



Australian Government

**Australian Commission for
Law Enforcement Integrity**

International Women and Law Enforcement Conference
**Corruption and the changing opportunities
for women in law enforcement**

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Cairns

CHECK AGAINST DELIVERY

INTRODUCTION

- Australian law enforcement agencies have committed to significant cultural reform in response to reviews of the experiences of women. To this end, they have prioritised improving organisational diversity.
- If implemented effectively, diversity programs are likely to result in an increase in the number of female officers. They will also improve the proportion of female representation within the ranks of senior executives.
- Women deserve to be active participants in law enforcement and public service. They deserve to be recognised and valued for their unique skills and experience.
- However, with any significant organisational change process, the impact of diversity measures on integrity must be considered.
- In its corruption investigations, ACLEI has observed that where pressure or opportunity exists, women are no less likely to engage in corruption than men.
- To explore this concept further ALCEI embarked on a project to consider the relationship between gender and corruption. Over the next half an hour I'm going share some of the project's findings with you.
- I then hope to make some recommendations for how agencies might engage with female employees to mitigate potential corruption risk.

- I'd also like to talk about some broader strategies for influencing positive organisational culture.

FUNCTION OF ACLEI

- But before I do that, I'll briefly outline ACLEI's roles and functions.
- Led by the Integrity Commissioner, ACLEI investigates serious and systemic corruption in Commonwealth law enforcement agencies. The agencies in ACLEI's jurisdiction include:
 - the Australian Federal Police
 - the ACIC
 - Department of Immigration and Border Protection, including the Australian Border Force
 - prescribed aspects of the Department of Agriculture and Water Resources, in the main those officers that perform biosecurity functions at the border
 - as well as AUSTRAC
- In our context, we define corrupt conduct as:
 - Abuse of office
 - Conduct that perverts the course of justice
 - Corruption of any other kind having regard to the position the person who is committing the conduct is in.
- The Integrity Commissioner has the full toolkit of law enforcement powers, including the ability to execute search warrants, powers of arrest, telecommunication interception, surveillance, controlled operations, and integrity testing. The normal policing powers.
- What makes his position unique is that the Integrity Commissioner has coercive powers and can compel people to provide information, including at coercive hearings.

GENDER AND CORRUPTION PROJECT

- The Gender and Corruption Project was designed to explore patterns and trends in corrupt behaviour by female law enforcement employees. We also wanted to look at whether there are any matters particular to women that would make them vulnerable to corruption.

- The project was primarily observational in nature. It was not a comparative analysis of male and female employees.
- The methodology involved a review of academic research, stakeholder consultations, and analysis of ACLEI investigations, case study exercises and a Gender and Corruption workshop. More details about our observations, including case studies will be published on our website in due course.
- ACLEI, as has been mentioned, undertakes proactive corruption prevention work. As a result of our proactive focus we have identified that there is generally no 'one size fits all' approach to organisational integrity. As such, we work with agencies to assist them to identify and mitigate risks specific to their operating environment.
- The Gender and Corruption Project has confirmed for us that this is the correct approach to address corruption risk in agencies.
- In terms of agency risk, the project identified that the significant organisational change associated with improving gender diversity in law enforcement is an area that should be considered from an integrity perspective. And it should be considered in a well informed and proactive way.

CURRENT SITUATION

- Although law enforcement has thankfully moved beyond uniform-issue handbags and compulsory resignation upon marriage, the environment is still primarily a masculine one. This is reflected in the statistics of female representation.
- Women have traditionally been viewed as an antidote to corruption. Indeed, research has previously concluded that agencies can treat serious or systemic corruption by employing women. There are a number of examples of this when you look at the rationales for the 1970s and 1980s transition of women into operational roles in law enforcement.
- This is a view that is still influential. It forms the basis for policy platforms which promote the integration of women into public sector roles as an anti-corruption remedy.
- This is a perspective based on gender stereotypes about female virtue and inherent morality. And, we suggest it fails to consider women as individuals, with their own lived experiences, values, and external pressures.
- Most integrity frameworks are oriented towards particular risk profiles. At an employee level this is primarily based around the majority law enforcement demographic—men.

- The perpetuation of stereotypes about women’s lower risk of engaging in corruption could represent a risk for law enforcement agencies if demographics do and will shift significantly and integrity frameworks do not reorient accordingly.

RESEARCH FINDINGS

- Based on our own investigations, ACLEI hypothesised that where certain opportunities and pressures exist, women are no less likely to engage in corruption than men. We have supplemented our findings with observations from other stakeholders based on their unique operating environments.
- While significantly more research is needed, it is apparent that Federal and State law enforcement agencies are seeing the same trends in terms of how female law enforcement employees are engaging in corruption. They are also seeing similar trends to what we are seeing in terms of their motivation for doing so.
- I’ll share the most significant of these trends with you now.

The first trend relates to social capital

- We have seen corrupt behaviour where reward comes in the form of social capital rather than an immediate financial gain. So for example, sensitive information being traded by women for the benefit of sponsorship or promotion, or recommendation for transfer.
- We surmise this could be occurring as a reaction to the traditionally closed doors of male law enforcement networks; as a way to “catch up” on previously missed opportunities and experiences. We suspect that women feel justified in this type of corruption as a mechanism to address issues of inequality.
- Agencies have also observed an emerging risk for female officers where there is a conflict of interest between an individual’s law enforcement role and loyalty to a community or ethnic group.
- Unauthorised disclosure of information or preferential treatment in decision making has been observed to be the primary corruption risks when it comes to social capital. Women involved in this offending do not usually appear to do so for money. Rather, the activity is engaged in as a perceived responsibility to a particular individual. The reward is then the continued good standing in the community.

Of course, we have also seen female law enforcement officers engage in corrupt behaviour for financial gain and for money

- Indeed, agencies have observed that an emerging corruption risk area is where female employees, for financial gain, abuse procurement processes or official credit cards. This is an interesting finding given that fraud profiles tend to identify male employees as being a higher risk.
- We have identified that the rise in the cost of living, particularly in major cities, may create pressure in the form of financial stress. Financial pressure, when coupled with an increasing number of women in primary breadwinner roles or sole carer roles, may mean this is a risk area where female representation will continue to increase.

Neptism in the workplace is another motivation for corrupt behaviour that stood out during the course of the project

- I have previously referred to the general belief that women are an antidote to corruption. It is widely thought that a female “ethic of care” creates a natural resistance to corruption. Assumptions about the application of women’s traditional home-based caring roles to law enforcement are common.
- For a moment let’s assume that the assumptions around women’s caring natures are true. What does that then mean where there is a conflict between a woman’s loyalty to family, friends, or community, and the expectations of an employer—the professional standards of an agency.
- When considering motivation for engaging in corrupt activity, integrity agencies have observed that nepotism—particularly in securing a benefit for a partner or children or loved one—appears to be a strong driver.
- I acknowledge that men are also well represented in corrupt activity where nepotism is a motivating factor.
- The vulnerability for law enforcement agencies is where gender stereotypes pervade the assessment of employee risk. Behaviour by female employees may be overlooked due to assumptions regarding corruption vulnerability. Employers may assume that females will conform with proper processes and ethical standards based on an idealised notion of their finer moral values/nature.

Drug use by females in another factor that may contribute to corrupt conduct

- While drug use in and of itself may not be considered corruption, it nevertheless represents a significant conflict with a law enforcement employee’s professional responsibility and gives rise to corruption vulnerability.

- The practice necessarily involves liaison with drug suppliers and drug users. These are people who will inevitably come into connection with organised crime, or have some connections. And we have seen organised crime's interest in influencing, coercing and grooming law enforcement officers for information or other advantage.
- Agencies consulted for the report and this project identified that female officers and civilian law enforcement employees were proportionally represented in serious misconduct relating to illicit drug use. Indeed, some observed an over-representation of female staff abusing pharmaceutical products.
- Agencies have also anecdotally observed an increase in experienced and older females using illicit drugs. This possible upward trend of illicit drug use by female law enforcement employees reflects a broader community trend which is set out in the National Drug Strategy Household Survey from 2016. It notes a significant increase in the reporting of illicit drug use by women in their 30s.

The project also observed that subcultures in agencies can have a detrimental effect on integrity frameworks

- Subcultures can begin innocuously through a social or sporting group, or through a shared identity as part of a minority group.
- While subcultures based around shared experiences or issues may be supportive or empowering for law enforcement employees, law enforcement agencies have observed that some groups have become adversarial, subversive and exclusionary.
- In particular, closed social media groups can perpetuate a culture of exclusion. Bullying and harassing behaviour has occurred both in the exclusion of individuals from groups and within groups themselves.
- At their most damaging female subcultures have been linked to patterns of behaviour around illicit drug taking. Indeed, in some instances officers have been identified selling drugs to other colleagues. This has been observed at both a State and Federal level.

Finally, let me talk about Organised Crime's persistent attempts to corrupt law enforcement employees

- Organised crime covers a broad range of activities. At its most serious, it involves large-scale criminal entities exploiting illicit markets and infiltrating legitimate industries for profit. Organised crime groups are structured to operate across state and national borders and engage in criminal activity in multiple jurisdictions.

- Increased activity from organised crime in this decade has placed significant pressure on Australia's border and law enforcement agencies.
- The increased number of females in law enforcement offers new opportunities for organised crime groups. Agencies have expressed concerns about both the cultivation of existing female employees and the deliberate infiltration into law enforcement of women who have connections to organised crime.
- Like other agencies, ACLEI has observed the grooming of female law enforcement employees by organised crime. We've seen organised crime and other criminal entities target female officers through social media. We've seen them exploit existing relationships with criminal entities and other declarable associations. In particular we have observed female officers disclose sensitive law enforcement information as a result of grooming.
- We also suggest that non-operational employees may be just as vulnerable to grooming and other improper approaches by criminal entities. Indeed, non-operational staff may have similar or higher levels of access to sensitive information or classified information than their operational colleagues, and they may be less prepared to respond to organised crime's methods of infiltration.

IMPLICATIONS FOR LAW ENFORCEMENT

So what are the implications of these trends for law enforcement?

- In terms of gender, women still represent the minority in Australian law enforcement agencies. The gap widens further when considering representation of women in senior executive and commissioned officer roles.
- Allegations against female employees are proportional for some corrupt activities. In relation to unauthorised disclosure investigations, women appear to be equally or over-represented.
- However, overall agencies have noted that women are not proportionally represented in serious misconduct and corruption matters, even when accounting for the lower number of females in law enforcement.
- Corrupt activities tend to run in networks. They can result from patronage relationships or based on long-established organisational ties. We suggest that women may be excluded from opportunities to engage in or benefit in corrupt activities. This might be because they are relative newcomers to these relationships, or because they have less access to the networks through which corrupt dealings and relationships are organised.

- The current law enforcement environment may operate in a way that limits opportunities for female employees to engage in corruption. However, a demographic shift may unlock opportunities for women. Then, there is little to suggest that female officers will be less susceptible to corrupt activity than their male colleagues.

Another challenge for law enforcement is risk aversion on the part of female officers, and its impact on detecting corrupt female employees

- It appears from the project that female corruption is less opportunistic than male corruption. When females do decide to engage in corrupt activity, they use a high level of planning to avoid detection. Females are risk averse.
- If observations of planning and active risk analysis by female employees are accurate then some serious misconduct and corruption by female employees may be going undetected.
- Corruption is still thought to be a predominantly masculine activity—particularly in environments that have traditionally seen women in the minority. But are female employees less likely than their male counterparts to engage in corruption? Or is it possible that corruption perpetrated by women is harder to detect?

The final implication that I want to talk about is the unintended consequences of targeted recruitment

- Targeted recruitment and quotas are relatively new policies for law enforcement. They seek to address perceived long-term bias in entry level recruitment.
- During times of high recruitment there is opportunity for recruits to be drawn from backgrounds that traditionally don't engage with law enforcement or those with different life experiences.
- Agencies may need to review and modify recruitment standards.
- This does not have to have adverse implications if the agency is aware that a significant demographic shift will impact the overall risk and integrity profile and are prepared to support and manage these changes.

UNDERSTANDING THE IMPORTANCE OF CULTURE

- Before I move on to my concluding remarks and recommendations, I'd like to highlight the importance of positive culture in agencies. That probably seems obvious to most.

- Some of the strongest feedback ALCEI received in relation to this research was the importance of organisational culture in influencing corruption risk.
- In the course of the Gender and Corruption project, law enforcement agencies felt that the biggest predictor of corrupt behaviour was a toxic operating environment that provided pressure or opportunity to engage in corruption.
- In this situation corruption is genderless. Corrupt institutions corrupt the people working in them, regardless of gender.
- The Philadelphia Police Force has examined the likelihood of officers reporting other officers for integrity issues. Based on a number of case studies, the Philadelphia Police found significant variation between stations and teams of officers about their willingness to report on misconduct and other integrity matters.
- It was apparent that officers' propensity to report was directly linked to the influence of their immediate operating environment. There was no consistent organisational response. There was no consistent organisational culture.
- In this study, gender was not a significant predictor of likelihood of reporting misconduct. Female officer reporting varied across police districts in much the same patterns as their male counterparts.
- So what are some strategies that you could consider in strengthening your integrity framework and preparing for the impact of a significant demographic change in law enforcement?
- We've tailored some recommendations for your consideration on this point.

TAILORED RECOMMENDATIONS

The first recommendation is that agencies focus on inclusivity rather than just diversity

- Improving diversity in law enforcement is, of course, a priority.
- But beyond diversity is inclusion. Genuine acceptance of all employees as valuable contributors to an agency is important. So too is an appreciation for the benefits that individual differences and experiences bring.
- Inclusivity is not treating everyone the same. It is about everyone having an equal opportunity to contribute in a meaningful and valued way. If agencies do determine that some employees face particular corruption vulnerabilities, consideration could be given to giving them specific training opportunities, mentoring, or career development support.

- For example—understanding or addressing the potential conflict between employment and the expectations of family and community. Or putting into place strategies to counter the subversive subcultures that may occur in response to lacking legitimate avenues for support and advocacy. These could be substantial risk mitigation strategies.

We recommend avoiding designing for average

- There is no ‘one size fits all’ integrity framework to reduce corruption vulnerability. Law enforcement agencies need to design integrity frameworks to address their specific risk environment, noting that different functions of an agency may also have different vulnerabilities.
- This is ‘best fit’ rather than ‘best practice’ in integrity system design, with a focus is on addressing agency-specific risk.
- If male and female law enforcement employees have different vulnerabilities to corruption, organisational integrity frameworks should have the capability and maturity to adapt to the particular risks of individuals, teams, or functions.

We recommend making your integrity frameworks agile and responsive

- Don’t set and forget your integrity frameworks.
- Risk is always changing. Significant changes in organisational demographics may have a corresponding impact on an agency’s risk profile. An agile integrity framework will have the capacity to shift and adapt to this organisational change.
- A robust and effective system will also have an external awareness of social and community trends. Illicit drug use or increased financial pressure from rising cost of living for example. These factors may also represent corruption vulnerability for law enforcement employees.

We recommend agencies acknowledge potential for bias in detection and response

- Gender stereotypes and other biases can influence the way an agency’s integrity principles are applied. To counter this, agencies might consider building protections against unconscious bias into their integrity framework.
- Formal professional standards investigations generally have governance and processes. For example, panel-based decision making or independent adjudicators. This ensures consistency in the application of sanctions. However, there may be an opportunity to build more controls around informal management counselling to ensure consistency and appropriate escalation.

We recommend targeted communication and messaging

- Noting what I said earlier, that, if women are more risk adverse than men, and make more considered decisions about engaging in corrupt conduct, then there is an opportunity to tailor the way integrity messaging is designed and communicated.
- Communication needs to highlight both the risk and probability of detection. Messaging should be supported by facts and evidence in order to make the risk genuine and avoid the unintended consequence of an employee making a risk assessment and proceeding with adverse behaviour.
- Use of case studies could also increase believability and personalise the risk of engaging in corruption.

We recommend tailoring your training

- Lack of access to training and lack of career guidance have been identified by female law enforcement officers as some of the most significant barriers impeding their careers. In particular, residential training programs, which may be gateway programs to promotion eligibility, have been identified as less accessible for those who live in regional areas. Or for those who have family care commitments.
- Employees who are disengaged or who feel like they are missing out opportunities that are being afforded to others, can become vulnerable to corruption.
- A number of law enforcement agencies now run tailored leadership development programs for women. They also facilitate the attendance of female employees at externally run programs.
- However, some agencies are also trialling female only operational training. I understand that this is being well received by participants as an opportunity to actively practice for command roles. There had been a feeling among many that operational and training environments had previously been dominated by male officers.
- Female-only training may be an interim measure to address decades of unconscious bias in how training is delivered and how participants are selected.

- Research has demonstrated that female-only training can successfully create an environment which facilitates improved self-confidence and skills-based learning. When combined with a broader organisational focus on improving support from senior management, and when combined with comprehensive recruitment and promotion reform, this could be a productive measure to counter corruption.

We recommend female integrity mentors as a strategy for addressing gender inequity

- This came out quite strongly in the Gender and Corruption Workshop. We advocate for mentoring programs specifically designed for women and aimed at encouraging and supporting their transition into leadership roles.
- Studies indicate that women are responsive to the attitudes around them. Women are more likely than men to perceive that lack of support or prejudice from colleagues negatively impact their professional development. Further, lack of career guidance from senior officers may be a significant career barrier. It may also leave female law enforcement employees without a trusted avenue for support with ethical or integrity dilemmas.
- This is a time where there may be significant demographic shifts within law enforcement. This is a time where women from different backgrounds are entering law enforcement roles. This is a time of opportunity for female integrity mentors to model desired behaviour and support female colleagues with integrity challenges.

CONCLUSION

- Is this the conclusion of the Gender and Corruption Project, or is this just the beginning?
- Together with practitioners consulted for the project, we have observed differences in the way women approach and engage in corruption. Based on these observations, we think there would be value in conducting further empirical research into the topic.
- For the time being I conclude by re-affirming that it is important to increase the participation of women in law enforcement. Women deserve to be active participants in law enforcement and the public service, and be recognised and valued for their unique skills and experience.
- Assumptions about gender stereotypes as proof of higher ethical standards among women may ultimately be more harmful than beneficial to gender equity goals. If high expectations are disappointed, or the anticipated efficiencies or benefits are not met this could harm efforts towards diversity and inclusion.

- And diversity is critical for modern law enforcement. Any significant change to achieve diversity goals should take into account potential impact on integrity.
- The full report on ACLEI's project, including case studies, will be available on our website.
- I'd like to thank the agencies that contributed their time and insight to the development of this project.
- I would also like to thank ACLEI's Corruption Prevention team. They've done some excellent work.