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Beyond Reputation Management: An Auto-Ethnographic Examination of Diversity, Equity, and Inclusion in Canadian Policing

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Abstract: Policing organizations play a vital role in increasing diversity and recruiting individuals from diverse backgrounds. However, they face the challenge of reconciling merit-based hiring with the influence of social capital, necessitating a stronger focus on equity policies. This paper delves into this intricate landscape, leveraging both personal experiences and the framework of employment equity laws. It also draws upon insights gleaned from the Sandhu case to advocate for a holistic approach that encompasses cultural and legal changes to combat the issues surrounding “otherness” within policing. Through a comprehensive exploration of these cases, this paper unravels an intricate tapestry of the challenges faced by policing organizations. It provides valuable insights into nurturing diversity, equity, and inclusion within these entities, addressing issues like othering and racial profiling. This paper underscores the vital importance of public security organizations embracing equity, diversity, and inclusion to better fulfill their mission of serving the communities they protect. By adopting these principles, organizations can improve their effectiveness and make substantial contributions to fostering a more equitable society, transcending the confines of mere reputation management.

Keywords: workplace; DEI; diversity; race; au-ethnography; policing



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1. Introduction

Organizations across diverse settings and sectors are presently confronted with the challenge of aligning their internal values, foundational principles and operational realities with the continually evolving dynamics of society. This endeavor is further intensified by the expectations imposed by stakeholders, all while accruing communication capital [1] to fortify their standing.

In organizational communication studies, an evident shift has transpired, indicating organizations’ increasing inclination toward adopting a reputation-centric approach. This transformation is particularly pronounced in how organizations address racism and affirm their commitment to diversity, equity, and inclusion (DEI) [2]. DEI is being used as a resource for brands to not only express their identity but also to align with consumer values [3]. Additionally, organizations are striving to cultivate an environment of genuine belonging among their members through internal communication [4]. Reputation management entails the careful management of public perceptions with respect to organizations. These perceptions, being socially constructed, do not only stem from the actions and initiatives of the organizations themselves but also emerge from the various interactions involving stakeholders [5]. Consequently, an in-depth comprehension of the complexities inherent in these reputation management efforts necessitates a more in-depth approach, such as autoethnography [6], rather than the lenses typically used for analyzing reputation management strategies and organizational communication efforts.

While there is existing research on reputation management and its intersection with diversity and belonging in various sectors, the specific context of public organizations has been somewhat overlooked [5,7–9].

Public organizations, including law enforcement agencies, are undergoing a transformation by shifting from traditional public relations strategies to strategies centered around reputation management [8]. This shift underscores the crucial role of reputation as a political asset, exerting a substantial influence over power dynamics, autonomy, and legitimacy within these entities [7,8].

Moreover, the commitment to nurturing, preserving, and safeguarding reputation extends beyond expected sectors into unexpected ones. A notable example is law enforcement agencies, which present a “dual face” [10] (p. 639), as they navigate strategic shifts and societal transformations with respect to values, beliefs, and expectations. Their endeavors involve fostering connections with the society they protect and adjusting their representation of that society by seeking to redress historical imbalances, particularly with respect to underrepresented groups such as women and people of color [11].

However, systemic discrimination complaints are not unique to the field of law enforcement. For example, in 2020, serious and deeply troubling recent reports of anti-Black racism within the CHRC (the institution created to investigate discrimination complaints against federal employees) surfaced. These reports unveiled the Commission’s apparent inability or unwillingness to provide safe spaces and adequate support resources to Black employees of color involved in the assessment of race-based complaints. According to the Association of Justice Counsel (2020), these reports show that there is a significant underrepresentation of employees of color at all levels of the Commission. These reports also highlight the existence of employment practices and decision-making processes that are systemic and lead to discrimination against Black employees and other employees of color, perpetuating their oppression.

In response to these complaints, law enforcement organizations are harnessing the power of communication as a tool to cultivate public trust and establish a favorable reputation. In response to historical underrepresentation, policing organizations are implementing representation strategies, as can be observed in their recruitment-oriented communications [11]. These initiatives seek to counter the persistent lack of diversity, with a specific focus on historically marginalized groups, including women and people of color. Through these strategic representation efforts, they aim not only to address long-standing imbalances but also to bolster their Corporate Social Responsibility (CSR) endeavors, ultimately contributing to the enhancement of public trust.

In Canada, the forefront of this struggle is occupied by public security organizations who are facing mounting pressure to comprehensively embrace diversity. With the aim of counteracting the perpetuation of inequality [12], these organizations are dedicatedly formulating and implementing initiatives designed to uplift disadvantaged groups such as women and racial/ethnic minority communities. These endeavors fall under the umbrella of diversity, equity, and inclusion (DEI) policies, encompassing a spectrum of measures, including targeted recruitment programs and improved services tailored to women and racially marginalized groups. These initiatives are geared towards fostering robust connections with the intricate mosaic of societal identities, spanning aspects like religion, gender, age, and beyond [13]. In this dynamic landscape, the significance of reputation management becomes paramount for these entities. It serves as a mechanism not only for reshaping deeply ingrained police cultures but also for cultivating stronger bonds with the very communities they are sworn to serve. As these organizations endeavor to transform themselves so that they align with the values of equity and inclusivity, their reputational strategies become instrumental in not only shaping internal paradigms but also in shaping external perceptions and relationships.

Canada, with its commitment to multiculturalism enshrined in constitutional provisions and legislative acts, recognizes diversity in its military as a matter of deep-seated practice, policy, and institutional ethos. Despite this, ongoing debates persist about whether

inclusivity will genuinely take root, despite the presence of numerous diversity-promoting policies. Even as the Canadian Armed Forces (CAF) has taken steps toward a more diverse composition, as evidenced by the 2017 Diversity Strategy, the question of whether this openness genuinely guarantees equitable representation and fair treatment for all groups remains pertinent.

2. Conceptual Framework

2.1. Understanding Othering

The concept of “Othering”, a fundamental idea in postcolonial theory e.g. [14] and critical race theory e.g. [15], represents a perpetual process embedded in everyday acts and practices. This phenomenon is evident in seemingly subtle occurrences such as racial microaggressions [16] and ethnic jokes [17]. Notably, racial humor frequently serves as a discursive practice that can manifest exclusion in the workplace, often functioning as an “ethnic boundary marker”) [18]. Understanding the complexities of the challenges faced by racial, ethnic, or religious minorities and those with different characteristics than the majority requires recognizing the presence of othering in both overt and covert forms, including non-verbal expressions, media representations, policies, laws, and organizational practices.

In the context of power dynamics and discursive practices, images of individuals and groups are shaped, potentially evolving into self-images through identification or negative images through rejection [14].

In academic disciplines like communication studies, sociology, anthropology, and philosophy, “Othering” is a concept employed to describe the process through which individuals or groups are defined and differentiated based on characteristics such as race, gender, class, religion, and nationality. For instance, Crichlow et al. (2020) [19] conducted a study focusing on black police officers in the United States, revealing significant barriers to their advancement within the police force, coupled with experiences of racial discrimination and harassment. The authors argue that these experiences result from the othering of black officers, which serves to uphold the prevailing dominance of the white demographic within the police force. While theoretical and conceptual frameworks offer valuable tools for discussing discriminatory practices and the perpetuation of racial inequalities [20], it is essential to examine the mechanisms underpinning these inequities.

The process of “othering”, characterized by an “us” versus “them” mentality (Lou, 2022) [21], hinges on hierarchical distinctions. It delineates an in-group that embodies the norm and an out-group that may be perceived as a threat [22] before being subjected to discrimination or disparate standards. This construction of difference has become normalized within societal dynamics, forming a stark division between the inside and outside of the social system. This transformation of diversity into otherness stigmatizes characteristics such as race, ethnicity, gender, or other personal attributes that should ideally have no bearing on individuals’ skills, career opportunities, achievements, or well-being. This categorization of differences is often rooted in and legitimized by stereotypical beliefs, thought patterns, and stigmas, influencing how we perceive, communicate with, and acknowledge the contributions of others.

The process of “othering” is further complicated in informal institutions, where individuals operate within specific organizational roles alongside their social roles and categories. For instance, in a military context, a woman holding the rank of General occupies a role defined by her rank while simultaneously being a woman that is potentially subject to the constraints of her gender role. This intersection of various forms of differentiation adds layers of complexity to how people are perceived and treated, which can intersect with other forms of oppression.

Scholars have extensively examined the concept of othering and its impact on oppressed groups, emphasizing the significance of considering how multiple forms of oppression intersect [23]. Recent research by Bastos and Harnois (2020) [24] highlights how gender, race, and class intersect to create unique experiences of discrimination and marginalization.

They argue that adopting an intersectional approach is crucial to fully comprehend and address the intricate and interconnected mechanisms of oppression in society. Recognizing these intersections enables researchers and practitioners to work toward more inclusive and equitable policies and practices. The experience of being included or excluded holds significant psychological implications, including effects on anxiety, depression, self-esteem, and overall satisfaction, [25] (p. 425). The substantial psychological and job-related impacts of experiencing diversity in this manner prompt challenging questions about effectively managing diversity. In her research/report, *Challenging Systemic Racism in Canada*, Sheppard refers to the Abella Commission report, which “acknowledged the seriousness of systemic discrimination and recognized the need for systemic remedies” and noted that the “The risks of backlash, isolation, alienation and the pressures to assimilate are significant and costly” [26]. Instead of challenging discrimination on an individual case-by-case basis, Sheppard encourages the use of a systemic approach that recognizes the broader impact of systems and practices, acknowledging their role in perpetuating unwanted negative effects on certain groups in society (Sheppard, 2006) [26].

2.2. Evolution of Employment Equity in Canada

This leads us to the question of “employment equity”, a notion that emanates from the 1984 Commission on Equality in Employment (Abella Commission) [27] chaired by then Judge Rosalie Silberman Abella of the Ontario Provincial Court (Family Division). While the Abella Commission reviewed employment practices within various federal agencies and corporations, it did not examine federal public safety agencies like the RCMP.

The Abella Commission’s final report became the foundation for the current Employment Equity Act of 1986, amended in 1995, which is in effect today. This legislation aims to achieve equality in the workplace and addresses the employment disadvantages faced by women, aboriginal people, people with disabilities, and members of visible minorities. Employment equity, according to the Employment Equity Act, goes beyond equal treatment, encompassing special measures and accommodating differences [27].

A significant debate occurred during the commission’s deliberations regarding the use of the term “affirmative action” to describe measures designed to address barriers to access employment.

As an example, some argued against using the term because, in an American context, it had become associated with the imposition of quotas. To avoid potential intellectual resistance and confusion, it was suggested that Canada might want to consider using a different term for its own program [27]. Those opposing government intervention to create more equitably distributed employment opportunities repeatedly expressed concern that the term “affirmative action” “was ambiguous and confusing” [27]. The Commission found that the issue of ‘equality’ produced “overwhelmingly emotional responses” [27]. Hence, to avoid the erection of “protective walls through which reason cannot easily penetrate” [27], the Commission opted to discard the term “affirmative action” and coined the term “employment equity” instead.

While terms may not always matter, during the debates, it was mentioned that since their inception, the employment equity practices deployed in Canada, as well as affirmative action programs in the United States, have drawn criticism (mainly regarding their unfairness) from those who do not benefit from them [28].

Thus, quotas are perceived to create two categories of workers: (a) beneficiaries who gain employment or promotion opportunities because of preferential treatment and (b) those who have access to jobs or professional programs because they are qualified and meritorious. Surveys have shown that “ordinary Canadians” are against any type of quotas in hiring by a margin of two to one [28].

The Canadian Human Rights Act (CHRA), which prohibits discrimination on the thirteen prohibited grounds, is still in force alongside the Employment Equity Act (EEA). The key distinction between the two laws is that the CHRA prohibits discrimination, whereas the EEA requires employers to engage in proactive measures to improve the

employment opportunities of four specific groups (women, Indigenous people, people with disabilities, and members of visible minorities).

In Canadian law, employment equity as a specific legal concept is not a synonym for non-discrimination or workplace diversity. At the same time, the lack of specific provincial employment equity legislation does not detract provincial employers from fulfilling their employment equity obligations, which stem from the various human rights codes, labor legislation, and collective agreements.

While the Employment Equity Act was enacted in 1984 and amended in 1995, Canada's Police Force, the RCMP, was only subjected to it as of 21 November 2002. Quebec is the only province that has employment equity legislation covering some of its provincially regulated employers. Indeed, the Act Respecting Equal Access to Employment in Public Bodies covers public sector employers in Quebec, including the Sûreté du Québec police service. However, the Quebec legislation, which is buttressed by s.87-2 of the Quebec Charter, is mainly focused on data collection and report production without an enforcement provision or mechanism, which makes its compliance hinge mostly on the willing cooperation of employers. Article 23 of the Nunavut Land Claims Agreement requires the Government of Nunavut to increase Inuit representation in government employment and develop employment and training programs for Inuit workers. It is also important to note that all provinces and territories have human rights legislation that prohibits systemic discrimination and necessitates the provision of "special programs" to overcome historic systemic discrimination.

One of the most aggressive pieces of employment equity legislation ever introduced in Canada was implemented by the New Democratic Party, a political party in Canada that is ideologically left-leaning and social democratic. The Legislative Assembly of Ontario [29], "An Act to Provide for Employment Equity for Aboriginal People, People with Disabilities, Members of Racial Minorities and Women", targeted all corporations with fifty or more employees and led to changes to the Police Act, mandating that police services reflect the demographic composition of the community as a whole rather than those qualified for the available positions. Article 2.2 of the Act stated, "Every employer's workforces, in all occupational categories and at all levels of employment, shall reflect the representation of Aboriginal people, people with disabilities, members of racial minorities and women in the community" The Legislative Assembly of Ontario) [29]. However, the Ontario government's bold progressive move had dire political consequences for the NDP.

According to a Gallup Poll survey conducted shortly after the introduction of the Act, 75% of Ontarians believed that the "Government should... hire new employees based solely on their qualifications" [30] (p. 429).

When the NDP eventually lost the 1995 election, Bill 79 was quickly replaced by the Progressive Conservative government with "An Act to repeal job quotas and to restore merit-based employment practices in Ontario". In *Ferrell v. Attorney General of Ontario*, an attempt to have the Job Quotas Repeal Act declared unconstitutional failed.

The court ruled that the government had the right to make a political decision to discontinue what it saw as a quota-based approach and instead implement its own voluntary measures to address discrimination. This approach does not involve the setting of quotas or targets; instead, it encourages employers to take steps to promote diversity and inclusion in the workplace.

2.3. Representative Police

From a communication point of view, a representative police service is essential for building trust and positive relationships between law enforcement and the communities they serve regardless of their backgrounds. Communication is at the heart of policing, and a police force that reflects the diversity of the community it serves can more effectively engage in open and respectful dialogue with all individuals and groups. This notion stems from Sir Robert Peel [31], who is said to be the father of modern democratic policing. Peel developed policing principles that undergird the mandate of policing in order to foster

efficiency in maintaining safety and security within the community under the law. One of these principles asserts that the police should at all times maintain a relationship with the public that reinforces the idea that “the police are the public and the public are the police” [31]. This notion also forms the basis of the “community policing” model which is espoused by law enforcement agencies in the Western world [32]. This approach is based on the notion that the ability of the police to perform their duties is dependent upon the public approval of police actions.

A study in the United States from 2000 found that communities see diverse police departments as more legitimate and are more likely to take ownership in policing when a department is diverse [33] (p. 313). Diversity, especially in leadership, can improve problem-solving, increase innovation, and prevent a culture of racial bias. “If your command staff doesn’t reflect your community at the top of the organization, people feel like there is a ceiling in this agency, and they don’t feel like they have a chance of moving in”, [33] (p. 2015). Moreover, a 2016 Statistics Canada census revealed that 23% of individuals in this country identified as belonging to a visible minority population (as defined by the EEA) (Statistics Canada, 2017) [34]. It is predicted that if current trends continue, this percentage of visible minorities could represent between 31.2% and 35.9% of the Canadian population by 2036. Yet, according to this 2016 census, only 8.4% of all police officers self-identified as belonging to a visible minority group. It must also be noted that among the provinces, the number of visible minority police officers per 1000 visible minority population ranged from 0.7 in Quebec to 2.3 in Prince Edward Island.

3. Method

In this study, we employed a qualitative approach that blended autoethnography with an analytical examination of the existing literature and analysis of specific legal cases relevant to the study’s focus on employment equity and diversity in Canadian policing. This approach allowed for a more comprehensive understanding of the themes and experiences related to employment equity, discrimination, and diversity.

3.1. Autoethnography Entry Point

Drawing upon personal experiences and reflections, we aimed to provide an authentic narrative. In alignment with analytic autoethnography, we leverage one of the authors’ personal experiences within the Royal Canadian Mounted Police (RCMP) as an entry point to explore the complex interplay of intersectional and interlocking dynamics associated with ‘othering’. By “bringing readers into the scene” (Ellis, 2004) [35] and offering firsthand accounts, this method offers insights into the complexities of racial discrimination and the pursuit of employment equity within the Royal Canadian Mounted Police (RCMP).

The utilization of an autoethnographic method challenges normative perspectives and encourages honest and profound self-reflection rooted in personal stories and evocative experiences [36], which are recognized as vital sources of knowledge [37].

Assuming the dual role of the researcher and the researched [38], we introduce a unique perspective that has been noticeably absent in existing literature: a contextualized understanding of the limitations of employment equity policies and measures in achieving workplace equality.

3.2. Analytical Approach

While the autoethnographic element served as a foundational lens for understanding the lived experiences of individuals of color within the RCMP, it was essential to move beyond the emotional narrative. Therefore, we transitioned into an analytical approach that relied on the existing literature, legal cases, and scholarly resources.

To reinforce the analytical component of this study, we incorporated the landmark legal case of *Sandhu v.* [39] into our approach. This case provided critical insights into the dynamics of discrimination and its impact on career progression, particularly in the

context of law enforcement, and added a legal dimension to the research, grounding it in established jurisprudence.

This analytical approach facilitates “making contributions to knowledge; valuing the personal and experiential; demonstrating the power, craft, and responsibilities of stories and storytelling; and taking a relationally responsible approach to research practice and representation”, [40] (p. 102).

Embedded within this approach is the critical self-reflexive process, often referred to as ‘telling’. This serves as both a narrative writing strategy and a research methodology designed to describe and analyze personal experiences that are perceived to have significantly influenced an individual’s life trajectory (Denzin, 1989) [41]. By delving into these personal narratives, our intention is to unearth insights into broader, more universal experiences [35].

4. Data Interpretation

4.1. *Personal Narrative to understand Merit-Based Hiring vs. Social Capital*

The tension between individual merit and social capital carries significant ramifications for how otherness and discrimination unfold within the workplace, particularly when it comes to racial minorities [42]. In fields like policing, more so than in many others, the possession of what is termed “social capital” [43] (p. 83), manifesting as social networks, becomes a pivotal factor in gaining access to resources and maximizing career opportunities.

To dive into an exploration of the effectiveness of employment equity policies and their role in promoting workplace equality for racial minorities, it is important to heed the call to “bring readers into the scene” [35] (p. 142). This allows us to cut to the very heart of the matter, confront the stark reality of discriminatory employment practices, and bear witness to profound psychological and job-related impacts through the lenses of personal experience.

My career in the Royal Canadian Mounted Police (RCMP), which sprawled over three decades, serves as a vivid testament to the challenges that lie ahead. It mirrors the intricate dance between aspiration and adversity, echoing the collective experiences of countless individuals who have traversed the labyrinthine corridors of formal institutions and organizations. This career began much as it ended: with the filing of a complaint for racial discrimination with the Canadian Human Rights Commission (CHRC). In 1981, with a heart brimming with ambition and a desire to contribute to the noble cause of law enforcement, I embarked on a journey to secure a position within the RCMP. Little did I know that this nascent pursuit would unfurl as a relentless battle against the insidious specter of racial discrimination. It was a battle that would etch the term “racial profiling” indelibly into the fabric of my life.

I was initially denied employment with the force on account of a false report by a recruiting officer who “racially profiled” me as a drug pusher in my small Quebec hometown. This initial encounter with discrimination marked the inception of a grueling struggle that would persist for several years. The crescendo of this struggle led to the intervention of the Canadian Human Rights Commission (CHRC), culminating in a mediated agreement that finally granted me entry into the RCMP [44].

While I had a successful career, I did hit the “glass ceiling” [45] in trying to achieve an executive-level position. After having spent 29 years with the organization, I resorted to filing a complaint with the CHRC for systemic discrimination of the RCMP Officer Candidate Program. The issue I requested the Commission to investigate was whether the RCMP pursued a discriminatory practice that did not permit members who are Black and African-Canadian to succeed in the Officer Candidate Program, a crucial requirement for advancing to the rank of Inspector. On 24 July 2015, the Commission decided to deal with my complaint, recognizing that the internal mechanisms of the RCMP were ill equipped to tackle the sprawling dimensions of systemic discrimination. The Commission’s official statement eloquently conveyed this acknowledgment:

“... It appears that the respondent’s internal harassment complaint process will not be able to address the allegations of adverse differential treatment, denial of employment opportunities and systemic discrimination raised in the present complaint”. [46]

However, in the end and from all indications, the Commission’s investigator conducted a regular issue-based investigation which did not delve into the systemic dysfunctionality of the process. As a result, they found no discrimination and closed my file. Throughout my time with the RCMP, it was evident that resistance and opposition to employment equity initiatives were pervasive across all levels of the organization. This observation resonates with the existing literature, which underscores that opposition can be notably intense among individuals belonging to privileged groups who stand to gain from the current state of affairs [47].

From the innuendos made regarding the qualifications of a racialized member who received a promotion to constant belief in the myth of quotas and lowering the “standards”, Caucasian officers somehow always felt cheated by the efforts of diversity and employment equity that the force would put forth from time to time. For instance, after 11 years of service, I was promoted to a Bona Fide Occupational Requirement (BFOR) position designated to recruit amongst visible minority communities. For several years after my promotion, I suffered backlash for my promotion and had to endure recurrent subtle and not-so-subtle comments regarding my qualifications, the merit of my promotion, and of those BFOR positions in the force.

Because of the way its promotional system is designed, advancement for racialized members in the RCMP is conducted on a tokenism basis. Furthermore, there is an insufficient critical mass of racialized members in key positions within the RCMP to affect substantive and sustainable equity changes within the organization.

4.2. The Gap between Rhetoric and Reality in Policing

The Tribunal’s order in the *Canadian National Railway Co. v. Canada* (Canadian Human Rights Commission, 1987) [47] established that in any employment equity program, there can be no prevention without some form of remedy. On this basis, the Supreme Court of Canada unanimously reversed a decision of the Federal Court of Appeal and reinstated an order of a Human Rights Tribunal requiring the Canadian National Railway to hire one woman in every four new hires into unskilled blue-collar jobs. The Court ruled that the Tribunal was within its jurisdiction under s. 41(2)(a) of the Act in ordering the adoption of a special program designed “to prevent the same or a similar (discriminatory) practice from occurring in the future” (Canadian Human Rights Commission, 1987) [47]. In this case, the measures that had been dictated by the Tribunal, including the hiring quota, were designed to break a continuous cycle of systemic discrimination against women. Instead of focusing on compensating past inactions or providing new opportunities for specific individuals who have been unfairly treated, the order aimed to ensure that future applicants and workers from the affected group did not face the same barriers that blocked their predecessors.

In order to address the issue of “tokenism” in the workplace, the Tribunal proactively introduced the concept of a “critical mass” of individuals from previously excluded groups. This approach, as outlined by the Canadian Human Rights Commission in 1987, aimed to ensure that there were enough members of underrepresented groups present in the workplace to avoid the perception that they were mere tokens and instead foster a more inclusive environment. Hence, by significantly increasing the numbers of employees and thus creating a “critical mass”, this approach prevents those from “excluded groups” from being seen as “tokens” representing the whole group within the organization. Strohshine and Brandl (2011) [48] stated that weak employment equity policies in law enforcement have resulted in the presence of “token” officers of color who experience several challenges in the workplace, including heightened visibility, isolation, and limited opportunities for career advancement (p. 344). Besides concerns about a potential decrease in the quality

of service delivery, some people perceive the targeting of non-white groups in hiring as a form of “preferential hiring” that could jeopardize the employment opportunities of male relatives. For example,

“My son wanted to become a police officer. . . [Yet he] had the deck stacked against him when he went.. to take the test because he was told. . . that the police departments were seeking whatever the qualified minority groups were. . . [B]y inference it was very clear that the standards for the people in those groups were lower. . . I don’t have a problem with seeking broader representation, especially in the police force, which needs to deal with the many facets of society, but I think when you start to lower standards in order to impose certain quotas. . . then I have a problem. It bothers kids my son’s age. . . that they see themselves as sort of citizens of the world, and at the same time, being discriminated [against]”. [48] (p. 344)

Applying the “critical mass” principle to policing involves employing enough police officers of color in a given department so that there is a significant applicant flow from previously excluded groups, as this would reduce the tendency to refer friends and relatives for employment, as noted by the Canadian Human Rights Commission (1987) [47].

Today, in attempts to respond to the current realities of diversity, police services are continuing to adopt policies, initiatives, and practices as a way to reflect community representation. However, as accurately suggested by Howard-Hassmann, ignoring “the sins of the (white) fathers” is also to continue to support employment equity policies which focus on providing individual equality while ignoring the need to remedy the consequences of past legal discrimination or the ongoing discrimination experienced in the workplace [28] (p. 153).

While I agree with the legitimate democratic principle that “the feelings of both those who support and those who oppose quotas need to be taken seriously” (Stroshine and Brandel 2011, [48] (p. 344), in this paper, we will elucidate how the application of employment equity in policing has not always yielded the desired results.

In my experience, as well as that of many officers of color, although the image of diversity is showcased by most police organizations at the entry levels, there exists a veiled reality of intrinsic barriers to advancement and underlying cultural tensions. This dissonance is often camouflaged under the guise of a “window dressing effort” or the deceptive “appearance of positive action through targeted recruitment”.

In other words, the majority of officers of color readily see the discrepancy between the adoption of diversity philosophies and the realities of their implementation within the organization. “While external legitimacy and appearance is maintained, the myth remains untouched in the organization” [48] (p. 344). While police services may document diversity as a sign of good performance, expressions of commitment, and descriptions of “being” diverse, research has found such documents to conceal forms of racism and systemic inequalities [48] (p. 344).

For example, many police services employ retired police officers to work in their recruiting units. Upon my retirement, I was also contracted by the RCMP as a recruiter and found that having retired officers working as recruiters is potentially problematic. It is worth noting the generational gaps between today’s diverse applicant pool and these retired officers, as well as the fact that the well-entrenched organizational values acquired by retired recruiters during their service in the 1970s 1980s, and 1990s and the values of today’s applicants often clash. Hence, because most recruiters work alone and are unsupervised, it becomes extremely difficult for managers to detect the potential biases that may have led to an applicant being rejected by the “process”. A 2018 Ottawa Police employees census which revealed deep rifts within the organization over diversity seems to support my observations [49]. The census found that retired background investigators who are “retired white males” tend to “screen out qualified diverse candidates”. This, in turn, creates a “bottleneck” in the recruiting process when it comes to finding qualified diverse candidates [49].

The views expressed by participants in Szeto's research suggest that equity efforts by police departments are "premised under a theme of a public policing image" [43] (p. 79). As officers of color who "live" the daily reality of being a minority in a police agency, we see right through police agencies' attempts to maintain the appearance of diversity "in the hopes of creating a corporate image that is attractive to ethnic minority communities" [43] (p. 79) with the goal of legitimizing the organization.

While this sentiment may appear cynical to the outsider, the experiences of minority police officers within their organization make them hesitant to embrace diversity recruiting. While policing continues to motivate itself upon the rhetorical embracement of diversity, it is difficult for minority police officers to get on board with this while navigating a white-dominated police culture that exerts little effort to address the systemic and cultural issues of "heightened visibility, feeling devalued, stigmatization, isolation, and racism", [43] (p. 81) within the organization. As one minority officer points out in Szeto's study, "Diversity starts at home so before we can go into the community and tell of praises of diversity and all things that we are doing, we need to get our house in order" [43] (p. 30).

Szeto's [43] study highlights the challenge police organizations face in retaining minority officers when there is a lack of diversity within the organization. According to Officer #6, when a minority officer feels culturally isolated, it creates a dynamic of exclusion that may lead to the officer leaving the organization [43] (p. 77). Conversely, an inclusive environment makes it easier to retain such an officer. This creates a chicken and egg situation: while a diverse environment is necessary to retain diverse officers, a lack of diversity makes it difficult to maintain such an environment.

While Szeto's study recognizes the gap between organizational philosophy and officers' attitudes and perceptions of organizational diversity, it also unveils the need for police organizations to continually evaluate standards that satisfy the requirements of police work while aligning with the continued changes in the demographic landscape of Canada [43] (p. 82). A simple suggestion in this study is the need for police organizations to engage with and invest time in the "younger generation of ethnic minorities" to increase its pool of applicants in the future. "Having a positive presence amongst visible minority communities, especially youths and children, may benefit and improve the overall public perception of policing and police work" [43] (p. 82).

While this suggestion may appear easy to apply, the reality of the practice of racial profiling by law enforcement agencies in Canada, as in the US, may make this aim a difficult one to achieve. Racial profiling threatens the very legitimacy of the profession amongst those communities from which it tries to recruit. One of Szeto's interviewees adequately describes this PR nightmare and the ongoing tension in policing.

"When you look at issues around racial profiling and Black communities being the number one target and stigmatized by the practice of racial profiling, it's very difficult then to stigmatize a community by racial profiling. Essentially sort of castigate an entire community and showing them as the usual suspects and then turn around and say well we would like to hire from your community—it's very difficult to sort of make those two arguments". (Szeto, 2014, [43] (p. 58))

4.3. *Combatting Otherness in Policing: Lessons Learned from the Sandhu Case*

On 21 April 2017, the Ontario Human Rights Tribunal (OHRT) ruled that Sandhu was discriminated against and that his "race" was a factor in his failure to be recommended for promotion in February 2013" [40]. While making this decision, the tribunal referred to the many commendations and awards that Sandhu received for helping to solve a wide variety of cases, from homicides to drug trafficking, along with a 2011 newspaper article calling him one of the three most influential South Asian Canadians working in law enforcement—a short list that also included current federal Defense Minister Harjit Sajjan [40]. However, notwithstanding these accolades, when Sandhu tried to break into the force's senior ranks, out of 33 applicants, he was one of two who were denied the opportunity to compete for a

promotion. According to the tribunal decision, the other applicant who was denied was a sergeant who, unlike Sandhu, had minimal experience.

However, a year later, following the Sandhu decision and despite objections from Chief Evans, the Peel police board launched an independent equity and diversity audit to probe the force's historical hiring and promotions practices [50].

Two years later, on 22 March 2019, the Canadian Centre for Diversity and Inclusion (CCDI) released its equity audit of the Peel force [49]. While the report found that Peel police had put in place a number of policies, programs, and initiatives aimed toward diversity and inclusion in policing and for employees, it also revealed "a gap" between those and the "cultural competence" of the leaders of the Peel Regional Police and the Peel Police Services Board [49]. "As a result, this potential gap is likely having an impact on the organizational culture and reputation of the PRP in the community", the report said [49]. The report further revealed that while some within Peel Regional Police expressed a positive perspective on the force's commitment to diversity, others made comments which suggested a potential misunderstanding or lack of knowledge concerning the objectives of diversity, equity, and inclusion [49].

One officer who was interviewed said, "I feel that the service is more concerned with hiring/promoting visible minorities than choosing the best person for the job. They should be more focused on keeping their employees happy and motivated than having a diverse public image" [49]. Overall, the perceptions of the employees contained in the report suggested minimal feelings of inclusion by employees of color compared to their Caucasian counterparts [49]. Discrimination or bias against people belonging to minority groups was one of the most common themes in the open-response comments:

"Peel Regional Police are openly racist and sexist with transfers to bureaus, community events, and promotions". "Peel Regional Police does not support colored officers in promotional and internal transfers. Officers of color are required to [put in] three times more effort in order to maintain some sort of competitiveness. Officers of color also experience many inappropriate comments from peers and are given the perception that they only were hired based on their ethnic backgrounds and not their abilities" [49].

The report concluded that the leadership of the police force did not reflect the diversity of the community it serves in Peel. The CCDI director's statement [49] highlighting that similar issues happen in almost every organization shows that the diversity measures adopted by law enforcement agencies are not effective and that they can cause negative reactions within these organizations and be described as "window dressing".

4.4. DEI Training, Organizational Culture, and Systemic Remedies in Law Enforcement Agencies

While the Peel CCDI report concluded that greater diversity training might help [49], a Harvard study does not agree. Indeed, while nearly half of all midsize companies and nearly all Fortune 500 companies use diversity training, "most diversity programs aren't increasing diversity", and often, diversity programs make things worse [51]. While such program tools may have some value in pre-empting lawsuits "by policing managers' thoughts and actions", they may also "activate bias" in those wishing to assert their authority [51]. In other words, such policies may trigger backlash reactions against those they aim to benefit. This argument seems to be supported by Szeto's findings, which revealed that diversity training was better received by cadets than more experienced officers [43] (p. 9). According to Szeto's study, experienced officers often perceive all employment equity measures undertaken by a police agency as a threat to their internal privileged position and career advancement. Szeto stresses the benefit of internal support networks on the positive perceptions of diversity recruitment and training [43] (p. 16). However, while most police departments nowadays have diversity units and diversity "champions", as seen in the Sandhu case, those units and their employees are not often recognized as prestigious by policing organizations [49].

At the same time, the approach suggested by the Harvard article, which encourages social accountability, is worth highlighting [51]. From the perspective of law enforcement

promotional processes, it appears that “looking good in the eyes of those around us” is extremely important for police officers, and this could act as an incentive to promote principles of equity internally. Furthermore, the implementation of any equity policies that require officers to account for their decisions in human resources processes would certainly enhance the quality of those decisions.

Dobbin and Kalev [51] suggest that executives react more favorably to a “classic command-and-control approach to diversity”. From my policing experience, I agree that police managers do not respond well to “blaming and shaming them with rules and re-education” [51]. Instead, Dobbin and Kalev [51] argue that positive results have been obtained through “tactics” that “engage managers in solving the problem, expose them to people from different groups, and encourage social accountability for change.”

Sometimes, these approaches really work in policing. For instance, in August 2020, the Peel Police Services Board approved a new DEI strategy that includes a four-year action plan. This was a significant step towards advancing equity in law enforcement, and Peel Regional Police Chief Nishan Duraipappah remarked, “We’re going to close the book on people pointing out the gaps of the past, and we’re going to begin the journey forward to make some meaningful change” [50].

The three-step test set out in the Meiorin decision of the Supreme Court of Canada [52] now serve as a guide to identifying systemic barriers in organizational policies and/or practices and their adverse impacts in hiring, job assignment, and promotion. Unfortunately, organizations do not scrutinize their own practices and uncover job barriers while consulting employees.

The RCMP only conducted a gender equality audit when it was compelled to do so by a class-action lawsuit by female members, and the audit was still only conducted in an attempt to comply with the Canadian Human Rights Commission. The commissioner did acknowledge systemic racism within the organization in the summer of 2020, but it is uncertain if this will lead to the recognition of similar issues for employees of color in the RCMP [53]. The lack of a “critical mass” of employees of color within the organization affects the willingness of individual victims of discrimination who feel isolated to pursue such litigation. This lack of “critical mass” also affects the ability of employees of color to mount a class-action suit to attack systematically discriminatory policies and practices that are well entrenched in the organization. Systemic discrimination exists in law enforcement employment and is hidden within its culture, policies, and procedures. Most law enforcement organizations have policies that forbid employees from criticizing the organizations publicly in the media. For instance, the RCMP Code of Conduct prohibits members from “making public statements criticizing the Government of Canada or the operations or administration of the Force” (RCMP Regulations, 2014). While those policies would not likely pass constitutional muster, in the case of an employee wanting to denounce discriminatory practices within the organization, the mere presence of those policies has a chilling effect on employees wishing to come forward. Hence, evidence of discrimination in organizational culture in human rights cases must often rely on anonymous individual testimonies and, occasionally, corporate documents and employee surveys, as seen in the NCARR case.

5. Conclusions

The analytical approach employed to examine the various facets of DEI within law enforcement agencies has revealed four prominent themes. Each of these themes sheds light on critical aspects of the ongoing debate surrounding diversity and inclusion in policing. The paper has demonstrated that the employment equity policies and measures implemented by law enforcement agencies have not been effective in fulfilling the aims of the Employment Equity Act or achieving equality in the workplace for law enforcement officers of color. In fact, the voluntary and self-monitored reputation management approaches (or “window dressing” approaches) employed by police agencies to “promote employment equity” have resulted in disjuncture between the stated commitments of law enforcement agencies regarding diversity and the actual lived experiences of the individuals within these organizations.

In order to “correct the conditions of disadvantage” experienced by officers of color, “special measures and the accommodation of differences” must be established to give truth to the notion that “employment equity means more than treating persons in the same way” (The Legislative Assembly of Ontario, 1987) [29]. As revealed, inequalities within law enforcement are deeply linked to histories of exclusion and prejudice that are embedded in modern-day policies, practices, and appraisals of worth and value and ascribed according to the needs and perspectives of dominant groups. The pervasive nature of systemic discrimination renders it almost invisible and impossible to reverse through formal human rights laws. As Sheppard [26] pointed out, those with power and prestige within institutions often lack the capacity to re-imagine systemic transformation; for them to do so would bring into question the legitimacy of the current distribution of privilege.

Institutional or systemic racial discrimination can occur through everyday rules and structures that are not necessarily intended to be discriminatory. Patterns of behavior, policies, or practices that are inherent to an organization or sector may perpetuate the ongoing impact and legacy of historical disadvantage experienced by individuals belonging to minority groups, resulting in their further marginalization. As a result, it is possible that one’s “normal way of doing things” can unintentionally have a negative effect on racialized individuals. While some individual human rights complaints contain descriptions of behaviors that reflect a racist workplace culture and the adverse impacts of employment systems, the dots are not usually connected, and an underlying pattern of systemic discrimination is often not identified.

To successfully pursue systemic human rights cases that allege race discrimination, organizational behavior patterns within military and paramilitary institutions must be made known to decision-makers and adjudicators. This is necessary to ensure that the existence of racism cannot be denied or unjustifiably rationalized. Discrimination in policing today is often the result of historical attitudes, stereotypes, and practices that have become ingrained in the normal operations of institutions. This is a systemic issue that is not always the result of intentional or overt acts but rather discriminatory practices that persist because they have become normalized. As noted by Brodsky et al., systemic problems require systemic remedies, and it is not enough to address discrimination on an individual basis [54] (p. 4).

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