



# Terms of Reference

## OPERATION RESPECT

### PURPOSE

1. To understand what progress the NZ Defence Force has made in creating a culture of dignity and respect in the Defence Force through its “Operation Respect Action Plan” in 2016.

### CONTEXT

2. NZDF is a large organisation comprising approximately 14,500 personnel. As described in the Operation Respect Action Plan (July 2016), *“the foundation of any military is the ability to respond swiftly to challenging situations. The readiness of personnel is a function of many factors, and includes a high degree of physical and mental fitness and team cohesion.”*
3. The NZDF identified that harmful, inappropriate sexual behaviour destroys the trust and cohesion amongst personnel that is at the heart of an effective fighting force, which in turn impacts on the ability of the NZDF to achieve its mission. [Action Plan, p 3, 5]
4. Operation Respect, described as a campaign to tackle inappropriate and harmful sexual behaviours in the New Zealand Defence Force, was launched in March 2016. An Action Plan was formulated in July 2016. It identified three reviews as having led to the development of Operation Respect:<sup>1</sup>
  - Ministry of Defence, Maximising Opportunities for Military Women (2014);
  - Ministry of Defence, Recruit Training (2015);
  - Tiaki Consultants, Air Force Culture Review (2015).
5. The latter report was commissioned to address serious issues relating to sexual offending in the Air Force.
6. The broad intent of Operation Respect, as described in the Action Plan, is to improve the culture of “dignity and respect” for all personnel. The key action areas (summarised) are:
  - Establish a strategy to change NZDF’s culture
  - Increase training and education
  - Provide an alternative way to report sexual assault

<sup>1</sup> Operation Respect Action Plan” (Version 4, July 2018), p 7.

- Create a dedicated, professional sexual assault response team
- Address specific risk factors associated with facilities and alcohol
- Recruit more women into the armed forces, and increase female representation in senior leadership roles
- Monitor and further reduce discrimination, harassment and bullying.

7. NZDF aimed first to focus on creating a new system for responding to inappropriate sexual behaviour. It would then take a proactive and systematic approach to changing its culture. [Action Plan, p3].

8. NZDF has since broadened the aims of Operation Respect to encompass all inappropriate behaviours (not just sexually offensive behaviour).

#### **KEY QUESTION**

9. The key question to be answered by the review is: What progress has the NZDF made creating a culture of dignity and respect in the Defence Force through implementation of its Operation Respect Action Plan?

#### **IN SCOPE**

10. The review will assess NZDF's progress against the key features of the Operation Respect Action Plan:

- Establish a strategy to change NZDF's culture
- Increase training and education
- Provide an alternative way to report sexual assault
- Create a dedicated, professional sexual assault response team
- Address specific risk factors associated with facilities and alcohol
- Recruit more women into the armed forces, and increase female representation in senior leadership roles
- Monitor and further reduce discrimination, harassment and bullying.

11. The review will also assess whether NZDF is well-placed to achieve the key actions and outcomes described in the Action Plan (by assessing whether resource allocation and organisational structures and processes are appropriately configured to achieve success).

#### **OUT OF SCOPE**

12. The review will not investigate or make factual findings about the substance or merit of any specific or individual incidents or allegations.

13. The Ministry of Defence is currently conducting a review of the NZDF's military justice system. That review is assessing the performance of the military justice system as a whole and will cover sexual offending where appropriate (but not as a specific topic area). The reviews will be complementary and will not overlap except where relevant or appropriate.

#### **KEY DELIVERABLE**

14. The key deliverable is a report providing an assessment of progress and, if appropriate, suggesting further steps to be taken.

## PROTOCOLS AND PROCESS

15. Tū Aromatawai *Independent Review* will establish protocols for conducting the review, including addressing matters of privacy and confidentiality.
16. NZDF commits to make any relevant information available as requested and in a manner that safeguards privacy and confidentiality.
17. NZDF's current senior leadership have expressed interest in gaining an independent view of progress against the Action Plan given the public interest in this topic. As such, an external Lead Reviewer may be appointed by the Ministry of Defence to conduct this review.

## CONSULTATION

18. Regular consultation will occur between the reviewer and the Secretary of Defence (Ministry of Defence), and the Chief of Defence Force, Chief of Air Force, and Chief People Officer (NZDF) as well as other senior Defence leaders as appropriate.

## TIMEFRAME

19. The review will commence within two months of an external Lead Reviewer being appointed with a draft report to be completed within six months of commencement, unless otherwise agreed.