their supervisors who had been promoted under the current promotions regime.

The Review Team gathered data from a diverse range of NSW police officers, all of whom welcomed the opportunity to share both their experiences of the current system and provide suggestions for its future development. The following discussion identifies the key themes that emerged from the focus groups, interviews, written submissions and the online survey.

3.2 It is time for a new promotions system

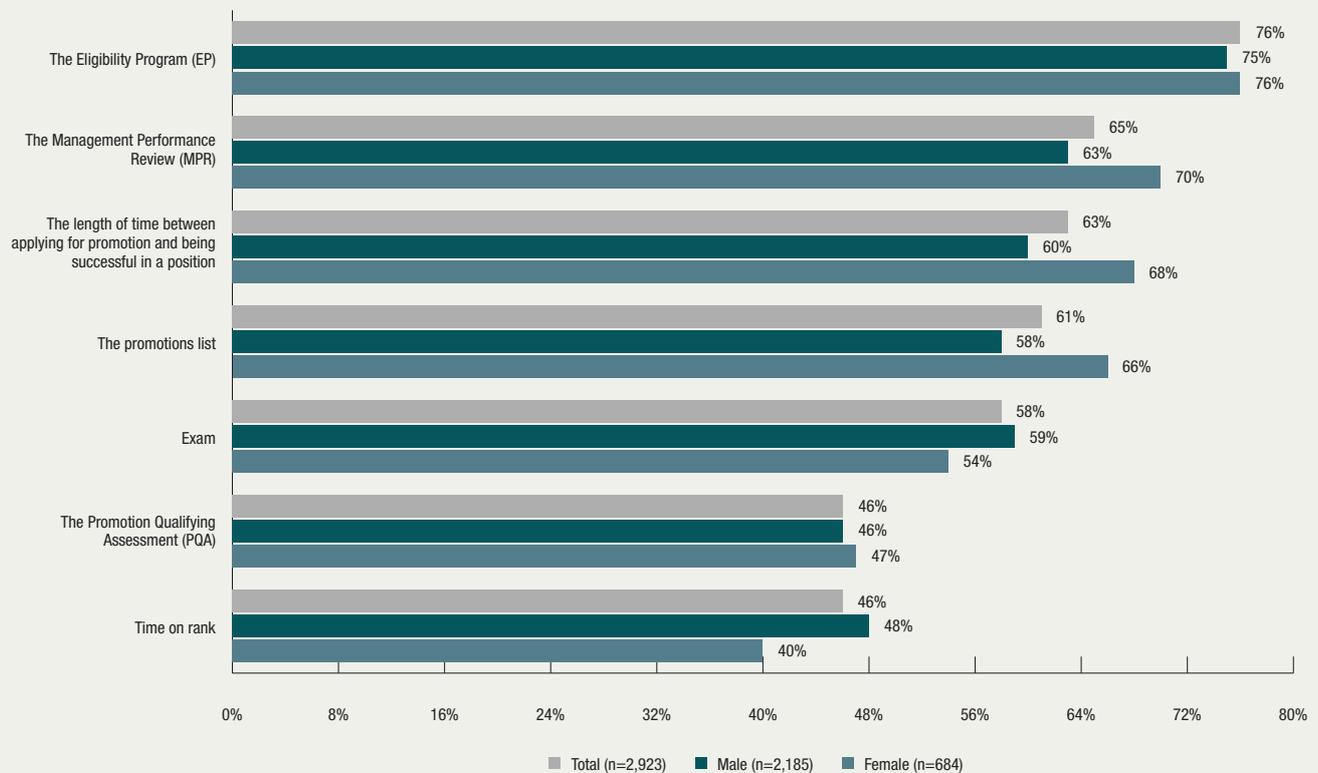
Participants to the Review recognised that the current promotions system had been designed to address specific concerns. However, there was near universal agreement that the needs of the NSW Police Force have shifted significantly in the past 12 years and that a change to the promotions system is now required. The following section provides the results of the online Survey to support this view.

3.2.1 Results from online Survey

An overwhelming 90% of police officers who responded to the survey agreed or strongly agreed with the statement 'the promotions system needs reform'. Only 14% of Police Officers that responded to the survey agreed or strongly agreed with the statement 'the promotions system is fair and equitable for all employees', and only 5% agreed or strongly agreed with the statement that 'the NSW Police Force appoints the best person to the role'.

Police officers who agreed that the promotions system required reform (90% of police officers who responded to the Survey) were asked which aspects of the promotion system they believe required reform. A list including seven aspects of the promotion system was presented. As can be seen in Figure 1, approximately half to three quarters selected each of the seven aspects suggesting dissatisfaction with the system overall. The Eligibility Program was the most common aspect selected as in need of reform at 76%.

Figure 1: Aspects of the promotion system perceived to require reform



Question item – Q4. Which of the following aspects of the promotions system, if any, do you believe need reform?

Base: All police officer survey participants who agreed the promotions system needs reform.

The survey asked police officers two open-ended questions about the promotions system: to identify aspects that worked well and to identify what a ‘good’ system should look like. When asked what aspects of the current promotions system worked well, 17% of the police officers who responded to the survey stated that nothing worked well and 31% stated they were unsure. The main two aspects of the current system cited as working well were the exam (12%) and the Promotion Qualifying Assessment (12%). Just 5% believed the MPR worked well and 5% believed the Eligibility Program worked well.

The survey also revealed that a significant proportion of police officers are not confident they will be able to progress to their desired level of seniority.

Police officers were asked about their aspiration for promotion within NSW Police Force. Three quarters (77%) indicated they were keen to progress their career through promotion whilst at NSW Police Force. Reasons provided amongst those not wishing to progress beyond their current rank (11%) included:

- no interest in the roles (26%);
- perception that the promotion system is too long or time consuming or stressful (17%);
- perception that the promotion system is too biased (14%);
- a dislike of the current culture and / or work environment (14%);
- perception that the promotion system won't recognise abilities and/or experience (13%);
- a need to work different hours or relocate (12%); and
- a lack of financial incentive (11%).

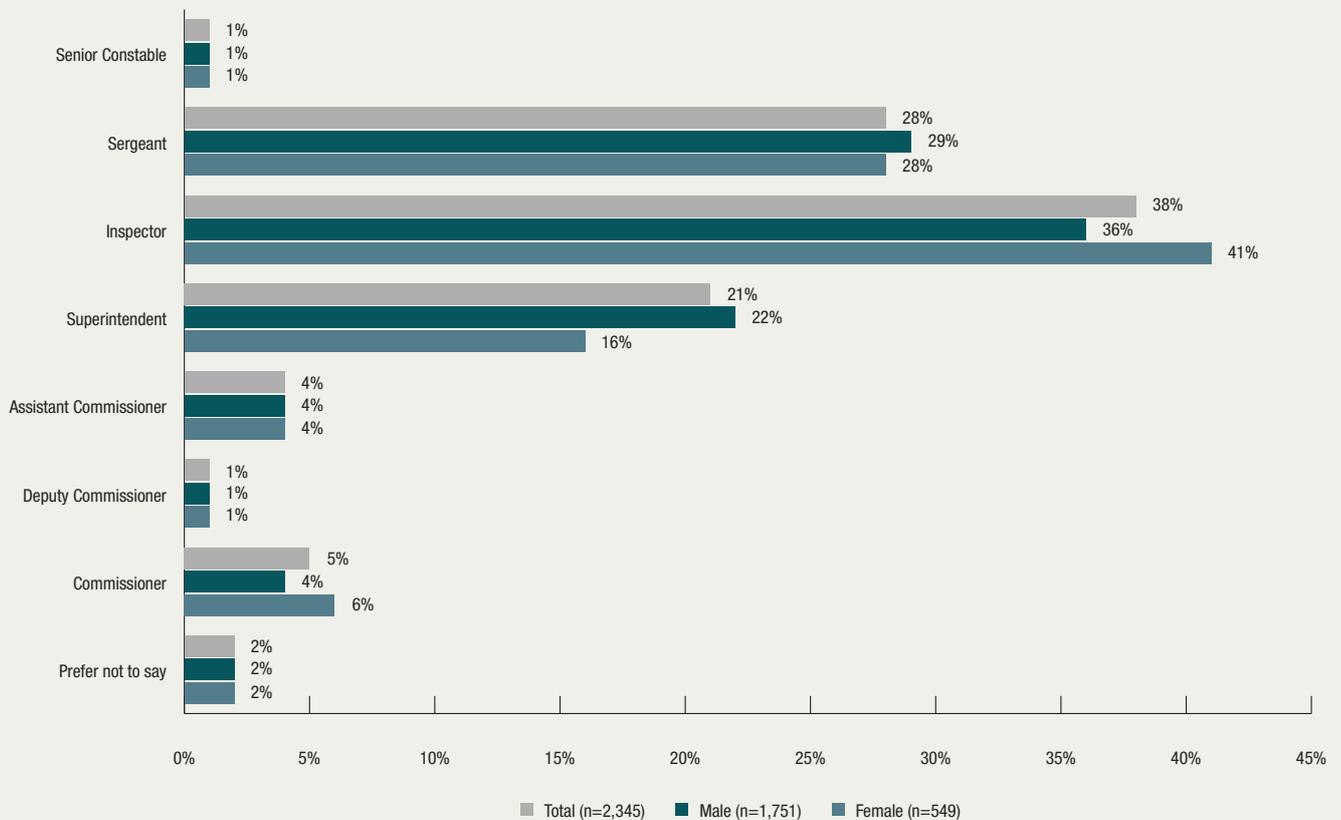
As outlined in Figure 2, the survey revealed that the majority of police officers wish to progress at least to the next one or two more senior ranks. For example:

- Among Probationary Constables and Constables, 47% were keen to progress to Sergeant level, 18% to Inspector and 11% to Superintendent;
- Among Senior Constables, 34% were keen to progress to Sergeant level, 39% to Inspector level, and 17% to Superintendent;
- Among Sergeants, 54% were keen to progress to the Inspector level and a further 29% to the Superintendent level;
- Among Inspectors or above, 54% were keen to progress to Superintendent and a further 26% to the Assistant Commissioner level.

There was limited indication of a desire to progress beyond the Superintendent level, suggesting an acknowledgement of the very limited number of available positions beyond this rank. There were no significant gender differences across the levels of rank men and women aspired to reach.

Those who indicated they did not wish to progress beyond the rank of Superintendent (10%), were asked to provide reasons for their decision. The two main reasons provided were a lack of interest (33%) and their age or perceived time remaining in their police career (12%). Males were significantly more likely to report a lack of interest (38%) compared to females (20%).

Figure 2: Rank aspired to



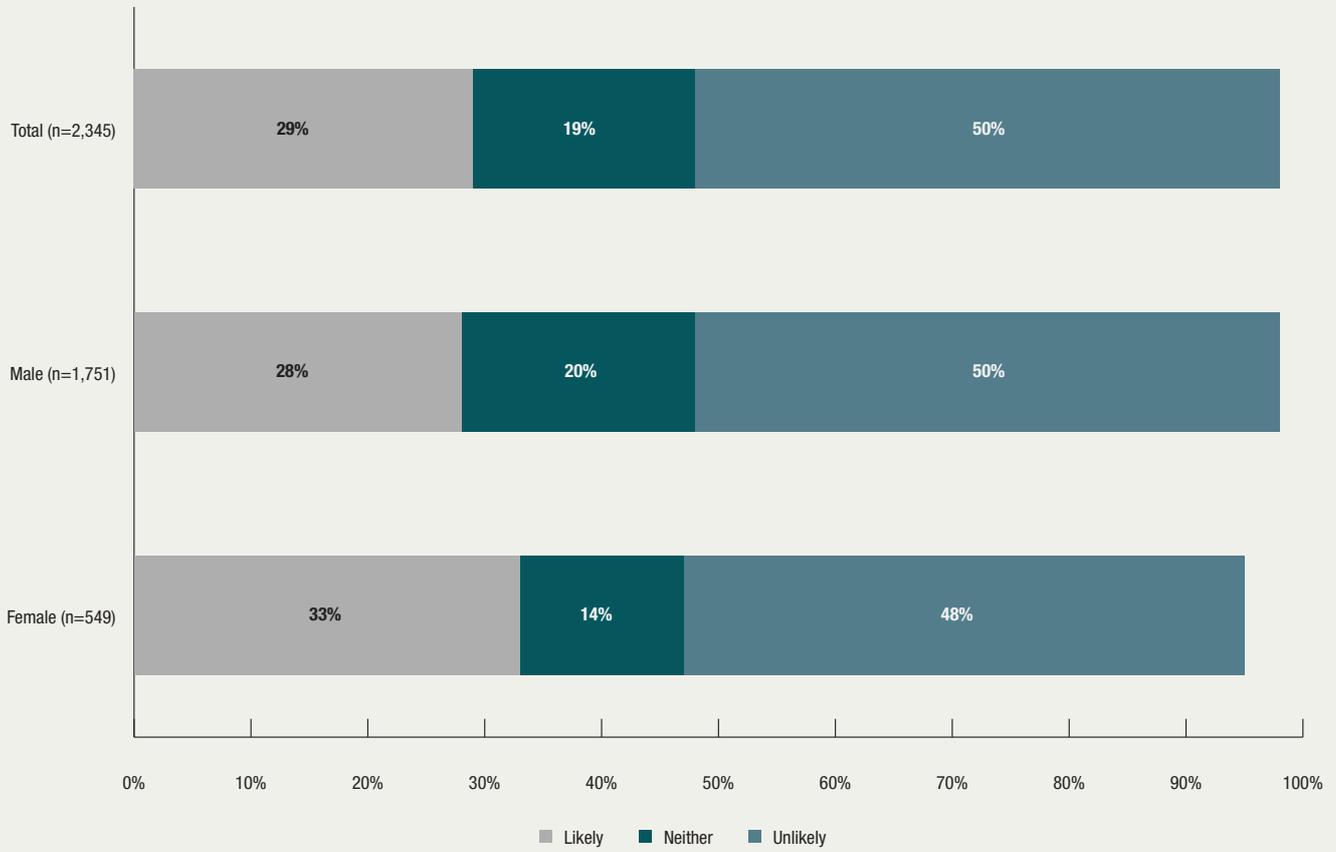
Question item – Q7. What is the highest rank you would like to achieve within the NSW Police Force?

Base: All police officer survey participants wanting to progress via promotion.

Figure 3 shows responses to the survey question that asked police officers whether they believed that they would achieve their aspired rank. As can be seen, approximately three in ten (29%) believe they will be successful in their aspiration. Notably, half (50%) believed that it is unlikely. When looking at demographic differences, respondents who are Indigenous, have a disability, single parents, non-operational officers and respondents aged 40 years or over were all significantly more likely to not believe they will achieve their aspired rank. There were no gender differences for these results.

When asked whether they believe they will achieve their next promotion within the next five years Figure 4 reveals a very similar pattern of results.

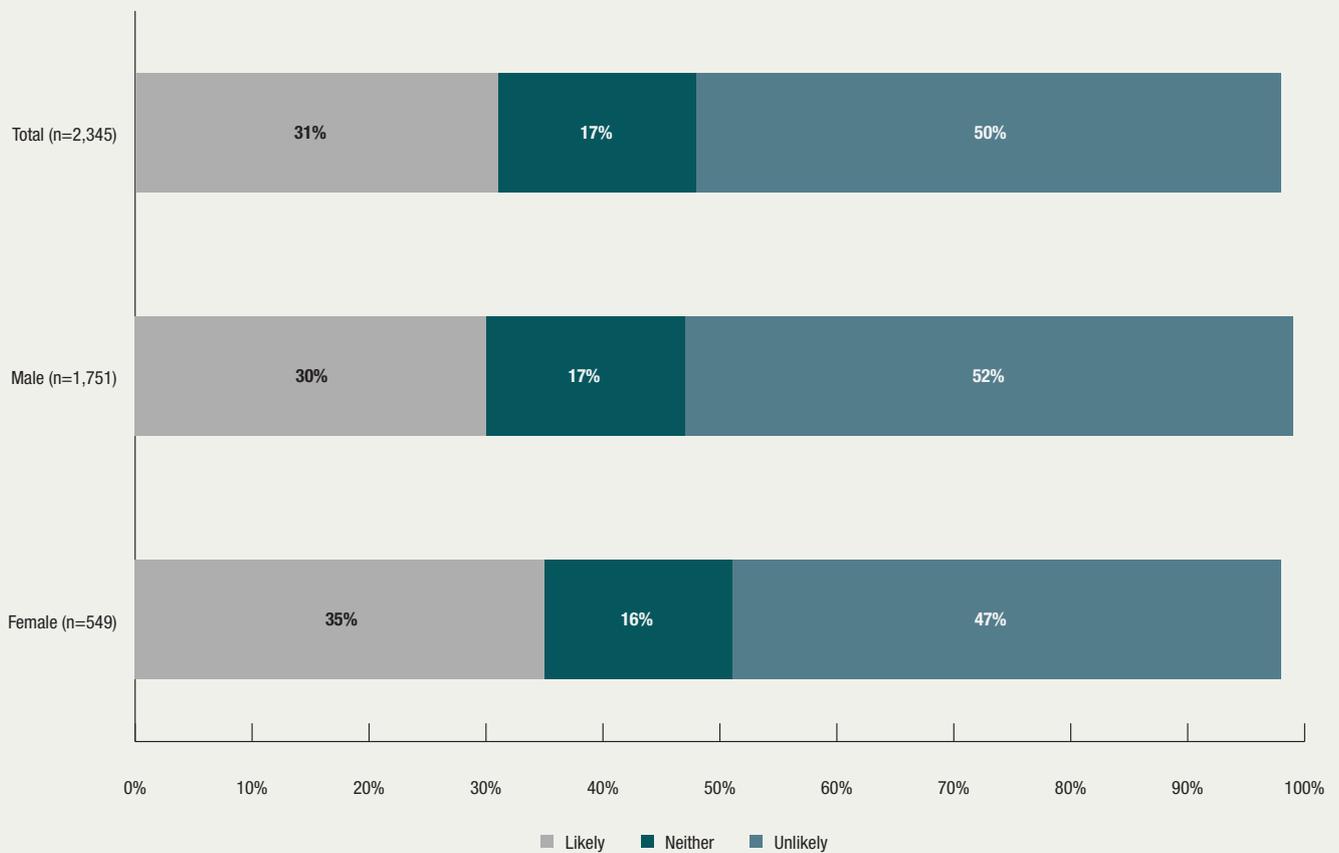
Figure 3: Belief that aspired rank will be achieved



Question item – Q8. How likely or unlikely do you think it is that you will be able to achieve your desired progress to higher ranks in the NSW Police Force?

Base: All police officer survey participants wanting to progress to a higher rank (% agree) via promotion.

Figure 4: Belief that next promotion will be achieved in the next 5 years



Question item – Q8a. How likely or unlikely do you think it is that you will achieve your next promotion in the next five years?

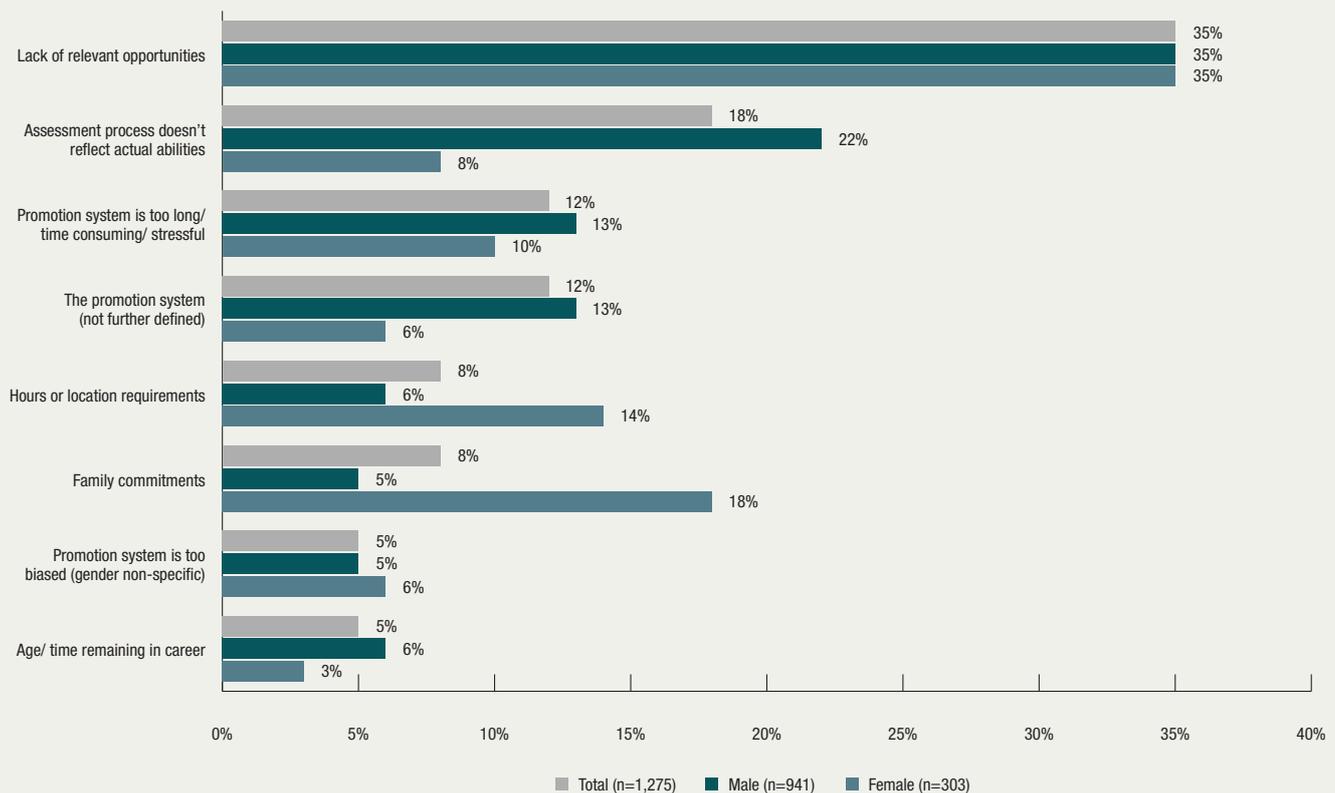
Base: All police officer survey participants wanting to progress via promotion.

Those who indicated they were unlikely to achieve their next promotion (n=1287, 50%), were asked their reasons via an open-ended survey item. The main reason provided was a lack of relevant opportunities arising – cited by 35% of respondents. Other reasons included:

- a perception the assessment process did not reflect actual abilities (18%);
- the promotions system is too long, time consuming and / or stressful (12%);
- the promotions system in general (12%);
- the hours or location requirements (8%); and
- having family commitments (8%).

Female police officers were significantly less likely to report the assessment process does not reflect actual ability (8% compared with 22% of men). However, female police officers were significantly more likely to suggest hours and/or location requirements (14% compared with 6% of males) and having family commitments (18% compared with 5% of males). The results are presented in Figure 5.

Figure 5: Reasons for indicating 'unlikely' to achieve aspired rank



Question item – Q9. Why do you think it is not very likely that you will be able to achieve your desired progress to higher ranks in the NSW Police Force?

Base: All police officer survey participants who think they are unlikely to progress to their desired rank.

In relation to the factors considered to enhance promotional opportunities, 53% of police officers who responded to the survey agreed or strongly agreed with the statement 'police officers need significant and recent field/general duties experience to get promoted' (no gender differences). It is noteworthy that Probationary Constables/ Constables were most likely to agree with this statement (72%), and Inspectors or above were least likely to agree (39%). Those in non-operational duties were also less likely to agree (42%) compared to their counterparts in operational roles (53%).

Police officers were also asked about the perceived barriers to career progression. Many of the reasons cited, point to flaws in the current promotions system, in addition to problems in the culture in which the promotions system operates. In the survey, police officers were asked to agree or disagree with a list of potential barriers to career progression. As there were 16 barriers presented, these have been broadly grouped as follows:

» **Not having time to study for the assessment tasks**

- Too much focus on rote learning instead of work-based performance (85%);
- Promotions system is geared towards those who have time to study on the job (82%);

- Not having enough time available to study for the necessary exams (69%); and
- Having to use leave to study for exams (59%).

These statements are all focused around having time to study and had the highest levels of agreement across all the barriers presented. There were no gender differences in the levels of agreement for these barriers.

» **Personal factors**

- Family or caring commitments (55%);
- Relocation (50%);
- Unequal access to relieving opportunities (42%);
- Your gender (16%);
- Your race or ethnicity (4%); and
- Your religion or religious affiliation (2%).

Family or caring commitments, relocation and access to relieving opportunities were mid-range in terms of their levels of agreement. The other three personal factors had the lowest levels of agreement of all 16 statements.

Female police officers were significantly more likely to agree with family or caring commitments (76% compared to 48% of males), relocation (65% compared to 45% of males), unequal access to relieving opportunities (50% compared to 39% of males) and gender (38% compared to 8% of males).

» **Perception that promotion is more achievable depending on role**

- Promotions system is geared towards detectives (44%);
- Promotions system is geared towards Police Officers with recent field and general duties (GD) experience (33%); and
- Promotions system is geared towards specialists (33%).

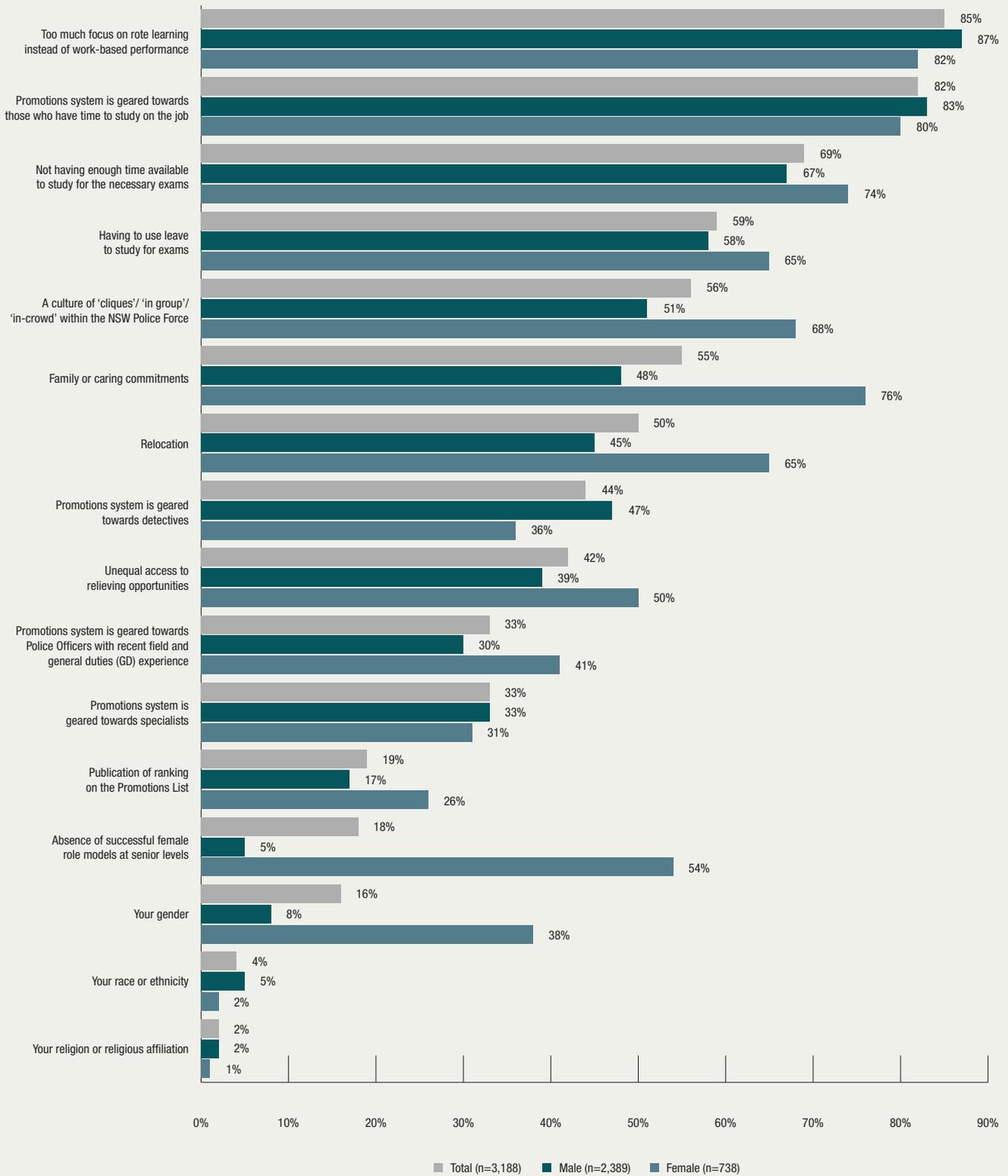
These barriers were in the low to mid-range in terms of levels of agreement. Males were more likely to agree that the promotion system was geared towards detectives (47% compared to 36% of females). Conversely, females were more likely to agree that the promotion system was geared to police officers with recent field experience (41% compared to 30% of males).

» **Other perceived barriers**

- A culture of 'cliques' / 'in-group' / 'in-crowd' within the NSW Police Force (56%);
- Publication of ranking on the promotions list (19%); and
- Absence of successful female role models at senior levels (18%).

With the exception of the first statement in this group, these barriers attracted lower levels of agreement than other barriers when examined by overall results (i.e. men and women combined). However, interestingly females were more likely to agree with each of these statements compared with males (in order of the list above: 68% compared with 51%, 26% compared with 17% and 54% compared with 5%). These findings are set out below in Figure 6.

Figure 6: Perceived barriers to progression at NSW Police Force



Question item – Q10. Please indicate how much you agree or disagree that the following are potential barriers to your progression?

Base: All police officer survey participants.

The results from the survey data were supported by much of the qualitative data, that is, the many comments police officers provided to the Review Team.

3.2.2 What we heard

3.2.2.1 The promotions system as a whole

Through focus groups, individual interviews, written submissions and opinion provided in the survey, police officers across a range of ranks, provided numerous comments on and shared a range of experiences with the promotions system. Overwhelmingly, the qualitative data indicated a strong dissatisfaction among police officers with the current promotions system. Comments from police are categorised under the following headings:

» **“The promotions system is broken”**

A common refrain was that the promotions system is “defective”, “unfair” and undermines the capability of the Police Force by not always ensuring the best candidate is promoted. Comments included:

The promotions system is the biggest issue that the Police Force is facing. People resign because they can't get a job despite being an outstanding officer.

The promotions system undermines capability, performance and innovation.

There is no single, obvious solution, but we have to do something now so that we reap the benefits in five or six years.

I think it's made us go backwards. We are not getting the best officers – those with the hands on experience, [those] who've been excellent police.

I learnt nothing from this process and I have no idea how to improve myself if I were to do the process again.

I have effectively been made 'redundant' given my inability to get promoted.

Irreparable damage has been done [to my attitude to policing]. The organisation has asked me to make sacrifices to reach certain benchmarks in the promotion system, I reached that benchmark, only for the opportunity for promotion to be removed.

When I tell my friends in private enterprise and other government departments the process we have to undertake to get promoted they can't believe it. They can't believe that it takes over 18 months from start to finish to get onto a promotions list. Then you need to wait for a job. It gets more complicated at the Superintendent level. You go through the process and get onto the list, which is no easy feat. Then it comes down to a “captains” pick by the Assistant Commissioner convening a panel.

The interview process needs to be looked at...like will always select like.

» **“The promotions system is onerous and...too long...It’s impact has not just been on me, but my family as well.”**

The Review Team was frequently told of the undue length of time the promotions system takes and the impact of the process on individuals and families. The Review Team heard:

The current system is intrinsically flawed as it is better to fail and try again than to pass and be stuck on a list for three years and not be able to get a job. If failure is an option then something is wrong. Currently, it takes 1.5 years to get on the promotions list and you could be on the list for three years and still not get a job. If you are not ranked high enough it could be another five years before being placed on the list again. Yet if I deliberately failed during the EP, I could be [back] on the list within 1.5 years.

The length of time you are on the promotions list needs to be amended. The process takes 18 months between commencement and completion...Then you are on the promotions list for 3 years. This is 4 years and 6 months [and] if you are unsuccessful in obtaining a job from the list, then you have to start the process again. There needs to be some way to remain current without having to redo all or most of the process.

Police officers also reported that the time required to study for the exam can have a significant impact on work and family commitments and take a personal toll:

My family life suffered tremendously whilst I studied for the various exams and EP etc. and that is time that I will never get back with them. All my effort and heartache has been for nothing.

Studying and going through the exam I thought I would admit myself to a mental hospital.

The toll it took on me and my family... I would never do it again.

I had to take significant amounts of annual leave on each occasion, but still needed my wife to take on extra responsibilities around the house whilst I was ‘out of action’ preparing. It would be extremely difficult for single mothers or fathers.

Absolutely emotionally devastated by the current promotions process...After taking a promotion ... I moved away from my family on weekdays ... for work. During this period away I attempted the ... Exam ... in order to get promoted...[and] to reside with family full-time. I ... was placed on the ... Promotions List in the position of [number] of a possible 160. ...I am of the belief I have little or no chance of being promoted ...when the next candidates move on to the ...Promotions List. At this rate, it is likely I [will be] removed from the list after 3 years.

» **“The system does not test for the most relevant capabilities. You succeed if you can rote learn.”**

Many participants commented that the promotions system fails to take into account candidates’ most relevant experience and capabilities, creating the risk that individuals are promoted largely on their ability to complete the promotions system’s tasks successfully (e.g. memorise large quantities of information, participate in role plays and present persuasively), rather than their capability as a leader. This in turn means that emerging leaders may be overlooked. The need to rote learn was considered both onerous, because of the considerable amount of time required to study, and also irrelevant to the day to day expectations of the policing role. Participants commented:

People can go through the whole system without considering whether they can do the job. There is no test on whether you can do the job.

There is a reliance on online testing and examinations, rather than operational experience, knowledge and leadership qualities. Too many people get promoted because of an exam result and they turn out to be hopeless leaders.

Many aspects of the promotions system are just testing someone's ability to vomit up information that they have memorized.

[To create an optimal promotions system] we need to first understand what we really value – a diversity of views or those who just follow the rules of their boss.

We need to look at someone's potential. Everything in the cops, including the promotions system, is retrospective.

I am not great at exams but I am great in the field ... but I don't know that it will count for anything in the system we have.

» **“One of the problems is that we select for a rank rather than a role.”**

Strong objections to the rank-based (rather than role-based) nature of the system were frequently raised by participants. They commented that:

People take jobs that they have no interest in, because if they don't they miss out on a promotion. It's hard on morale if your Sergeant doesn't want to be in GDs and has only taken the job to get the rank.

We call them Harvey Normans – 2 years, no interest. What I mean is – they take the job to get the rank, they have no interest in the specifics of the job, then they move on at the first opportunity.

It's a rank-based, not role-based system. It means that people will accept any role to secure a promotion. So we are getting people, a) that don't really want the role and b) aren't very good at it. That sort of system cannot be good for any organisation.

» **“We are not testing for leadership.”**

One of the stated aims of the promotions system was to strengthen professional development as a gateway to promotion. From the Review Team's consultations, it is apparent that many NSW police officers are actively engaged in professional development. This ranges from participating in education and development activities at a local or state-wide level through to completing additional post graduate qualifications.

Despite this the majority of the participants felt that there was insufficient focus on leadership development within the NSW Police Force and, in particular, were frustrated that leadership development is often made available to officers after they have achieved the next rank, rather than being embedded over the life cycle of an officer's career. Many felt that this was a missed opportunity to build emerging leaders at rank, rather than relying on the promotions system as a pathway to leadership.

As such, many participants called for a stronger focus on capability, leadership development, professional development and performance feedback across the lifetime of an officer's career, with a particular emphasis on providing leadership and management training *before* a person is promoted to the next rank. Among the comments to the Review Team were:

We have created an organisation that doesn't promote or reward leadership or innovation.

We don't link leadership to capability and this is obvious from our promotions system.

There is nothing that assesses your leadership ability. We just don't seem to value that as part of being promoted.

[There should be] recognition and targeting of leadership talent in a transparent and corruption resistant process.

The system is trying to identify the candidates that are capable to fill the position not people with leadership qualities.

The importance of leadership is examined in further detail in Chapter 4.

» **“Because everyone knows who is on the list, everyone will see that I’m not going to get a promotion.”**

To a small number of participants, the list or ranking was a positive:

I would say overall what I thought was the best thing was getting ranked from 1 – whatever. This ensures that there aren’t any playing favourites when people are competing for jobs.

I believe having a [ranking] system works well as it removes the notion of favouritism and cliques.

However, for others the public nature of the eligibility list, where candidates are ranked according to how they perform and the list is then posted online, can be humiliating and demoralising. This is particularly the case if a candidate is placed towards the end of the list (and therefore unlikely to gain a position) or they are omitted from the list completely. The Review Team heard:

I just feel like I wander around here with [my number on the list] tattooed on my forehead.

During my process I was originally ranked [number] on the list. Previous history would have seen me get a position. However, during this process, we were all told there will be no jobs advertised due to displacements. They still continued to complete promotion exams. They added a new intake onto the list and I dropped to [between 80-120]. Due to the lack of advertised positions no person on the list was able to accept any offers.

It is demoralising when you are down near the bottom and everyone knows.

Candidates spend three years on the eligibility list. An individual’s ranking on the list can (and frequently does) change in the second and third years as new candidates are added to pool. After three years, candidates unsuccessful in attaining a promotion fall off the list and have to reapply and go through the process again:

It just doesn’t seem fair that I do my best, take my place on the list, while someone else fails at the exam, comes back the next year and does better and then leapfrogs over me. Now I’m stuck for three years!

We test people when there is not a position for them to apply for.

The ranking system does not work. Police spend a year going through the process to be on the eligibility list but if not ranked in the top 50 or so, stand next to no chance of actually securing a promotion unless accepting an undesirable position. Basing offers on this ranking system makes the majority of successful candidates miss opportunities for promotion.

» **“The way the promotions system is structured gives some officers unfair advantages over others.”**

Many participants to the Review believe that there are in-built inequities within the current promotions system. However, there are strong differences in opinion as to the nature of those inequities. There is a view among those in General Duties that the current promotions system favours those in specialist roles, because of a perception that they have more free time to study. On the other hand, those in specialist roles consider that the current promotions system favours those in General Duties or operational roles. Participants further commented that specific aspects of the promotions process advantaged officers in some roles over others and in certain geographical areas. In addition, participants believed that police in commands who delivered pre-promotion training sessions had an advantage over those who were not offered such training.

The Review Team heard that:

Some of the divisions run special training to get their people through the promotions system. No one in my Command has done anything to help me prepare. How am I supposed to compete with that?

Police working in some corporate and specialist commands have significant coaching and workshops in relation to the current promotions systems. Staff in these areas also consistently achieve higher performance review scores despite significantly less or narrower experience.

I have been an assessor for the sergeants' EP and it is clear which officers have been coached, and those that haven't.

I have been a Sergeant for [over a decade]. The people who I see being promoted are either single females or males with no families. This allows them to make a 24 hour commitment to the NSW Police where other people both male and female with families cannot.

There are definitely more opportunities for people in metro areas than in rural areas.

Some feel that the system tends to favour those who have had recent experience in General Duties roles and therefore can exclude those in specialist roles who seek promotion. At the same time, others believe those in specialist and desk-based roles have more capacity to study as they are not subject to a roster or shift work:

I tell my people that if you want a promotion to Inspector or above, you should move to an operational role. You are not in the running if you are not operational.

The promotions system favours people who are not in busy operational positions. People in non-operational positions have more time to study and proven operational skills and recency are not given enough weighting.

It's much easier for people in the D's offices and the specialist divisions to find time to study for the promotions process. GDs are first responders, we just don't get that kind of time to sit around the station studying.

There is a perception among some officers that "nepotism" can still, on occasion, occur, and cliques exist in the organisation. Nevertheless, many believe that a transparent system of sponsorship is important. Many participants commented that networking, mentoring and sponsorship are key to creating opportunities:

Sponsorship is critical and it shouldn't be a dirty word. Commanders need to identify those people with potential and give them the opportunities to show their authenticity and skills. This is very important to promotions, and for women in particular, who are not often given the opportunities or support.

It is very beneficial if you have ... a sponsor that can advise/provide input.

While I feel like I'm in a better position than some others who might be going for promotion to higher ranks I feel that the lack of a sponsor will impact on [my] ability to be promoted to a higher rank.

You have to know someone or be sponsored by an officer in a higher position [to get promoted].

Bosses hold off advertising until they can get who they want.

[A good promotions system is] one in which Commander's don't have discretion with respect to when available jobs are advertised as this allows for nepotism.

[Getting promoted is] not about operational experience. It is about rote learning, presenting well before a panel and being part of the right clique.

The obvious cliques etc. means that even getting to Inspector rank you require a corporate sponsor basically who will help you ... by giving you increased MPR etc. to get you a better ranking.

» **“With the re-engineering process ... there have been limited opportunities for promotion.”**

Many police officers, both male and female, commented on the impact of re-engineering of the NSW Police Force on the promotions process. Re-engineering is a re-structuring process that has included the amalgamation of Metropolitan and Regional Local Area Commands, the purpose of which has been to provide the NSW Police Force with:

more flexibility to adapt policing techniques and resources to each community in response to its own challenges, rather than a “one size fits all” approach. [It includes] ...a greater focus on rural, regional and remote communities.¹⁴

A number of police officers told the Review Team that they would not have voluntarily entered into the promotions process if they had understood that the number of (Inspector) positions available was about to significantly decrease. Police officers told the Review Team:

There is a long list of people upset and angry with the unfairness of the impact of re-engineering on the promotions list. More specifically, the impact of the continuation of a promotions system that is not promoting people.

In October/November, 2017, even though the re-engineering process is in full swing, no-one ... had the sense to question why so many people are being pushed through the EP process.

I placed [highly] on the 2017 Inspector Promotions List. Obviously, I was delighted that all my hard work had paid off. In my mind, not only would I be guaranteed an Inspector’s job but I would probably get one at an LAC close to home. No sooner had we been notified of our results [I heard of] the Commissioner’s intention to ‘re-engineer’ the Police Force to reduce the number of LACs and the number of Inspectors and Superintendents. That saw an immediate end to the regular practice of Inspectors’ jobs being advertised on the first Monday of each month... I did not have the opportunity to even apply for a single position.

[I] eventually got to a position on the list where I had a realistic opportunity of taking a job. However, at that very time, re-engineering commenced with next to no jobs advertised since.

» **“It’s not uncommon for police, and women in particular, to opt out of the promotions system after one or two attempts.”**

Police officers told the Review Team that being unsuccessful on more than one occasion in the promotions system can impact on their desire to repeat their attempt for promotion. Some highlighted the “demoralising nature” of the system when, after considerable effort during the whole process, they do not succeed in being promoted. The Review Team heard:

It was such a time consuming, arduous and draining experience that I honestly don’t think I could put myself or my family through it again.

It is absolutely heartbreaking and I find it a very hard thing to come to terms with as I believe I possess the skills and experience which would have been well suited to a Duty Inspector.

¹⁴ The Hon. Niall Blair, MLC (representing the Minister for Police in the Legislative Council) in response to a Questions on Notice from the Hon. Robert Borsak, MLC. Parliament of NSW, Hansard, 17 October 2017 and 18 October 2017.

The whole process is ridiculous, far too lengthy, and far too rigorous. I would not be interested in going through this process a second time and prefer to choose not to advance my career.

3.2.2.1 Specific components of the promotions system

As well as commenting on the promotions system as a whole, police shared their views and experiences on specific aspects of that system with the Review Team. These are identified below.

• Pre-qualifying Assessment (PQA)

Almost every participant in the Review had a strong opinion on the PQA. Whilst a number of participants saw some value in the PQA, the majority of participants questioned its usefulness, indicating that it was not an appropriate 'first hurdle' into the promotion system:

The PQA is a good test of general knowledge, and the exam can rank officers.

We should keep the PQA, but it should be pass or fail.

With the current PQA systems etc. the person who is prepared to study during work time and not carry their weight gets promoted. The person with good work ethic and ability who toils away from day to day gets penalised.

At the moment people are ranked based on regurgitating implausible responses to unlikely scenarios and knowledge based exams.

By having a computer test [PQA] and then a written exam, all you are doing is a memory test. The experience of the officer counts for nothing albeit a small percentage.

• Management Performance Review (MPR)

Participants in the Review were generally supportive of the concept of the MPR. They felt that this component of the promotions process at least reflected their 'real world' experience of exercising leadership, solving problems, collaborating with team members and serving the community.

There were, however, significant reservations about consistency in scoring between Commanders. Comments from participants included:

We need to find a way of moderating the assessment (provided by the MPR). Moderation is not well understood in this organisation.

Supervisor comments [should be] removed.

The MPR should be done by an independent panel.

I think putting forward examples of work to fit the competencies is a good idea but there should be an overall "suitability for promotion score" that takes in things such as attitude, personality, worth ethic etc.

There needs to be some interview process or panel to review MPR scores and this process is taken away from the PAC or Squad. The MPR scores are open to manipulation and are often scored based on prior knowledge and relationships rather than what material is in front of the assessor. A framework for MPR scores that takes into consideration more than just one example and that is not burdensome on the applicant and assessors should be instigated.

• The Exam

There were mixed feelings among participants about the exam. Those in favour of the exam focused on its relevance:

[The] exam is necessary to show the person has the knowledge to perform the role, is not influenced by unconscious bias by an assessor and all officers have the ability to learn the required policies via text book or experience. Either way, the exam shows the candidate possess[es] the knowledge required for the rank.

It is a good component. It is studying relevant matters that are useful for me.

[The exam is a] good way to test technical professional knowledge.

I think the exam helps you focus on an organisational wide view of the police force.

Those who had reservations about the exam queried whether performance in an exam was correlated with performance in a real-life situation:

Just because you can do it in an exam doesn't mean you can do it out there in the community when the pressure is on.

Many officers working in the field are suitable to carry out supervisory role[s] based on field experience and not necessarily best at regurgitating legislation and SOPS.

• Eligibility Program (EP)

Similarly, there was not consensus on the value and relevance of the EP.

Some participants felt that it was a useful test of an individual's ability to apply core concepts and to communicate effectively when under pressure. For instance, the Review Team was told:

The Sergeants Eligibility Program is a good tool for assessing an officer's ability to manage difficult and complex tasks which would be relevant to the Sergeant's role. I believe the EP itself is run well.

Many others, however, felt that it didn't add sufficient value to warrant 70% of the Eligibility Mark. Participants in the Review commented that:

The majority of marks are allocated to the EP component. So overall how well someone does on the EP really dictates where they are ranked on the promotions list, if successful.

Get rid of the EP – it is not a true reflection of what a person can do.

Some participants noted that the EP is assessed by a number of different Inspectors who are drawn from unrelated backgrounds, rather than an Inspector who is in the field for which an officer wants a promotion. There is a perception that there is a lack of consistency in how individual assessors apply the marking criteria. This results in many feeling that the EP is not marked fairly and equitably.

Further, some participants reported that police in selected commands are provided with training regarding the EP whilst others miss out, creating an unequal playing field. Participants told the Review:

The lead up or preparation to the EP is extremely varied. Sydney based candidates having training days and mock EP days compared to country police turning up with no idea what they are walking into.

Some Commands have subject matter experts attend and train the applicant on correct responses – this is great for staff that have time but not so great for those who[se] work does not allow this.

Others also were critical of the lack of feedback after completing the EP. According to one participant:

You get no feedback about where you went wrong in the EP so how do you learn?

• The Promotions System and Police Officers on Flexible Work Arrangements

Under the *Part Time Work for Police Officers Policy and Guidelines* and the *Flexible Work Arrangement Guidelines and Procedures* police officers are able to apply to work flexibly. The Review met with a number of police officers, mainly women, who worked flexibly, including part-time. Whilst the issue of flexible work is discussed further in Chapter 4, a key issue emerging from the Review Team's discussions was the challenge for those police officers who worked flexibly or part-time, to be promoted. The Review Team heard:

A lot of women employed as police officers are part-time or on flexible work agreements and undertake set shifts. Predominantly these shifts are to correlate with their children being in some kind of care. On days that the female officers are not working, they predominantly care for their children. It is impossible to study when you have young children and depending on what station and section you work in you may not be able to study at all.

[A disadvantage in the system is] not being able to continue in a part-time agreement if wanting to take a promotion.

A lot of women's life circumstances impact on their ability to adequately and properly prepare for the current promotion process. The current process requires an officer to 'book study'. It is about how much you can remember, not how much you can do a role by actual example. The fact that a lot of women cannot adequately prepare then affects where they are placed on the promotion list... There are a lot of very capable women performing duties in a part-time capacity. The current promotion system is discriminatory against part-timers.

A female officer on a part time agreement is more likely to be "overlooked" and the successful candidate [will be] a male officer.

People who are committed to this career for the long term are discriminated against based on the stage of their life ie, part-time employees, people suffering health, financial or family related issues and caring for elderly parents. These are all the realities of life but we are expected to pretend that we have work as our sole focus and we don't have personal juggles and battles outside.

It is of note that the NSW Police Force is currently reviewing its flexible work policy to enable greater access to flexible work arrangements by police officers. Flexible work is explored in further detail in Chapter 4.

3.3 Suggestions from the field

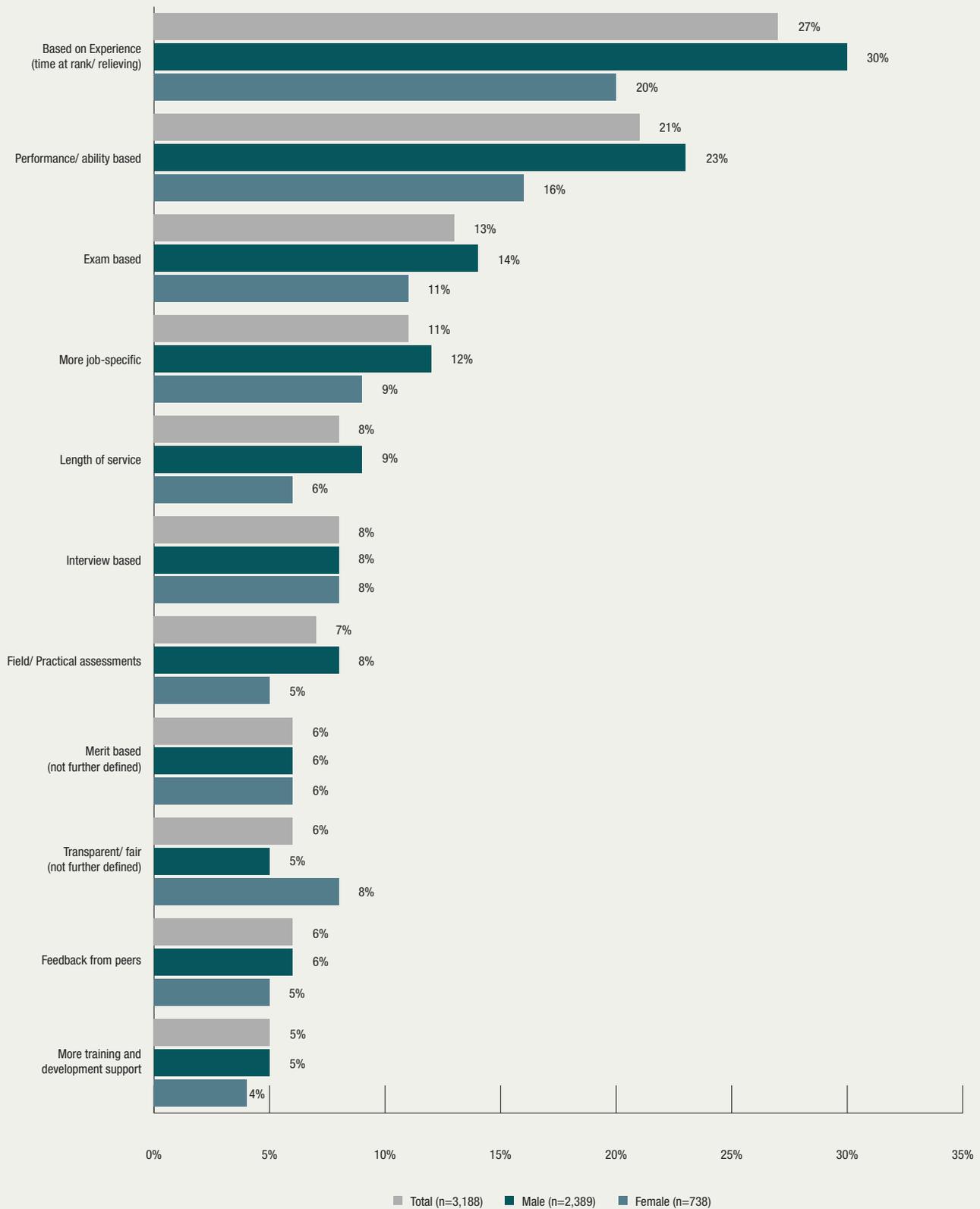
Participants to the Review provided a range of proposals and recommendations for an ideal promotions system. Some called for changes to specific aspects of the system, whereas the majority called for a complete overhaul of the system and the implementation of a completely new process.

Survey respondents were asked for their views on what a 'good' promotions system might look like. Their responses included a system that is:

- Based on experience (time at rank / relieving) (27%);
- Performance / ability based (21%);
- Exam based (13%);
- More job-specific (11%).

Male and female police officers had very similar views with the exception that men were significantly more likely to report 'experience (time at rank / relieving)' and 'performance-ability' based aspects as important features of a good promotions system compared to women. These results are outlined below in Figure 7.

Figure 7: Perceived elements of a 'good' promotion system



Question item – Q10b. What do you think a good promotions system for police officers should look like?
 Base: All police officer survey participants.

Survey respondents who agreed that the promotions system required reform, were asked which elements needed reform. A list of seven options was presented. As identified in Figure 1 approximately half to three quarters selected each of the seven options suggesting dissatisfaction with the system overall. The Eligibility Program was the most common option selected at 76%. There were no significant differences by gender.

Direct comments from police officers to the Review Team and included in the written part of the survey were largely consistent with the survey findings. Few participants were satisfied with the promotions system as it currently exists. However, a small number of participants supported the current system to a degree, believing that few if any changes are required:

Whilst I think we could do business a little better in the NSWPF, overall I think our promotions system, in my experience, is generally fair and does work.

[The process] is orderly and well-advertised and managed. Staff at promotions have always been polite and helpful in my interactions.

The many and varied suggestions for change identified by the vast majority of participants in their written survey comments, submissions, focus groups and interviews indicates that extensive reform is required. Some of their views and ideas are captured in the examples below.

• Assess and recognise performance, work experience and achievement

A greater focus on a candidate's record of performance, their experience on the job and their achievements was highlighted frequently by Review participants as a necessary reform to the promotions system:

[There should be an] assessment of experience, skills, knowledge and personal suitability for the chosen job type.

Progress should be based on experience and skill set rather than exams or interviews.

More weight [given] in the final outcome of the promotion process [to] ... what you do day in and out, operational commitment, capability, performance, problem solving skills relevant to position held of relieving, initiative, inter personal skills etc.

Once officers reach a certain level (perhaps commissioned officers) and have shown they have the necessary skills, select the best and automatically start developing them and have the confidence and checks and balances to select officers for various posts/positions rather than relying on role plays, memory based examinations etc. In some significant companies such as banking, talented staff are identified through a formal process, developed and automatically placed in more senior positions because of demonstrated performance and talent identification not relying on an examination/memory process. Reviews are done by qualified managers who have line control of the staff being assessed.

Senior leaders should be chosen based upon their proven skills in the field, and how they present in an interview situation. Even something similar to a drive-along experience whereby the officer is actually assessed in real time, out in the field, would identify better leaders than the current exam-based system.

Policing is something you can't learn in a book, you need operational experience. Relieving and obtaining experience at a senior rank again should hold significant weight [for] being promoted into a position, where the applicant has relieved in... [The] fact that some have got 100% in an exam, does not recognise the individual's leadership potential and operational experience ... What I feel would be a fairer system [is] to promote individuals that have shown leadership and superior operational skills.

I believe that there needs to be greater emphasis on officers actually being [competent in the job] they are applying for. I believe recency and relevance to the position applied [for] needs to be given greater weight to an officer winning a promotion.

We need ...a system that actually recognises people's experiences, their skills, what they can or can't do, supported by supervisors as referees...

If we are to promote people on merit, then work performance, skills, must be considered. Also, there needs to be demonstrated proof of experience in the job that is being applied for.

• Test for leadership and management skills

Many participants were strongly of the view that the promotion system should place greater emphasis on leadership and management skills. They told the Review Team:

[There should be a] process which ranks a person not just on their knowledge of policy, experience etc. but one that judges a person on their personal and leadership skills.

[There should be] recognition and evidence of performance, knowledge and leadership within the role applied for.

[Testing should include] less on legislation and more on people management. Legislation can be looked up at a later stage. We also have specialist commands who can give advice on legal matters.

We have so few good people managers – they are an exception rather than the norm.

Focus on capabilities. A huge proportion of these would be on managerial and leadership skills, problem solving, critical analysis, communication, professional agility.

There should be 360 feedback on promoted officers after 4 or 6 months and if the staff do not feel the promoted person is a good fit, they should be moved or put back to the lower rank until [another] suitable position is found.

Assess people on what they can do – not how long they have hung around.

• Appoint to a role not a rank

There was strong endorsement to select people for a role, not a rank. For example, the Review Team heard:

I think testing for individual sections would help. Have a detective's exam for people wanting promotion as a detective. Have the same for highway patrol [HWP], GD's and all the other specialist sections. A HWP Sgt does not need to know the complete bail reform process just as a Detective Sgt does not need to know the full process of domestics etc.

The process should be more job focused, experience based and demonstrate or nurture and enhance good leadership qualities rather than focusing on the ability to study hundreds of pages of law/procedures etc.

• Time at rank and "recency"

Time at rank and "recency" in a role attracted significant commentary, with many arguing that greater weighting should be given to time at rank:

Increasing time at rank to minimum 5yrs at rank, and 5yrs within specialist field to be eligible to be promoted to position within the specialist field, i.e. need 5yrs at rank (so minimum 10yrs in job for S/C) and if [you] want to be a D/Sgt or Prosecutor Sgt or similar, must be Designated or completed Prosecutors Program for 5yrs.

Hours served in operational positions [should be recognized]. People who are trained in the field. Highway for highway, D's for D's, GD's for GD's.

You should not be allowed to attempt to gain promotion for a role in which you have no recency.

Minimum of 10 years on the truck and unable to sit exam if been off the truck for more than 3 years. CMU staff ineligible for promotion to GD supervisor if more than 3 years off the truck. Less academic skill and more real life policing experience.

Others, however, felt that there should be less emphasis on time at rank and more emphasis on leadership and management capability:

The current process focuses on being an expert police officer. We have a rank for that – it's leading senior constable. We need to focus more on what we actually want each rank to do – supervise people (sergeant), manage people (inspectors) and manage people and budgets (superintendents).

Generally [time at rank] is a very deeply felt issue among police...I understand that time at rank [adds to the experience and credibility of the candidate if promoted]...However, having joined later in life, with experience in various fields, I believe that I had the intelligence, maturity and capability to operate at Sergeant level well before I was able to apply for the rank.

• Tertiary qualifications

Many participants felt that the existing system gives insufficient weight to tertiary qualifications:

Academic qualifications should mean something. At the moment they don't mean anything.

I strongly believe that external tertiary qualifications should be given much more weight than they currently are. ... I believe they should be a 'gateway' at certain ranks. In my opinion, no person should be able to be promoted to Inspector without a bachelor degree. Superintendent promotions should require a minimum of a post graduate diploma and no person should be able to achieve SES status without a masters' qualification... The organisation is hopelessly under qualified. Equivalent senior positions in the private sector are routinely held by persons with post graduate qualifications. We should be encouraging leaders to upskill and to do this independently of the organisation.

• General Comments

A range of general comments provided by police officers also included suggestions on how to reform the current promotions system. These comments included giving favourable consideration to candidates with tertiary qualifications, providing more leadership and development training, reducing the numbers participating in the system to fit the number of promotions available, removing disincentives to pursue promotion, ensuring relieving is a consideration for promotion and overhauling the whole process so that it is one of application and interview. A snapshot of the comments is set out below:

» **Develop a Capability Framework**

[The system should include a] leadership development program, CV/Portfolio, Application, Interview. All linked to the Capability Framework.

» **Assessing candidates**

You do need a culling process. Years of service for the various levels should be maintained in order to gain necessary experience. A general computer-based exam once should be used. From there applications that address the requirements of the job followed by genuine interviews which include a true independent on the panel.

Written answers on the exam GONE; More marks for time at rank; MPR's only should have to be completed ONCE; Less time on the list allowing others to have a go; More technology used during the EP to make it more real and not an acting audition (better still scrap the EP all together).

The [new promotion process] should recognise qualifications – internal and external, and marks awarded re same; (recognise) marks awarded for actual time relieving at that rank and the types of duties; [use a] Duty Book style proof of attending particular jobs, etc to demonstrate skills in the field; [and] abolish the emphasis on examination.

A standard promotions process should contain field and competency assessments where they are assessed with a redress system if they do not agree with their assessment... Field assessments are more relevant to the duties being performed than participating in scenarios under controlled and contrived conditions.

» **Reintroduce interviews for all promotions**

The current system should be used to generate an Eligibility-list for certain jobs, then an interview panel convened for merit-based selection of the best candidate from that E-list.

Any interviews should have externals [on the interviewing panel] with a serving police officer for technical skills.

[The process should be] similar to Defence. Successfully complete required promotion courses. Successfully complete technical examination. Written application. Interview for position. References.

» **Model the process on GSELA**

I believe for Sgts it should be a mixture of a professional/technical exam and then a GSELA style process, whereby officers apply for roles they believe they are suited and equipped. For ranks above, I believe it should be behavioural interview and capability assessments – GSELA process whereby staff apply for a role that they have the capability to perform in.

» **Identify and develop leaders**

We need to be developing our leaders early, giving them the skills to properly lead and promoting them as good leaders.

There is so much leadership potential [in the Police Force] but we are not harnessing it. We need to be providing leadership training and development opportunities early in a police officers' career, and then be testing them on those skills when they go for promotion.

[There should be] a system where officers are identified for promotion by their ability and skills and then mentored and developed for placement into specific roles.

» **Make the process shorter**

The promotion system needs to be much shorter from start to finish. It should not be a war of attrition. It needs to focus far more on leadership skills and abilities, particularly for promotions at the rank of Inspector and above.

» **Support for those who do not secure a promotion**

Not everyone that wants a promotion will get it...Perhaps some corporate assistance to help people accept this without destroying them, by highlighting the fantastic contribution they can still make without the higher rank.

» **Remove financial disincentives**

There also needs to be an incentive for an individual to apply for promotion. For example, a 20 year senior constable with a wealth of knowledge and experience will take the same exam and lose 15K a year to become a sergeant.

3.4 Findings and Conclusion

This Chapter highlights that there is much dissatisfaction with the promotions system among members of the NSW Police Force. There is strong momentum amongst the workforce for change. There is much uniformity in the reasons for this dissatisfaction. In particular, police officers describe the process as onerous, taking a considerable personal and family toll, not always guaranteeing that the best candidate will be promoted, and lacking fairness. The Review Team believes that the current promotions system has a considerable negative impact on morale among police officers.

Our research indicates that the organisational and personal cost of the current system is very high in relation to:

- The system's capacity to promote the best officers and emerging leaders to positions to which they are well-matched;
- The medium and long-term implications for retention; and
- The wellbeing of individual officers.

The Review Team found a range of possibilities on how best to improve the process of promotion in the Police Force. The Police Commissioner has established an expert group, the Promotions Review Steering Committee, comprising members of the Police Force and officials from the NSW Police Association. This Committee is charged with developing a new promotions system that would better serve the organisation and individuals. In developing that model, the Review Team suggests that the group takes a number of steps to ensure a new promotions system is in place by 2020. These steps are detailed in the Principles and Recommendations section.

The following section, Part B, will examine the specific impact of the promotions system on women and those cultural barriers that inhibit women from progressing through the ranks to leadership and senior roles.

PART B

Chapter 4: Gender, the promotions system and career advancement: structural and cultural factors

4.1 Introduction

Women have been an integral part of the NSW Police Force for over a century. Throughout those 100 years, women's participation in the NSW Police Force resembled women's participation in the public realm more broadly: for the first 50 years of women in policing, female officers were employed as "Special Constables", numbers were small and there were particular barriers that limited women's participation and contribution.

There were just two women recruited in the first intake (from some 400 applicants). Those women, and those who followed them, are rightly lauded as pioneers, embracing the opportunity to serve the people of NSW through a role in policing.

By the mid-1940s there were a total of 36 female police officers, and the numbers kept slowly rising through the decades. Things shifted significantly in 1965 when the legislation governing police employment conditions (such as wages and police powers) was modified such that female officers secured similar conditions to their male counterparts.¹⁵ At that time, a separate specialist 'Policewoman's Branch' was established; this remained in place until 1981, when women were assimilated into most areas of the NSW Police Force.

Today, female officers are integrated into every Command and represented in almost all roles across the NSW Police Force. In reflecting on the One Hundred Years of Women in Policing, Assistant Commissioner Karen Webb APM noted:

It is apparent that women have played an important role in shaping the NSW Police Force into a modern progressive employer that continues to grow and become more reflective of the community it serves.¹⁶

4.2 Women's distribution across the NSW Police Force

By 2018, women constituted 27.6% of police officers, equivalent to 4,594 of the 16,745 sworn officers in the NSW Police Force, and 67% of the civilian workforce.

Numerically, the greatest number of women in the NSW Police Force are at the rank of Senior Constable: there are 2,996 female Senior Constables, constituting 30% of all Senior Constables. Women are also proportionally well-represented in the emerging sworn workforce, making up:

- 39% of applicants being assessed for entry into the Associate Diploma of Policing Practice (and thus entry into the NSW Police Force);
- 34% of graduates from Goulburn in 2018. This is above the organisational average of 27.4% of attestations (period: 2001-2018);

¹⁵ NSW Police Force 2015, *Forging Success: Celebrating 100 years of Women in Policing*, p. 7.

¹⁶ NSW Police Force 2015, *Forging Success: Celebrating 100 years of Women in Policing*, p. 9.

- 33% of Probationary Constables; and
- 27% of Constables.

At the more senior ranks, women’s representation is more mixed, with women making up:

- 22% of Sergeants;
- 25% of Senior Sergeants;
- 17% of Inspectors;
- 4% of Chief Inspectors;
- 9% of Superintendents, and one of the 2 Chief Superintendents in the NSW Police Force;
- 19% of Assistant Commissioners.

There is one woman at the level of Deputy Commissioner. To date there has not been a female Commissioner of Police.¹⁷

Research undertaken by the NSW Police Force found that female representation amongst officers being promoted has dropped from 30% to 19% in the last five years. According to the research:

*Women now comprise a decreasing number of officers getting promoted.*¹⁸

4.3 Women’s participation in and progression through the promotions system

Data on the number of women who have applied for the promotion process (as measured by the number/percentage of women who took the PQA for each level) is noteworthy. Examining it over time shows changes – both positive and negative – in women’s entry into the promotions system:

Table 1: Proportion of women who applied for promotion to the next rank

Rank	2014	2018
Sergeant	26%	21%
Inspector	15%	38%
Superintendent	8%	17%

¹⁷ NSW Police Force 2018, *Police officers at each rank/grade*, unpublished.

¹⁸ P Watson, *The Gender Pay Gap for Police and Administrative Officers*, NSW Police Force, 9 July 2018, p. 6.

Looking at the trends in participation in the promotions system across the period 2014-2018:

- Women are well represented at the rank of Senior Constable (the 'feeder rank' for applications to the rank of Sergeant) but are under-represented in those seeking promotion to Sergeant.
- Of concern, 2018 had the lowest percentage of women applying for promotion to the rank of sergeant in the past five years (21%).
- Women on average made up 20% of candidates for the rank of Inspector over the past 5 years. It would appear that there was a significant spike in women applying for the rank of Inspector in 2018, but it is unclear whether this was a one-off increase or the beginning of a trend.
- There is generally some volatility in the proportions applying to the rank of Superintendent (due to small numbers). Looking at the 5-year average (in the period 2014-2017), women constituted some 12% of applicants for the rank of Superintendent.
- In 2018, there were no women appointed to the rank of Inspector or Superintendent.

4.4 Flexible work arrangements

In 2016, then NSW Premier Mike Baird announced that by 2019 all roles in the NSW Public Sector, would be open to flexible work arrangements based on a policy of "if not, why not".¹⁹ Flexible work would be available to senior leaders as well as every other worker across the public sector. In announcing this change in workplace practice the Premier stated that non-flexible working "makes no sense in the modern workplace", and that the option to work flexibly should "be the norm for both men and women".

The NSW Police Force has a strong policy that supports police officers accessing flexible work arrangements, however that policy largely defines flexible work as part-time work. The position of the organisation is that:

Whilst policing is a 24-hour, seven day-a-week service, maintaining a healthy balance between your career and personal life is important, not only for those with carer responsibilities, but also for your policing career generally. The NSWPF offers a range of flexible working arrangements ... including Family and Community Service Leave, Personal Carer's Leave, Parental Leave, support for breastfeeding mothers, and leave without pay. The NSWPF also offers part-time employment dependent on operational needs.²⁰

In relation to part-time work specifically, the organisation states that:

Police positions are generally full time. However, officers may request to work part time under a part time leave without pay arrangement. Requests for permanent part time arrangements may also be considered giving regard to whether the request can be sustained indefinitely by business operations and ongoing business requirements. Requests will be considered on a case by case basis having regard to: whether the request is an entitlement i.e. parental leave or a right to request; an officer's need to balance their personal life with work commitments; the work demands of the Command/Business Unit; and operational requirements of the NSW Police Force.²¹

Flexible work arrangements can encompass a number of options and include:

- part-time – working fewer than standard hours either on a daily, weekly or monthly basis;
- compressed hours – working agreed hours over fewer days;
- staggered hours – different starting and finishing times for staff in the same workplace;

19 NSW Public Service Commission (2018) *Communication for Flexible Working in the NSW Government Sector*, 6 September, p. 7.

20 Women In Policing: a career for women in the NSW Police Force https://www.police.nsw.gov.au/recruitment/the_career/diversity/women_in_policing (viewed 12 April 2018).

21 NSW Police Force (2017) *Part Time Work for Police Officers Policy and Guidelines*. https://www.police.nsw.gov.au/__data/assets/pdf_file/0011/533378/Part_Time_Work_for_Police_Officers_Policy_and_Guidelines.pdf (viewed 12 April 2019).

- job share – more than one person sharing a single post; or
- flexi-time – variable start and finish times negotiated locally.

In the Review Team’s discussions with police officers and in their written submissions and survey commentary, the overwhelming view was that flexible work arrangements means part-time work.

In its communication strategy on the new “all roles flex policy”, the NSW Public Service Commission [PSC] found that:

The benefits of flexible working include increased productivity, employee retention, reduced leave, office cost savings, increased efficiency along with broader social and economic benefits. Implementing flexible working will also further strengthen the sector’s goal of becoming an employer of choice in Australia, attracting and retaining the best and brightest people to the NSW government sector.²²

That strategy also found that in relation to frontline employers specifically:

Many participants [to the PSC’s research] thought flexible working would not be suitable ... Some participants questioned how they could adopt flexible working when they have customers to serve or core hours to work. Given the majority of people think flexible work is either flex time or working from home, it will be useful to promote a large variety of types of arrangements and emphasise redesigning roles to suit different situations.²³

The majority of NSW police officers who are on a flexible work agreement are women: some 28.4% of female police officers and 0.7% of male police officers were on a flexible work arrangement in 2018. Examining this across the ranks:

- 36% of female Senior Constables were on flexible work arrangements.
- 1% of female Sergeants were on flexible work arrangements – that is, of the 114 female Sergeants at rank in 2018, only 1 was on a flexible work arrangement,
- 27% of female Inspectors were on flexible work arrangements.
- 16% of female Chief Inspectors were on flexible work arrangements.
- There were no female police officers above the rank of Chief Inspector on flexible work arrangements.
- Among male police officers, flexible work arrangements were most common among Chief Inspectors (1.3% of male Chief Inspectors were on flexible work arrangements in 2018). There were also relatively higher proportions of male police officers on flexible work arrangements at the rank of Senior Constable (1% of male Senior Constables were on flexible work arrangements) and Inspectors (0.7% of male Inspectors). Interestingly, there were no male Sergeants or Senior Sergeants on flexible work arrangements.

Research undertaken by the NSW Police Force in 2018 identified a gender pay gap for police and administrative officers. The research found that three quarters of the 10.8% gender pay gap between male and female police officers is attributable to more women working part-time, with the remainder largely attributable to women being under-represented at senior ranks compared to their overall representation in the police workforce. The research found that:

the hourly rate of the pay gap (2.9% lower than the male equivalent) will diminish over time if female representation at senior ranks increases. This will require the over-representation of women amongst officers gaining promotion in future years compared to their representation amongst eligible officers.²⁴

22 NSW Public Service Commission op. cit. p. 10.

23 ibid p. 17.

24 P Watson, op. cit, p. 2.

4.5 Are there specific challenges for women in the promotions system?

The Review Team has gathered extensive data on the views of employees of the NSW Police Force as to any gender-based barriers to women's progression to more senior ranks and has found that there are divergent and indeed polarised views as to whether gender is an impediment to participating in and succeeding in the promotions system. The following sections will focus on discussion of structural barriers to women's progression into and through the promotions system.

4.5.1. Many do not consider gender as a barrier to women's progression

The survey revealed that overall, 70% of respondents agreed or strongly agreed with the statement 'men and women have the same opportunities to succeed in the current promotions system'. However, when disaggregated by gender, the data reveals significant differences in the perceptions of men and women. While 79% of men agree that 'men and women have the same opportunities to succeed in the current promotions system' only 47% of women agree.

A number of police officers also told the Review Team that gender is irrelevant to success in the NSW Police Force. Many men and a much smaller number of women, believed that female police officers have the same opportunity to thrive in the Police Force as male officers. These women spoke of the great rewards from the job, the support they received from colleagues and managers and that they faced few obstacles in their current roles or in their career advancement. The Review Team heard:

The [promotions] system is abominable, but it doesn't discriminate.

The same barriers to progression through the promotion system exist for men and women.

There are no structural barriers to women's progression. I think you've just heard all my colleagues [in the male focus group] agree that there are no issues with gender.

It doesn't matter whether you are male or female. The promotions system is a punish for all of us.

Gender has nothing to do with promotions.

[Promotion] depends on the relationship between the officers applying for the role irrespective of whether they are male or female.

Experience served, and abilities obtained have nothing to do with gender.

Some male officers specifically further stated:

White heterosexual males are the ones being discriminated against.

With "positive discrimination" there is no prospect for a white heterosexual male to progress. I will have to wait until retirement age to qualify for a "minority discount."

Women are favoured and often selected over men due to their sex.

Indeed, when those police officers who disagreed with the statement 'men and women have the same opportunities to succeed in the current promotions system' were asked for their reasons for why they disagreed, 33% of men, compared to 1% of women cited 'women get promoted based on gender not merit', and 24% of men compared to 3% of women cited 'women get more preparation support than men.' During discussion groups, when asked their view on the under-representation of women at more senior ranks, men tended to focus on the issue of 'personal choice', rather than identifying particular systemic issues:

A lot of women don't want to progress when they have children. They make a personal choice with their spouse.

There is a big percentage of women who don't want to be promoted.

In my conversations with female colleagues, most of these centre around the disparate burden (duty restriction, time off, physical toll) that choosing to have children places on females versus males. It's a simple biological fact that childbirth will have more of an impact on a female's ability to work than it will on males. It is not equitable by any means, but it is an immutable reality.

The notion of 'merit' was often also raised in response to the issue of women's under-representation in leadership:

I don't know about gender barriers. I'm just big on merit.

We need to make sure that people are selected on merit. It's the most important criteria.

If people are getting through without having merit that will leave the police in a whole world of pain.

I'm all for women getting promoted but not if they don't have merit. Otherwise it will just lower the standards.

I support the right person for the advertised job. If an office is full of females so be it, if the same office is full of males so be it. I disagree that a person who has the best credentials for a position does not get it due to nominated gender balance.

4.5.2. Others see gender as a significant barrier to promotion

As noted above, the survey revealed that 79% of men agreed or strongly agreed with the statement 'men and women have the same opportunities to succeed in the current promotions system'. In contrast, only 47% of women agreed or strongly agreed with this statement.

Indeed, 38% of female survey respondents (compared to 8% of male survey respondents) cited their gender as a perceived barrier to their career progression. A further 54% of female survey respondents (compared to 5% of male survey respondents) cited "absence of successful female role models at senior levels" as a barrier to their career progression.

Female survey respondents were also much more likely to cite 'family and caring commitments (76% compared to 48% men), and relocation (65% compared to 45% men) as barriers to their career progression.

The findings from the survey were also reflected in the discussion groups and one-on-one interviews. Many women, and some men, consider that women do encounter additional barriers to progressing to more senior ranks. They highlighted that both structural and cultural factors within the NSW Police Force operate to limit women's participation in the promotions system and their ability to secure a leadership role:

Getting [gender equality] right matters for our future as a Force...it is important for our organisation, for our standing in the community, for recruitment.

I have 33% women in my area, but that is not converting to senior levels.

In certain commands, women get to Sergeant or Senior Sergeant, and they stop. They 'top out'.

On paper and in policy we are given the same opportunities but the harsh reality is very different. I don't think you could ever successfully measure or quantify the disadvantage women face in the promotions system.

Men and women do not have the same opportunities to succeed despite the process being transparent and structured, which is a shame as there are many women who would take the organisation to a far better place if given the opportunity to succeed.

[There is a] perception that men are preferred to women, not afforded courses and severely restricted [from] opportunities.

Women who get into the system do as well as the men. It's about getting them into the system.

Consistent with the research, the explanations as to the under-representation of women in senior roles, and appropriate strategies for increasing their numbers, differed between male and female police officers.

As noted above, many male officers tended to focus on women as individuals and their “personal choices”. Others referred to their “lack of interest in applying for the most high stress and dangerous roles once they had children”, their “general lack of confidence” and that they are “too self-critical.” As such, their proposed solutions tended to focus on fixing these so-called deficiencies – e.g. providing specific training to women so they develop leadership skills and giving women additional support when they secure leadership roles.

By way of contrast, most women focused on organisational structures, and aspects of the NSW Police Force culture, as the key inhibitors to their career advancement.

The survey revealed that only 47% of female police officers agreed or strongly agreed with the statement ‘men and women have the same opportunities to succeed in the current promotions system’, compared with 79% of male police officers. Police officers who disagreed (n=538, 18%) with the statement ‘men and women have the same opportunities to succeed in the current promotions system’ were asked for their reasons. There were many differences in responses from male and female police officers. A total of five responses were cited significantly more often by women:

- ‘System is biased against people on part-time hours’ (39% female vs 4% male);
- ‘Family / carer responsibilities’ (32% female vs 5% male);
- ‘Men get more preparation opportunities than women’ (23% female vs 2% male); and
- ‘Nepotism / networks favour male candidates’ (22% female vs 6% male).

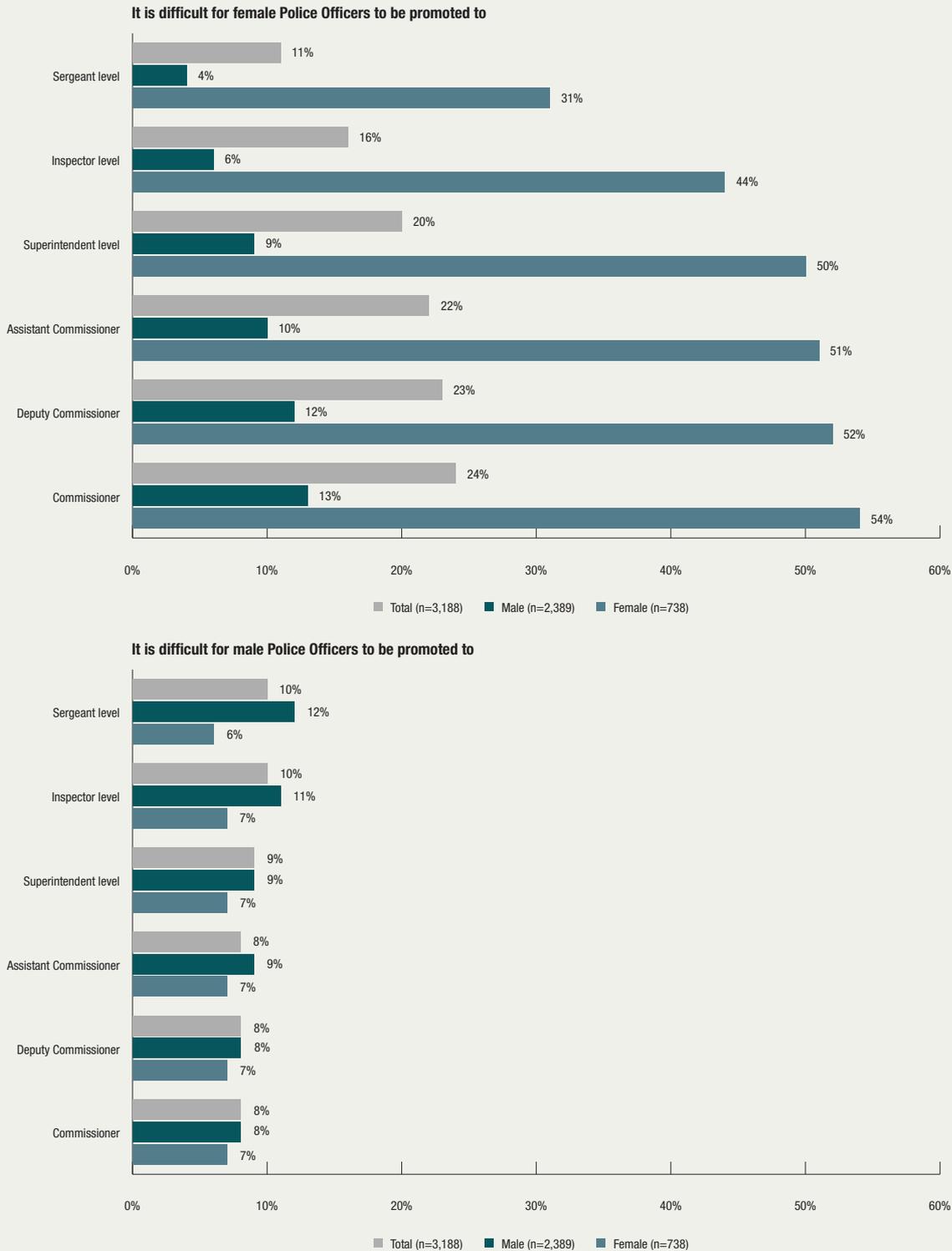
There were two responses cited significantly more often by men:

- ‘Women get promoted based on gender not merit’ (33% male compared to 1% female); and
- ‘Women get more preparation support than men’ (24% male compared to 3% female).

Police officers were asked to indicate the perceived level of difficulty in progressing to various ranks within the NSW Police Force. There are a number of patterns evident from the data, with more senior ranks being perceived as more difficult for female police officers to reach than their male counterparts. For example, 24% of police officers agreed it was difficult for a female police officer to achieve the rank of Commissioner. Female police officers were significantly more likely to agree it was difficult for female police officers to achieve any senior rank compared to male police officers. For example, 54% of female police officers compared to 13% of male police officers agreed it was difficult for female police officers to achieve the rank of Commissioner, while 8% of male police officers and 7% of female police officers agreed it was difficult for male police officers to achieve the rank of Commissioner. Interestingly, male police officers were significantly more likely to agree it was more difficult for males to achieve Sergeant or Inspector level compared to females, with the trend continuing for all other levels, although not significant.

These findings are set out in detail in Figure 8 below.

Figure 8: Perceptions on female and male promotion



Question item – Q3. To what extent would you agree or disagree with the following statements? It is difficult for female Police officers to be promoted to... / Q3a. And, to what extent would you agree or disagree that it is difficult for male Police officers to be promoted to...

Base: All police officer survey participants.

Interestingly, police officers in non-operational duties were more likely than police officers in operational roles to agree that it is difficult for females to be promoted to any rank above Senior Constable.

4.5.3 Women's career paths are often disrupted by pregnancy and care-giving responsibilities and the need to work flexibly

Many Review participants commented on the 'timing issue' – that is, the 'typical' time that a Senior Constable might consider promotion to the Sergeant position often coincides with the point where many women seek to start a family. That disruption to full-time work can create disproportionate disadvantage:

By the time they are ready to put their hand up, they lack operational experience.

When you come back from maternity leave you are forgotten.

Many police officers – both male and female – commented that women often transition out of General Duties because the 24-hour roster is difficult to manage as a primary carer. This can include transition into specialist roles (either in the specialist streams or Liaison Officer roles, or into detective roles). Many consider that these roles are less competitive in the promotions process:

I can't work GDs as I'm the primary care giver. I can't drop the kids at preschool or before/ after school care in line with a 24 hour roster.

Women fall down at the assessment centre [where] they have to give operational examples.

Women working part-time get pigeon-holed into Mickey Mouse roles. As a Commander, I need someone with operational focus and experience.

As promotions are almost always full-time positions, carers [both male and female] can be at a disadvantage when applying for promotion.

If you want family friendly, choose teaching. If you want policing, be flexible.

Women are seen as risks to commands as they may become part-time.

The greatest uptake of flexible work is from women because of their caring responsibilities. There was a general acceptance among both male and female officers that a flexible or part-time work arrangement is a strong barrier to promotion, particularly in relation to operational roles. This is despite the official position regarding flexible work arrangements and part time work by the Police Force. The NSW Police Force Policy and Guidelines state that:

Part time work is a valuable option for both management and officers. Planned and well managed part time work may contribute to better work performance, productivity and officer retention.²⁵

Loss of standing due to working part-time creates a cascading effect where women are less likely to be given "the big jobs" which can impact on their opportunities to further progress. It is rare for those in operational roles, and in particular those at Inspector and Superintendent level, to have access to working flexibly or part-time. This is by far the single biggest barrier to women seeking promotion and many women described "opting out" due to the limited organisational support for flexible and part-time work. This is consistent with the international literature that shows that part-time police officers are marginalised and not given the same opportunities for advancement as those who work full-time. As women perform most part-time work, this is a disadvantage for female police officers' careers.²⁶

25 NSW Police Force (2017) *Part Time Work for Police Officers Policy and Guidelines* https://www.police.nsw.gov.au/__data/assets/pdf_file/0011/533378/Part_Time_Work_for_Police_Officers_Policy_and_Guidelines.pdf (viewed 12 April 2019).

26 Silvestri, M. (2006). 'Doing time': Becoming a police leader. *International Journal of Police Science and Management*, 8, 266–281.10.1350/ijps.2006.8.4.266; Archbold, C., & Schulz, D. (2008). "Making rank: The lingering effects of tokenism on female police officers' promotion aspirations." *Police Quarterly*, 11, 50–73.

Female police officers told the Review Team:

Due to women wanting to work part-time, there are very few jobs through promotion that permit part-time work, especially as a GD Sgt or Insp. 12hr shifts don't help either.

A lot of females go into roles which allow them to do part-time work, or just to have day shifts, for example. This means it is harder to come up with examples etc. due to not being in GDs.

Factors such as maternity leave and women more likely to be in part-time work gives women less opportunities for promotion or doing the necessary things required for promotion.

We continue to spruik family friendly work practices, yet in reality most Commands don't follow through with this. It's "at the Commander's discretion."

If you work part-time you are pretty well outside the team. You're not seen as serious or committed.

[The] fundamental issue for women who need to work reduced hours/part time work, [is that it] reduces opportunities to relieve in higher positions etc.

Generally, the woman is the one who sacrifices her career to raise the family. Meaning they go part-time – limiting the opportunities they have to complete projects which address key aspects of the promotion system. Regardless of whether the woman is on part time or not she does not have the same amount of time inside/outside work hours to complete study required etc. Female officers do not appear to receive the same relieving opportunities. The useless male counterpart always seems to get a go whilst the experienced woman is over looked.

I would like to be promoted, however I am sure that there are no 'family friendly' Superintendent positions. All positions must be taken as full time and then negotiated. There is no Assistant Commissioner that would allow one of his / her PAC Commander's to be part time. Options outside this as a 'specialist Commander' are also non-existent.

As noted in Chapter 3 the NSW Police Force is reviewing the application of flexible work across the organisation, with the goal of increasing its uptake by police officers. The Review Team commends this action and considers that any policy designed to embed greater flexibility across a wider range of roles, than currently exists, links to the promotions process, with a view to maximising access to promotion for those on flexible work agreements.

Some police officers believed that women's confidence is undermined when they take time out of the workforce to have children and then return to work on a flexible work arrangement. This can influence their decision to apply for a promotion:

Women's confidence is affected when they have been out of the workforce and come back part time. They are not performing the same hours as men and I think this can impact on whether they apply for promotion or not.

You are not as competitive if you are part-time. There is a stigma attached and unconscious bias. People tend to think you are only doing half a job.

Senior male police officers also commented:

I have really high performing female Inspectors but they say they are not really sure they want to move to Superintendent because they still have kids at school.

I offer up flexible rostering but no-one takes it up. Women don't tell anyone (if they are struggling to juggle work and home) because they don't want to rock the boat.

Many female police officers saw the lack of flexibility and widespread intolerance of flexible work agreements as a critical systemic barrier to women's promotion:

The fact that opportunities for promotion are only offered on a full-time basis, which prohibits a large proportion of women entering or thinking of entering the process [is a barrier to women's promotion].

No-one has ever promoted someone who works part-time. I'm not even throwing my hat in the ring.

People here mention part-time like it is leprosy.

As soon as you are part-time, you won't get the murder or the big job. It's those jobs that give you the examples to use in the EP.

You cannot be an inspector or superintendent on a part-time basis. If I could be an inspector part-time, I would jump at it.

If someone goes part-time, the Command suffers. You can feel the negativity.

I never get asked to relieve, even though I am senior to everyone in my LAC, because I am part-time.

I have seen time and time again that women are shunted into roles such as exhibits, crime prevention and DVLO roles for example because they need part-time hours.

Female police officers in rural and regional areas experienced this particularly acutely:

In a town where there are 6-8 police and 2 women are on mat leave – the other 6 are doing all the work.

There are differences of opinion amongst senior – and for that matter, junior – officers as to the viability of flexible work arrangements in the NSW Police Force. The Review Team heard, for example:

Those girls come in and they do 5 days' work in 3 days...they don't want to leave work behind, they want to smash it.

Others, however, were not supportive:

We are a 24 hour First Responder organisation. We can't organise our rosters around someone's childcare needs.

Many female police officers reported that the system is generally unsupportive of full workforce participation for women on flexible working agreements:

Once you are part-time, you are overlooked for opportunities and training.

We talk about flexibility, but we are not flexible. Flexibility is not encouraged.

I never felt discriminated against [as a female officer] until I was working part-time. I applied for secondments and transfers and was knocked back.

Managing the expectations of study and preparation time with work and caring responsibilities is particularly difficult. This can be especially challenging for single parents – an issue impacting both men and women. Male and female police officers commented:

The system favours those who can take up to four weeks annual leave to study. Are we developing a culture where everyone is taking four weeks off to study and not be with their families?

It's easiest for young men [without family commitments] to take leave to study [for the eligibility requirements].

My biggest reason for not going for promotion is that I am the primary carer for my kids and I just can't work, look after them and study all at the same time.

I am a single mother with two school aged children. While I would love to be promoted, my children are my priority. I have previously attempted the promotions system. I do not have the time to put in the study required.

4.6 Why gender diverse leadership matters

4.6.1 Gender equality, women's leadership and enhanced capability

There are a plethora of studies that confirm that an increase in the representation of women in leadership roles equates with higher performing organisations. In the last few decades corporate and government sector agencies have increased efforts to expand their talent pool of leaders by elevating high performing, skilled women. Gender diversity has, for these organisations, become one of their key priorities. Indeed, global management consulting firm, McKinsey and Company observes that:

In a context of slow growth and a battle for talent at a global level, the case for change toward greater gender diversity within economies and companies has never been so strong. The global economy can anticipate a worrying talent shortage by 2020...In a world where qualified talent is becoming scarce, the premium will go to the companies that have been able to recruit, develop, and retain the best employees. Tapping the reservoir of underutilized skills among women will become a key priority in the talent war.²⁷

27 McKinsey and Company (2017) "Time to accelerate: Ten years of insights into gender diversity" *Women Matter* p. 10, <https://www.mckinsey.com/~/media/McKinsey/Featured%20Insights/Women%20matter/Women%20Matter%20Ten%20years%20of%20insights%20on%20the%20importance%20of%20gender%20diversity/Women-Matter-Time-to-accelerate-Ten-years-of-insights-into-gender-diversity.ashx> (viewed 10 April, 2019).

The research is now widely accepted and unequivocal – gender diverse and inclusive organisations, particularly those where women are in leadership positions:

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

According to Harvard University Professor, Iris Bohnet:

*the evidence is very strong that diverse teams outperform homogeneous teams, whether these are all-male or all-female teams. This occurs across all kinds of different dependent variables, from creative problem solving to analytical tasks to communication skills. Diversity helps because we have a complementarity of different perspectives, or what we call 'collective intelligence.'*²⁸

Further, Angel Gurría, Secretary-General, Organisation for Economic Co-operation and Development has stated:

*Gender equality is not only a fundamental human right. It is also a key component of inclusive growth – for the benefit of women, men, and society at large.*²⁹

McKinsey and Company has done extensive research on women in leadership and built a compelling evidence-based case for the positive organisational outcomes from a higher representation of women in senior management positions. It found that leadership actions more frequently applied by women strengthen organisational performance. These include: vision, motivation, accountability, leadership, work environment, and values, particularly the last three. In fact, they argue that the leadership styles more frequently used by women are also considered to be the most effective in addressing the global challenges of the future.³⁰

The NSW Government's *Women's Strategy: 2018-2022*, of which the NSW Police Force participated in the development, acknowledges all the organisational benefits of diverse leadership and states that:

*Diversity in leadership and role modelling leads to a greater breadth of ideas, participation and progress. When women are at the decision-making table, there are better financial results for business and the community... Advancing the role, status and contribution of women and girls in our communities will grow the talent pool available for the workforce, encourage more diversity and flexibility for women and men in the workplace, and result in increased innovation, productivity and prosperity for the individual and the nation... Gender-balanced leadership can enable shared learning through increased perspective and experience, thereby improving organisational performance.*³¹

28 *ibid*, p. 12.

29 *ibid*, p. 20.

30 McKinsey and Company (2017), *op cit*, p.10.

31 Women NSW https://www.women.nsw.gov.au/_data/assets/pdf_file/0007/628315/NSW-Womens-Strategy-2018-2022.pdf p.13 and p. 20.

4.6.2 Initiatives to reduce disadvantage for women in the NSW Police Force

In recent years, the NSW Police Force has implemented a number of strategies to increase the number of women recruited to the force and has developed initiatives to enable more women to advance in the organisation. Information from the NSW Police Force includes the following recent initiatives:

- My Mentor Program – a twelve week learning development program for women that aims to build self-confidence, improve work life balance and time management skills.
- The implementation of the *Women in Policing Strategic Plan (2015-2018)*. Building on the *Women in Policing Strategic Plan (2011-2013)*, the purpose of the most recent Strategic Plan is to improve the recruitment, retention and development opportunities for women in the NSW Police Force. The objectives under the Plan include:
 - » Developing an inclusive and supportive workforce culture that supports and promotes women in policing.
 - » Providing accessible training, networks, mentoring and development programs to assist women in the NSWPF to build their skills and advance their careers.
 - » Increase the representation of female officers with policing disciplines especially sworn officers, traditionally male dominated disciplines and within senior management.³²
- The Women’s Leadership Program, which is open to women at Inspector rank or grade 9/10. The Program provides a series of workshops and presentations on such topics as Workplace Skills; Difficult Conversations with Employees; Ethical Leadership; Resilience and Leadership Challenges; Command Budgeting and Public Speaking.
- External Graduate Educational Opportunities. This program is designed to increase the professional qualifications and skills of senior women.
- Development Days – the Spokeswomen’s Network delivers 3 to 4 development days to women in the field each year. The event aims to build their professional capabilities in the workplace.
- Revised versions of the Part Time Work for Police Officers’ Policy and Guidelines and the Flexible Work Arrangement Guidelines and Procedures.
- Ad Hoc promotions workshops for female police officers.
- The Highway Patrol Command have undertaken the following initiatives to attract and retain women, including:
 - » Improved communication and support for women in Highway Patrol through technology.
 - » Hosting a career day for all women in the Local Area Commands to promote the Highway Patrol Command as a career choice for women.
 - » Holding a conference for existing females working in the command.³³

The Project Team acknowledges these efforts and notes that a number of women who spoke to the Team welcomed their implementation.

32 NSW Police Force, *Response from Police Commissioner to the Police Association of NSW regarding issues raised by female members at the October 2017 Forum for Women*.

33 *ibid.*

4.6.3 Issues for the NSW Police Force

Police forces today, both internationally and in Australia, are confronted with a range of complex and emerging issues requiring a diversity of talent and expertise. Unprecedented challenges arising from globalisation, terrorism and new technologies on the nature of crime require police today to be responsive, adaptive, innovative and resilient. An ageing workforce, more mobile employees, and the trend towards “information-based work” are other factors that have the potential to impact on policing in the future. As Ransley and Mazerolle observe:

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

Today’s modern police services are complex, requiring new and additional skills and adaptability. It follows then that access to greater skills, talent and experience – qualities that *both* men and women can bring – strengthens capability. As a result, police and law enforcement agencies across the globe are strengthening efforts to recruit a more diverse workforce and to ensure there is diversity, including gender diversity in leadership roles.

Australian researcher McLeod observes:

*Global attention to gender equality continues across the developed and developing world, not only because it is increasingly proven to make good business sense, but also because it is the right thing to do. In a policing context, diverse – including gender diverse – organisations better represent the communities they serve and more than ever, are seen as essential to the quest for organisational flexibility and innovation. To that end, policing organisations are working hard to increase the demographic diversity of their workforces, in countries ranging from the UK, the US and Canada, through to those in Africa and the Pacific Islands.*³⁵

In the US context Weddell also writes that:

*gender balance in law enforcement matters for both the community at large and the police department itself. Equally important is people being able to influence policies and practices within the organisation, based on their own experiences.*³⁶

They argue that such problems cannot be resolved by traditional reactive means, “but instead require approaches blending intelligence collection, analysis, new technology and techniques, teams and problem-solving.”³⁷

34 J Ransley and L Mazerolle (2009) Policing in an era of uncertainty, Griffith University, Australia. https://research-repository.griffith.edu.au/bitstream/handle/10072/29703/61095_1.pdf;sequence=1 (viewed 15 April).

35 Dr A McLeod, (2018) ‘Diversity and inclusion in Australian policing: Where are we at and where should we go?’ *Public Safety Leadership: Research Focus* Volume 5, Issue 2, p. 7.

36 A Weddell (2017) ‘Diversity in 21st Century Policing’ *Women in Law Enforcement* <https://www.n-r-c.com/gender-balance-law-enforcement/> viewed 17 January 2019.

37 J Ransley & L Mazerolle (2008) *Policing in an Era of Uncertainty*, Griffith University, Australia, March 2008 https://research-repository.griffith.edu.au/bitstream/handle/10072/29703/61095_1.pdf%3Bsequence=1.

Further, according to Woolsey:

*The 21st century police officer is one who embodies not only physical strength, but also strength in character, communication and problem solving. The ideal officer is ... a combination of admirable and reputable traits that embody what our communities desire in the new age of policing. It is time to redefine the outdated image of male police officers who are... defined primarily by their prowess. Both genders bring exceptional qualities to policing that, when combined, provide for excellent service and infinite wisdom.*³⁸

The United Kingdom's *Equality, Diversity and Human Rights Strategy for the Police Service*, which includes a focus on gender equality and diversity further reports that:

Evidence shows that a diverse workforce and a culture that includes and supports everyone within the organisation leads to the following results:

- *A reduction in absences from work.*
- *A reduction in grievances and complaints.*
- *Access to a broader range of skills and experience.*
- *Efficiency, creativity and growth.*
- *Increased staff satisfaction and improved public confidence.*³⁹

The positive impact on capability that women police officers bring to policing has been extensively documented. The literature shows that:

- Women police officers display 'a strong service-oriented commitment to policing, emphasizing communication, familiarity and the building of trust with communities.'
- In relation to the apprehension of offenders, compared to men, women appear to be less 'trigger happy' and far less likely to use lethal force. Further research has shown that male police officers were twice as likely as female police officers to "engage in threatening behaviour and physical contact with members of the public, which in turn elicited greater resistance and aggression."
- Women police officers are more likely to believe victims of crime, particularly victims of sexual crimes and domestic violence.⁴⁰

The researchers further found that women police officers in leadership positions have positive outcomes for police forces. As women tend to adopt a more transformative leadership style, the appointment of more women into senior leadership roles "will lead to new forms of cooperative, transformative management and leadership." According to the researchers:

*the benefits of such a style have been emphasised by a number of police commentators, who argue that the use of participatory transformative leadership styles is more likely to bring about successful long term change in policing and move the service in line with a greater 'ethical' and 'quality of service' culture.*⁴¹

Despite the range of benefits to police forces of increasing the representation of women officers in leadership, women confront a number of obstacles to career advancement.

38 S Woolsey (2010) "Challenges for Women in Policing" Law and Order Magazine, October 2010 http://www.hendonpub.com/resources/article_archive/results/details?id=1614.

39 <https://www.cheshire.police.uk/media/1682/equality-diversity-and-human-rights-strategy-for-the-police-service.pdf>.

40 J.M Brown (2013) *The Future of Policing* Routledge, London.

41 *ibid.*

As noted above, there has been an increase in women entering the NSW Police Force as officers over a number of decades. However, despite this increase, there has not been a concomitant increase in the number of women gaining senior roles. This picture is consistent with other jurisdictions both in Australia and overseas. In NSW, female police officers remain underrepresented in more senior roles (i.e. commissioned or above inspector roles). As at 2018, female police officers represent just over 27% of the NSW Police Force, with the greatest number of women concentrated at the rank of Senior Constable. From that rank upwards, the representation of women dwindles, most notably at Inspector (17% of Inspectors are female), Superintendent (9% of Superintendents are female) and Deputy Commissioner levels (there is currently one female Deputy Commissioner).⁴²

4.6.4 Cultural factors and women's career advancement

The culture in which the promotion system operates has a significant impact on its effectiveness and the experience of different groups of people within the NSW Police Force. In an organisational context culture, can be defined as:

*a system of shared assumptions, values, and beliefs, which governs how people behave in organisations. These shared values have a strong influence on the people in the organisation and dictate how they dress, act, and perform their jobs.*⁴³

There are also the “unwritten rules that constrain the behaviour of individuals within an organisation.”⁴⁴ Broadly speaking organisational culture is “the way we do things around here.”⁴⁵

In the context of law enforcement, it has been observed that:

*For police officers, these rules are dictated by the function of policing itself, creating a unique culture and promoting the characteristics of conformity and solidarity, among others.*⁴⁶

Like the vast majority of police forces around the world, the history of the NSW Police Force is one that has been founded by and for men. As a result, and understandably, its structures and norms have evolved through the typical life and career pattern of men (i.e. a full-time worker with no visible caring responsibilities, no significant periods out of the workforce, and who display physical strength and stoicism). When entering into this culture, women have had to conform to those norms and structures to find their position in the organisation. A consequence of this is that women in policing environments face particular and unique challenges, separate to their male counterparts.

The Review Team was told that in a number of areas, the culture of the Police Force has improved in relation to the treatment of women officers, allowing them to successfully seek opportunities for career advancement that may not have been available in previous years. A number of female police officers told the Review Team that they have had rewarding and positive careers and believe there is equality in opportunities for both male and female officers. The Review Team heard:

Mr Fuller is extremely supportive of giving women the opportunities to succeed in the police.

Things have definitely changed for the better from when I first started here. The culture has really improved.

42 Women constitute 22% of Sergeants, 25% of Senior Sergeants, and 18% of Assistant Commissioners.

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

44 P Clappitt (2005) *Communicating for Managerial Effectiveness*, Sage Publications, London.

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

46 C Lawson (2011) 'Police Culture: changing the unacceptable' in *Scan Journal of Media Arts Culture*, vol. 8, no.1, 2011, http://scan.net.au/scan/journal/display.php?journal_id=159 (viewed 21 March 2019).

I have had a brilliant career. I have been supported at each step. I don't believe I have suffered at all, far from it, because of my gender.

For me the Police has been fantastic... I have had to make decisions around work and family but overall ... my career has been a positive one.

I feel there are the same opportunities for everyone whether your male or female.

I do believe that on the whole I have had a good career. There have been challenges but that's the same for all jobs, not just police.

In contrast, others told the Review Team that there are entrenched aspects of the culture that continue to limit their opportunities to thrive and advance in the Police Force:

The reason there are so few women at the top is because we can't keep fighting to get there.

It's the culture. It wears you down. I can't fight anymore.

How much are we prepared to tolerate to stay in the organisation? Do we keep swimming or get out?

Most of us join this organisation as strong, independent women and somewhere along the way we lose ourselves.

We don't need to change a system we need to change a culture.

Women don't put their hands up because we will be judged.

We put up with a lot of... sexism...It can be subtle but it's there.

Women get the short relieving periods, men get the longer periods.

There was a sense among police officers, that as the numbers of women entering the Police Force increase, there will be a natural "trickle up" of women into leadership roles. However, whilst increasing numbers can be a positive catalyst for change the research clearly shows that this alone does not translate into greater representation of women at leadership levels. Similarly, ad hoc programs, projects or initiatives designed to "fix" women will not ensure a critical mass of women will attain roles at leadership levels. A female police officer commented in the survey:

I've completed some programs that are designed to help women progress in the NSWPF – and I'm still appalled that an emphasis is always placed on women having to adjust their behaviour to succeed in a male dominated environment and men are not asked to change their behaviours or attitudes towards women.

To achieve an increase in women leaders, there needs to be a suite of strategies and interventions that address those aspects of the organisational structures and culture that inhibit women's advancement.⁴⁷ Without such interventions, the promotion of women will remain slow. Importantly, for the NSW Police Force, it will also mean that it misses out on the significant enhanced organisational capability that a gender diverse workforce brings.

The following sections explore both the results of the online survey and the comments received from the focus groups, interviews, written submissions and survey commentary to identify aspects of the culture that may have an impact on women officers' ability to progress.

47 U Haake, (2009) Doing leadership in higher education: The gendering process of leader identity development. *Tertiary Education and Management*, 15, 291–304.

4.7 The online survey results and comments from police officers

The survey asked all survey respondents a series of questions aimed at understanding their perceptions of the current culture of the NSW Police Force within the context of the promotions system, including attitudes to diversity and inclusion. Of note, male survey respondents were significantly more likely to agree or strongly agree with the statements:

- The NSW Police Force is a diverse and inclusive organisation (81% compared with 64% of females);
- My current workplace is diverse and inclusive (79% compared with 68% of females); and
- Police officers and non-police officers are equally valued in the NSW Police Force (51% compared with 34% of females).

Females police officers were significantly more likely to agree:

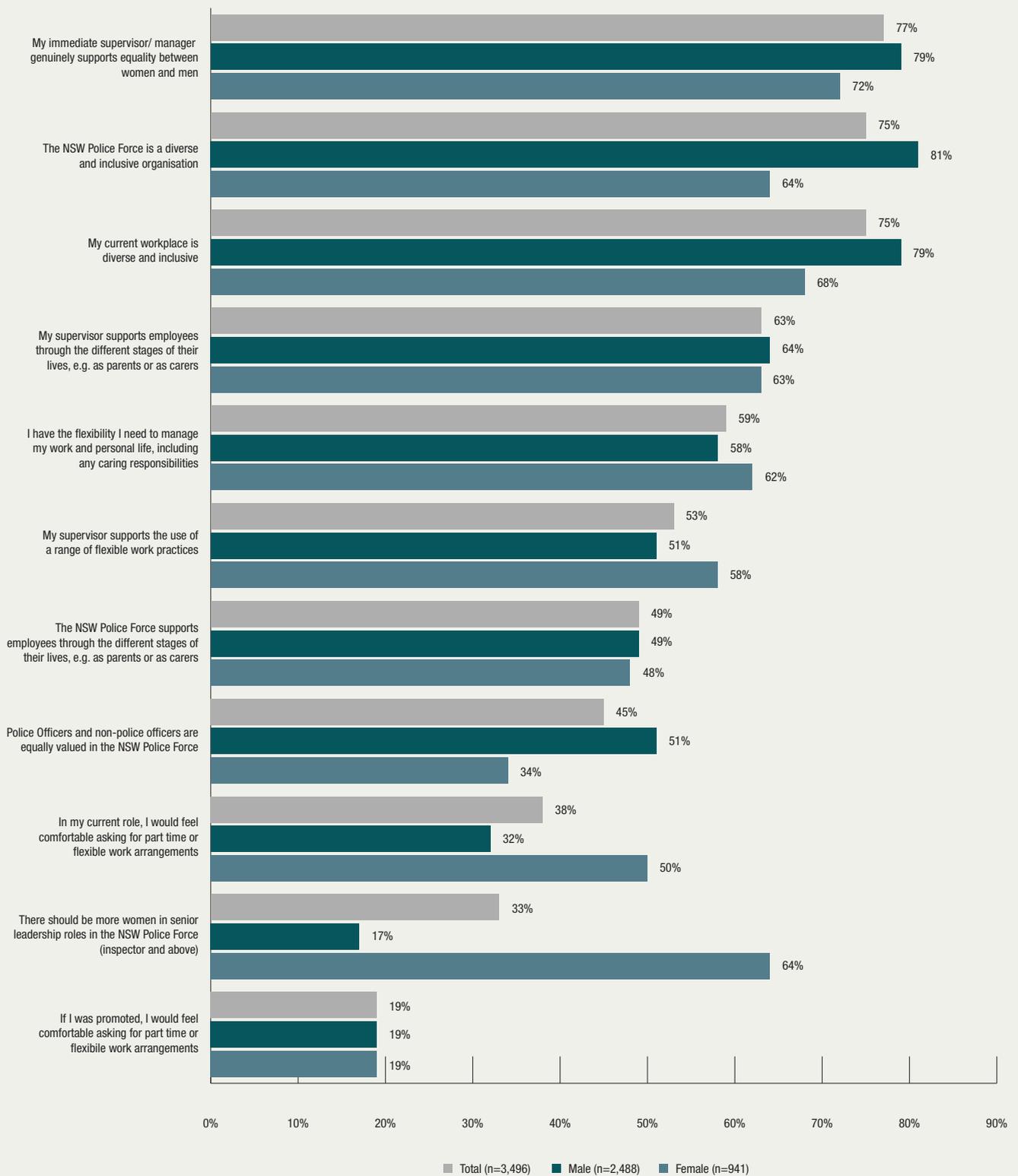
- In my current role, I would feel comfortable asking for part-time or flexible work arrangements (50% compared with 32% of males); and
- There should be more women in senior leadership roles in the NSW Police Force (Inspector and above) (64% compared with 17% of males).

When looking at other demographic differences, public servants working for the NSW Police Force were significantly more likely to agree with statements relating to flexible work arrangements within NSW Police Force than police officers. They were also more likely to agree with the statement 'there should be more women in senior leadership roles in the NSW Police Force (Inspector and above)' (53%) than police officers (29%). Conversely, they were less likely to agree with the statement 'police officers and non-police officers are equally valued in the NSW Police Force' (24% compared to 50% of Police officers).

Police officers at Inspector rank or above had higher levels of agreement across most statements. Statements that drew a lower level of agreement from those with a rank of Inspector or above related to flexible work arrangements, 'in my current role, I would feel comfortable asking for part-time or flexible work arrangements' and 'if I was promoted, I would feel comfortable asking for part-time or flexible work arrangements'. There were no differences in the level of agreement across all ranks when asked 'police officers and non-police officers are equally valued in the NSW Police Force'.

These findings are set out in Figure 9 below.

Figure 9: Agreement with statements regarding the culture at NSW Police Force

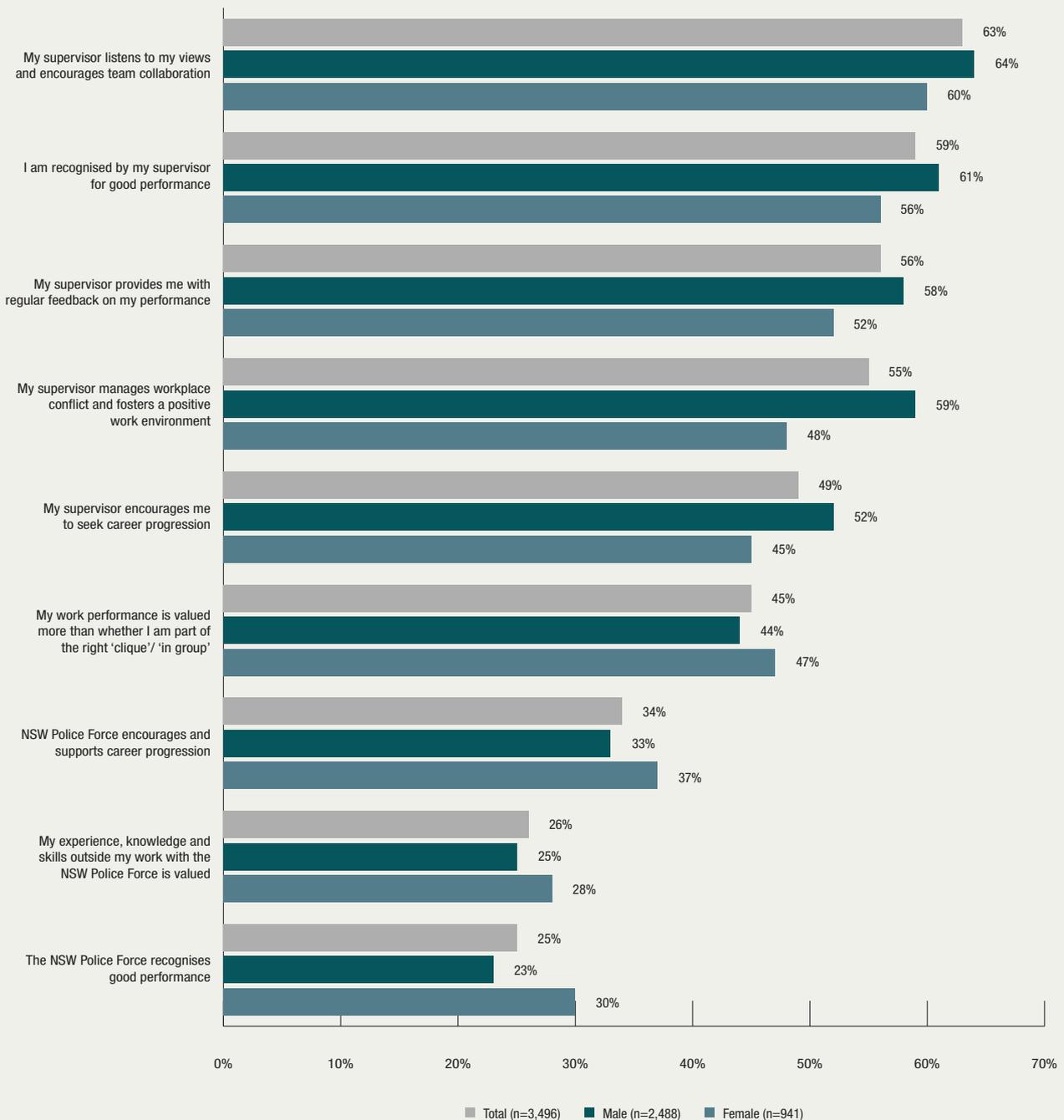


Question item – Q11a. Thinking about the broader culture in which the promotions system operates, to what extent would you agree or disagree with the following statements?

Base: All Survey participants.

Similarly, all survey participants (police officers and non-police officers) were asked a series of survey questions to gauge their perception of how their contribution to the workforce is valued. Within this list, there was only one significant difference by gender with males more likely to agree with the statement “my supervisor manages workplace conflict and fosters a positive work environment” (59% compared with 48% of females). These findings are set out on Figure 10 below.

Figure 10: Agreement with statements regarding recognition of your contribution at NSW Police Force



Question item – Q11b. Now for some statements around recognition of your contribution, to what extent would you agree or disagree with the following statements?

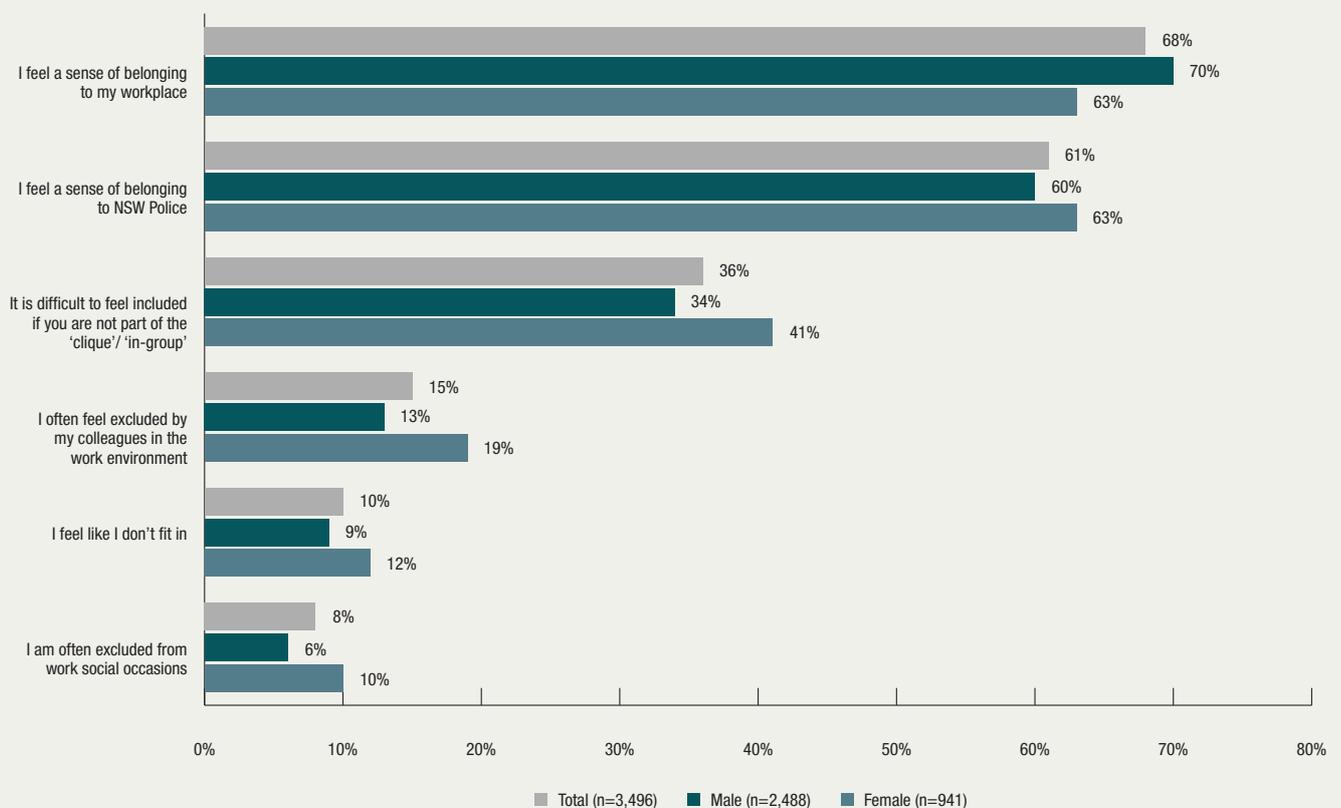
Base: All Survey participants.

The last set of survey statements related to workplace culture focussed on survey participants' sense of belonging to the NSW Police Force. There were no statistically significant gender differences observed in these results. However, non-officers (public servants) were significantly more likely to agree with the following statements:

- I often feel excluded by my colleagues in the work environment (24% compared to 13% of police officers);
- I am often excluded from work social occasions (14% compared to 6% of police officers).

These findings are set out below in Figure 11.

Figure 11: Agreement with statements regarding sense of belonging at NSW Police Force



Question item – Q11c. Thinking now about your sense of belonging at work, to what extent would you agree or disagree with the following statements?

Base: All Survey participants.

4.7.1. A predominantly masculine culture

Whilst the Survey showed that 72% of women agreed or strongly agreed with the statement ‘my immediate supervisor / manager genuinely supports equality between women and men’, and 68% of women agreed or strongly agreed with the statement ‘my current workplace is diverse and inclusive’, a number of women commented in the discussion groups and interviews that the Police Force has an entrenched ‘masculine culture’. This culture can result in them being excluded and, at times, marginalised. This is consistent with extensive research on women in policing and law enforcement agencies.⁴⁸ For example, women police officers told the Review Team:

It is a very male-oriented organisation.

There is a cultural issue. The culture is strong and self-perpetuating, so that white, middle-aged men keep being promoted.

It's just the patriarchy. How can you change someone who has been in the cops for 50 years?

We still don't have a place at the table. We sit at the back, we do the coffee run, we don't speak.

There is still the misogynistic issue around part-time work.

I can never be my authentic self when I am at work. I put on a different face when I come to work.

Many women explained that the strength of the masculine culture impacted on how they were treated or perceived by some male colleagues and superiors, including in relation to their opportunities to advance in the Police Force.

Many of the quotes at 4.7.2 show that those female police officers who spoke to the Review Team considered the entrenched masculine culture to be at the heart of their inability to become leaders in the organisation at the same rate as their male colleagues.

Further, the survey revealed that men were more likely to agree with the following statements than women:

- Sexist comments and jokes are not tolerated in the NSW Police Force (72% compared with 57% of females); and
- Inappropriate sexualised conversation and banter are not tolerated in the NSW Police Force (71% compared with 55% of females).

4.7.2 Attitudes about women's place, capability and ambition

It is noteworthy that the survey revealed that 64% of women compared to 17% of men agreed or strongly agreed with the statement ‘there should be more women in senior leadership positions in the NSW Police Force (Inspector level or above).’

In their comments on the survey some men believed that for certain promotions and jobs, women are given preferential treatment over men. There was also a perception that certain quotas had to be met:

Because there is too much focus on employing and promoting women when they are not always the best person for the job. It is not right to promote a woman because [she] has completed the theory/studies, can write a good resume and the whole female political push, when she has limited on the job experience. Men are getting ripped off everywhere.

⁴⁸ See eg Kurtz et al. 2012; Manning 1977; Martin and Jurik 2006; Parnaby and Leyden 2011; Sklansky 2006; Dick and Cassell 2004; Garcia 2003; Karunanidhi and Chitra 2013; Van der Lipp et. al 2004; Wertsch 1998; Agocs et al. 2014; Kurtz et al. 2012; Rabe- Hemp 2008; Seklecki and Paynich 2007; C Nixon, <https://aic.gov.au/sites/default/files/publications/proceedings/downloads/16-nixon.pdf>; W Soontiens and M Anthony, https://www.anzam.org/wp-content/uploads/2018/03/2572_035.pdf; E. Broderick (2016) *Cultural Change: Gender Diversity and Inclusion in the Australian Federal Police*, Sydney Australia.

Certain jobs can be targeted towards women. No jobs are targeted towards men only.

The promotions system is geared to get more women promoted instead of the best person for the job. The problem with all government jobs now is there is a lean to get more females into management roles and promoted. This very idea is flawed and as a result, if the best person for the job happens to be a male, he has a very real possibility of being overlooked because of his gender.

Because there is a push for 50% women to be promoted but there is less than 50% women in the job, hence males will be denied promotion to get to the 50% women management target.

Some women told the Review Team that their time in the Police Force had been successful and rewarding and that their gender was no impediment to their ability to thrive:

I have loved my time with the police. At no time have I felt discriminated against because I am a woman.

I love my career. Never once have I thought that my gender was an obstacle to promotion. I have supportive colleagues and I believe I am a good leader to both males and females.

Other women however, reported that some male police officers still consider female police officers to have a narrower range of capability and are less ambitious. For some, this was a belief that effective policing relies heavily on physical strength and an ability to step into physical conflict. Some male police officers commented:

The nature of the work is not conducive to motherhood.

The physicality of the work (dealing with drunks on a Friday night), dealing with deceased individuals, is not what many women want to deal with.

I won't let a girl go by herself into [a particular area]. It's just not safe.

It is very difficult as most bosses want people who are like minded around them and most bosses are white males who have never worked part time and are married to the job.

In relation to women's desire to rise through the ranks there was a view that women were not as ambitious as men, particularly after they had children:

I think women don't want to take on a great deal more responsibility when they have kids.

The women I know are happy to stay in non-operational roles and not go through the promotions system because of the time and stress, on top of being the main parent. And that's fine.

This view was not supported by the survey data which showed no gender differences in male and female police officers' aspirations for career progression (77% of both men and women aspire to progress their career).

The Review Team acknowledges that there are a range of reasons that may impact on an individuals' desire for career advancement and research shows that women's ambition levels do vary. When organisations create a positive culture and attitude regarding gender diversity, most women—mothers included—are eager to move forward. Research from global management consultants BCG (Boston Consulting Group) found that:

the problem is neither inherent nor related to motherhood; instead, it hinges on the day-to-day experiences of women at work. Ambition is not a fixed attribute but is nurtured or damaged—by the daily interactions, conversations, and opportunities that women face over time... In short, when women work at companies where leadership looks achievable and enjoyable, they will strive to get there. Conversely, when the struggle to reach the top doesn't seem worth it, women are more likely to make the entirely rational decision to step off the leadership track.⁴⁹

Female police officers described the gendered nature of the culture in a variety of ways, most often commenting on not being taken as seriously as their male counterparts:

There's a lot of subtle discrimination. Leaving people out, ostracising them, writing [women] off as incompetent or a troublemaker.

[There's] a culture of sexism and women not seen as intelligent as their male counterparts.

To suggest that women don't want to get promoted or are unable to meet the standard assumes a premise that women are both less ambitious and less meritorious.

When I got pregnant, I was told "what are we going to do with you?"

I still think it is a bit of a "boy's club" in the police and women are not seen as capable of fulfilling the leadership responsibilities that come with promotions. I [also] believe that there is a mentality of some women within the police that other women cannot 'cut it' as they don't act like one of the boys, causing women with other qualities not seen as traditional policing values as unqualified for promotions.

Welcome to 1952.

My Crime Manager has antiquated ideas about women.

I kept putting my hand up but I wasn't given opportunities. It is definitely a gender issue.

It's a boy's club unless you're physically attractive.

There is still a culture of a "men's club". Men are always preferred over women, it's always who you know instead of what you know.

I accepted very early on [in my career] that as a woman I have to work harder to be accepted.

Superintendent and above, men are favoured over women and women are outnumbered [particularly] if you are not part of a senior clique.

There is an assumption that women will drop the standards.

I am not seen as equal to men due to being a woman. I am expected to behave a certain way because I'm female...for example, not be too assertive or stand up for myself too much...I'm expected to be a 'good girl' and not make the men's lives too difficult.

49 K Abouzahr, M Krentz, F Brooks Taplett, C Tracey, and Miki Tsusaka (2017) *Dispelling the Myths of the Gender "Ambition Gap"*, Boston Consulting Group (BCG), <https://www.bcg.com/en-au/publications/2017/people-organization-leadership-change-dispelling-the-myths-of-the-gender-ambition-gap.aspx> (viewed 12 April 2019).

...If I'm assertive and stand up for myself I'm known as 'strong willed' and 'difficult'. I'm criticised more heavily for getting anything wrong. And my contributions at meetings are often ignored or I am talked over the top of by a man who thinks he has a better idea than me... I'm constantly forced to change who I naturally am to fit into the mould of expectations that all the men I work with (because they hold the majority of positions across all levels and ranks) have of me and how I should behave as a woman.

Many women also commented on the sense that they are constantly "having to prove" their competence and that, as leaders, women often have to demonstrate greater skills, knowledge and toughness than the male officers to be accepted:

As a woman, I have to be better than a man to be taken seriously.

I have to work harder to be accepted by the men. I accepted that very early on from working with very misogynistic and narrow-minded men.

It gets exhausting having to prove all the time that you can do the job.

4.7.3 Sponsorship, networking and "cliques"

Both men and women believe that sponsorship and informal networks can indirectly impact on promotional decisions, particularly at the Inspector and Superintendent level.

Some women reported that they had had very positive experiences with both female and male mentors and sponsors:

I have had some wonderful male and female mentors. They nurtured and encouraged me ... to practice for the promotion process.

I was lucky. I had a great sponsor and he really pushed and supported me, to go for promotion.

However, other women felt that female officers were disadvantaged by the ongoing reliance on sponsors and networks. They commented that they were often not part of the "cliques" and where networking, in particular, occurs:

It's who you know not what you know. Clique culture.

If you aren't in the right clique or live in the right suburbs you will not get a look in. It doesn't matter if you could be the best. And if you don't drink, pal around and aren't a mate, then even less chance.

If you are pretty in [name] PAC, then you will have a smooth run. If you don't sleep around then you will be excluded.

I know I would have zero chance as a female who is not a detective (something that appears almost mandatory) and does not network or move in the "right" circles.

Male police [are] mentored – selectively for promotion by Senior Police [or] sponsored above females...

[The] non-invitation to coffee/lunch can cause isolation but this can also happen to male Police.

A male officer also commented:

"Clicks" [sic] and the "boys club" [are] still a massive barrier, not just for females, as it adversely affects males just as much, if not more, not being part of the "in" club.

One male officer commented that some of the informal networks were very gendered:

You can't have a beer with a woman (without gossip) so we just don't invite them.

Research indicates that exclusion from informal networks can impact on women police officers' ability to progress:

Off-duty socializing also poses interactional dilemmas for female officers. The men often drink together after work, participate in team sports or other shared recreational activities. Women's limited participation in this informal socializing deprives them of an important source of information and feedback, and the opportunity to make contacts, cultivate sponsors, and build alliances that contribute to occupational success.⁵⁰

The survey revealed that 56% of respondents agreed or strongly agreed with the statement there was 'a culture of 'cliques' / 'in-group' / 'in-crowd' within the NSW Police Force' with women significantly more likely to agree with this statement (68%) compared to men (51%). Significantly, only 45% of Survey respondents agreed or strongly agreed with the statement 'my work performance is valued more than whether I am part of the right "clique"/"in-group"' (no significant gender difference). Further, 36% of Survey respondents agreed or strongly agreed that it is difficult to feel included if you are not part of the 'clique' / 'in-group' (no significant gender difference).

4.7.4 Sexism and sexual harassment

There is considerable evidence both from Australia and internationally that shows that sexism and sexual harassment can negatively impact employees' ability to advance in an organisation. Australian Sex Discrimination Commissioner, Kate Jenkins has stated:

This conduct is not just unpleasant: it has direct impact on the health and well being of the individuals involved and it affects their ability to perform their jobs to the best of their ability. Further, the misuse of power means that [a victim's] career can be actively stalled by harassers who are the same people making decisions about their career opportunities ... Because of the gendered nature of sexual harassment, it is directly undermining any efforts by employers to advance women into leadership and improve gender equality, and for that reason alone employers should be much more active in its prevention.⁵¹

Further the International Labor Office found that:

Sexual harassment keeps women out of leadership positions and power, prevents gender equality from ever happening and also prevents women from reaching out and accessing the power to become the leaders who actively welcome diversity and inclusion.⁵²

In its *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*, (2015) the Victorian Equal Opportunity and Human Rights Commission found that sexual harassment inhibits victim's career progression, professional development and promotion. They found that:

Most frequently, the Review heard that employees were concerned for their career, in the sense of either losing opportunities for promotion or losing their jobs altogether... Promotional prospects can be limited by the stigma of experiencing sex discrimination and sexual harassment, and further, the stigma of reporting them... Loss of promotional prospects, loss of professional development opportunities, and the impacts of job retention and leaving workplaces and communities, also had knock on economic ramifications for families.⁵³

50 S.E. Martin *Doing Gender, Doing Police Work: An Examination of the Barriers to the Integration of Women Officers Paper presented at the Australian Institute of Criminology Conference First Australasian Women Police Conference Sydney July 1996*, p. 5.

51 K Jenkins *Sexual Harassment – Safer Workplaces*, <https://www.humanrights.gov.au/news/speeches/sexual-harassment-safer-workplaces> (viewed 20 April 2019).

52 Internal Labour Office *Sexual Harassment at Work*, http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_decl_fs_96_en.pdf (viewed 20 April 2019).

53 Victorian Equal Opportunity and Human Rights Commission (2015) *Independent Review into sex discrimination and sexual harassment, including predatory behaviour, in Victoria Police*, Melbourne, Victoria, p. 131.

There have been significantly strengthened efforts in the NSW Police Force to prevent and respond appropriately to sex discrimination and sexual harassment in recent times. Accelerated efforts have been made since Chris Ronalds SC's 2006 *Inquiry into sexual harassment and sex discrimination in the NSW Police Force*. In that Inquiry, 124 officers spoke to Chris Ronalds, of whom 59 reported sexual harassment, including "repeated unwelcome requests for sexual favours, unwelcome physical contact and lewd comments". Thirty-one disclosed victimisation after reporting an incident, and 40 reported sex discrimination.

Following that Inquiry, the Workforce Relations and Equity Unit was established with responsibility for the provision of advice on workplace equity matters and implementation of programs and strategies around respectful workplace behaviour. In addition, the mandatory referral of sustained sexual harassment and discrimination matters to the NSW Police Force Internal Review Panel and the Commissioner was introduced. Also introduced was the delivery of online training focusing on sexual harassment, discrimination and bullying. A new policy for *Harassment, Discrimination and Bullying* was developed.

The Review Team understands that the Commissioner has been strongly proactive in communicating his zero tolerance for any behaviours that would constitute sexual misconduct. As the Review Team heard:

Mr Fuller has really driven accountability around sexual harassment and zero tolerance.

The Commissioner is very committed to stamping out any sexual behaviours here.

Nevertheless, the results of the survey and the comments from police officers indicate that sexual harassment and sexism still occur in some parts of the Police Force.

The survey revealed that one in three women (34%) and 13% of men have experienced sexual harassment in the course of their duties with the NSW Police Force or at a work-related event from a colleague in the last five years. Further, 20% of women and 8% of men have experienced sexual harassment in the course of their duties with the NSW Police Force or at a work-related event from a colleague in the last 12 months.

Just over one third of those who had experienced any form of sexual harassment at NSW Police indicated it was a one-off incident. Over half (57%) experienced sexual harassment on multiple occasions. More commonly, the perpetrator of the most recent sexual harassment experience was a single person (60%) and just over a third (35%) indicated the behaviour(s) were perpetrated by multiple people. There were no gender differences regarding this survey item.

Overall, in 70% of cases, the perpetrators of sexual harassment were male regardless of whether a single or multiple persons were involved.

As is often the case with workplace sexual harassment, formal reporting of the most recent incident was low at 15% for both male and female survey respondents that reported they had experienced sexual harassment.

There was a total of 32 participants (20 women and 12 men) who cited that they had experienced 'actual or attempted rape or sexual assault' in the past five years by a colleague in the course of their work duties.

Survey participants who had not formally reported their most recent experience of sexual harassment were asked why they had not done so. The most common responses were:

- Believing there would be negative consequences for their reputation (e.g. that they would be blamed or not believed) (46%);
- Believing there would be negative consequences for their career (42%);
- Thinking it would not make a difference (37%); and
- Feeling as though it wasn't necessary to report it, as they were able to make the harassment stop (33%).

Whilst unacceptably high, it should be noted that the prevalence in the NSW Police Force is slightly lower than the prevalence in Australian workplaces more broadly: the 2018 *National Survey on Sexual Harassment in Australian Workplaces* conducted by the Australian Human Rights Commission found that 39% of women and 26% of men have experienced sexual harassment in the workplace in the last five years.⁵⁴

As noted above, sex discrimination and sexual harassment can limit a victim's career advancement and their access to professional development, particularly when the harasser is their manager or someone in a position of power. In regard to the NSW Police Force, a number of female police officers told the Review Team that if they spoke up about the behaviours they would be undermining or limiting any opportunities for career development or career progression.

Some female police officers commented on the link between sexual harassment and promotions and career opportunities:

[I've had] requests of sexual favours from senior Officers in an effort to be assisted with promotions.

There is still sexual harassment and sexual based discrimination in the NSWPF, but most women tend to just accept it as the norm to some degree – however it's another way men disrespect us and don't consider us their equals in this environment and this as well is a barrier to career progression.

I had someone in my Command put the hard word on me. I rejected it and things went to shit for me...my work life went to shit.

Apparently, I slept with the Commander to get my job.

A number of Review participants also commented that sexual harassment and sexism tended not to be reported or addressed when it did occur:

People are afraid to say anything because of their future career.

I would never complain because of the potential negativity or repercussions I might experience.

To complain [about this incident] is career suicide.

4.8 Findings

The Review Team found that the experiences of men and women in the NSW Police Force differ in many respects. Men's perceptions of women's experiences are also vastly different to the reality women report they face within the organisation. The following discussion provides guidance on strategies to ensure that both male and female police officers in the NSW Police Force have the same opportunities to thrive and succeed. The full list of recommendations is located in the Principles and Recommendations section of this Report.

4.8.1 Strong and Courageous Leadership

The success of the changes to the promotions system and to increasing the representation of women in leadership roles, is dependent upon strong and courageous leadership at all levels of the NSW Police Force. Structural and cultural change in any organisation can be challenging, particularly where there are deep seated traditions that require review and renewal. This will undoubtedly be true in the NSW Police Force where there is work to be done on both addressing the structural barriers to women's progression, and on the cultural barriers to women making their full contribution to the NSW Police Force.

⁵⁴ Australian Human Rights Commission (2018), *Everyone's Business: 2018 Sexual Harassment Survey*, <https://www.humanrights.gov.au/news/stories/everyone-s-business-2018-sexual-harassment-survey> (viewed 30 April 2019).

Commissioner Fuller is a strong and committed advocate for ensuring the NSW Police Force allows both men and women to thrive and advance in their careers, including in the leadership ranks. He displays a clear recognition of the considerable organisational benefits of a diverse workforce.

The majority of participants in this Review identified the Commissioner's commitment and leadership on these issues. However, relatively few participants in the Review were able to name more than two or three leaders who are strong advocates for gender equality:

Mr Fuller and I are both really committed to this, but I am not sure who else in the senior ranks is.

I think [increasing the representation of women leaders is] a priority for the Commissioner but I don't believe the other leaders see it as high up on their agenda.

There's understanding of the issue. Is there willingness to do something about it? Questionable.

All leaders from the Commissioner down must be committed to and champion change if it is to be effective and sustainable.

There are a number of innovative leadership models that are based on the premise of "listening, learning, and leading through action." These models enable leaders to take practical action to accelerate progress on gender equality. Leaders are asked to listen to the insights of their employees and experts, particularly women, to reflect on the human experiences of gender inequality in their organisations and their own role, and to personally lead system-wide actions. Leadership models such as these are reflective analytical tools designed to strengthen personal leadership and action on gender equality.⁵⁵

The concept of a model such as the leadership shadow starts from the premise that:

*The path to lasting performance improvement on any priority—like gender balance—starts at the top. What we say; how we act; what we prioritise; and how we measure together determine what gets done (and what doesn't).*⁵⁶

The Review Team considers that adopting a leadership model that is tailored to the unique needs of the NSW Police Force would continue to strengthen leaders' efforts in their desire to achieve gender equality at leadership levels.

As well as this initiative, leaders should strengthen the understanding across the organisation of the critical link between gender diverse leadership and future capability. Failure by the organisation to recognise this link will be a barrier to effective and lasting reform and, as a result, women will continue to be under-represented in leadership roles. Strong and sustained messaging on the clear organisational benefits of diversity and inclusion is required to achieve meaningful change and importantly, to minimise the risk of backlash against women who progress through the ranks.

4.8.2 Middle managers as agents of cultural change

Whilst change must be led from the top, middle management leaders also have a critical role to play in championing and implementing cultural change. As the 'cultural ambassadors' of the organisation – those that have the day to day interaction with employees – what these leaders say and do, matters. This includes Sergeants, Inspectors and Superintendents:

Sergeants set the culture of the team.

55 J Latimer, Somali Cerise, P V Ovseiko, J M Rathborne, S S Billiards, W El-Adhami (2019) Australia's strategy to achieve gender equality in STEM, *The Lancet*, Vol 393, 9 February.

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

Building trust in leadership is a critical component of this. A disconnect between what leaders say and how leaders act is also of concern to police officers, particularly women. Whilst a number of police officers indicated that many leaders and supervisors were supportive and inspiring managers, others believed certain leaders lack the necessary skills to manage diverse teams, including teams that include women or those with caring responsibilities. Further, the Review Team observed that for some police, and women in particular, there was a 'trust deficit' between police and their leaders. Comments from male and female police officers to the Review Team included:

Women are passed over due to Managers not wanting part-time officers, women on maternity or the likelihood they may go on maternity leave. Totally unfair and Managers can say all they like that they don't discriminate but it's glaringly obvious that male officers who are in the 'men's club' will always be preferred over female officers.

I have seen increased mismanagement of staff and sectors and the inability of Supervisors to Lead. Gaining a place on the Promotions List and acquiring a Sergeants position DOES NOT make you a Team Leader. It does not make you a Strong Advocate and it does not inherently make you a good manager. [emphasis the participant's]

...People in positions of authority [in the NSW Police Force] are never going to support females getting promoted who don't accept the current status quo.

[I experienced] exclusion by [my] manager re flexible working agreements despite others being awarded it.

How can people be managers of people in a high-risk organisation (i.e. exposure to trauma, work place issues etc) with no management experience or qualifications?

The majority of management, particularly in the detectives are male and give the investigations with more profile to their male mates. It is then even harder [as a woman] to establish yourself or make yourself known as a competent or exceptional worker, being allocated more menial investigations and not given opportunities to excel.

Strengthening the leadership and management capabilities of middle managers is a vital ingredient in driving cultural change and translating that change into a higher performing workplace. As noted in Chapter 3, leadership across the Police Force would be strengthened if members were required to complete specific pre-qualifying capability development in people management and leadership prior to being promoted.

To achieve these aims, it is important to assist those in middle management to:

- better understand the need for, and champion, the positive and tangible outcomes of a more gender balanced workforce and leadership teams; and
- commit to building a culture that is more consistently supportive of women across each PAC and each Directorate, including increasing access to appropriate training and relieving opportunities.

As such, topics that should be covered in leadership and management capability development include:

- all people management policies;
- understanding the findings and recommendations of this Review;
- understanding work place gender equality and diversity more broadly;
- the benefits of flexible work, and recognising that employees working part-time are as committed to their work as full-time employees;

- implementing flexible work arrangements;
- effective communication;
- recognising and responding appropriately to bullying, harassment, sexualised work environments, sexual harassment and sexual abuse; and
- creating a safe environment for reporting inappropriate behaviours.

More effective leadership and people management skills among all leaders across the NSW Police Force will ensure healthier work environments and allow all members – men and women – to thrive.

4.8.3 Increasing the visibility of senior women

Many women told the Review Team that the absence of female role models at senior levels was an obstacle to their own advancement. The survey revealed over half of female respondents (54%) cited the ‘absence of successful female role models at senior levels’ as a barrier to their career progression. Women indicated that they do not apply for promotions because the paucity of visible senior female role models creates a negative perception that women cannot attain higher ranks (“you can’t be what you can’t see”):

We have never had a female C.O.P. We have one female DC and hardly any ACs. [The movement of some senior women] ...means that the senior female role models within the NSWPF are absent.

[The barriers to women’s advancement are] a combination of having no female role models to be encouraged by beyond that rank v the stigma that it is a boy’s club up the top.

As a female officer I have minimal role models above [my] rank to look up to [who] could act as a mentor.

Other women, however, noted that senior women are not always champions of women’s progression, and have had to “fit in” to the masculine culture:

There have been senior women who have actively worked against women’s progression.

There is a lot of internalised misogyny in the NSW Police Force.

Some of the senior women have needed to act like a bloke, think like a bloke, swear like a bloke to jump into that group, and they have become part of that group of poorly behaved people.

Senior women will either back you to the hilt or bury you.

In examining the areas where increased visibility of senior women would make a material difference, many women made reference to the fact that very few women sit on the assessment panels, particularly in relation to promotions for the senior ranks, creating a risk of unconscious bias in the decision-making process:

You find yourself before a panel of men [who don’t know you]. Not too many women are going away on footy trips with the blokes.

I definitely did better at the EP when there was a woman on the panel.

The options to address these issues are identified below, including in 4.8.5.1 and 4.8.5.3.

4.8.4 Ensuring the change process is accountable and measured

Ultimately, for any change process to succeed, whether it is change to the promotions system or creating a more gender diverse leadership team, the process, including the recommendations contained in this Report, must be owned by the Commissioner and his senior leadership team. This responsibility should be embedded into their performance metrics. Further, to ensure that change is entrenched across the organisation the Commissioner should select a targeted group of exceptional police officers from throughout the organisation and at different leadership levels, as well as any appropriate external professionals, to assist with the implementation of the recommendations from this Report, particularly those that relate to gender and leadership. This group could be known as the Diversity and Inclusion Advisory Group. It should be sponsored by the Commissioner and chaired by a Deputy Commissioner.

4.8.5 Systemic Interventions

The Review Team recognises that training and mentoring are beneficial. However, for maximum benefit and to ensure lasting change, more systemic interventions are also required.

Unless there are a suite of strategies focussed on the active and intentional inclusion of women in the Police Force and strategies that address the systemic obstacles to women's advancement, there is unlikely to be any significant change to the representation of women, particularly at senior levels.

As the many hundreds of comments to the Review Team from female police officers demonstrated, some of which are reproduced in this Chapter, the entrenched male culture underpinning the NSW Police Force directly impacts on women police officers' ability to move forward in the organisation. There is a clear need for a more disruptive strategy that will re-energise efforts to reduce disadvantage to talented women. Whilst recognising that some may not support such measures, the evidence is extensive and compelling – systemic strategies are a critical way to achieve impact and the desired outcome, i.e. increased representation of women in leadership roles. These strategies include introducing temporary special measures, expanding the availability of flexible work arrangements, targeted development and sponsorship for women and effectively addressing sex-based discrimination and harassment.⁵⁷

4.8.5.1 Temporary Special Measures

The NSW Police Force currently has two targets or benchmarks relating to gender diversity – a workforce which is 50% female and 50% male; and a workforce in which the distribution of women across the salary band is equivalent to the distribution of men. These targets or benchmarks were developed as part of a whole-of-government approach to strengthen equal employment opportunities across the NSW Public Sector.⁵⁸

These targets – and the concept of targets more generally – are not universally embraced across the NSW Police Force. Police officers, and male officers in particular, variously stated that interventions that would enable more women to enter leadership roles could potentially undermine the concept of merit and be “discriminatory against men.” The Review Team also heard that such initiatives can create a backlash against women. Given the belief that interventions to promote women are contrary to merit, there was strong resistance among some to the implementation of any differential treatment, target or special measure to increase the representation of women. This concern was common despite the fact that some Police officers also believed that as an organisation the NSW Police Force does not always apply merit universally.

57 eg Victorian Equal Opportunity and Human Rights Commission (2015), op cit, E Broderick (2016) op cit; Workplace Gender Equality Agency, <https://www.wgea.gov.au/topics/setting-targets> (viewed 11 April 2019).

58 NSW Police Force (2018). *NSW Police Force: Annual Report 2017-2018*. NSW Government. Sydney, NSW, www.police.nsw.gov.au.

There is strong evidence to show that in situations where merit is emphasised as a basis for selection and performance review decisions, men are more likely to be selected and more likely to be awarded higher salary increases compared to equally rated women.⁵⁹ ‘Merit’ reinforces the status quo. Chief of the Australian Defence Force, Angus Campbell has stated:

*If we believe that men and women are equally able in a company or a country, then we should be expecting a 50/50 outcome. If we don't get that, then there is either bias or constraints to natural merit.*⁶⁰

The simple fact is that while both are capable of making equally valuable contributions to any organisation, the needs and experiences of men and women are different. The NSW Police Force must recognise and build this knowledge into the structures, systems and practices that underpin their organisation. With this in mind, the application a *temporary* special measure (or target) is critical to ensuring that women have the same opportunities as men to lead. Without such measures in selected areas there will be no change. Temporary special measures and merit are not mutually exclusive. Rather, temporary special measures are necessary to allow women’s merit to be revealed. It has been noted that:

*Leaders need to reshape the conversation we have about merit to ensure that women do not face a backlash when they are promoted, with claims that they only got there because they were women. Overcoming the myth of merit requires leaders to step up and acknowledge that the current process is impacted by bias and that ‘cultural fit’ often disadvantages diverse candidates.*⁶¹

A ‘target’ is not discriminatory if it constitutes a ‘special measure’ under the *Sex Discrimination Act 1984* (Cth) and is imposed for the purpose of achieving substantive equality between men and women.⁶² A target will not, however, be regarded as a special measure once the objective of achieving substantive equality between men and women has been achieved.

The Review Team recommends that the Diversity and Inclusion Advisory Group identified in 4.8.4 be responsible for setting ambitious but attainable temporary special measures for each senior rank and devising strategies to achieve those outcomes.

4.8.5.2 Flexible work – a capability driver

The NSW Police Force has commenced work to shift its operating model to increase flexibility of staffing arrangements and to increase access to part-time roles across the salary band.

The Review Team supports this initiative and believes it will have a positive impact given one significant barrier to women’s progression is the difficulty they face in wishing to advance their career whilst at the same time managing their family and caring responsibilities. Men too can experience this challenge, but the data shows that women make up the majority of primary carers. They are most often the parent who takes time out of the workforce and who limits their working hours to care for their family. The NSW Police Force has a flexible work policy and guidelines which acknowledges that there are organisational as well as individual benefits in allowing people to work flexibly and specifically on a part-time basis. The policy and guidelines however, do not include the full range of flexible work options, namely part-time, compressed hours, staggered hours, job share and flexi-time.

59 EJ Castilla & S Benard (2010). ‘The Paradox of Meritocracy in Organizations’ in *Administrative Science Quarterly* 55: 543-576; Male Champions of Change, (2017) *In the Eye of the Beholder: Avoiding The Merit Trap*.

60 A Campbell in Male Champions of Change (2017) *ibid*, p. 4.

61 J Mackay (2016) *Addressing the Merit Myth* Australian Institute of Company Directors, <https://aicd.companydirectors.com.au/membership/the-boardroom-report/volume-14-issue-6/addressing-the-merit-myth> (viewed 1 March 2019).

62 *Sex Discrimination Act 1984* (Cth), s 7D(1) and (2).

The Review Team heard that flexible work, and part-time work in particular, are not generally viewed favourably and hence can be a career inhibitor. Unlike male police officers, many female police officers in the NSW Police Force believe they face a binary choice between advancing their career and family.

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

Whilst the NSW Police Force's *Part Time Work for Police Officers Policy and Guidelines* and the *Flexible Work Arrangement Guidelines and Procedures* are sound documents, their application, according to police officers on flexible or part-time work arrangements, can be inconsistent. Access to the arrangements set out in the policies and guidelines can be dependent on who is making the decision. Police variously spoke of being "de-valued", "marginalised" and perceived as "a burden" when working part-time. Many also spoke of being unable to access promotional or training opportunities, despite their skill and expertise.

Whilst there are some unique challenges for law enforcement agencies in implementing a universal flexible work regime, these are not insurmountable. They require strong leadership and organisational commitment to design and implementation. The Review Team understands that the Deputy Commissioner (Corporate) is currently leading a substantial piece of work to embed greater flexibility into the NSW Police Force. It is recommended that the following elements be considered:

- Identifying the intersections between the NSW Police Force's Human Resources policy and the new promotions system, with a view to maximising access to promotion for those on flexible work agreements.
- Reviewing job design, duty statements and team work allocation to identify those positions where full-time work is the only reasonable model. All other roles should be identified as potentially available in flexible work arrangements.
- Developing strategies to encourage senior leaders to work flexibly (ie within the full definition of the term and not merely part-time) so they can model the ability to balance a flexible work arrangement with a police career.
- Developing and providing training for Commanders and other supervisors on how to manage police on flexible work arrangements effectively.
- Developing a communications strategy that identifies the organisational and individual benefits of flexible work arrangements.

The Review Team endorses the recommendation made by Deloitte in its 2018 report to the NSW Police Force, Workforce Management and Policy Alignment that the Police should:

devolve the workforce & budget delegations to an appropriate operational level to enable autonomy and accountability to manage the workforce at an operational level.

Given the particular challenges faced by certain Commands, particularly those in rural areas, where filling positions, managing part-time work and providing job-share options can be more difficult, the Review Team believes that devolving workforce and budget delegations to Local Area Commands will assist Commanders to address these issues.

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

4.8.5.3 Targeted development and sponsorship for women

Targeted development and sponsorship initiatives have most impact when they occur as part of a suite of systemic interventions. Without the supporting systemic interventions, training, development and sponsorship can at best lead to incremental change, rather than whole-of-organisation change.

The Review Team heard from women across the ranks that many of the initiatives currently in place – including the Women in Policing Leadership Program and the Women’s Mentoring Program have been successful in assisting women to build ‘*capability, capacity and confidence*’. The Review Team commends those women and men who have invested significantly in establishing these mechanisms and have given their time to train, mentor and sponsor emerging leaders in the NSW Police Force. In that context, it is proposed that the Police Commissioner:

- strengthen the existing mechanisms for developing, mentoring and sponsoring women;
- identify opportunities for women in the NSW Police Force to access broader training and development programs, such as the programs offered by Chief Executive Women; and
- explain the business case for a gender diverse workforce and leadership teams to ensure buy-in from all employees of the NSW Police Force.

4.8.5.4 Addressing Sexism and Sexual Harassment

Despite recent strong efforts to address sexual harassment and the deep commitment of the Commissioner, sexism and sexual harassment still occurs, albeit below the national average in the NSW Police Force. A number of initiatives have been implemented in recent times to address unacceptable workplace behaviours and attitudes, including sexual harassment. These include the *Respectful Workplace Behaviours Policy Statement and the Respectful Workplace Behaviours Guidelines*, the *Respectful and Inclusive Workplaces Campaign Communications Strategy*.

Swift action is generally taken when a report of sexual harassment occurs and, when an investigation finds in favour of the complainant, perpetrators can be dismissed from the organisation. Dismissing a perpetrator and, within the boundaries of privacy legislation, alerting the organisation of outcomes of sexual harassment investigations can send a powerful message about the behaviours the organisation will not tolerate.

Mandatory training is provided to police officers. Under the *Police Force’s Harassment and Discrimination Timeline: 2006-2018*, it has been proposed that the Police will:

- continue to develop effective workplace behaviour videos as micro learnings to support and instil a zero-tolerance behaviour at all levels.
- Develop streams of training/education/ workshops for different leadership levels throughout the organisation, targeting audience specific needs to support and deliver appropriate behaviours.⁶³

The Review Team supports this approach and encourages the Police Force to continue to evaluate the impact of such training and education in terms of preventing sex discrimination and sexual harassment.

The survey data shows that reporting is low, preventing the organisation from understanding the full extent of the issue and limiting its ability to identify and deal with perpetrators.

The NSW Police Force’s, *Complaint Handling Guidelines* provide comprehensive advice about how to handle a complaint about a police officer, including a sexual harassment complaint. Whilst the document provides invaluable procedural advice, it does not include information about how a complainant may be supported, particularly for those who have experienced sexual harassment or other sexual misconduct. A more “victim-centric” approach would encourage greater reporting of these incidents.

63 NSW Police Force, *Harassment and Discrimination Timeline*, May 2018.

One useful model for encouraging complainants to report sexual harassment (as well as other unacceptable workplace practices) is the Australian Federal Police's Confidant Network. Confidants are police officers who apply to volunteer as Confidants and undergo training on how to advise a colleague who may contact them anonymously on available supports (internal and external). The Confidant can assist in outlining options for reporting an incident, including sexual harassment. It is an informal way for a Police Officer to access advice and assistance before deciding whether to make a formal report of an incident.

Further, according to a senior NSW police officer:

VicPol and AFP have set up Safe Places – that's what we should do.

The Review Team believes that to further enhance formal reporting of sexism and sexual harassment, a discrete unit (i.e. a version of a Safe Place) be established to provide support to complainants and to investigate and address sexual harassment and any other sexual abuse, to offer advice to Commanders on how to appropriately deal with sexual harassment and other sexual misconduct matters in their Commands and collect data on all sexual harassment and sexual abuse complaints including the location, functional area, nature and, where appropriate, alleged perpetrator. The Commissioner and the Commissioner's Executive Team should be provided with quarterly updates on sexual harassment and sex discrimination complaints including the strategic measures that the organisation has undertaken in response to key trends and patterns identified in the data.

The Australian Federal Police established a Safe Place in 2016 with the purpose of providing support to members and employees who have suffered sexual harassment or bullying at work and to reassure them that their concerns will be treated with respect, sensitivity and confidentiality. AFP members and employees can make a restricted (confidential) or non-restricted report to the Safe Place. Where a restricted report is made, the complainant can elect not to name the alleged perpetrator or have the matter investigated, apart from certain exceptions. An individual can contact the Safe Place to merely access support – both internal and external. An unrestricted report will activate an investigation as well as support for the complainant. A similar model exists in the Australian Defence Force (the Sexual Misconduct Prevention and Response Office). The Victorian Police is currently working towards implementing a unit similar to the AFP's Safe Place.

4.9 Conclusion

This Report has examined two significant issues for the NSW Police Force, firstly, the promotions system itself and secondly, aspects of the organisation's culture that can limit women's representation in the senior ranks of the organisation.

Significant work has been undertaken by the NSW Police Force in collaboration with the NSW Police Association to adapt the current promotions system with a view to making it simpler, less onerous, more expeditious, fair and transparent. The Review Team commends the leadership of Commissioner Fuller, both for his willingness to listen to the voices of his Force and his commitment to reform.

The second part of this Report has examined the issues that impact on women's leadership in the NSW Police Force, including the promotions system but also the culture of the organisation. Many police officers told the Review Team the promotion system does not discriminate. However, the evidence suggests otherwise. In its current form, the promotions system operates in a manner that impedes a police officer's ability to balance work and caring responsibilities. This can disproportionately adversely impact on women's decisions to apply for or achieve a promotion. The Review Team is confident that the Promotions Review Steering Committee will make gender equality a priority in its redesign of the promotions system.

Despite challenges associated with the structure of the promotions system, the more profound and sustained challenges for women arise from aspects of the NSW Police Force's culture. Those elements that have inhibited women's progression have been powerfully articulated by police officers and are documented in this report.

These cultural issues are not unique to the NSW Police Force. All police forces across Australia and indeed, internationally have grappled with how to address the dearth of women in senior roles, recognising the considerable organisational benefits of having gender diverse leadership teams. Whilst a number of the quotes and survey data are of concern, they should not be a reason for police officers or indeed the community to have diminished faith in the capacity of the NSW Police Force. Rather, this report is testament to the Force's and in particular, Commissioner Fuller's commitment to creating an organisation where both men and women can thrive and progress. It takes courage and commitment for any organisation to identify not just those areas that are working well but to also identify those requiring change.

We strongly commend the Commissioner for taking this bold step and are confident that under his leadership sustainable and lasting progress will be made.

