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New Zealand
Defence Force:
Resetting efforts
to reduce harmful
behaviour



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New Zealand Defence Force: Resetting efforts to reduce harmful behaviour

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Contents

Auditor-General's overview	3
Our recommendations	8
Part 1 – Introduction	10
Why we did this audit	11
How we carried out this audit	12
What we expected to see	13
Structure of this report	14
Part 2 – The need for culture change and Operation Respect	15
Military culture	15
Operation Respect and culture change	16
Approach to Operation Respect after the 2020 review	17
Part 3 – Better defining outcomes for Operation Respect	20
Summary of findings	21
The approach following the 2020 review did not provide the direction needed	21
Operation Respect needs to be seen as a key enabler of operational effectiveness	22
Eliminating harmful behaviours must be Operation Respect's core focus	24
A shared understanding of what a safe, respectful, and inclusive environment looks like is needed	26
A new prevention strategy is in development	29
Part 4 – Strengthening strategy and planning	30
Summary of findings	31
The strategy and plan need to be built around the levers of change	32
Improvements to the complaints and discipline systems need to be prioritised	37
A clear operating model for implementing Operation Respect is needed	45
Operation Respect must be aligned with related programmes	50
A communications reset is needed	51
Part 5 – Clearer leadership and governance	53
Summary of findings	54
Roles and responsibilities of leaders in Operation Respect need to be clarified	55
Governance of Operation Respect needs strengthening	58
Part 6 – The right data to support decision-making	62
Summary of findings	62
The systems for collecting and maintaining data need improvement	62
An organisation-wide data improvement plan is needed	65
Part 7 – Resourcing to support implementation	68
Summary of findings	68
Operation Respect needs adequate resources	68
Specialist expertise is needed to support Operation Respect	69
Appendices	
1 – The New Zealand military context	71
2 – Military culture and harmful behaviour in militaries	74

Auditor-General's overview

E ngā mana, e ngā reo, e ngā karangarangatanga maha o te motu, tēnā koutou.

In 2016, the New Zealand Defence Force (NZDF) launched a programme of work called Operation Respect. This was in response to three separate reviews that had identified harmful behaviour in the armed forces.¹ Operation Respect aimed to prevent inappropriate and harmful behaviour from occurring and ensure that, when it did happen, there were systems and processes to deal with it properly.

The Ministry of Defence commissioned an independent review of Operation Respect,² which was completed in 2020. The review found that while progress had been made in better preventing and responding to inappropriate and harmful behaviour, Operation Respect had lost momentum and needed renewed focus. The review also found that there was a “code of silence” where many personnel felt unable to raise concerns about harmful behaviour because of a fear of repercussions and because they did not trust NZDF’s systems and processes.

The review recommended that my Office monitor Operation Respect’s progress over the next 20 years. I have agreed to carry out that independent monitoring role.

This monitoring work has two components. My team will perform regular performance audits to determine how well NZDF is progressing towards its aim of eliminating inappropriate and harmful behaviour and creating a safe, respectful, and inclusive environment for all NZDF personnel. The focus of this first audit report is on how well NZDF has reset Operation Respect and whether it has been designed and set up effectively to achieve its aims.

We will also regularly collect data to monitor the effect of the actions NZDF is taking and, over time, whether it is achieving Operation Respect’s outcomes. Our first monitoring report establishes a baseline for measuring NZDF’s progress over time.³

What we found

Changing attitudes and behaviours in an organisation is difficult. This is especially so in organisations such as NZDF. NZDF has a long history built on command and control, strong team cohesion norms, and a masculine culture. There are fluid boundaries between people’s work and personal lives. NZDF is also a complex

1 The three reviews were Ministry of Defence (2014), *Maximising opportunities for military women in the New Zealand Defence Force*; McGregor, K and Smith, R (2015), *Airforce Culture Review*, Tiaki Consultants; and Joychild QC, F (2017), *Report to Chief of Air Force: Inquiry into Historic Sexual Abuse, Workplace Sexual Harassment and Bullying related to Robert Roper and Contemporary New Zealand Defence Force Systems and Processes for Handling Such Complaints*.

2 Teale, D and Macdonald, Dr C (2020), *Independent Review of the New Zealand Defence Force's progress on the Action Plan for Operation Respect*.

3 Office of the Auditor-General (2023), *A safe and respectful New Zealand Defence Force: First monitoring report*, at oag.parliament.nz.

organisation; it has three different services with distinct identities and a large civilian workforce.

It is important to acknowledge that NZDF has faced a challenging environment in recent years. As part of the Government's response to the Covid-19 pandemic, more than 6200 personnel worked in the Managed Isolation and Quarantine Facilities between August 2020 and May 2022. This put significant pressure on the organisation and its resources.

After the review in 2020, NZDF moved quickly to address the recommendations. Although NZDF's approach was well intended, it was not driven by clearly stated and shared goals or underpinned by a clear and well-considered strategy.

My staff saw good intent and commitment from leaders throughout NZDF to ensure the success of Operation Respect. Leaders want their people to live and work in environments that are safe and respectful. My staff also saw genuine willingness to make changes.

Despite good intent, the absence of a clear and well-considered strategy has meant NZDF's actions have not always been co-ordinated or targeted at the right issues. In my view, if this is not addressed there is a risk that Operation Respect will have limited and only temporary impact.

It has not been clear who is responsible for leading and driving Operation Respect. In my view, there has not been enough direction or oversight from senior leaders. Without this, the ability of the programme to bring about change has been significantly constrained. Unless all senior leaders devote time and attention to providing proper oversight, issues will likely persist.

NZDF has been making progress since Operation Respect was initiated in 2016. My staff often heard that NZDF is a different organisation from what it was 10 years ago, and that behaviours considered normal back then are not seen in the same way today.

However, we also saw the scale of the problem NZDF is addressing. In our survey of NZDF personnel,⁴ 1.3% of respondents or 78 personnel told us they had experienced unwanted sexual activity in the previous 12 months. Women, in particular, continue to experience high rates of inappropriate and harmful behaviour. Women in uniform, early in their careers, are the most affected. In the last year, 7.2% of junior uniformed women who responded to our survey

4 The survey was run from 15 February 2022 to 20 March 2022. All NZDF personnel were invited to participate and NZDF promoted the survey through several different channels. Personnel were not compelled to complete it. There were 6673 responses (a 53.4% response rate).

had experienced unwanted sexual activity.⁵ Nearly one-quarter (24.6%) of junior uniformed women who responded to our survey had experienced some form of inappropriate sexual behaviour⁶ and nearly one-fifth (19%) experienced bullying, harassment, or discrimination.

No one should experience harmful behaviour at work and NZDF needs to address the conditions that allow this behaviour to occur. NZDF is not unique. There is harmful behaviour in other workplaces in New Zealand, and in militaries throughout the world. However, they are serious matters and NZDF needs to act with some urgency. There are no easy fixes and change will take both time and sustained effort. It requires a shared understanding of the problem and a clearly defined and shared view of the future that Operation Respect is trying to bring about.

The success of Operation Respect is fundamental to the military's operational effectiveness. NZDF operates in a wide range of environments, from combat operations to humanitarian assistance and disaster relief. NZDF personnel must be ready to work in difficult and dangerous conditions. This requires strong and trusted leadership, and effective teams where all personnel trust each other. This will not occur if personnel are harming each other.

To meet the challenges of the 21st century, NZDF needs to attract and retain personnel with a wide range of skills and perspectives, and it needs to respect and value what this diversity brings to the organisation. This is fundamental to NZDF being a modern military and creating the effective leaders and teams that will be the foundation of the organisation's operational success. Operation Respect is critical to meeting the challenges that NZDF faces – but NZDF has not yet set out a clear and compelling narrative that explains this to its personnel.

What I recommend

NZDF is aware that its initial response to the 2020 review has not been sufficient. Work is under way to create a new Operation Respect organisational strategy and plan. NZDF intends to strengthen governance and management structures to better enable the Operation Respect work to be driven and co-ordinated.

5 We use the term unwanted sexual activity to cover the behaviours that fall within the category of sexual assault. This included having anyone at a military workplace in the last 12 months forcing or attempting to force someone into any unwanted sexual activity by threatening, holding them down, or hurting them in some way; subjecting them to a sexual activity that they had not consented to, including through being drugged, intoxicated, or forced in ways other than physical; or touching them in a sexual way against their will, including unwanted touching, grabbing, kissing, or fondling.

6 We use the term inappropriate sexual behaviour to cover a range of behaviours that sit outside the category of sexual assault. This included anyone experiencing one of several behaviours within the last 12 months at a military workplace, including sexually suggestive jokes or comments or inappropriate discussion of their personal life; unwanted sexual advances; displaying or sharing sexually explicit messages, photos, or videos; and being insulted or mistreated based on their gender or sexual orientation.

I strongly support these efforts. I am satisfied that NZDF now recognises the scale of the task ahead. This, combined with the commitment my staff observed and the openness with which NZDF personnel have participated in our audit, suggests that NZDF is starting to build the momentum needed to create sustained change.

There is a long way to go. It will require a significant shift in approach that will affect many aspects of the organisation's work. There are fundamental elements that need to be in place for Operation Respect to make a lasting difference.

In creating the strategy and plan, senior leaders need to be clear and specific about what they want to achieve, why it matters to NZDF, and what success looks like. The process of developing the strategy and plan also needs to be informed by expertise in both sexual harm and organisational change. It will be effective only if:

- it is informed by robust data to understand where inappropriate and harmful behaviour is occurring;
- there are strong mechanisms to monitor and measure progress; and
- implementation of the strategy and plan is properly resourced.

Changes are also required to training and education, career development pathways, and physical infrastructure. These cannot all be addressed at once.

Along with the work to develop a strategy and refreshed plan, I have recommended that NZDF continue to prioritise work to improve the complaints and disciplinary systems. The low level of trust and fear of repercussions that we identified in the research for our monitoring report is a significant concern. Reporting systems that people trust are essential to ensure that those affected by inappropriate and harmful behaviour feel able to use them, that they are well supported, and that future harm is prevented.

It is essential that senior leaders play a strong and visible role in setting the vision and direction for Operation Respect and that more robust ways to hold all leaders accountable are established.

Operation Respect presents a significant opportunity for NZDF. Staff turnover has been high following NZDF's involvement in the Covid-19 response and the organisation is rebuilding. Operation Respect needs to be a foundation for that rebuilding. Visible efforts to create a more safe, respectful, and inclusive environment will enable NZDF to recruit and retain the right people to take the organisation forward.

We will report periodically to Parliament and the public about how well NZDF is progressing towards its goal of eliminating inappropriate and harmful behaviour and creating a safe, respectful, and inclusive environment for its personnel.

I thank all NZDF personnel who have participated in this work, as well as the expert advisors who have provided valuable input and assistance to my audit team.

Naku noa, nā

A handwritten signature in black ink, appearing to read 'JM Ryan', with a stylized flourish at the end.

John Ryan
Controller and Auditor-General | Tumuaki o te Mana Arotake

24 March 2023

Our recommendations

We recommend that the New Zealand Defence Force:

1. clarify the outcomes and objectives of Operation Respect. This includes clearly defining what a safe, respectful, and inclusive environment looks like, which behaviours are unacceptable, why Operation Respect is important, and how Operation Respect will enhance operational effectiveness in all parts of the New Zealand Defence Force's work;
2. prioritise development of an Operation Respect strategy and refreshed plan that sets out how the New Zealand Defence Force will bring about behavioural change. This should include suitable mechanisms for measuring, monitoring, and evaluating progress;
3. prioritise work to improve the complaints and disciplinary systems to ensure that there are appropriate, effective, and trusted ways to report inappropriate and harmful behaviour;
4. support each service and the Joint Forces to prepare their own plans to implement the objectives of Operation Respect, which are clearly aligned to the Operation Respect strategy and refreshed plan;
5. clarify the role of the Operation Respect programme team and how it will work with the services, Joint Forces, and portfolios;
6. set out clear accountabilities for senior leaders, camp and base commanders, and commanding officers for Operation Respect;
7. develop a communications approach that renews focus on preventing harmful behaviours. This approach needs to make a clear case for Operation Respect as key to operational effectiveness and draw on values that are important to people – such as comradeship – to build collective ownership for creating a safe and respectful environment;
8. strengthen the governance arrangements for Operation Respect, including the way the Operation Respect External Steering Group is used;
9. prepare a plan for improving data and information management. The plan should be informed by clear guidelines on confidentiality, and set out what data will be collected on inappropriate and harmful behaviour, how it will be collected, how complaints data will be improved, and how data will be collated to measure outcomes;

10. provide resources to ensure that the programme team can access appropriate expertise:
 - a. in organisational development/culture change to support development of the strategy and plan;
 - b. in sexual harm (including characteristics, drivers, prevention, and response) to assist in developing the strategy and plan and work with senior leaders;
 - c. to develop a plan for improving data collection and information management related to inappropriate and harmful behaviour; and
 - d. in harm prevention to equip leaders with the tools and skills they need to carry out their responsibilities for Operation Respect; and
11. determine what resources will be required to successfully implement the strategy once it is developed and regularly review resourcing to ensure that it remains adequate.

1

Introduction

- 1.1 The New Zealand Defence Force (NZDF) plays a crucial role in promoting national and international security and stability. NZDF engages in a wide range of work, from humanitarian and relief work to peace support and combat operations.
- 1.2 NZDF is a values-driven organisation. Its stated values are Tū Kaha (courage), Tū Tika (commitment), Tū Tira (comradeship), and Tū Maia (integrity).
- 1.3 NZDF launched Operation Respect in 2016 after a series of reviews found that inappropriate and harmful sexual behaviour was a problem in the organisation. Operation Respect aimed to prevent inappropriate and harmful behaviour from occurring and ensure that, when it did happen, systems and processes were in place to deal with it properly. Initially, Operation Respect focused only on sexual harm, but in 2017 the scope was expanded to include all inappropriate and harmful behaviours.
- 1.4 While carrying out our work, we frequently heard that NZDF is a very different organisation from what it was 10 years ago. We were told that behaviours thought of as normal back then are not seen in the same way today.
- 1.5 However, we also saw that inappropriate and harmful behaviour persists in the organisation. In our survey of NZDF personnel, 78 people reported experiencing unwanted sexual activity in the last year, which is 1.3% of survey respondents. These rates were higher for uniformed women at 4.8% (compared to 1% for civilian women) and were highest for junior uniformed women at 7.2%.⁷
- 1.6 In our survey, 5.5% of respondents reported experiencing inappropriate sexual behaviour in the last year. This was most common for uniformed women (19.5%), with junior uniformed women most affected (24.6%). The survey also found that 12.6% of survey respondents reported experiencing bullying, discrimination, and harassment in the last year. These rates were higher for civilian personnel (17.6%) and for women (19.7%).
- 1.7 There are many organisations around the world facing these issues, including military organisations.⁸ There is no quick, easy, or obvious solution to achieve the change required. Militaries in Canada, the United States of America, and the United Kingdom have all been trying to address these issues but have seen limited progress to date. Achieving lasting progress requires clear direction from senior

7 Junior uniformed women are those personnel ranked as Lieutenant or Leading Hand and below in the Navy, Flight Lieutenant or Corporal and below in the Air Force, and Captain or Corporal or below in the Army.

8 Cotter, A (2019), *Sexual misconduct in the Canadian Armed Forces Regular Force, 2018*; United States Department of Defense (2022), *Department of Defense Annual Report on Sexual Assault in the Military, Fiscal Year 2021*, Appendix C; Hendriks, L.J, Williamson, V, and Murphy, D (2021), "Adversity during military service: the impact of military sexual trauma, emotional bullying and physical assault on the mental health and well-being of women veterans", *BMJ Military Health*, Advance online publication; United States Department of Defense (2021), *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military*; House of Commons Defence Committee, 2021.

leaders, and a systematic and co-ordinated approach to influencing behaviours across all aspects of the organisation.

Why we did this audit

- 1.8 In mid-2019 the Ministry of Defence commissioned an independent review⁹ of NZDF's progress against the Operation Respect Action Plan (the Action Plan).¹⁰ The review found that some progress had been made, including the creation of the Sexual Assault Response Team, the two-track disclosure process,¹¹ and the Sexual Ethics and Responsible Relationships¹² training.
- 1.9 However, the review also found that while senior leaders supported Operation Respect and there was an initial impetus for change, it had not been sustained:
- [NZDF] has not managed to maintain a consistent and thorough approach to its ongoing strategy or implementation. Momentum, visibility and focus have been lost.*¹³
- 1.10 The review also found that fundamental cultural issues needed addressing. There was a perception that the culture of military discipline and command made it difficult for people to raise concerns about senior personnel. A culture in which comradeship and group cohesion are central meant speaking up could be viewed as a risk to team allegiance. A "code of silence" prevailed where personnel would not raise concerns because they feared repercussions and did not trust NZDF's systems and processes for responding.
- 1.11 The review made 44 recommendations on specific aspects of the Action Plan, one of which was that the Office of the Auditor-General review progress every two years for the next 20 years. NZDF accepted this recommendation and requested we monitor progress.

9 Teale, D and Macdonald, Dr C (2020), *Independent Review of the New Zealand Defence Force's progress on the Action Plan for Operation Respect*.

10 The Operation Respect Action Plan was announced in March 2016 with the release of the programme. The plan was developed by a team of military and civilian personnel. It outlined an overarching strategy and framework, and the specific tasks and timeframes that were considered to be required to eliminate harmful and inappropriate sexual behaviour in NZDF.

11 The two-track disclosure process was created to provide people who are victims/survivors of harmful sexual behaviour a choice, wherever possible, about how their report is dealt with. People can now choose to make either a restricted disclosure or an unrestricted disclosure. An unrestricted disclosure triggers notification to the commanding officer and the start of a formal investigation. Restricted disclosures allow victims/survivors to disclose the incident and receive support from a Sexual Assault Prevention and Response Advisor (SAPRA) without command or the New Zealand Police being notified or a formal investigation being initiated.

12 Sexual Ethics and Responsible Relationships training is delivered by SAPRAs and designed to help prevent harmful and inappropriate sexual behaviour. It allows for discussion about what constitutes harmful behaviour and provides information about how it could be reported.

13 Teale, D and Macdonald, Dr C (2020), *Independent Review of the New Zealand Defence Force's progress on the Action Plan for Operation Respect*, page 12.

How we carried out this audit

- 1.12 The overarching aim of our work is to determine how well NZDF is progressing towards its aim of eliminating inappropriate and harmful behaviour and creating a safe, respectful, and inclusive environment for all NZDF personnel. Our first performance audit is focused on how well NZDF has reset Operation Respect and whether it has been designed and set up effectively to achieve its aims.
- 1.13 Our audit involved extensive fieldwork. We reviewed a significant number of documents about the development and refresh of Operation Respect, including planning documents, camp and base action plans, Health and Safety Governance Committee meeting minutes, Operation Respect Steering Group meeting minutes, internal communications to personnel about Operation Respect, and monitoring and evaluation plans.
- 1.14 We interviewed 253 people, including:
- NZDF leadership (the Chief of Defence Force, the three service chiefs, and the Chief People Officer), personnel leading and delivering Operation Respect, personnel leading initiatives aligned with Operation Respect (such as work on diversity and inclusion and Operation Stand¹⁴);
 - personnel on camps and bases such as the camp or base commander, the command warrant officer, a selection of commanding officers, and support personnel (that is, Sexual Assault Prevention and Response Advisors, social workers, and chaplains);
 - members of the Operation Respect Steering Group and other relevant stakeholders;
 - experts in harm prevention, harm prevention in a military context, and organisational culture change; and
 - a cohort of 126 military and civilian personnel from across NZDF.
- 1.15 The scope of the audit did not include the effectiveness of other NZDF initiatives (such as Operation Stand, the Wāhine Toa programme,¹⁵ the Army Culture Development Programme,¹⁶ and the Navy culture programme¹⁷), except where it related to their co-ordination with Operation Respect. The work of Veterans' Affairs in supporting current and former NZDF personnel was also out of scope.
- 1.16 Separately, we have also developed an outcomes framework and carried out research to establish baseline information about the impact of Operation Respect.

14 Operation Stand is NZDF's programme of work focused on alcohol and drug harm minimisation.

15 Wāhine Toa is NZDF's programme focused on enhancing the participation of women across NZDF, covering four main areas of attract, recruit, retain, and advance.

16 The Army Culture Development programme is intended to draw together several organisational and Army-specific initiatives that rely on a culture change to be successful or are intended to change the culture.

17 The Navy Culture programme is a navy-wide cultural refresh programme.

That research is presented in our first monitoring report – *A safe and respectful New Zealand Defence Force: First monitoring report*.

- 1.17 The monitoring report presents qualitative and quantitative data collected about people’s knowledge and understanding of Operation Respect, experiences of inappropriate and harmful behaviour, and experiences reporting, and receiving support for, experiences of such behaviour. The report draws on interviews with a cohort of 126 NZDF personnel, a survey offered to all NZDF personnel, and other information provided by NZDF. Over time, we intend to measure change against the baseline data set out in that report.
- 1.18 The baseline data has also informed the findings in this report and is referred to where relevant.

What we expected to see

- 1.19 We wanted to know whether Operation Respect had been effectively designed and reset to achieve its aims.
- 1.20 To answer this, we looked at whether:
- Operation Respect was underpinned by a clear strategy and focused on the right levers to effect change;
 - there was demonstrated commitment to Operation Respect from leadership, including ways to hold people to account for progress;
 - Operation Respect was sufficiently resourced; and
 - NZDF was well placed to monitor progress towards meeting the objectives of Operation Respect.
- 1.21 Later audits will focus on aspects of NZDF’s implementation of Operation Respect’s activities as well as NZDF’s overall progress towards meeting the aims of Operation Respect.
- 1.22 To support our lines of inquiry, we reviewed available research on organisational development and culture change in militaries. We also drew on our own Integrity Framework.¹⁸ Our approach was informed by interviews with experts in culture change in militaries who also provided advice to our audit team and carried out a peer review of our work.

18 Office of the Auditor-General (2022), *Putting integrity at the core of how public organisations operate*, at oag.parliament.nz.

- 1.23 We identified five elements that the literature indicates are important to changing the culture in militaries. They are:
- vision, strategy, and planning;
 - committed leadership and accountabilities;
 - systems, policies, and processes (for example, human resource policies, complaints and disciplinary systems, and training and education) that align to encourage the desired behaviour;
 - programme structure and oversight; and
 - communication and transparency.
- 1.24 We used these to guide our assessment of whether NZDF's approach to the Operation Respect refresh included the right elements to influence culture change.

Structure of this report

- 1.25 In Part 2, we look at the need for culture change, and the approach to Operation Respect after the 2020 review.
- 1.26 In Part 3, we discuss the need for NZDF to clearly define the outcomes of Operation Respect.
- 1.27 In Part 4, we discuss the need to prioritise, develop, and implement a co-ordinated strategy and plan for Operation Respect.
- 1.28 In Part 5, we look at the role of leaders and leadership in Operation Respect, and the need for strong governance, clear roles, responsibilities and accountabilities, and clear communication.
- 1.29 In Part 6, we look at whether there are suitable arrangements in place to support implementation. In particular, we look at whether NZDF has access to the right data and evidence to understand the extent and nature of harmful behaviours occurring, and to monitor progress.
- 1.30 In Part 7, we look at whether Operation Respect is adequately resourced to support implementation.

The need for culture change and Operation Respect

- 2.1 In this Part, we discuss:
- how aspects of military culture create risks for harmful behaviour occurring;
 - why culture change is required to address harmful behaviour in NZDF; and
 - NZDF's approach to Operation Respect immediately following the 2020 review.

Military culture

- 2.2 Operation Respect is a programme designed to prevent harmful behaviour and put in place an effective response and support system for those affected by it. These actions aim to create a culture of dignity and respect in NZDF.
- 2.3 Organisational culture is made up of rules, norms, values, and assumptions that develop over time, shaping both how an organisation works and employee behaviours. It influences what practices are rewarded, how well personnel feel they can do their jobs, and what the organisation's long-term priorities are.¹⁹ A healthy organisational culture is one in which stated values and beliefs align with people's experience, enabling the organisation to work effectively.²⁰
- 2.4 To succeed in its mission to protect and promote domestic, regional, and international peace, security, and resilience, NZDF must be able to respond to a range of situations. It needs to adapt to a constantly changing security environment and have the capabilities to address new threats as they emerge.²¹ Appendix 1 sets out a more detailed description of the New Zealand military context.
- 2.5 A healthy culture is critical to NZDF's ability to deploy effectively and engage in a wide range of tasks. However, several reviews have found that harmful behaviour threatens NZDF's ability to achieve its wider goals. Tolerance of harmful behaviour risks cohesion within a unit and damages trust in leadership. It reduces the organisation's ability to recruit and retain people with a diverse set of characteristics and skills who are needed to maintain its adaptability.²²
- 2.6 NZDF's core stated values are courage, commitment, comradeship, and integrity. However, the ongoing occurrence of harmful behaviours – and the challenges people face reporting them – indicate a lack of alignment between NZDF's core values and the experiences of some personnel.

19 Meredith, L, Sims, C, Batorsky, B, Okunogbe, A, Bannon, B, and Myatt, C (2017), *Identifying Promising Approaches to U.S. Army Institutional Change: A Review of the Literature on Organizational Culture and Climate*, RAND Corporation.

20 Fréchette, P and Warah, A (2020), *Auditing Organizational Culture in the Public Sector*, Canadian Audit & Accountability Foundation.

21 Ministry of Defence (2016), *The Defence White Paper 2016*, at defence.govt.nz.

22 Teale, D and MacDonald, Dr C (2020), *Independent Review of the New Zealand Defence Force's progress against its Action Plan for Operation Respect*.

- 2.7 NZDF is not unique. There is bullying, harassment, and discrimination in other workplaces in New Zealand. However, there are recognised differences between military and civilian workplaces that can act as protective or aggravating factors for harmful behaviour.²³
- 2.8 Even though modern militaries engage in a range of tasks, combat remains a core part of the military role. Research has shown that combat-oriented organisations have cultural features that can create risk factors for harmful behaviour.²⁴ Appendix 2 describes in more detail the organisational conditions that can create risks of harmful behaviour.
- 2.9 In summary, these organisational conditions include:
- The military work environment includes living in close quarters with more fluid boundaries between people's work and personal lives.
 - Hierarchical power structures that concentrate power in the hands of a few.
 - Unit cohesion norms mean there is a risk that specific unit subcultures can have greater influence on behaviours within the unit than wider organisational culture.
 - A masculine culture that is less likely to value contributions from women and has a greater acceptance of discriminatory attitudes towards women.
 - Tension in the disciplinary and complaints system between a victim/survivor-centric approach and ensuring that commanding officers can maintain discipline and safety in their units.

Operation Respect and culture change

- 2.10 Operation Respect was launched in 2016. Operation Respect seeks to prevent harmful behaviour from occurring and, where it does happen, ensure that there are systems and processes in place to deal with it appropriately. The ultimate aim is to create a safe, respectful, and inclusive environment for NZDF personnel.
- 2.11 To achieve this, NZDF needs to understand what aspects of its organisational culture allow harmful behaviour to occur and establish ways to address these risks, while also building on the positive aspects of its organisational culture.
- 2.12 Operation Respect is focused on changing attitudes and norms about what are acceptable behaviours. These attitudes and norms are shaped by many factors. Organisational values, purpose, and objectives send messages that influence how

²³ Zedlacher, E and Koeszegi, ST (2021), "Workplace bullying in military organizations: Bullying inc?", in P D'Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

²⁴ Zedlacher, E and Koeszegi, ST (2021), "Workplace bullying in military organizations: Bullying inc?", in P D'Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464; Teale, D and MacDonald, Dr C (2020), *Independent Review of the New Zealand Defence Force's progress against its Action Plan for Operation Respect*; Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), "Sexual assault in the military", *Current psychiatry reports* 17(7), 54.

people behave. Organisational structures, systems, policies, and processes also shape attitudes and norms, including the behaviours people are rewarded for and what are seen as acceptable ways to treat people. When we talk about a “culture change programme”, it is one that encompasses these factors.

- 2.13 The 2020 review found that core aspects of how NZDF operates created barriers to implementing Operation Respect. Although we agree with this, it is our view that not all aspects of NZDF’s culture are problematic, or that there needs to be wholesale change to the command structure and military hierarchy.
- 2.14 However, aspects of the culture that allow harmful behaviour to occur do need to be identified and addressed – for example, the way in which the command structure operates creates challenges for personnel to report concerns about inappropriate or harmful behaviour. The right protections need to be in place to counter this.
- 2.15 NZDF also needs to identify and target the organisational levers that influence behaviour, such as training and education, leadership development, and the disciplinary system. These levers all need to be used to send a message that respect and inclusiveness are essential to team cohesion and effectiveness.

Approach to Operation Respect after the 2020 review

- 2.16 The review, commissioned by the Ministry of Defence, was published in June 2020. It is important to note that at this time, and in the time up to this audit, NZDF was heavily involved in Operation Protect – the work to support the Government’s response to the Covid-19 pandemic. This put significant pressure on the organisation and its resources.
- 2.17 Operation Protect was launched in March 2020 and involved more than 6200 personnel. It was one of the largest single commitments of military personnel in New Zealand in more than 50 years. Personnel worked in Managed Isolation and Quarantine Facilities from August 2020 until May 2022.
- 2.18 Many of the people we spoke to told us about the considerable pressure that Operation Protect placed on NZDF. For some, Operation Protect made it more difficult to make time for Operation Respect activities on camps and bases because more personnel were away on operations than usual. Operation Protect has also had a wider impact, as normal training and exercises were halted in many areas. It is in this context that NZDF began work to address the recommendations from the 2020 review.

- 2.19 After the 2020 review, NZDF committed to addressing all the recommendations and improving its focus on implementing Operation Respect.
- 2.20 The Chief of Defence Force issued a directive in December 2020 in response to the review. The intent of the directive was to refresh and reset NZDF's approach to Operation Respect. The Chief People Officer was instructed to create a refreshed work plan with the Operation Respect leads²⁵ and the Operation Respect Steering Group. A "Plan on a Page" and a more detailed plan for implementing the recommendations were developed. The Plan on a Page set out a range of focus areas and actions under four headings:
- Accountability and leadership.
 - Data management and use.
 - Reporting and support (survivors).
 - Targeted local action.
- 2.21 Changes were made to the programme management and governance structures, with the intent of giving Operation Respect more capacity and capability to bring about cultural change. A new Military Lead role was created to work alongside the Programme Lead, and responsibility for the programme was moved from Human Resources to the Safety Directorate. This was partly to separate Operation Respect from NZDF's diversity and inclusion work.
- 2.22 The Chief of Defence Force's directive intended to enable the single services (the Royal New Zealand Navy, the New Zealand Army, and the Royal New Zealand Air Force), Joint Forces New Zealand (Joint Forces), and portfolios to take more responsibility for Operation Respect.²⁶
- 2.23 The directive instructed each service chief and portfolio head to appoint a lead to champion this work in their respective areas. All camp commanders and base commanders were instructed to prepare and deliver specific Operation Respect plans for their respective camp and base, setting out their three priorities for supporting Operation Respect.

The single services' approaches

- 2.24 The single services have taken different approaches to the Chief of Defence Force's directive. In June 2021, the Army decided its response to Operation Respect would be to make it a workstream of the Army Culture Development programme. The culture development programme was established in 2020 after the Army

²⁵ Operation Respect has a Programme Lead and a Military Lead.

²⁶ Joint Forces New Zealand is responsible for planning and preparing for deployments and managing these deployments. NZDF also has a range of enabling functions that sit within various portfolios, based mostly in Headquarters. These provide business and integrated support to NZDF, including human resources, ICT and information management, and legal services.

Leadership Team determined that, although the Army's culture was changing for the better, there were still aspects that were of concern. This included ongoing harmful behaviour and difficulties people experienced when challenging ideas and ways of operating. The Army Culture Development programme was designed to address this, and to unify the various organisational and Army-specific initiatives to target culture change, which were previously being carried out in a siloed way.

- 2.25 The Navy developed an initial Operation Respect Action Plan, but now also plans to carry out its Operation Respect response through its emerging culture programme. In July 2020, the Maritime Culture Guardians Board was set up by the Chief of Navy. The role of the Maritime Culture Guardians Board is to design and lead a programme of work that will identify and address the culture and people issues that are getting in the way of the Navy being a safe, inclusive, and operationally effective work environment. The Navy's response to Operation Respect is now being effected through the Maritime Culture Guardians Board. It is one aspect of a Navy-wide organisational culture refresh. At the time of our fieldwork, this work was still in its early stages.
- 2.26 The Air Force bases each developed their own Operation Respect action plans, in line with the Chief of Defence Force's directive. There is some overlap in the focus of plans (for example, minimising the harm from substance use) but the bases have each taken different approaches.

Further change is required

- 2.27 What NZDF is trying to do is difficult. Operation Respect is about changing attitudes and behaviours that have been in the organisation for a long time.
- 2.28 NZDF has been making progress in changing behaviours since Operation Respect was initiated in 2016. Operation Respect is visible throughout the organisation and we were told it remains a useful way to direct efforts towards creating a safe, respectful, and inclusive environment.
- 2.29 We also acknowledge that many people told us that significant cultural change has occurred in the NZDF in the last decade. However, as noted in paragraph 1.5, harmful behaviour persists and to bring about the change that is needed will require sustained focus and effort.
- 2.30 In our view, the first step is about more clearly defining the outcomes and objectives that Operation Respect seeks to achieve. This is discussed in more detail in Part 3.

3

Better defining outcomes for Operation Respect

- 3.1 In this Part, we discuss the need for NZDF to clearly set out the intended outcomes and objectives of Operation Respect. We also discuss:
- the need for clearer direction;
 - the need to ensure that Operation Respect is understood as integral to operational effectiveness and helping NZDF achieve its overall goals;
 - the need for Operation Respect to stay focused on inappropriate and harmful behaviours;
 - the need for a clear and shared understanding of what a safe, respectful, and inclusive culture looks like; and
 - the new prevention strategy that is being developed.
- 3.2 Operation Respect is central to, and distinct from, NZDF's wider work to modernise. It is central because safe, respectful, and inclusive environments attract and retain personnel. It is also essential for creating effective leaders and teams. Operation Respect is also distinct from NZDF's wider work because there are a complex set of factors that enable harmful behaviours to occur, and developing effective ways to mitigate these needs its own focus.
- 3.3 Operation Respect is a significant programme of work. To be successful, the programme of work needs to be based on a clear understanding of the problem it is trying to address and why change is important for the organisation.
- 3.4 Leaders need to be prepared to examine the features of their organisation and culture that allow harmful behaviour to happen, that prevent people from feeling safe to report, and that prevent people from accessing the support they need.
- 3.5 It is also important to clearly define the desired future culture and the specific outcomes that the programme intends to produce.²⁷ People need to be able to articulate what they want to see to ensure that action can be properly directed.
- 3.6 The process of defining the preferred culture and what will be done to bring it about can help leaders examine beliefs and assumptions about organisational practices to assess whether they are still relevant.²⁸ This work can also surface competing values – for example, values emphasising personal sacrifice and obeying orders can conflict with values encouraging people to seek help.²⁹

27 Meredith, L, Sims, C, Batorsky, B, Okunogbe, A, Bannon, B, and Myatt, C (2017), *Identifying Promising Approaches to U.S. Army Institutional Change: A Review of the Literature on Organizational Culture and Climate*, RAND Corporation.

28 Levin, I and Gottlieb, JZ (2009), "Realigning organization culture for optimal performance: Six principles & eight practices", *Organization Development Journal* 27, 30-46.

29 Meredith, L, Sims, C, Batorsky, B, Okunogbe, A, Bannon, B, and Myatt, C (2017), *Identifying Promising Approaches to U.S. Army Institutional Change: A Review of the Literature on Organizational Culture and Climate*, RAND Corporation.

Summary of findings

- 3.7 A reset of Operation Respect is required to establish clear direction and drive coordinated effort. After the 2020 review, NZDF focused on addressing the recommendations and has made some progress. However, in our view, this is unlikely to be enough to bring about the changes to organisational culture required to prevent harmful and inappropriate behaviour from occurring.
- 3.8 In our view, NZDF leadership does not yet have a shared understanding of the problem or what Operation Respect needs to achieve. Operation Respect has the potential to be a core enabler of operational effectiveness. This a strong case for change, but has not yet been clearly articulated by senior leaders.
- 3.9 Senior leaders also need to work with the organisation to clearly define what a safe, respectful, and inclusive environment looks like and identify the main risk factors and contributors to harmful behaviour. This work needs to inform a new organisational strategy and plan. Without it, efforts will not be targeted at the right levers to make meaningful and sustained change.
- 3.10 NZDF is aware of this, and in May 2022 began work to reset the direction of Operation Respect.

The approach following the 2020 review did not provide the direction needed

- 3.11 After the 2020 review, NZDF quickly developed plans and started addressing the review's recommendations. Although NZDF's approach was well intended, its plans were not driven by clearly stated and shared goals or a clear and well-considered strategy.
- 3.12 We reviewed documents that set out the priorities for the Operation Respect work after the 2020 review. These documents described a goal of eliminating harmful and inappropriate behaviour to ensure that all personnel can perform their duties in a safe, respectful, and inclusive environment. However, we did not see clear outcomes or objectives defined for Operation Respect, an explanation of why specific activities were prioritised, nor how they would contribute to the desired changes.
- 3.13 In our view, there is a risk of effort being wasted if it is not supported by clear enabling strategies. Some examples of the lack of clarity we observed include:
- The Plan on a Page highlighted activities like ensuring that “expected behaviours are clearly communicated and demonstrated by all leaders” and that “incidents of harmful and inappropriate behaviour are addressed by leaders, and people are held to account for poor behaviour”. However, we heard that leaders did not have a shared understanding of the expected behaviours and there was no planned work to ensure that they did.

- The Plan on a Page indicated there would be a focus on ensuring clear and robust reporting and support mechanisms for those experiencing discrimination, harassment and bullying, and harmful sexual behaviour. However, it did not set out what the current challenges were or what needed to change. For example, one activity proposed to respond to bullying was reinvigorating the Anti-Harassment Advisor network.³⁰ This is positive, but in our view, there first needs to be a common understanding about what constitutes bullying and where it is happening to ensure effort is focused in the right areas.

3.14 Many people we spoke to told us that the current approach has not been sufficient, and that the organisation needs to develop a clearer strategy and plan to guide the work and make sustained change. We agree. NZDF needs a strategy that sets out clear outcomes and specific objectives and identifies the levers it can use to influence the desired behaviours. The strategy must be underpinned by a theory of change that describes how activities will meet objectives and generate the intended outcomes, and how success will be measured. We discuss levers of change and how they can be used to organise the strategy and plan in more detail in Part 4.

3.15 Taking the time needed to develop the strategy is essential to establishing the foundations for Operation Respect. This is covered in detail in Part 4. The challenge of this task should not be underestimated and needs to be driven by Senior Leaders and include all parts of the organisation.

Operation Respect needs to be seen as a key enabler of operational effectiveness

3.16 For Operation Respect to achieve its goals, it needs to be seen by everyone in the organisation as a core enabler of operational effectiveness. It is important that leaders can articulate this.

3.17 High-performing and effective teams depend on all members feeling safe and respected and trusting each other. Harmful behaviour, and the failure to act on it, breaks down trust and makes it difficult for people to rely on each other, which is a risk to operational effectiveness.

3.18 Good leadership is core to NZDF's success and the effectiveness of individual teams and units. Where leaders engage in harmful behaviour, or fail to adequately address it, they undermine people's trust in them as leaders.

³⁰ Anti-Harassment Advisors are NZDF personnel from throughout the organisation who volunteer to provide guidance and support to people who are affected by bullying, harassment, and discrimination. They receive training on how to deal with these types of problems.

- 3.19 The directive from the Chief of Defence Force stated that work on Operation Respect was crucial for operational effectiveness and that it should be a priority for all leaders. However, we heard that in practice the level of priority placed on Operation Respect by leaders was variable. Some leaders understood that it was core to their roles and the success of NZDF, and prioritised it. Others did not.
- 3.20 We heard about examples of work related to Operation Respect being carried out on some camps and bases and in some units. At Ohakea Airbase, for example, we were told that the Base Command team had developed a People Safety System that mirrored the Aircraft Safety System as a way to better embed Operation Respect into people's day-to-day working lives.
- 3.21 We also heard about one Army unit that previously had issues with bullying (especially about meeting fitness requirements). Leaders in that unit had recognised that the changing nature of combat increasingly meant it was the "smartest not the strongest" individuals that they needed to attract. As a result, work was done in the unit to build a broader understanding about the contributions that different members of the team could make, and help encourage an environment where team members could feel safe and included.
- 3.22 Although there were many leaders who understood that Operation Respect was important, they still viewed it as an extra activity to manage rather than recognising it as a core aspect of people's roles and the work of the unit. This meant it was not always prioritised in day-to-day work and was deprioritised when people became busy.
- 3.23 This was raised in the interviews we carried out. We heard from many people that Operation Respect was not embedded in people's everyday working lives and there was insufficient focus on how it fitted with, and supported, people's operational roles.
- 3.24 We understand that training for new personnel is extensive and designed to build practices into people's "muscle memory". This means that in stressful situations or danger, they are able to react based on their training rather than needing to take time to think things through.
- 3.25 In our view, Operation Respect needs to be similarly embedded so that responding appropriately (when, for example, witnessing inappropriate behaviour) becomes second nature for all personnel and core to their idea of being a good soldier, sailor, or aviator. Operation Respect is therefore integral to the wider conversation about the future soldiers, sailors, aviators, and civilian personnel that NZDF needs to recruit.

Eliminating harmful behaviours must be Operation Respect's core focus

Operation Respect needs a clear focus on sexual harm as well as harmful behaviours such as bullying, harassment, and discrimination

- 3.26 Since it was launched in 2016, Operation Respect has improved awareness of sexual harm in NZDF. The survey results set out in our monitoring report indicate that 81.5% of people consider that Operation Respect has been “effective” or “very effective” in reducing inappropriate sexual behaviour in the workplace. It continues to have visibility throughout NZDF and is a well-known initiative focused on harmful behaviour. Given this, we consider that work on inappropriate and harmful behaviour should continue to be branded as Operation Respect work.
- 3.27 We also saw persistent negative perceptions about Operation Respect among some groups. When the programme was first launched, some interpreted the messaging of Operation Respect as implying that all men had the potential to commit sexual violence. As a result, some people developed negative perceptions about the intentions of the programme. This led to opposition to the programme. Some leaders found it difficult to talk about Operation Respect and sexual harm due to concerns about disengagement and backlash from personnel.
- 3.28 In other areas, we saw that NZDF changed the focus of Operation Respect from “addressing harmful sexual behaviour” to more generic focus on “culture change” or “respect”. In some instances, it was described as a “values-based” approach. This was based on the idea that emphasising the core values of NZDF personnel (courage, commitment, comradeship, and integrity) would, by extension, create an environment that would prevent harmful behaviours from happening. This approach is evident in some of the camp and base action plans and activities.
- 3.29 We were told that this approach had become popular because it might help to avoid the backlash that had previously been encountered when sexual harm was discussed in the original rollout of Operation Respect.
- 3.30 We have several concerns with this approach. In our view, it does not send a clear message that harmful sexual behaviour is not tolerated in NZDF, and it could be interpreted by some personnel as a lack of willingness to confront the organisation's problems.
- 3.31 Avoiding talking about sexual harm does not encourage senior leaders to examine the underlying norms and beliefs in the organisation that allow this behaviour to occur. It perpetuates barriers for people wanting to report harmful behaviour. We are also concerned that it will lead to activities that are not specifically focused on addressing the enablers of sexual harm.

- 3.32 In our view, NZDF needs to ensure that Operation Respect retains a clear focus on preventing sexual harm. Leaders need to build collective ownership of the problem. It was evident from the research for our monitoring report that some people see Operation Respect as irrelevant to them (and even as a hindrance to operational effectiveness). There is not yet an organisational understanding of the need for Operation Respect, and of harmful behaviour as a collective problem that requires a collective solution. This is needed if all NZDF personnel are to see themselves as having a role in addressing it.

NZDF needs to better understand where and why harmful behaviour is occurring to know where to target action

- 3.33 In NZDF, there are people who continue to experience harmful and inappropriate behaviours, and they do not always trust the organisation to deal effectively with those behaviours. Most people we heard from understood that there is a problem. However, we did not see evidence that important risk factors were well understood – for example, where harmful behaviour is occurring or the reasons why some people do not trust reporting processes.
- 3.34 Some people, including people in senior positions, expressed a view that the harmful behaviour in NZDF is merely a reflection of wider society. Although it is true that harmful behaviour happens in wider society, this perspective suggests that behaviour in NZDF can change only when society changes. This does not help leaders understand the unique risk factors in NZDF that can contribute to harm, the protective factors that help to minimise risks, or what they can do to create change.
- 3.35 Other people expressed a view that sexual assault was perpetrated by only a small number of “bad eggs” and, therefore, NZDF should not require everyone to attend training or briefings on the topic. This perspective suggests a low level of understanding about how aspects of the way NZDF operates might increase the risk of harmful behaviour occurring.
- 3.36 There were people we talked to who were more informed. We saw evidence that several camp/base/unit culture audits had been carried out. These audits highlighted risks associated with hierarchical power structures and power inequalities (especially in training environments), gender norms in some units, use of alcohol, and close living and working environments. However, we did not see evidence that this information had been collated and used to inform NZDF’s overall approach to Operation Respect.
- 3.37 Identifying the main risk factors and contributors to harmful behaviour is required to help to target the systems and structures that need changing to prevent harmful behaviour occurring.

A shared understanding of what a safe, respectful, and inclusive environment looks like is needed

- 3.38 After the 2020 review, senior leaders reiterated their commitment to Operation Respect and to creating a safe, respectful, and inclusive environment. However, we did not see evidence that there was a shared understanding of what this was. In our view, senior leaders need to clearly define what a safe, respectful, and inclusive environment looks like and be specific about the behaviours that they want and do not want to see.
- 3.39 Terms like “respect” and “safety” are understood differently by NZDF personnel. Discussions with some Navy personnel, for example, indicated some felt that a respectful workplace was one where junior personnel could share their views and disagree with superiors. For others, this was seen as disrespecting hierarchy and command. Our discussions also highlighted differing views on how the command structure should be exercised. In an organisation where this is fundamental to operational effectiveness, these differences in understanding need to be resolved in a way that also makes it clear that harmful behaviour is not acceptable.
- 3.40 There were some discussions about this taking place. As part of the Army Culture Change Programme, discussions with senior leadership have revealed differences of opinion about what is considered acceptable behaviour (particularly in the treatment of subordinates). Discussions have focused on what it means to be a soldier and what kinds of values and behaviours should flow from this. This is a positive and necessary step to develop a shared understanding of the desired Army culture.
- 3.41 These types of conversations between leaders and with personnel in NZDF are important for developing the Operation Respect strategy and plan. In our view, important topics for discussion include:
- what constitutes harmful sexual behaviour;
 - what constitutes bullying, harassment, and discrimination;
 - what safe and effective teams look like;
 - what supportive leadership looks like; and
 - what a safe, respectful, and inclusive disciplinary and complaints system looks like.
- 3.42 These discussions will be difficult for some. In our view, it is important that discussions are facilitated and supported by the right type of expertise. We found through the research for our monitoring report that discussions about harmful behaviour can be isolating for some women, especially when they work in

teams that are mostly male. Careful consideration should be given to how this is managed. We discuss communications in Part 4 and the importance of specialist expertise in Part 7.

Inappropriate and harmful behaviours need to be defined

- 3.43 Operation Respect has expanded people’s understanding of what constitutes harmful sexual behaviour. There is an understanding of these behaviours at the criminal end of the spectrum. However, unacceptable non-criminal behaviour is not as well understood. Behaviour that some NZDF personnel did not necessarily understand as harmful included sexualised jokes (sometimes referred to as banter), showing inappropriate photos and videos, and inappropriate discussion of people’s personal lives.
- 3.44 In our interviews with NZDF personnel, gossip about people’s personal lives was described as common in some units or teams. However, it was not always understood as a form of inappropriate behaviour. We heard this mostly from women. They described the negative effects these types of behaviours could have, including diminishing their trust in peers and superiors and affecting their career prospects.
- 3.45 Sexualised jokes and comments appeared common in some units or teams. There was no shared understanding of when behaviour crossed the line from acceptable workplace banter to inappropriate behaviour. Some people determined appropriateness based on whether they thought the person at the receiving end of the joke or comment was likely to be offended. The idea that whether certain behaviours are acceptable is an individual preference can be problematic when strong team cohesion norms make raising issues difficult. In these circumstances, inappropriate jokes can become an accepted way of building camaraderie.
- 3.46 In 2017, the scope of Operation Respect was expanded to include bullying, harassment, and discrimination. However, there is no clear understanding of what constitutes these behaviours either. We heard different perceptions about what was considered acceptable banter in a work environment, and what crossed the line into bullying behaviour that ridiculed and excluded.
- 3.47 There was also no shared understanding of the difference between appropriate command and disciplinary behaviours and bullying from superiors. For example, personnel had different views about whether yelling and swearing at subordinates was appropriate to develop the strength and resilience needed in military environments, or whether it was harmful. Although people generally described the move away from the “break-them-down” approach to training as positive, we also heard concerns about training becoming too easy and not adequately preparing people for their roles.

What an effective team looks like needs to be more clearly defined

- 3.48 The research for our monitoring report revealed different views about how people should treat each other in an effective team environment. For some, effective teams were those that comprised of a diverse range of perspectives and skill sets that were respected and leveraged for performance. However, we also heard about pressure to fit the norm of the unit and fear that those who did not fit this norm would be excluded (due to, for example, their gender, sexuality, ethnicity, personality, or skill set).
- 3.49 Work is needed to set out behaviours that support establishing safe, respectful, and inclusive teams.

What supportive leadership looks like needs to be more clearly defined

- 3.50 Leadership is fundamental to the success of Operation Respect. It is the biggest determinant of operational effectiveness.³¹ This encompasses the abilities of leaders at all levels to create safe, respectful, and inclusive environments.
- 3.51 NZDF personnel described to us the type of leaders they felt were needed to create safe, respectful, and inclusive environments. Personnel talked about how it was important that they were pushed to develop mental and physical resilience. However, they felt that this needed to occur in an environment where they were safe and respected, and having leaders who were accessible, empathetic, and encouraged them to have their voices heard supported this.
- 3.52 This view was not universal. Others believed that encouraging junior personnel to voice their views and challenge more senior colleagues could undermine the chain of command.
- 3.53 In our view, senior leaders need to do more work to develop structures and systems that can maintain the integrity of the chain of command and create resilience, while also providing personnel with a sense of agency. People want to feel that their views matter and that they can raise issues without fear of repercussions.

What a safe and respectful disciplinary and complaints system looks like needs to be defined

- 3.54 How reports of inappropriate and harmful behaviours are dealt with affects the likelihood of people reporting and the prevention of future harmful behaviour. It also has a significant impact on the wellbeing of victims/survivors. Work to set out what

31 MacKenzie, M (2015), *Beyond the Band of Brothers: The US Military and the Myth that Women Can't Fight*, Cambridge University Press.

a safe, respectful, and inclusive environment looks like for NZDF needs to include consideration of how this applies to the disciplinary and complaints systems.

- 3.55 In our view, NZDF needs a more advanced understanding of the factors that will help survivors feel well supported, safe to report harmful behaviour, and respected through the complaints process if they choose to report. This involves understanding where this is different from, or what tensions there may be, with current practice. We discuss this further in Part 4.

Recommendation 1

We recommend that the New Zealand Defence Force clarify the outcomes and objectives of Operation Respect. This includes clearly defining what a safe, respectful, and inclusive environment looks like, which behaviours are unacceptable, why Operation Respect is important, and how Operation Respect will enhance operational effectiveness in all parts of the New Zealand Defence Force's work.

A new prevention strategy is in development

- 3.56 During our audit, NZDF started work on a new prevention strategy and plan. This is being informed by the completion of a review of national and international evidence, and research and evaluations that NZDF has commissioned. In November 2022, after our audit work was completed, NZDF signed off an Outcomes Framework that sets out the aims for the Operation Respect programme. This will form the foundation of the Operation Respect strategy and plan. Although the work is in its early stages, we are encouraged by the evidence-based approach that is being taken. Implementation planning and the development of a Monitoring, Evaluation and Learning Framework will be progressed in 2023.
- 3.57 Senior leaders, including the Chief of Defence Force, service chiefs, and portfolio heads, should play a visible and active role in resetting the direction of Operation Respect. It needs to be clear to all NZDF personnel that the organisation is committed to making the changes required (see Part 5).
- 3.58 NZDF has recently engaged experts in organisational development and harm prevention to assist in progressing this work. This is positive. In our view, it is important for NZDF to ensure it can access appropriate expertise to assist with this work. The behaviour changes sought are complex and required at all levels of the organisation (see Part 7).

4

Strengthening strategy and planning

- 4.1 In Part 3, we highlighted the importance of NZDF being clear about what it was trying to achieve and defining what a safe, respectful, and inclusive environment looks like. In this Part, we discuss the need to develop an organisation-wide strategy and plan for Operation Respect that:
- targets the right levers for change;
 - enables a service-led approach;
 - defines an effective operating model for implementation, underpinned by clear roles, responsibilities, and accountabilities;
 - aligns Operation Respect with other culture change programmes; and
 - is accompanied by an effective communications approach.
- 4.2 Bringing about behaviour change is difficult. Lots of factors shape behaviour – values, norms, assumptions, policies, processes, and practices – and all need to be targeted for action in an aligned way.³²
- 4.3 NZDF has some specific challenges. It has three services with distinct identities and ways of working and a large civilian workforce that operates under a different legal framework.³³ There is a matrix management structure which means camp and base commanders are not always in charge of all units on their camp or base. In some cases, commanding officers of those units might be of a higher rank.
- 4.4 Operation Respect is one of many programmes focused on changing aspects of NZDF’s culture. The Army and the Navy have overarching culture change programmes. There is also work on alcohol and drug harm minimisation, diversity and inclusion, and a Māori Strategic Framework that aims to advance bicultural competency at all levels of the NZDF. Operation Respect needs to align with, and complement, these programmes of work.
- 4.5 For the Operation Respect strategy to be effective, it needs to target levers that can influence behaviour throughout the organisation. Levers include policies, procedures, and practices – the factors that shape people’s work environments. They set expectations about what behaviours are valued in the organisation.
- 4.6 We expected to see a strategy and plan setting out how different levers – such as education and training, career development paths, and the disciplinary and complaints systems – would be used to bring about change. We also expected to see consideration of the sequence in which these changes would be made.

32 Celermajer, D (2018), *The Prevention of Torture: An Ecological Approach*, Cambridge University Press.

33 Section 45(5) of the Defence Act 1990 provides that nothing in the Employment Relations Act 2000 applies to the conditions of service of members of Armed Forces. This means that members of Armed Forces cannot raise a personal grievance or use many of the other employment processes normally available to civilian employees. Section 7 of the Health and Safety at Work Act 2015 also sets out some circumstances where the Act does not apply to members of the Armed Forces.

- 4.7 We expected to see an implementation approach that enabled different parts of NZDF to design activities relevant to their circumstances and priorities. The three services, for example, each have their own operating environment, policies, procedures, values, and traditions. All create different behavioural norms, identities, and characteristics that can be drawn on to create positive change.
- 4.8 At the same time, any service-led plans need to align with an overall organisational strategy with clearly expressed roles and responsibilities between the services, camp and base commanders, commanding officers, and the different portfolios in NZDF.

Summary of findings

- 4.9 After the 2020 review, NZDF prioritised work to address individual recommendations and encourage activities to be identified in camp and base action plans.
- 4.10 Local ownership was a priority. Each camp and base was tasked with leading the preparation of their own plans. However, this work was initiated without the benefit of a clear organisational strategy or approach. There was little specific guidance provided about the purpose of the camp and base plans and how they should be designed and implemented. The quality of camp and base plans varied. In our view, this approach has not been successful in creating widespread ownership and action.
- 4.11 The organisational structure of NZDF is complex. For Operation Respect to be successful, all parts of the organisation – the services, Joint Forces, the camps and bases, the Operation Respect programme team, and the various portfolios – need to work together effectively. Without a clear operating model for how Operation Respect would be implemented, it was not clear who was leading the programme. The roles and responsibilities of the different parts of the organisation were unclear.
- 4.12 As a result, activities pursued throughout the organisation have not always been well co-ordinated or targeted at the right issues. This puts them at risk of having limited or temporary impact, and undermining the credibility of the Operation Respect programme.

- 4.13 NZDF need to determine what should be led from the centre, and what needs to be driven from the individual services. In our view, what is needed is an organisational strategy that sets direction through clear outcomes, objectives, and priorities and that is built around the levers of change in the organisation. This should include suitable mechanisms for measuring, monitoring, and evaluating progress (we discuss the importance of having the right data to support monitoring in Part 6).
- 4.14 The organisational strategy should be supported by a service-led approach where each of the services create their own plans that set out the actions they will take to achieve the organisational objectives, and camps and bases can then develop their own action plans.

The strategy and plan needs to be built around the levers of change

- 4.15 Culture change programmes need to identify and draw on the levers that influence behaviours across an organisation. Activities need to be aligned so they send consistent and reinforcing messages to encourage the desired behaviours.
- 4.16 Levers of change can be both instrumental and symbolic. Instrumental levers include systems and structures that set out the way an organisation operates and how individuals carry out their roles (for example, policies, standard operating procedures, training and education, performance management frameworks, and other recognition and reward models, including remuneration).
- 4.17 Symbolic levers include an organisation's values, traditions, rituals, norms, and artefacts. An organisation communicates its culture through the stories it tells about itself to its people and those outside the organisation. Stories that celebrate people and their achievements, or events that have taken place, send powerful messages about how an organisation defines success. Physical objects and images (such as memorabilia that celebrate events a team has experienced together, logos, team symbols and slogans, or posters and images in a workplace) also tell stories about what the organisation values.
- 4.18 The people we spoke to broadly understood the levers that influence behaviour. In our discussions, there were references to training and education, leadership development, and changes to infrastructure being important to Operation Respect. Environmental assessments that were carried out at a few camps and bases demonstrated an understanding of the influence of symbolic levers.

However, we did not see evidence that this understanding was brought together to inform an overall strategy or plan.

- 4.19 Developing leaders who are equipped to manage harmful behaviour and set a healthy culture is an especially important lever (see Part 5). The other levers that we consider need to be prioritised in the strategy and plan are described below.

Education and training are important influencers of behaviours

- 4.20 In militaries, education and training are used extensively to communicate what it means to be part of the organisation and build the right skills to achieve these aims.³⁴ Uniformed personnel receive general initial training and then further targeted training in their chosen field. They are required to complete specific courses to be eligible for promotion up the ranks.
- 4.21 Education and training are important opportunities for organisations to set expectations about appropriate behaviours. They are also important to establish the specific skills leaders at all levels need to prevent, and respond to, harmful behaviour. This includes developing the interpersonal skills needed to create a safe and respectful environment.
- 4.22 We saw examples throughout the three services of potentially helpful training. For example, all new civilian and uniformed personnel complete Sexual Ethics and Responsible Relationships training. For all three services, we saw examples of Operation Respect being integrated into recruit training and promotions courses.
- 4.23 However, training related to Operation Respect was also described as sporadic. Some people told us they felt the training was inadequate in preparing them to properly respond to harmful behaviour. This was especially so for those entering junior leader ranks, such as Corporals and Lieutenants.
- 4.24 In our view, once the Operation Respect strategy has been developed, the approach to training and education needs to be aligned. This will ensure that it incorporates a focus on developing and embedding the skills needed to prevent and respond to harmful behaviour.

Career and performance management systems can be used to set behavioural expectations

- 4.25 A career and performance management system plays a crucial role in setting expectations about the types of characteristics and behaviours that are rewarded in an organisation. This includes how people are selected for roles, how

34 Meredith, L, Sims, C, Batorsky, B, Okunogbe, A, Bannon, B, and Myatt, C (2017), *Identifying Promising Approaches to U.S. Army Institutional Change: A Review of the Literature on Organizational Culture and Climate*, RAND Corporation.

performance is measured, who is selected to participate in specific training, and how people are promoted.

- 4.26 An organisation also needs effective systems for tracking allegations of harmful behaviour throughout a person’s career.³⁵ In our interviews, we often heard concerns that people who harm others do not experience negative consequences in their careers. We were told that the performance development and promotions systems could be better used to ensure that only those exhibiting the desired behaviours progress in their careers. Better methods are required to ensure that instances of harmful behaviour are recorded and inform decisions about promotion and training opportunities.
- 4.27 Better methods are also needed to encourage desirable behaviours through the performance review process. NZDF’s Performance Development Reports currently have a section on “ethos and values”. However, we were told that this is not routinely used to assess whether someone is behaving in ways that promote a safe, respectful, and inclusive environment.
- 4.28 In our view, once NZDF has an agreed definition of what a safe, respectful, and inclusive environment looks like, and which behaviours support it, that definition should be incorporated into the ethos and values component of the Performance Development Reports. This will help create clear expectations that only those who meet behavioural expectations will progress in NZDF.

Changes to the physical and social environment on camps and bases can influence behaviour

- 4.29 NZDF is unique in that uniformed personnel often work, live, and socialise together. This creates more opportunities for harmful behaviour to occur.
- 4.30 The physical and social environment on camps and bases is an important influencer of people’s behaviour. The design of physical infrastructure, the protocols for living in communal spaces (including which images and objects are permitted to be displayed), access to and use of alcohol, and other recreational activities all send messages about what is and is not acceptable. These factors have all been a focus of Operation Respect’s activities.
- 4.31 Alcohol is a significant risk factor for harmful behaviour. The research for our monitoring report found that 56.8% of the people who reported experiencing unwanted sexual activity said the incident was related to the alcohol or drug use of the person/people responsible.

³⁵ Acosta, J, Chinman, M, and Shearer, A (2021), *Countering Sexual Assault and Sexual Harassment in the U.S. Military: Lessons from RAND Research*, RAND Corporation.

- 4.32 Alcohol policies are set by the camp or base commanders or commanding officers of the Navy's ships. They decide where alcohol is permitted and during what periods (for example, in barracks or aboard a ship).
- 4.33 Operation Stand is a programme of work focused on alcohol and drug harm minimisation. The relationship that alcohol has with sexual harm has also been recognised and that recognition has been a feature of Operation Respect – for example, it has featured in some camp and base action plans (see paragraph 2.26).
- 4.34 Positive changes have been made to alcohol policies, such as removing alcohol from ships while at sea. Consideration is being given to the availability of alcohol in messes³⁶ and providing social activities and environments that are alcohol-free. However, we also heard that heavy drinking is still an issue at some locations and is connected to incidents of sexual harm. This was partially attributed to the low price of alcohol at those locations.
- 4.35 There have been improvements made to the condition and design of physical infrastructure, which has been a strong focus of Operation Respect's activities. In our visits to camps and bases, we saw changes to physical infrastructure intended to limit opportunities for harmful behaviour, particularly physical harassment and assault. These include improvements to security and privacy in bathrooms, installing door viewers in barracks,³⁷ and increased lighting around buildings.
- 4.36 Throughout our fieldwork we heard the term "Operation Respect compliant" used to describe buildings and facilities, and infrastructure works described as related to Operation Respect. However, we did not see a clear definition of what Operation Respect-compliant infrastructure meant, and what Operation Respect-compliant work did (and did not) include.
- 4.37 Defence Estate and Infrastructure is responsible for infrastructure in NZDF. NZDF's work to improve the condition and design of physical infrastructure is informed by the Crime Prevention Through Environmental Design guidelines. However, we have not seen any guidance setting out the minimum standards each camp and base should be aiming for to specifically reduce incidents of sexual harm. We did not see an investment plan that sets out when this will be achieved for all camps and bases.
- 4.38 Although we saw some progress, it was widely acknowledged that there is still a lot of work needed to bring facilities up to an acceptable standard. We encourage NZDF to continue to prioritise investment on this. The Defence Estate and Infrastructure team is now represented on the new Operation Respect Programme

36 The mess is a designated area where military personnel socialise, eat, and (in some settings, such as aboard a ship) live.

37 Door viewers allow occupants to see who is on the other side of the door.

Board (see paragraph 5.35 for discussion of the Programme Board) which should help align its work with Operation Respect.

- 4.39 We were told about efforts in recent years to reduce or eliminate harmful cultural artefacts from camps and bases. People told us that it was common in the past for there to be displays of inappropriate material, such as sexualised pictures of women or racist or homophobic images. Environmental assessments carried out in Whenuapai Air Force Base, Woodbourne Air Force Base, and Burnham Military Camp identified and removed explicit images in barracks, workplaces, and other common spaces.
- 4.40 While there has been good progress in some areas, it has been uneven across NZDF. In our view, having clear guidance for how to create a safe and respectful physical and social environment would better support the goals of Operation Respect.

Unit/team policies, practices, and norms shape behaviour

- 4.41 Behavioural norms are strongly influenced by unit/team environments. Unit-specific traditions, rituals, and symbols influence behaviour (both positively and negatively). How the team defines success is an important factor. We were told, for example, that bullying people because of their fitness and physical ability in units where a high level of fitness was essential (such as combat units in the Army) was a particular risk.
- 4.42 The demographic mix in teams can both present risks and be a protective factor. Through our audit, we found that the incidence of inappropriate sexual behaviour was greater in male-dominated teams. Ensuring more gender diverse teams could be a protective factor.
- 4.43 Appendix 1 has information about the low proportion of women in the regular forces³⁸ (19% as at 30 June 2022). Women continue to be recruited in traditional trades (for example, medics and logistics). NZDF is making an active effort to increase the recruitment and retention of women, including in non-traditional areas such as combat. This is positive.
- 4.44 However, it is not enough just to increase the numbers of women. It is also important to ensure that adjustments are made to norms and behaviours to ensure they are supportive. We heard that if this does not occur then the women joining these units can still experience harm.
- 4.45 Units/teams need to have a shared understanding of what is appropriate behaviour. This involves teams taking time to examine what shapes their identity and how this could contribute to harmful behaviours. For example, humour is often described as an important way to bring a team closer together. However,

using humour for team bonding can create risks if, for example, sexualised jokes are common. Teams need to work together to redefine their standards – for example, to agree that jokes should not be made at the expense of others.

- 4.46 We heard about examples where unit leaders were making efforts to change behavioural norms. We heard about changes in one Army unit where an inappropriate team mascot was removed and deliberate efforts were being made to celebrate contributions to the trade by women. We heard about an Air Force unit taking time for the team to collectively define what was appropriate and inappropriate behaviour. We also heard about work in a training unit in the Navy to set out what respect and inclusion meant in that environment.
- 4.47 Work at the unit level is occurring throughout the organisation. However, in our view (see paragraph 4.98), there needs to be clearer guidance on what is needed.

Recommendation 2

We recommend that the New Zealand Defence Force prioritise development of an Operation Respect strategy and refreshed plan that sets out how the New Zealand Defence Force will bring about behavioural change. This should include suitable mechanisms for measuring, monitoring, and evaluating progress.

Improvements to the complaints and discipline systems need to be prioritised

- 4.48 Operation Respect cannot target all the levers at once and its strategy needs to clearly set out priorities. Work is under way to improve the complaints and disciplinary systems. We encourage NZDF to continue to prioritise this in the strategy.
- 4.49 Effective complaints and disciplinary systems are essential to identify and address harmful behaviour and help people access the support they need. Good systems also assist with deterrence and prevention by interrupting harmful patterns of behaviour and demonstrating that there are consequences.
- 4.50 NZDF has a range of internal and external channels for reporting inappropriate behaviour.

The Armed Forces Discipline Act 1971

- 4.51 All uniformed personnel are subject to the Armed Forces Discipline Act. All forms of sexual assault (such as indecent assault and unlawful sexual connection) are offences under the Armed Forces Discipline Act (and the Crimes Act 1961). Personnel can report allegations of sexual assault to their chain of command. For allegations of unlawful sexual connection that occur in New Zealand, NZDF will refer the allegations to the New Zealand Police for investigation and prosecution

through the civilian criminal jurisdiction.³⁹ Allegations of other forms of sexual assault trigger an investigation and then the offence might be tried through Summary Trial or Court Martial.⁴⁰

- 4.52 The complainant can also make an unrestricted disclosure to a Sexual Assault Prevention Response Advisor (SAPRA), who can assist them with making a report. The Armed Forces Discipline Act also has provisions that cover non-criminal sexual harm – for example, offences such as disgraceful and indecent conduct, threatening, insulting, or provocative language, and breaching orders that might include behavioural requirements.

The two complaints processes

- 4.53 There are two complaints processes uniformed personnel can use to raise a complaint outside of the Armed Forces Discipline Act – a complaints process for bullying, harassment, and discrimination (under Defence Force Order Three (Part 5)), and a formal administrative complaints process (under Defence Force Order Three and section 49 of the Defence Act 1990).
- 4.54 Defence Force Order Three (Part 5) sets out that personnel should first attempt to address these behaviours at the lowest level possible, such as by raising concerns with their chain of command or an Anti-Harassment Advisor (who should use informal resolution strategies where possible). Personnel can also request in writing that their commander resolve the problem through a mediation process or a formal investigation.
- 4.55 The administrative complaints process can be used for any member of the Armed Forces who believes they have been wronged. This process requires personnel to submit a verbal or written complaint to their chain of command, which triggers an investigation.
- 4.56 Civilian personnel can make complaints of bullying, harassment, and discrimination as laid out above under Defence Force Order Three (Part 5). They can also lodge a personal grievance (under the Employment Relations Act 2000).

39 In exceptional circumstances NZDF may seek the Attorney-General's consent to lay a charge of unlawful sexual connection in the military jurisdiction.

40 The Court Martial of New Zealand administers justice and discipline to members of the armed forces and, in some cases, closely associated civilians. In the military justice system, an accused person can be tried for service offences such as absence without leave, mutiny, disobedience of orders, cowardly behaviour, insubordination, and negligence, as well as all other offences against New Zealand law. Less serious offences can be dealt with summarily by commanders. More serious or complex offences are tried through the Court Martial, where the accused may be represented by defence counsel. The court consists of three or five military members presided over by a civilian judge. Potential punishments include fines, reduction in rank, detention, and imprisonment. Appeals can be made to the Court Martial Appeal Court, and then to the Court of Appeal and the Supreme Court.

External reporting processes

- 4.57 Where personnel have experienced criminal behaviour, both uniformed and civilian personnel can report this to the New Zealand Police. They can also make complaints to the Human Rights Commission if they feel they have been unlawfully discriminated against.

Not all personnel trust the current complaints and discipline systems

- 4.58 Through the research for our monitoring report, some personnel reported positive experiences of raising issues and reporting harmful behaviours. Positive experiences were generally associated with:
- access to confidential support;
 - the person they are reporting the harmful behaviour to takes it seriously and responds sensitively;
 - the person has some control over the way the incident is dealt with; and
 - the person sees behaviour change from the person who committed the harmful behaviour.
- 4.59 However, the research for our monitoring report also showed that most people who had experienced harmful behaviour did not report it. Some of the most common barriers to reporting harmful behaviour included fearing negative repercussions and not trusting that anything would happen as a result. When people did raise issues, satisfaction with how the harmful behaviour was dealt with was low. They often felt that it was not taken seriously enough or the consequences were not adequate or effective.
- 4.60 Power imbalances often create barriers for people reporting harmful behaviour.⁴¹ This is particularly so in hierarchical organisations like militaries. As described above, we heard that some people in these situations felt it was difficult to report or, when they did report, it was not taken seriously or was ignored.
- 4.61 These issues are not easily resolved. They need further discussion by senior leaders to ensure the current discipline and complaints processes provide safe and effective pathways for victims/survivors and personnel accused of engaging in harmful behaviour.

41 Office of the Auditor-General (2022), *Putting integrity at the core of how public organisations operate*, at oag.parliament.nz.

NZDF are making changes to better support victims/survivors but more work is needed

- 4.62 NZDF are working on changes to the Armed Forces Discipline Act. One area that is being considered is how serious, complex, and sensitive offending is dealt with. Currently the commanding officer of the accused determines whether a charge will be brought. Concerns have been raised, including that:
- the independence of the process could be affected because the commanding officer might protect the person in their team who is accused of the harmful behaviour;
 - commanding officers do not always have the expertise to determine whether charges should be brought; and
 - when a commanding officer does not consider that an offence has occurred, the incident is not properly dealt with.
- 4.63 The proposed changes to the Armed Forces Discipline Act are intended to provide more independence to the process by removing responsibility for investigating these types of complaints from the chain of command. Responsibility for determining whether charges are laid will shift to the Director of Military Prosecutions.
- 4.64 In our view, consideration also needs to be given to ensuring that there are safe and effective pathways for victims/survivors to report all harmful behaviours. This includes ensuring that the processes avoid re-traumatisation of victims/survivors, victims/survivors are kept well informed throughout, and victims/survivors are given as much control as possible in the process of raising and reporting issues.⁴²
- 4.65 This can be challenging in a military environment. For example, when a person discloses experiencing or witnessing an offence under the Armed Forces Discipline Act (such as an indecent assault) to another uniformed person, there is an obligation under Standalone Defence Force Orders 06/2016 to report that to the accused's commanding officer. We were told that this requirement seeks to ensure that risks to operational effectiveness are managed, for example, by not deploying a person who could harm others. However, this also reduces the control that a victim/survivor has over whether the issue is reported.
- 4.66 There are no easy ways to resolve these tensions. The introduction of SAPRAs has helped by adding ways for people to access support confidentially. The changes NZDF are working on to the Armed Forces Discipline Act should add more scope to consider the wishes of the victim/survivor. Changes are also proposed to the Summary Trial process, which will allow a not guilty outcome or a case that has been dismissed to be revised if deemed defective by a judge. NZDF has also been considering introducing a Victim Advocate role to support the victim/survivor,

which would help them have more of a voice in how evidence is given. Other areas where we consider further work would be beneficial are discussed below.

Clearer processes are needed to deal with non-criminal harmful sexual behaviour

- 4.67 As identified in paragraph 4.51, non-criminal harmful sexual behaviour can be dealt with through the Armed Forces Discipline Act. Personnel can also use the two complaints systems to address non-criminal harmful sexual behaviour. However, we observed that personnel were often unsure how the different systems and processes could be used for this sort of behaviour. We did not see clear information on how non-criminal harmful sexual behaviour should be dealt with through the various processes.
- 4.68 For example, people we spoke to were not always aware that non-criminal harmful sexual behaviour could be dealt with through the Armed Forces Discipline Act or felt that the Act was not always fit for purpose or was inconsistently used. Non-criminal harmful sexual behaviour outside of recognised criminal acts can involve patterns of subtle behaviour that can be difficult to identify and recognise and do not always easily tie to offences in the Act. We heard this can make it difficult to press charges.
- 4.69 Personnel who experience non-criminal harmful sexual behaviour often want issues resolved informally. The administrative complaints process (under Defence Force Order Three and section 49 of the Defence Act 1990) does not provide for this. It always requires a formal investigation to occur. Changes are being proposed to this process, which will allow informal responses to be used in the future. However, the complaint system for bullying, harassment, and discrimination (under Defence Order Three (Part 5)) sets out a process for issues to be resolved informally through the command chain or through Anti-Harassment Advisers.
- 4.70 We have heard that leaders are not always well equipped to deal with these situations. Anti-Harassment Advisers are also not specialists trained in dealing with behaviours on the spectrum of sexual harm. SAPRAs are specially trained, but people often do not think to go to them where non-criminal sexual harm (such as sexual harassment) has occurred. In our view, more work might be required to ensure that the right type of support is available for managing all forms of sexual harm, and that information about that support is clearly communicated.

The complaints system needs to be easier to navigate

- 4.71 Escalating an issue, such as raising a formal complaint to initiate an investigation or mediation, can be difficult. We frequently heard that the process for lodging formal complaints could be difficult, stressful, and lengthy. People going through this process did not always feel supported or properly informed.

- 4.72 The approaches for resolving issues outside of the Armed Forces Discipline Act (either informally or formally) are focused on using the chain of command in the person's unit. Some people told us that the behaviour they see or experience comes from senior personnel, or they felt that the behaviour was accepted in the unit. When there is low trust in leadership, using the complaints process is especially difficult. There are limited options for people to raise issues without having to go through their chain of command.
- 4.73 NZDF is aware of the challenges in the complaints system. A review has recently been completed and NZDF intends to rewrite the formal complaints process. We heard, for example, that NZDF is considering simplifying the complaints process and introducing a civilian investigating officer for incidents of bullying, harassment, and discrimination. This could provide more independence to the process. In our view, any changes to the complaints system also need to consider how to respond effectively to incidents of inappropriate sexual behaviour and complaints about more senior personnel.

More support is needed for people dealing with bullying, harassment, and discrimination

- 4.74 There are processes in place for people to raise and report experiences of bullying, harassment, and discrimination. However, the research for our monitoring report found that although awareness of the options available to get support in dealing with bullying, harassment, and discrimination was high, personnel did not always have a clear understanding of the process.
- 4.75 There are a range of different ways people experiencing other forms of bullying, harassment, and discrimination can seek support, including through Anti-Harassment Advisors, social workers, and chaplains. However, these options were not always well understood, including the extent to which people's confidentiality would be protected when accessing such support.
- 4.76 The approaches set out in Defence Force Order Three place a lot of responsibility on Anti-Harassment Advisors. However, these roles are often filled by relatively junior personnel and carrying out their role can be difficult when the allegations involve more senior personnel.

- 4.77 Defence Legal Services have been leading the reviews of the complaints processes. After changes to the processes have been made, it will need to be clear:
- who is responsible for leading work to ensure that issues related to bullying, harassment, and discrimination are well understood;
 - who is responsible for ensuring that people are supported; and
 - who is responsible for ensuring that the complaints system is working effectively.

Transparency about the consequences for harmful behaviour is needed

- 4.78 A range of formal and informal punitive and non-punitive approaches to addressing harmful behaviour are required as part of a clear complaints management process.⁴³
- 4.79 NZDF has a range of approaches it can take – for example, sanctions through the Summary Trial and Court Martial system range from fines and reprimands to dismissal and imprisonment. NZDF is also introducing a new administrative system for low-level disciplinary infractions that sits under the Summary Trial System. It could be used for forms of inappropriate sexual behaviour and bullying, harassment, and discrimination, which sit at the lower end of the continuum of severity but can still cause harm.
- 4.80 The research for our monitoring report showed that personnel who had experienced harmful behaviour often had low levels of satisfaction with how it was dealt with. People did not always feel that the consequences were fair or consistent.
- 4.81 We heard that people were often frustrated when they raised an issue of harmful behaviour and were told it had been dealt with, only for the behaviour to continue without further consequences. Conversely, people were more positive in cases where consequences for harmful behaviour eventually resulted in behaviour change.
- 4.82 We heard about variation in how similar behaviours were dealt with across different work areas. We did not see clear information about the consequences on all types of behaviours.
- 4.83 The Armed Forces Discipline Committee publishes sentencing guidelines for offences under the Armed Forces Discipline Act. This provides guidance for what punishment should be applied for offences under the Act through the disciplinary

43 Zedlacher, E and Koeszegi, ST (2021), "Workplace bullying in military organizations: Bullying inc?", in P D'Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464; Joychild QC, F (2017), *Report to Chief of Air Force: Inquiry into Historic Sexual Abuse, Workplace Sexual Harassment and Bullying related to Robert Roper and Contemporary New Zealand Defence Force Systems and Processes for Handling Such Complaints* (Commissioned by the Chief of Air Force, New Zealand Defence Force).

system. This means that the consequences for those offences are clear. However, it is not clear how some forms of inappropriate sexual behaviour should be addressed where they are not clearly linked to an offence under the Act.

- 4.84 It is also not clear what consequences should be applied when harmful behaviour is dealt with outside of the disciplinary system (for example, through the complaints systems). This made it more difficult for people to know whether their case had been dealt with fairly.
- 4.85 Transparency is important. To build trust, people need to see that there are appropriate consequences. Privacy considerations and other obligations of confidentiality about employment matters can make transparency difficult. These considerations need to be carefully balanced.
- 4.86 We were told of situations where there was anonymised reporting of results of Summary Trials and Court Martials. A few people commented that this helped them better understand the issues.
- 4.87 In our view, increased transparency, combined with more clarity about the consequences for all types of behaviours, could help build confidence that harmful behaviour will be dealt with consistently and appropriately.

More oversight of investigations and outcomes is needed

- 4.88 More independence and transparency could be provided by strengthening oversight of the investigation of incidents of harmful behaviour. Currently, there is limited independent oversight of how incidents of harmful behaviour are investigated and the outcomes of them.
- 4.89 It is important that incidents are properly investigated and that there is consistency in how different types of harmful behaviours are dealt with. Introducing mechanisms to provide oversight would contribute to a fairer and more transparent system.

Recommendation 3

We recommend that the New Zealand Defence Force prioritise work to improve the complaints and disciplinary systems to ensure that there are appropriate, effective, and trusted ways to report inappropriate and harmful behaviour.

A clear operating model for implementing Operation Respect is needed

- 4.90 NZDF is made up of uniformed and civilian personnel. There are uniformed personnel in the three services, Joint Forces, the Joint Defence Services (which covers areas such as logistics), and other enabling functions.
- 4.91 The three services are responsible for training and sustaining ready and capable forces. Headquarters Joint Forces is responsible for planning, preparing, and managing deployments of personnel. Civilian personnel also work in a variety of roles and environments.
- 4.92 In our view, NZDF needs an approach to Operation Respect that works with this structure. Clear direction needs to be set at an organisational level while the services and people on camps and bases own and lead the work. All parts of the organisation need to see Operation Respect as core to their work and be able to design and implement activities that are informed by, and relevant to, their circumstances.

Direction, guidance, and support are needed from the centre

- 4.93 After the 2020 review, NZDF wanted to create local ownership of Operation Respect. To encourage this, the Chief of Defence Force directed service chiefs to ensure that their service or portfolio had an Operation Respect plan. All camps and bases were also required to prepare an Operation Respect action plan.
- 4.94 As discussed in Part 2, the services have taken different approaches. The three Air Force bases have been free to design their own action plans. The Army and the Navy are incorporating Operation Respect into their broader culture programmes.
- 4.95 Some of the best levers for enabling change are managed by the services, rather than camps and bases. They include, for example, training and education. Other levers require organisational-level decisions – for example, decisions about Defence Estate and Infrastructure, aspects of the military justice and complaints systems, and aspects of career and talent management. There is also a need to ensure that Operation Respect is addressing the needs of groups not working in the single services, such as those in civilian roles.
- 4.96 Some camp and base plans in the services were incomplete and the level of detail provided varied. We heard from some senior leaders that they were hesitant to provide too much direction or guidance. They did not want Operation Respect to be too “top down” and get in the way of camps and bases identifying their own priorities and activities relevant to their situations. Although this was in line

with the directive, the result was that little specific guidance was provided about the purpose of the camp and base plans and how they should be designed and implemented.

4.97 We agree that camps, bases, and units need to be empowered to lead their own activities. Camp, base, and unit leaders frequently talked to us about not wanting activities imposed on them. This is because they know their camp or base best and are in the best position to determine activities that would be accepted. We saw evidence that supported this. Activities were more likely to be prioritised when they were initiated by leaders on camps and bases and in units. We saw examples of useful initiatives developed in this way.

4.98 However, in our view, there was not enough direction and guidance provided to camps and bases to support development of effective plans that would create lasting change. For example:

- the priority given to Operation Respect work varied between camps and bases;
- the extent to which the activities in the plans were targeted at preventing or responding to inappropriate and harmful behaviours also varied;
- the activities in the plans did not always appear to be informed by knowledge or research on what works in harm prevention. Overall, support personnel on camps and bases (such as SAPRAS, social workers, psychologists, and chaplains) were not involved early enough in the development of these plans. Support personnel often know about the risks and issues on the base and in the units; and
- most plans did not have any mechanisms for monitoring and measuring progress. This was an area that interviewees commonly noted they needed support with. Without monitoring and measuring, there was no way for the effectiveness of activities to be assessed.

Recommendation 4

We recommend that the New Zealand Defence Force support each service and the Joint Forces to prepare their own plans to implement the objectives of Operation Respect, which are clearly aligned to the Operation Respect strategy and refreshed plan.

The role of the programme team needs to be more clearly defined

4.99 The Chief of Air Force is currently the military sponsor of Operation Respect. The Chief People Officer is the business owner. When we describe the Operation Respect programme team, we are referring to the individuals whose work is focused primarily on the design and implementation of the programme. This includes the Operation Respect Programme Lead and the Operation Respect Military Lead, with involvement of the National SAPRA Manager.

- 4.100 The absence of a clear strategy and an organisation-wide plan has meant that there are no clearly agreed priorities and related workstreams across NZDF. This has made it difficult for the programme team to know what they are responsible for delivering and what they should prioritise. It is not clear, for example, whether its role is to drive and monitor the programme, co-ordinate work across the organisation, or lead particular workstreams.
- 4.101 Overall, it was not clear to us who was responsible for leading the programme day to day, ensuring that work was completed, or monitoring progress.
- 4.102 We heard from a range of people about the roles they think the Operation Respect programme team could have taken on but have not. These include setting objectives and developing measures, developing a data management system, co-ordinating infrastructure work, and providing guidance and tools for camps and bases to implement action plans.
- 4.103 The programme team has not had a clear mandate to lead or be involved in work elsewhere in the organisation that has a relationship to Operation Respect:
- The Chief of Defence Force's directive did not define the programme team's role in influencing the services' direction of work.
 - The programme team has limited involvement in the different streams of culture-related work happening across the services and therefore has had limited ability to ensure that there is sufficient focus on Operation Respect in that work.
 - The programme team was not given clear responsibility for ensuring that the camp and base plans were completed, for reviewing quality, or for monitoring implementation of these plans.
 - The programme team has not had a clear mandate to be involved in areas where there are opportunities to progress Operation Respect – for example, through training and education, talent and career management, and Defence Estate and Infrastructure. This has limited their ability to influence this work.
- 4.104 In our view, the programme team should take responsibility for developing the strategy and plan. In the work that has been occurring since May 2022 (see paragraph 3.56) this has been happening. The strategy and plan will set out different streams of work that must occur (for example, under training and education, career development, and Defence Estate and Infrastructure). The role the programme team should play in shaping those work streams will also need consideration.

- 4.105 Although those work streams will likely be led from different parts of the organisation, the programme team needs to have at least a co-ordination role. They could also assist in ensuring that the approach is evidence-based and well targeted at the drivers of sexual harm and inappropriate behaviour.

Recommendation 5

We recommend that the New Zealand Defence Force clarify the role of the Operation Respect programme team and how it will work with the services, Joint Forces, and portfolios.

Senior leaders need to take more ownership

- 4.106 After the 2020 review, strong emphasis was placed on Operation Respect being owned by the services and work led from the camps and bases. However, in practice we saw that the priority given to Operation Respect in the services has varied.
- 4.107 We expected to see a senior leader in each of the services and Joint Forces driving Operation Respect work and monitoring progress. Warrant officers in each of the services and Joint Forces were appointed as leaders to enable and champion Operation Respect. Although they were all committed to the work and its objectives, most struggled to describe to us their specific responsibilities beyond championing the overall messages. The only exception was the Navy.
- 4.108 In our view, if Operation Respect is going to be effective, service chiefs and other senior leaders need to have a much more visible and active role. The need for strong leadership is discussed further in Part 5.

Camp and base commanders need a mandate to drive camp and base plans

- 4.109 Once camp and base plans have been refreshed (in line with the organisation-wide strategy and service level priorities), responsibility for Operation Respect work needs to be clearly assigned and progress monitored.
- 4.110 Some features of the way the NZDF is organised present challenges for working out who is best placed to lead and drive Operation Respect work at the local level. Camp and base commanders, for example, do not always command all units on their camp or base. In some cases, commanding officers of these units are of higher rank.
- 4.111 We heard that, for some, this inhibited the development of camp and base plans. Some camp or base commanders felt that they could not create an effective plan

because they did not have visibility of all risks and issues in these units nor an ability to set the direction of Operation Respect in all units stationed on their base.

- 4.112 This was not the case for all camps and bases. We were told that in some Air Force bases there was a shared understanding that all commanding officers on that base were obligated to engage with the base commander on the Operation Respect action plan. However, we saw evidence that this was not happening consistently across other camps and bases.
- 4.113 In our view, it makes sense for a camp or base commander to develop and lead camp and base action plans. Camp and base commanders are responsible for the safety and security of all people on the base, and they control several levers that can influence the prevention of harmful behaviour, such as alcohol policy.
- 4.114 However, service chiefs also need to set clear expectations that all commanding officers must work with the base or camp commander of their camp or base on Operation Respect. For example, commanding officers need to provide anonymised information about the types of risks and issues in their units to camp or base commanders (so they have visibility of these risks across the whole camp/base) and agree to collaborate on any base-wide initiatives.
- 4.115 In our view, there is value in commanding officers leading their own unit-specific initiatives because it is a key environment where behavioural expectations are set. However, as discussed earlier, NZDF needs to provide more guidance to commanding officers to support this work.

The roles and responsibilities of key portfolios need to be better defined

- 4.116 There are also several cross-cutting portfolios of work that need to play a role in Operation Respect. These include the Defence Estate and Infrastructure portfolio (which is responsible for infrastructure), Defence Legal and Human Resources (which leads work on the disciplinary and complaints systems), and the Institute for Leadership Development. How these portfolios interact with the strategy and programme team also needs to be worked out.
- 4.117 At the moment, for example, it is not clear who is responsible for implementing changes to Defence Estate and Infrastructure in response to Operation Respect. The degree to which camp and base commanders have the authority to influence the priority or extent of infrastructure work done in their camp or base is unclear. We observed tensions in the relationship between leaders on some camps and bases and the Defence Estate and Infrastructure portfolio.

- 4.118 In our view, NZDF needs to put in place clear minimum standards for Operation Respect-compliant infrastructure. NZDF also needs to set aside funding and assign responsibility for achieving this as a priority.

Recommendation 6

We recommend that the New Zealand Defence Force set out clear accountabilities for senior leaders, camp and base commanders, and commanding officers for Operation Respect.

Operation Respect must be aligned with related programmes

- 4.119 NZDF has a range of programmes and initiatives that have overlapping aims with Operation Respect. There is a need to better co-ordinate Operation Respect with these programmes. These programmes include the service culture change programmes described in the previous section, Operation Stand (alcohol and drug harm minimisation), the Wāhine Toa programme (increasing recruitment of women), and Kia Eke (NZDF's Māori Strategic Framework). Many of these programmes are the responsibility of the People and Capability portfolio.
- 4.120 We were told that programme leads keep each other informed and collaborate on initiatives where relevant. This is positive but not enough. In our view, more work needs to be done to examine where there are overlapping aims, make sure that objectives are aligned, and integrate activities where they are likely to use the same levers. Tight co-ordination is necessary to ensure that these programmes:
- make the best use of resources – currently, people working on these programmes could feel like they are competing for resources;
 - align effort and avoid duplication – programmes are independently trying to address some of the same issues (for example, there are similar issues with reporting/asking for help through Operation Stand and Operation Respect) or rely on the same initiatives to make change (for example, changes to data management at the organisational level);
 - have coherent and reinforcing messages – Operation Respect, Wāhine Toa, and Operation Stand have obvious similarities. There is an opportunity to create a shared communications strategy to co-ordinate messages and ensure that there is no confusion about the different programmes; and
 - understand dependencies, particularly for monitoring and evaluation – success in Operation Respect might rely on other programmes, for example, Operation Stand's alcohol and drug harm minimisation initiatives. It will be important to

understand how these other initiatives intersect with Operation Respect and ensure that governance and monitoring arrangements are coherent and not overly burdensome for programme leaders.

- 4.121 In the late stages of our audit we saw evidence of some work in the People and Capability portfolio to map the relationships between the various programmes of work and establish more formal co-ordination. We encourage NZDF to continue this work.

A communications reset is needed

- 4.122 Clear and consistent communication is critical to any culture change programme. We did not see evidence of a clear communications approach to Operation Respect. Those we spoke to in Headquarters (including people in senior positions) and in camps and bases had little knowledge or awareness of a reset after the 2020 review. Many could not recall receiving any recent messages about Operation Respect.
- 4.123 Dedicated resources have now been assigned to preparing a new communications approach. This is positive. NZDF needs a communications approach that is aligned to the overall strategy, linked to the values of the organisation, relevant to different parts of the organisation, and consistent with the messages coming out of other change programmes (such as Operation Stand) and portfolios.
- 4.124 There is also a need to refresh the narrative of Operation Respect. It is important that this work is done alongside the development of the organisational strategy and plan.
- 4.125 In the research for our monitoring report, we identified how some people were frustrated about a lack of tangible action from Operation Respect in recent years. In our view, there is an urgent need to communicate to NZDF that an Operation Respect reset is occurring and that all parts of the organisation can expect to participate in discussions to define what a safe, respectful, and inclusive environment looks like.

The Operation Respect narrative needs to be repositioned

- 4.126 As discussed in Part 3, backlash to the initial messaging about Operation Respect might have led some leaders to avoid discussing sexual harm.
- 4.127 In our view, leaders need to continue to reinforce that Operation Respect is about preventing harmful behaviour, including sexual harm. However, the new narrative also needs to be informed by the past. During interviews, we heard that personnel did not want messaging that could be viewed as divisive. Communications need

to make a clear case for Operation Respect as key to operational effectiveness and draw on values that are important to people – such as comradeship and looking out for colleagues – to build collective ownership.

- 4.128 Views about gender and sexual harm can be deeply entrenched, and resistance is a predictable consequence of culture change efforts. Persistent and ongoing dialogue between leaders and their personnel is required to reveal and dismantle biases and harmful attitudes. Leaders need to be equipped to talk about sexual harm in nuanced ways and prepared to confront their own biases and misconceptions. They are likely to require additional support to do so (see Part 5).

Recommendation 7

We recommend that the New Zealand Defence Force develop a communications approach that renews focus on preventing harmful behaviours. This approach needs to make a clear case for Operation Respect as key to operational effectiveness and draw on values that are important to people – such as comradeship – to build collective ownership for creating a safe and respectful environment.

Clearer leadership and governance

- 5.1 In this Part, we discuss the role of leadership and governance in Operation Respect. We cover the need for:
- senior leaders to have an active and visible role;
 - clear roles and responsibilities for all leaders;
 - clear accountabilities for leaders;
 - clear communication from leaders about Operation Respect; and
 - strong governance of Operation Respect.
- 5.2 Culture arises from what leaders pay attention to, prioritise, model, and measure. How leaders react to events is also important.⁴⁴ Leaders shape organisational behaviours by what they communicate explicitly (what they say) and implicitly (what they do). The explicit and implicit communication is sometimes called the “tone from the top”.⁴⁵
- 5.3 Leaders throughout the chain of command need to role model respectful and inclusive behaviour. To do this, leaders need to understand what is expected of them, be held to account for the behaviours they display, and demonstrate the behaviours they expect and encourage in others.⁴⁶
- 5.4 Culture change programmes require changes in deeply held beliefs and norms of behaviour. They require leaders who can communicate effectively about why change is needed and how it can be achieved.
- 5.5 Leaders can do this only if they are properly supported with the right knowledge and develop the right skills.⁴⁷ They need support to discuss sexual harm, sensitively manage complaints, and instil a positive workplace climate.⁴⁸ A shared organisational understanding of why change is needed, and what it is being done to achieve it, supports effective programme leadership.

44 Meredith, L, Sims, C, Batorsky, B, Okunogbe, A, Bannon, B, and Myatt, C (2017), *Identifying Promising Approaches to U.S. Army Institutional Change: A Review of the Literature on Organizational Culture and Climate*, RAND Corporation.

45 Office of the Auditor-General (2022), *Putting integrity at the core of how public organisations operate*, at oag.parliament.nz.

46 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54; United States Department of Defense (2021), *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military*; House of Commons Defence Committee, 2021.

47 Celemajer, D (2018), *The Prevention of Torture: An Ecological Approach*, Cambridge University Press.

48 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54; United States Department of Defense (2021), *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military*.

- 5.6 We expected to see:
- senior leaders prioritising Operation Respect;
 - leaders having a clear and shared understanding of their role in driving the programme;
 - effective ways to hold leaders to account; and
 - robust governance arrangements to ensure that senior leaders are providing adequate direction and oversight of the work.

Summary of findings

- 5.7 Leaders have been working in challenging circumstances due to NZDF's involvement in the Government's response to the Covid-19 pandemic. This put significant pressure on the organisation and its resources.
- 5.8 Despite this, we saw a high level of commitment and motivation from leaders to achieve success with Operation Respect. However, the role(s) of leaders in Operation Respect and the mechanisms for holding leaders accountable for progress were not clear, and effective governance structures were not in place. Without these, the programme has lacked sufficient direction and influence. NZDF has taken steps to address this through the establishment of a new Operation Respect Programme Board.
- 5.9 At present, leaders lack clear performance expectations for delivering Operation Respect's objectives and outcomes. This means that there is a variable level of priority given and action taken. Where leaders are making progress, this is mostly due to their personal level of motivation, interest, and ability to lead on Operation Respect. This is positive but not enough. In our view, NZDF needs to embed accountability for Operation Respect in all leaders' performance agreements.
- 5.10 For leaders' commitment to Operation Respect to be translated into action, senior leaders need to play a more active role. NZDF needs to focus on building the capability of leaders, develop more robust ways to hold people accountable for progress, and improve the governance arrangements.

Roles and responsibilities of leaders in Operation Respect need to be clarified

Senior leaders need to take an active and visible role in setting direction

- 5.11 We saw high levels of commitment to Operation Respect from senior leaders. Service chiefs made a clear effort to champion Operation Respect by speaking publicly about it and being clear that harmful behaviour was not acceptable. However, we did not see what role they had in the work beyond this. We expected, for example, to see Operation Respect regularly discussed by their respective leadership boards. We did not see evidence of regular discussions.
- 5.12 Senior leaders had different views on how culture change should be pursued and their roles in it. Each camp and base was mandated to develop its own priorities, in line with the Chief of Defence Force's directive. However, in our view, more guidance, direction, and accountability was needed to ensure the quality of, and priority given to, Operation Respect work.
- 5.13 In our view, service chiefs and the Commander Joint Forces need be more actively involved in setting the direction for Operation Respect. This includes participating in work to clearly define what Operation Respect is intended to achieve and why it matters for NZDF's success. They also need to promote a shared understanding of the problem, determine what behaviours are needed to create safe and respectful environments, and identify what will need to change to achieve this. This is likely to require examining organisational practices to assess whether they are still relevant. This does not mean that Operation Respect will become "top down". Instead, it will create shared objectives that all parts of the organisation can work towards and demonstrate that leaders are open to making changes.
- 5.14 It is critically important that service chiefs and the Commander Joint Forces appear as a unified leadership team. In our interviews, we were told that NZDF personnel expected to see more from their leaders in support of this programme. We were told about some examples where senior leaders had visited camps and bases and held forums where they spoke about Operation Respect. When this did occur, it created a sense of approachability. We were told it made an impact. There needs to be more of this and senior leaders should be supported to do it.

The capabilities leaders need to support Operation Respect must be defined

- 5.15 Leaders at all levels have a role to play in Operation Respect, and their roles and responsibilities need to be understood. In our view, more work is required to set out the capabilities needed for leaders to support Operation Respect, the training needed to ensure that they develop these capabilities, and better ways to hold leaders accountable.
- 5.16 In Part 4, we outlined the important role of commanding officers in leading Operation Respect-related work in the camp, base, or unit. Senior non-commissioned officers also play a key role in preventing, responding to, and supporting people affected by harmful behaviour.⁴⁹ All leaders, including junior leaders, need to recognise and respond appropriately to harmful behaviour when it occurs or when it is reported to them.
- 5.17 We heard examples of many leaders who were focused on role modelling and acting quickly when harmful behaviour occurred. This is positive. Evidence suggests that this helps to create a culture that prevents harmful behaviour occurring.⁵⁰ For example, we were told that Waiouru Military Camp had a strong focus on role modelling and setting clear expectations. Those in command we spoke to talked consistently about setting clear expectations and role modelling behaviour.
- 5.18 However, the extent to which leaders felt that they had enough knowledge of sexual harm and bullying, and the skills to manage it, varied. Some leaders saw Operation Respect as a priority and felt that they had the right knowledge and skills to lead this type of work. Other leaders did not treat it as a priority. Some we spoke to were unsure about how to create a safe and inclusive environment or what prevention activities were appropriate.
- 5.19 The extent to which leaders prioritised Operation Respect depended on individual motivation, confidence, and skills. There are several risks with this:
- Lack of consistency between leaders sends mixed messages to personnel about the prioritisation of Operation Respect across NZDF. This could undermine organisational efforts.
 - Without the right guidance and support, well-intentioned leaders might deal with harmful behaviours in ways that are counterintuitive or potentially cause further harm.

49 When people join the NZDF, they join as either a commissioned officer (often just referred to as officer) or a non-commissioned officer (often referred to as an NCO) with a specific trade. Officers hold positions of authority and command roles. NCOs are not commissioned but earn their position of authority by rising through the ranks. NCOs take on leadership positions within their units, but they are of lower rank than commissioned officers.

50 United States Department of Defense (2021), *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military*; House of Commons Defence Committee, 2021.

- Where positive changes are occurring, progress is not sustained when these leaders move to new positions.

5.20 In our view, NZDF needs to define the capabilities that leaders need to effectively support Operation Respect work. Capabilities include competencies, knowledge, resources, and tools. Part 7 discusses resourcing and access to the right expertise.

More effective methods are needed to hold leaders accountable

5.21 Having effective ways to hold leaders accountable for progress on Operation Respect is crucial for changes to be embedded. Developing better methods to ensure leadership accountability should be prioritised as part of leadership development and talent and career management and included in the strategy and plan. The career management system is a key means to hold leaders accountable.

5.22 Two types of accountabilities are important:

- Leaders must be accountable for delivering aspects of the Operation Respect programme and for delivering results – for example, camp and base commanders need to be held accountable for progressing their Operation Respect action plans, and service chiefs need to be held accountable for the implementation of Operation Respect plans in their service.
- Leaders must be accountable for exhibiting the behaviours that will support Operation Respect – for example, role modelling appropriate behaviours, responding appropriately when harmful behaviour occurs, and initiating the activities needed to create safe and respectful climates in a unit.

5.23 In our view, more effective methods are needed to hold leaders accountable in both areas. Most leaders we spoke to, including senior leaders, could not provide specific details about how they were held accountable for progress on Operation Respect. There were no accountability mechanisms built into the camp and base plans – it was not clear whether plans would be reviewed or whether there was any expectation of ongoing reporting of progress.

5.24 In general, leaders on camps and bases said they would be held accountable if there were serious incidents that had not been properly dealt with. However, we did not see evidence that the way leaders were responding to harmful behaviour or supporting those affected was properly evaluated. We also did not see any evidence that leaders were held consistently accountable for the environment in their unit.

- 5.25 Many people we talked to felt strongly that some leaders who harm others are not held accountable and continue to be promoted. As well as setting the right work environment and responding well to complaints, people felt that performance appraisal systems should record harmful behaviour when it has occurred to assess people's suitability for promotions.

Senior leaders' communication about Operation Respect is important

- 5.26 How senior leaders communicate about Operation Respect is important. Leaders need to be able to talk about sexual harm in nuanced ways. This involves identifying and responding to backlash and resistance (see paragraph 4.128). They will need the right support to do this – we discuss this further in Part 7.
- 5.27 Leaders need to be prepared to share what they have learned during their careers about the importance of behaving in respectful and inclusive ways. Senior leaders have often been in the organisation a long time and will have seen how norms of behaviour have changed. We heard from experts and those in NZDF that leaders being open and honest about their own experience is important to build trust. This can also help show that NZDF is willing, where appropriate, to support people to learn from their mistakes.
- 5.28 There is a risk that some leaders who have been with the organisation a long time will have engaged in harmful behaviour in the past. During our audit, we heard frustration expressed about people in leadership positions who have engaged in harmful behaviour that has not been properly addressed. NZDF will need to carefully consider how it will respond to these sorts of concerns because they will undermine perceptions of the organisation's commitment to Operation Respect.

Governance of Operation Respect needs strengthening

- 5.29 Suitable governance arrangements are required to ensure that senior leaders can provide direction and maintain appropriate oversight of Operation Respect. Effective governance arrangements are also important to create collective responsibility for the work happening throughout NZDF.
- 5.30 Changes to governance arrangements were made immediately after the 2020 review. However, in our view, these changes did not succeed in providing the direction needed for Operation Respect.
- 5.31 NZDF is taking steps in the right direction. In our view, service chiefs and the Commander Joint Forces all need to play an active role in governance. We also think there should be regular interaction between internal governance arrangements and the external Operation Respect Steering Group.

Oversight of progress in Operation Respect was insufficient

- 5.32 After the 2020 review, Operation Respect was moved from the Human Resources Directorate to the Health and Safety Directorate in the NZDF. The Executive Health and Safety Board governed Operation Respect.⁵¹ The programme team continued to report to the Executive Committee.⁵²
- 5.33 Following the 2020 review, we expected to see discussions in these groups about what was needed for a successful Operation Respect reset and how to strengthen governance oversight and accountability for delivery. We reviewed the minutes of these meetings from the time the 2020 review was released in July 2020 to June 2021. We did not see evidence of these types of discussions.
- 5.34 The various workplans, such as the Plan on a Page and the plan for addressing the 2020 review's recommendations, were presented at these groups. Timelines for activities being completed, such as the creation of a refreshed strategy, were provided. However, many of these activities were not completed or not completed on time. The lack of an organisational strategy and joined-up approach, for example, was identified not long after the 2020 review. It took more than a year for this work to start. We did not see evidence that this delay was discussed at the governance meetings and that senior leaders were holding the programme accountable for delivery.
- 5.35 Several people we spoke to agreed that the governance arrangements were not effective and they were frustrated with the lack of meaningful progress. NZDF has now created the Operation Respect Programme Board.⁵³ The purpose of the Board is to ensure cohesion across NZDF's Operation Respect initiatives, oversee and manage the work programme of Operation Respect, and ensure that the

51 The Executive Health and Safety Committee is primarily a mechanism to provide assurance that health, safety, and well-being matters are well managed, including but not limited to the due diligence obligations as set out in section 44(4) of the Health and Safety at Work Act (2015). The members of the Executive Health and Safety Committee are Chief of Defence Force, Vice Chief of Defence Force, Chief of Navy, Chief of Army, Chief of Air Force, Commander of Joint Forces New Zealand, Chief Financial Officer, Chief People Officer, Chief Joint Defence Services, Chief of Staff Headquarters New Zealand Defence Force, and Chief Defence Strategy and Governance.

52 The Executive Committee is responsible for the oversight of NZDF's performance, meeting organisational and operational requirements, and delivery of long-term NZDF strategy. The members of the Executive Committee are Chief of Defence Force, Vice Chief of Defence Force, Chief of Navy, Chief of Army, Chief of Air Force, Commander of Joint Forces New Zealand, Chief Financial Officer, Director of Defence Legal Services, Chief People Officer, Chief Joint Defence Services, Chief of Staff Headquarters New Zealand Defence Force, Chief Defence Strategy and Governance, and Warrant Officer of Defence Force.

53 The members of the Programme Board are Chief People Officer (Chairperson), Director of Safety (Deputy Chairperson), Assistant Chief of Army (Delivery), Assistant Chief of Air Force (Training and Support), Assistant Chief of Navy (Personnel and Training), Joint Forces Representative – Chief of Staff, Defence Human Resources Representative – Assistant Chief Defence Human Resources, Deputy Director Defence Legal Services (Personnel), Chief Financial Officer Representative – Financial Controller, Joint Defence Services Representative – Relationship Executive, and National SAPRA.

Programme Board's decisions are carried out in each individual member's area of accountability and influence.

5.36 The creation of the Programme Board is positive. However, in our view it operates more as a steering group or management board (which is also required). We think there is still a need to strengthen governance arrangements.

5.37 Currently the Executive Health and Safety Committee still provides the main governance of Operation Respect. There are some advantages to this. It recognises the relationship between Operation Respect and health and safety. Senior leaders, such as the Chief of Defence Force and service chiefs, are members of the Executive Health and Safety Committee. However, it will be important to ensure that the Executive Health and Safety Committee sets aside sufficient time on the agenda to ensure robust governance of the programme. The Committee also needs to ensure that Operation Respect is integrated with other work occurring outside of the Executive Health and Safety Committee.

5.38 The Executive Health and Safety Committee will need to take a strong role in directing the development of the strategy and ensuring that the right discussions are had across NZDF – including among leaders. In our view, the Chief of Defence Force, service chiefs, and the Commander Joint Forces should also consider setting aside additional time to work out how they are going to lead and what to expect of others.

The role of the External Steering Group should be enhanced

5.39 The External Steering Group is an advisory group that was established in April 2017. The purpose of the Group is to provide external perspectives and advice to assist NZDF in monitoring and delivering Operation Respect. The group consists of eight members, including the Chief of Air Force (the chairperson). Seven of the members are externally appointed and all bring a range of relevant expertise.

5.40 The External Steering Group provides reports to the Chief of Defence Force via the Executive Committee about their view of the delivery of Operation Respect. The External Steering Group also advises on any factors that might affect or require alteration of Operation Respect's activities. The Chief of Defence Force is not formally accountable to the External Steering Group and is not bound by its advice.

5.41 In our view, the External Steering Group has the potential to play an important role in Operation Respect. Members bring considerable expertise, but the Group is not being fully utilised to influence the programme.

5.42 After the 2020 review, the External Steering Group met with the NZDF Advisory Board to share what it felt needed to happen to increase the effectiveness of the programme.⁵⁴ This was a positive development. However, it would be beneficial, in our view, for there to be more regular engagement between the External Steering Group and those leading the work (through the Programme Board) and those governing the programme (through the Executive Committee and/or the Executive Health and Safety Committee).

Recommendation 8

We recommend that the New Zealand Defence Force strengthen the governance arrangements for Operation Respect, including the way the Operation Respect External Steering Group is used.

⁵⁴ The role of the New Zealand Defence Force Advisory Board is to support the Chief of the New Zealand Defence Force in their role as Chief Executive of NZDF.

6

The right data to support decision-making

- 6.1 In this Part, we discuss the need for NZDF to have the right data and information to guide its approach to Operation Respect. Data is essential to understanding the extent and nature of harmful behaviours occurring, and for monitoring progress towards Operation Respect's outcomes.
- 6.2 We expected to see a plan to enable the right data to be collected to both understand the issues and measure progress. We also expected that NZDF would have a plan to make that data available to the right people so they could make informed decisions about the programme.

Summary of findings

- 6.3 Information is not currently collected in a way that allows NZDF to properly understand risk, effectively monitor and measure progress, and hold leaders accountable for progress.
- 6.4 In our view, NZDF needs a data improvement plan which identifies the data that is needed and sets out how that data will be collected and collated, how data gaps will be filled, how confidentiality will be managed, and who will lead this work. In our view, this must be a priority.

The systems for collecting and maintaining data need improvement

- 6.5 NZDF has a range of data sources that record some information about harmful behaviour:
- Military Justice and Summary Trial outcomes – records of these proceedings include information about incidents of harmful sexual behaviour that are offences within the Armed Forces Discipline Act.
 - Sexual Assault Prevention and Response Advisors (SAPRAs) hold data about restricted and unrestricted disclosures reported to them, including information about the service of the victim/survivor, the rank and service of the accused (only when an unrestricted disclosure is made), the type of behaviour (for example, indecent assault and sexual harassment), and some characteristics, such as whether alcohol was involved.
 - PULSE data (from NZDF's annual engagement survey) is centrally held. In 2021, a question was included in the survey that asked people whether they had experienced inappropriate or harmful behaviour in the previous year.
 - Complaints data is held in multiple forms and locations. It includes records of complaints raised (that is, bullying complaints).
 - Social workers, chaplains, and psychologists all record data that can include information about harmful behaviour (for example, information about whether someone went to a social worker after experiencing bullying).

- 6.6 However, leaders at all levels told us that they were not able to access the right data to understand risks and monitor progress. Without the right data there is a risk that decisions will not be well informed and interventions will not be well targeted.
- 6.7 We expected to see work on a plan to improve data and to develop measures to enable progress to be monitored but we did not. Without a plan for monitoring and evaluating progress, it is not clear how NZDF will know whether Operation Respect is making a difference.

Senior leaders do not have access to data that identifies risks and trends

- 6.8 Leaders at all levels were frustrated with the data they received. Most felt that the data was not enough to help them understand what behaviours were occurring in their areas of responsibility and across the organisation.
- 6.9 The main sources of data senior leaders accessed to understand harmful sexual behaviour were from the Court Martial and SAPRA data. These sources provide information about the type of reported incidents. Although valuable, on their own they provide only a limited picture of the scale and nature of harm.
- 6.10 Summarised and anonymised information sourced from SAPRAs is provided regularly to governance groups. However, we did not see evidence that it was used to understand trends. SAPRA data does not provide enough detail about incidents to identify risk areas. There are also limits placed on the details SAPRAs can record and provide to others to protect confidentiality, particularly for restricted disclosures.
- 6.11 There is a range of other data that could inform the understanding of incidences of inappropriate and harmful behaviour, such as social worker data, chaplain data, and complaints data. However, there is no requirement to bring these sources together, nor systems or processes to easily do so. These forms of data are held in different systems (for example, SAPRA data has been held in a different system to social worker data – although we were told this is changing). This makes it challenging to bring all this data together.
- 6.12 Some leaders on camps and bases try to gather this information to inform their understanding by, for example, asking those specialist support services to provide them with information about what trends they were seeing. Although valuable, it was inconsistently done and there is currently no easy way to form a view of what is happening across the whole of NZDF.

Gaps in data limit understanding of bullying, harassment, and discrimination

- 6.13 Senior leaders do not have much visibility of the extent and nature of bullying, harassment, and discrimination due to the way complaints data is managed.
- 6.14 There are mechanisms to record complaints. All bullying, harassment and discrimination complaints should be recorded in a form called an MD1037. All units are also required to maintain a register that records all administrative complaints they have investigated. However, we heard that data is recorded only for complaints raised to the commanding officer level (or above), and that collating the data is difficult. We heard there is no way to know how many complaints there were across NZDF and how they were resolved. Although Defence Force Order Three (see paragraph 4.53) states that there should be annual audits of complaints data to provide analysis, the last audit was carried out in 2015.
- 6.15 We were told that incidents would not be recorded unless a personal grievance is raised. Incidents are often resolved informally by the officers, NCOs, or civilian managers they are reported to. There is no obligation for officers or NCOs below commanding officer level to record any details of incidents reported to them, nor is there a system to hold any such records. This means it can be difficult for commanding officers to know what bullying, harassment, and discrimination is occurring in their unit and for the organisation to have a clear picture of where these behaviours are occurring.

Little data is collected on non-criminal harmful sexual behaviour

- 6.16 There is very little data collected about non-criminal harmful sexual behaviour. Many of these forms of harmful behaviour fall outside the Armed Forces Disciplinary Act. Therefore, they are not subject to investigation and/or recorded in the Summary Trial or Court Martial data.
- 6.17 Although people might raise complaints about these types of incidents, they are not electronically recorded unless the complaint reaches the commanding officer. Incidents are not always understood as harmful, and the processes for addressing these behaviours are not well understood. We heard that these factors mean incidents are not always being recorded.
- 6.18 There is currently no centralised place that individuals experiencing harm, or leaders dealing with this type of harm, can record these incidents to ensure that they are used to gain a view of what is occurring across NZDF. Without this data, there is limited visibility of the amount of this type of behaviour in the organisation.

6.19 The gaps in data and information collection present a range of challenges for Operation Respect. It makes it difficult to know where to direct efforts and measure effectiveness. It also makes it difficult to hold leaders accountable because there is no way to monitor how leaders are dealing with incidents of harmful behaviour.

An organisation-wide data improvement plan is needed

6.20 Improving the collection and management of data and information is a long-term investment and will take time. In our view, development of a data improvement plan should be a priority for NZDF and needs to cover:

- what data needs to be collected;
- how to improve the collection of current types of data and close any gaps; and
- how to collate the current types of data.

6.21 Data about harm that has occurred is sensitive. A robust framework is required to ensure that confidentiality and privacy is managed appropriately as more data is collected and collated. This needs to include clear guidance on who can access different forms of data and for what purpose. This is wider than Operation Respect but needs to be improved substantially to inform Operation Respect's work.

6.22 Improvements are also needed to the complaints data. In our view, there needs to be an NZDF-wide system that records complaints and the actions taken in response. Ideally, all complaints brought to command (be they harmful sexual behaviour or bullying) would be recorded in the same system. This data would also ensure that there is a record of those who have engaged in harmful behaviour to inform decisions about career progression.

6.23 Leaders need some data to help them identify emerging issues so they can intervene early. That data needs to be brought together regularly. The data improvement plan needs to set out how these different data sources can be collated and presented to different parts of the organisation.

6.24 The SAPRA data is being moved to a system used by NZDF social workers and chaplains called Profile. We were told that this will allow easier interrogation of data. In our view, this is sensible because it should allow easier collation with other sources of data.

- 6.25 There are other sources of data that could be anonymised and brought together regularly to help leaders to understand risks and issues, and monitor and measure change. Other data sources that could be useful are:
- exit interview data;
 - PULSE data, which includes specific questions on harmful behaviour, that leaders currently find useful;
 - complaints data; and
 - medical data (psychologist and doctor), where appropriate.
- 6.26 The data improvement plan needs to identify how NZDF will fill its current gaps in data and information, including how it will record data about non-criminal harmful sexual behaviour and bullying, harassment, and discrimination incidents. In some locations, leaders have tried new methods for anonymous reporting. However, in our view, an organisational approach is required so data can be collated from across NZDF.
- 6.27 There are a variety of contributing factors that can make harmful behaviour more or less likely to occur. During our audit, we heard about many of these. We saw that leaders and specialist support personnel working in teams or units where harmful behaviour occurs often have a good understanding of what the risks and protective factors are in their units. Although all situations are unique, the lessons learned could be valuable to those in other parts of the organisation.
- 6.28 Collating information about situations where harmful behaviour has occurred would provide an opportunity to build institutional knowledge over time about the risk factors for harmful behaviour and the effectiveness of different responses. This is not currently happening.

Leadership of data management is needed

- 6.29 It is clear that senior leaders want to see improvements in data. However, progress has been slow. It was not clear to us who was responsible for improving data collection and use. We were told that it would be sensible for the data management system to be managed centrally but it is currently owned by different parts of the organisation. For progress to be made, there needs to be clear allocation of responsibilities and appropriate governance oversight.
- 6.30 Establishing new systems and processes for data collection will take time. In the meantime, there are ways that leaders can better understand what is occurring on their camp or base, or in their unit. For example, specialist support personnel working together to provide information about trends they are seeing across their

camp or base. This could be a useful way for commanding officers to understand what is occurring until more systematic methods are established. We saw this happening on a few camps and bases.

- 6.31 One of the best ways for leaders to understand what is going on in their units is by encouraging their people to raise issues through the chain of command. The extent that commanding officers felt this was happening varied and appeared to depend on the ability of those below them to identify harmful behaviour. Commanding officers need to create safe forums where people can speak about these issues, and be clear with their subordinates about the type of information they want to receive, so they can monitor risks and issues in their units.

Recommendation 9

We recommend that the New Zealand Defence Force prepare a plan for improving data and information management. The plan should be informed by clear guidelines on confidentiality, and set out what data will be collected on inappropriate and harmful behaviour, how it will be collected, how complaints data will be improved, and how data will be collated to measure outcomes.

7

Resourcing to support implementation

- 7.1 The level of resource assigned to initiatives sends an important message about the priority that work is given in an organisation. Adequate resourcing is needed to fund the programme team and to support changes to facilities and infrastructure. It is also required to ensure that the programme can access the right expertise.
- 7.2 We expected to see adequate staffing, resources, and suitable expertise assigned to effectively implement Operation Respect.

Summary of findings

- 7.3 In our view, insufficient resourcing has been provided for Operation Respect. We acknowledge that the new strategy and plan (including roles and responsibilities) need to be progressed before decisions can be made about how much additional resource is needed and where it should be directed. However, additional expertise in organisational development, sexual harm, and culture change is needed for the development of the strategy and plan. This expertise is also required to support leaders and facilitate organisational discussions about inappropriate and harmful behaviour.
- 7.4 After the 2020 review, we do not think that there was enough consideration given to the type of expertise that was required to take the programme forward. During our audit, we saw that efforts were made to engage additional expertise. This now appears to be making a difference.

Operation Respect needs adequate resources

- 7.5 Operation Respect was provided more resources after the 2020 review (for example, a new Military Lead role was created). However, multiple people, including senior leaders, told us that there was a lack of adequate resource to support Operation Respect. We were told that implementing action plans relied on the goodwill of people who are already overworked. This is not sustainable.
- 7.6 Operation Respect's activities have been funded by the Safety Directorate budget. In our view, the programme needs its own dedicated budget that will allow the strategy, once developed, to be implemented successfully.
- 7.7 In our view, resources are immediately required for:
 - design of a new data and information system; and
 - additional culture change/organisational development and sexual harm expertise.

- 7.8 Once the strategy and plan has been finalised, NZDF will need to determine what resource is required for successful implementation, and ensure that this resource is provided.
- 7.9 It is important that sufficient priority is given to Operation Respect in each service. In our view, one way to ensure that a service-led approach is successful is for each of the services and Joint Forces to have their own Operation Respect Programme Lead.
- 7.10 SAPRAs are also needed. The number of SAPRAs has increased since the 2020 review – for example, the Devonport Naval Base now has two SAPRAs, and Woodbourne Air Base has its own dedicated SAPRA. Although this is positive, there is still not a SAPRA at every camp and base. In our view, work is needed to understand workload and provide appropriate resourcing to ensure that there are enough SAPRAs assigned to each location.

Specialist expertise is needed to support Operation Respect

- 7.11 The kinds of behaviour changes sought through Operation Respect are complex. Designing the organisational approach needed to bring about change requires the right expertise. In our view, the organisation has not had enough of the right expertise to guide this work.
- 7.12 In our view, culture change/organisational development expertise and sexual harm prevention expertise are both needed to support the development of Operation Respect's strategy and plan. NZDF has recently engaged additional expertise to work on the new strategy. We consider this a step in the right direction and encourage NZDF to ensure that expertise of this nature remains in the organisation.
- 7.13 Specialist expertise with experience in sexual harm prevention is required to help NZDF understand the risks for sexual harm, and to work with senior leaders to develop effective ways of talking about it. To provide that, NZDF needs to have more harm prevention resources in the organisation. More practical guidance about how leaders on camps and bases can engage in harm prevention activities and identify and assess risks is needed. Providing this guidance and support requires more resourcing than SAPRAs are currently able to provide.
- 7.14 In our view, there is an opportunity for the Operation Respect programme team to become the "hub" for knowledge and expertise in harmful behaviour. To develop this kind of hub, the expertise we refer to above would need to be a core part of the programme team.

Recommendation 10

We recommend that the New Zealand Defence Force provide resources to ensure the programme team can access appropriate expertise:

- a. in organisational development/culture change to support development of the strategy and plan;
- b. in sexual harm (including characteristics, drivers, prevention, and response) to assist in developing the strategy and plan and work with senior leaders;
- c. to develop a plan for improving data collection and information management related to inappropriate and harmful behaviour; and
- d. in harm prevention to equip leaders with the tools and skills they need to carry out their responsibilities for Operation Respect.

Recommendation 11

We recommend that the New Zealand Defence Force determine what resources will be required to successfully implement the strategy once it is developed and regularly review resourcing to ensure that it remains adequate.

Appendix 1

The New Zealand military context

The core work of the New Zealand Defence Force (NZDF) is to conduct military operations. NZDF needs to have the military capability ready for use when the Government needs it.

NZDF has the technical skills, professional training, and military equipment to respond to a range of security and humanitarian tasks. It plays a key role in New Zealand's broader security system. The preparation and availability of a credible and effective armed force is NZDF's top priority.

NZDF is actively engaged in operations and activities in New Zealand and across the globe. On average, NZDF has about 200-250 personnel deployed overseas each year.

NZDF is a complex organisation. It is made up of over 15,000 uniformed and civilian personnel. Uniformed personnel are spread across the three services (Army, Navy, and Air Force), Joint Forces New Zealand (joint forces), the Joint Defence Services (which covers areas such as logistics), and other enabling functions.

The command chain of NZDF starts from the Crown and flows through the Chief of Defence Force to the three services: the Royal New Zealand Navy (the Navy), the New Zealand Army, and the Royal New Zealand Air Force (the Air Force), as well as joint forces and the Headquarters NZDF (HQ NZDF).

The Defence Estate

NZDF operates from several camps and bases across the country. These camps and bases are managed with a complex matrix structure. Each camp and base has a commander who is responsible for the defence area⁵⁵ of that site, but they do not necessarily command all units on their camp or base. In some cases, the commanding officers of units stationed at a particular camp or base might be of a higher rank than the camp or base commander.

The Navy primarily operates out of Devonport Naval Base, in the Auckland suburb of Devonport. Devonport Naval Base includes several sites which are near each other.

⁵⁵ Defined under section 2 of the Defence Act 1990 as follows:

defence area means any land, water, or part of the seabed, or any building, or part of a building, either in New Zealand or elsewhere, that is set apart, used, or occupied for the purposes of the Defence Force, whether the property is owned by the Crown or is used or occupied by or on behalf of the Defence Force with the consent of the owner or is requisitioned under section 10(2)(b); and more particularly includes —

(a) every naval establishment, army camp, and air force base:

(b) any arsenal and any other place used for the purpose of building, repairing, making, or storing munitions or equipment for or belonging to the Defence Force:

(c) any land, or any building or part of a building, declared by Order in Council (see subsection (5)) or Defence Force Order to be a defence area for the purposes of this Act.

The Air Force primarily operates out of three sites – RNZAF Base Auckland, in the Auckland suburb of Whenuapai, RNZAF Base Ohakea, in the Manawatū region, and RNZAF Base Woodbourne, in Blenheim. Base Auckland is the largest of these bases, with an operational focus. Base Ohakea has a mix of operational and training functions, and Base Woodbourne is primarily used for training new recruits.

The Army primarily operates out of four sites – Papakura Military Camp, close to Auckland, Waiouru Military Camp, in the Ruapehu district, Linton Military Camp, close to Palmerston North, and Burnham Military Camp, close to Christchurch.

Papakura Military Camp is the base for the 1st New Zealand Special Air Service (SAS) Regiment and support services. Waiouru Military Camp and the adjacent training area is primarily used for training new recruits. Linton Military Camp is the largest of the army camps and has a wide range of functions. Burnham Military camp is the largest Army camp in the South Island and has a range of functions, including the NZDF Health School and the New Zealand Army Band.

Trentham Military Camp is a tri-service camp in Upper Hutt near Wellington. Trentham Military Camp has a wide range of functions, including the Trade Training School, which provides training to trades for all services. Trentham is also the home to the Formation Command of Joint Support Group, which commands NZDF Health personnel and the Military Police.

New Zealand military ranks

New Zealand military ranks are largely based on those of the United Kingdom. The three services have their own rank structure, with a rank equivalency between services. Within each service there are commissioned officers (often referred to as officers) and non-commissioned officers (often referred to as NCOs).

An officer in the Navy or Air Force starts training in a specific officer role from the outset. In the Army, however, initial officer training must be completed before moving into one of the specialist roles. Specialist roles are Combat, Engineering, Intelligence, Communications, and Logistics.

Non-commissioned officers are not commissioned into a specialist role but usually earn their position of authority by rising through the ranks of enlisted personnel to be leaders.

Demographics of the New Zealand Defence Force

The proportion of women in regular forces as at 30 June 2022 was 19.0%.

NZDF comprised 15,472 military personnel, reserves, and civilian employees as at 30 June 2021. Of the regular force (9478), 63.9% are New Zealand European, 15% Other European, 17.7% Māori, 5.6% Pacific, and 3.1% are Asian.

Of the civilian members, 50.9% are New Zealand European, 17.6% Other European, 8.0% Māori, 3.6% Pacific, and 4.6% are Asian.

The data shows that of the total headcount of regular force personnel, 1833 were female (19.3%). Of the total headcount of 2310 regular force personnel in the Navy, 619 were female (26.8%). The total headcount for the Army regular force was 4634, of which 680 were female (14.7%). Of 2534 Air Force regular personnel, 534 were female (22.1%). The total headcount for civilian personnel was 3015, with 1353 female civilian personnel (44.9%).

Gender by service and grouping data⁵⁶ shows that as at 30 June 2021, of a total of 1833 regular force female personnel, 1017 are junior NCOs (55.4%), 286 are junior officers (15.6%), 350 are senior NCOs (19.1%), and 180 are senior officers (9.8%).

Appendix 2

Military culture and harmful behaviour in militaries

Military culture

Militaries engage in a wide range of work, from humanitarian and disaster relief activities to stabilisation operations and combat. They have a high level of role commitment and focus on communal life; personnel train and often live together, at times in difficult and dangerous conditions.⁵⁷ Over time, military values, traditions, structures, processes, and activities emerged to shape a combat-ready force.

Military culture is often described as high-stress and “hyper-masculine”. Its core values are self-sacrifice, obedience, teamwork, and cohesion. These values have influenced military structures and processes and continue to influence leadership styles, available roles, treatment of personnel, and who is seen as ideal for military service.

As the nature of combat has changed, so have ideas about the skills and characteristics needed for a combat-ready force. Militaries now engage in a wider range of tasks, requiring new capabilities and types of people, for example in specialised information technology and communications roles. They have also recognised the need for “soft skills” such as cultural competency for humanitarian and peacekeeping tasks. Changing requirements have led to different ways of training, leading, and disciplining people, and altered military demographics. Long-held values and behaviours can, however, take time to adapt to this change.⁵⁸

Not all values and beliefs are shared and acted on in the same way in different parts of an organisation. In militaries, navy, air force, army, and civilian components have their own cultures specific to their unique contexts. Different camps and bases – and units within each camp and base – likewise have distinct cultures with their own traditions, norms, and ways of working. Combat units, for example, will have different norms and values to logistics and medical units.⁵⁹

Harmful behaviour within militaries

Not all parts of militaries are equally affected by harmful behaviour and experiences will differ in each part of the organisation. Research indicates that power dynamics play out in different ways; in recruit training, for example, there can be a greater risk of power being abused. Gender norms in units differ,

57 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

58 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

59 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

increasing the risk of sexual harm in some parts of the organisation.⁶⁰ Research from the United States of America, for example, has shown that women are at higher risk of sexual assault in specific services (navy and marines).⁶¹ Different service branches and trades can experience higher rates of sexual assault (such as artillery).⁶²

There is no one cause of inappropriate behaviour in a military. Some people will have individual risk factors – such as certain pre-existing attitudes, behaviour traits, or substance misuse issues – which make engaging in harmful behaviour more likely. These risks can be heightened when they are exposed to high levels of stress or traumatic experiences.

However, harmful behaviour occurs in a wider context. A range of organisational conditions can create a more “welcoming environment” for harmful behaviour. Even though modern militaries engage in a range of tasks, combat remains a core part of the military role. Research has shown that combat-oriented organisational and cultural features can create risk factors for harmful behaviour.⁶³ These features include hierarchical structures, unit cohesion norms, and masculine cultures. We briefly discuss each of these conditions further below.

Military working environment

Being deployed on a ship, being on training or operations, or living on a camp or base creates more fluid boundaries between people’s work and personal lives. This lack of clear boundaries creates greater risk of harmful behaviour occurring and can affect how effectively response and support systems work. High levels of alcohol consumption, frequent relocations that remove people from social

60 Souder III, W (2017), *Risk factors for sexual violence in the military: An analysis of sexual assault and sexual harassment incidents and reporting*, Naval Postgraduate School; Matthews, M, Morral, AR, Schell, TL, Cefalu, M, Snoke, J, and Briggs, RJ (2021), *Sexual Assault and Sexual Harassment in the US Army: Where Cases Are Highest and Why*, RAND Corporation.

61 Souder III, W (2017), *Risk factors for sexual violence in the military: An analysis of sexual assault and sexual harassment incidents and reporting*, Naval Postgraduate School.

62 Matthews, M, Morral, AR, Schell, TL, Cefalu, M, Snoke, J, and Briggs, RJ (2021), *Sexual Assault and Sexual Harassment in the US Army: Where Cases Are Highest and Why*, RAND Corporation.

63 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464; Teale, D and MacDonald, Dr C (2020), *Independent Review of the New Zealand Defence Force’s progress against its Action Plan for Operation Respect*; Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54.

support, and the level of stress or trauma people may be exposed to are further risk factors.⁶⁴

In an environment where training tests people physically and mentally to build their resilience in harsh and stressful conditions, the line between discipline and bullying can be blurred. Cultural norms about toughness can create an environment more conducive to harmful behaviour. They also make it harder for people to ask for help.

Hierarchical structures

Military hierarchies have “top-down” command structures and respect for superiors is a core part of the culture. Although such command structures are necessary for military activities such as combat, they also concentrate power in the hands of a few.⁶⁵ This concentration creates a greater risk of positions of power being abused. It also makes it more difficult for people affected by harmful behaviour to speak out about it.

Hierarchical structures also have the potential to be protective. Leaders have considerable power in such structures to set and reinforce norms for appropriate behaviour.

Unit cohesion norms

Group cohesion is required for military units to operate effectively, particularly in combat. Traditionally, units have developed strong team bonds and allegiances fostered by training regimes and socialisation processes. Values like duty and sacrifice bind people towards their goal of putting the mission before the self.⁶⁶

Group rituals to enhance bonding have been common in militaries.⁶⁷ There is a risk that specific unit subcultures can override fulfilling wider organisational goals. In these settings, harmful behaviour can go unreported.⁶⁸

64 Zamorski, M and Wiens-Kincaid, M (2013), “Cross-sectional prevalence survey of intimate partner violence perpetration and victimization in Canadian military personnel”, *BMC Public Health* 13, 1019; Stander, VA and Thomsen, CJ (2016), “Sexual harassment and assault in the US military: A review of policy and research trends”, *Military Medicine* 181, 20-27; Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54.

65 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

66 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

67 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54.

68 Zedlacher, E and Koeszegi, ST (2021), “Workplace bullying in military organizations: Bullying inc?”, in P D’Cruz (Ed.), *Special Topics and Particular Occupations, Professions and Sectors*, 435-464.

Unit cohesion can also be a protective factor. It encourages people to support each other and to feel responsible for each other's safety and well-being.

Masculine cultures

Militaries have been, and continue to be, male-dominated organisations. In such organisations, women's contributions are less likely to be valued and there is a greater acceptance of discriminatory attitudes towards women.⁶⁹ This can create an environment where demeaning sexualised and discriminatory language is normalised. This, in turn, creates an environment where sexual violence is more likely to occur.⁷⁰ Women are not the only ones affected by this; sexual violence can be used as a tool to control or ostracise men who do not conform to dominant masculine norms.⁷¹

A sexualised environment can also create a culture of victim-blaming. In such environments, victims/survivors can experience negative repercussions from reporting, such as being blamed, being ostracised from their unit, and having their careers damaged.⁷² Even when this behaviour is explicitly discouraged and the acceptance and expansion of women's roles is encouraged, underlying assumptions and beliefs can remain. This becomes a particular problem when those in formal or informal leadership positions do not model appropriate behaviours nor challenge harmful beliefs within their spheres of influence.

Disciplinary and complaints systems

Policies, procedures, and practices for reporting and complaints send messages about how people should behave, and influence day-to-day work life.

In most military justice systems, there is tension between a victim/survivor-centric approach and ensuring that commanding officers can maintain discipline and safety within their units. To maintain unit discipline, military law often includes a duty to report. In many military justice systems this means that a

69 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), "Sexual assault in the military", *Current psychiatry reports* 17(7), 54.

70 Breslin, RA, Klahr, A, Hylton, K, Petusky, M, and White, A (2020), *2019 Workplace and Gender Relations Survey of Reserve Component Members: Results and Trends*, Office of People Analytics Fors Marsh Group, LLC; Schell, TL, Cefalu, M, Farris, C, and Morral, A (2021), *The relationship between sexual assault and sexual harassment in the US Military: Findings from the RAND military workplace study*, RAND Corporation; Suris, A and Lind, L (2008), "Military sexual trauma: A review of prevalence and associated health consequences in veterans", *Trauma, violence, & abuse* 9(4), 250-269; Tharp, AT, DeGue, S, Valle, LA, Brookmeyer, KA, Massetti, GM, and Matjasko, JL (2013), "A systematic qualitative review of risk and protective factors for sexual violence perpetration", *Trauma, violence, & abuse* 14(2), 133-167.

71 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), "Sexual assault in the military", *Current psychiatry reports* 17(7), 54.

72 Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), "Sexual assault in the military", *Current psychiatry reports* 17(7), 54.

formal investigation must be initiated in any situation where a uniformed staff member reports harmful sexual behaviour that is an offence under military law to another uniformed staff member. However, those receiving disclosure and investigating incidences of inappropriate sexual behaviour are not always trained to do so, and military justice systems are often not designed in a victim/survivor-centric way. These can be barriers to reporting sexual harm.

Hierarchies and team loyalty can make it hard for people to report harmful behaviours perpetrated by their peers. In many militaries, a “code of silence” can prevail, meaning people will not raise concerns because they fear the repercussions and do not trust the systems and processes.⁷³ An absence of consequences and accountability for harmful behaviour can also increase the risk of it occurring.

⁷³ Castro, CA, Kintzle, S, Schuyler, AC, Lucas, CL, and Warner, CH (2015), “Sexual assault in the military”, *Current psychiatry reports* 17(7), 54.

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