

MINISTRY OF DEFENCE



REPORT OF THE HOMOSEXUALITY POLICY ASSESSMENT TEAM

February 1996

CONTENTS

	<u>Paragraph</u>	<u>Page</u>
A. MOD POLICY ON HOMOSEXUALITY:		
I. Historical Background	1-4	
II. Present Position	5-10	
III. Numbers of Discharges and Dismissals	11	
IV. Legal Challenges	12	
B. THE MOD'S INTERNAL ASSESSMENT:		
The Homosexuality Policy Assessment Team (HPAT)	13	
C. DEFINITIONS	14	
D. LEGAL ASPECTS		
I. Background	15-17	
II. Application for Judicial Review	18-23	
III. Conclusions	24-26	
E. THE STUDY AND EVIDENCE		
I. Introduction Assumptions and Overall Approach.	27-36	
II. The Special Requirements of Military Life: UK Service Culture	37-45	
III. Letters from Service People	46-48	
IV. The HPAT Attitude Survey	49-56	
Survey Implications for Change	57-59	
V. The Interviews with Service Personnel	60	
VI. The Focus Groups	61-62	
Overall Findings	63-69	

VII.	The Experience of Foreign Armed Forces	70-77
VIII.	The Experience of Disciplined Civilian Services in the UK	78-82
IX.	The Tri-Service Focus Groups	83-84
X.	The Postal Surveys	85-86
XI.	Independent Unit Surveys	87-88
F.	THE IMPACT ON FIGHTING POWER	
I.	Method of Assessment	89-91

FIGURE 1 BEHAVIOURAL MODEL

II.	Analysis of Problem Areas -	PAGES
1.	Controlling Homosexual Behaviour and Heterosexual Animosity	63-70
2.	Assaults on Homosexuals	71-75
3.	Bullying and Harassment of Homosexuals	76-82
4.	Accusations against Homosexuals of Sexual Harassment	83-88
5.	Ostracism and Avoidance	89-95
6.	Cliquishness and Pairing	96-103
7.	Leadership and Decision Making Problems: Allegations of Favouritism, Discrimination & Ineffectiveness	104-112
8.	Sub Cultural Frictions: 'Causing Offence'	113-119
9.	Privacy/Decency Issues	120-129
10.	Increased Dislike and Suspicions: 'Polarised Relationships'	130-144
11.	Family Anxieties	145-148
12.	Resentment over Imposed Change, especially if Controls on Heterosexual Expression are Tightened	149-155
III.	Possible Benefits and Net Assessment	92-94

G.	OTHER ISSUES	
I.	Cost and Accommodation	95-97
II.	Wasted Training	98-99
III.	Investigations for Homosexuality	100
IV.	Future Entitlements for Homosexual Partners	101
V.	Homosexuality Awareness and Tolerance Training	102
VI.	Recruitment and Retention Rates	103-104
VII.	Interoperability of Personnel with Allied Forces	105
VIII.	Effect on the Image of the Services	106-110
IX.	In Loco Parentis Arguments	111-112
X.	Wider National Interests?	113-117
XI.	Enforcement of the present policy and guidelines.	118-121
H.	MEDICAL ISSUES	122-132
I.	SECURITY ISSUES	133
J.	APPRAISAL	
I.	CONTEXT	
1.	The 2 Audiences: Civil And Military	134-138
2.	Wider Factors For And Against Change	139
II.	ANALYSIS AND ALTERNATIVES	
1.	Homosexuality And Fighting Power	140-141
FIGURE 2 - TYPOLOGY		
2.	The Present Policy	142-146
3.	In Service Arguments For Change	147

4.	Service Support For A New Policy?	148
5.	A Hidden Constituency For Change?	149-150
6.	Predictable Service Responses To Change	151-152
ALTERNATIVES		
7.	A Laissez Faire Solution - Lift The Ban And Rely on Homosexual Reticence?	153
8.	Equal Opportunities And Military Effectiveness Constraints	154-158
9.	Lift The Ban And Rely On A Possible Symmetrical Behaviour Code?	159-162
ASYMMETRICAL ALTERNATIVES		
10.	Don't Ask Don't Tell?	163-164
11.	A 'No Open Homosexuality' Behaviour Code?	165-166
12.	Objections To 'No Open Homosexuality'	167-171
13.	Acceptance Of Homosexuality But Restrictions On Its Expression: "A No Flaunting" Code?	172-173
14.	Split Solutions?	174
15.	Summary Of Alternatives	175
K.	CONCLUSIONS	176-191
L.	IMPLICATIONS FOR THE APPLICANTS' LEGAL ARGUMENTS	192-208

ANNEXES

- A. Tri-Service Declaration to be Read and Signed by All Applicants before Enlistment Procedures are Carried Out - MOD Form 1111.
- B. Armed Forces Policy & Guidelines on Homosexuality.
- C. Form of Written Warning.
- D. Terms of Reference for an Assessment of the MOD's Current Policy on Homosexuality.
 - Appendix 1 - The Homosexuality Policy Assessment Team.
- E. Text of signal requesting Service views.
- F. Analysis of letters Received from Service Personnel as at 16 Jan 96.
- G. HPAT Research Methodology: Surveys, Interviews and Focus Groups
 - Appendix 1 - Armed Forces Homosexuality Attitude Questionnaire
 - Appendix 2 - Percentage Results: Males and Females
 - Appendix 3 - Percentage Results: By Individual Service
 - Appendix 4 - Structured Questions for HPAT Individual Interviews and Discussion Groups
 - Appendix 5 - Preliminary Results from Single-Service Postal Surveys
- H. Foreign Military Experience
 - Appendix 1 - Australia
 - Appendix 2 - France
 - Appendix 3 - Germany
 - Appendix 4 - Netherlands
 - Appendix 5 - Canada
 - Appendix 6 - United States
 - Appendix 7 - Israel
- I. Possible Code of Conduct for a 'No Open Homosexuality' Policy

A. MOD POLICY ON HOMOSEXUALITY

I. HISTORICAL BACKGROUND

1. The present policy of excluding homosexuals from the Armed Forces is justified by the MOD as a practical military judgement of the implications of homosexuality for Service life. It is not a moral or religious condemnation of homosexuality. The purpose of this Assessment is to consider the evidence for that judgement and hence the case for continuation of the policy.

2. Homosexuality, whether male or female, is considered incompatible with service in the Armed Forces, not only because of the close physical conditions in which personnel have to work, but also because homosexual behaviour can cause offence, polarise relationships, induce ill-discipline, and, as a consequence, damage morale and unit effectiveness. It is therefore Government policy to discharge personnel who are known to be homosexual. Prior to September 1995, applicants to the Armed Forces were informed that homosexuality was incompatible with service in the Armed Forces on a single Service basis and via a tri-Service leaflet, 'Your Rights and Responsibilities', which was (and still is) given to them at the recruiting office. To ensure that there could be absolutely no room for misunderstanding, and that each applicant received identical information, a tri-Service declaration - MOD Form 1111 'Tri-Service Statement to be read and signed by applicants before enlistment procedures are carried out' - was introduced on 1 September 1995. The declaration, which is signed by each applicant prior to joining the Armed Forces, contains, among others, a statement that they are aware that homosexuality is incompatible with Service life. A copy of MOD Form 1111 is at Annex A.

3. Lesbianism has never been a civilian offence in the UK, whilst male homosexual activity ceased to be a criminal offence for two consenting adult men in private by the Sexual Offences Act (SOA) 1967, Section 1(5), provided that this did not prevent such behaviour constituting an offence under Service law. Prior to 1994, any homosexual act between men or women constituted an offence in the Armed Forces. Any Service personnel suspected of involvement in homosexual practices were cautioned by the appropriate Service investigators and Service police criminal investigations were initiated. Due to the criminal status of the homosexual act, it was necessary for the investigators to find supporting evidence; this was essential in cases when the accusation of involvement in homosexual conduct was denied or when doubts existed as to the validity of, or rationale behind, the admission of homosexuality. These criminal investigations were, by nature of the subject matter, usually stressful for the individuals concerned.

4. During 1990 and 1991, the Select Committee on the Armed Forces Bill examined the exclusion policy on homosexuals. Whilst supporting it in order to preserve operational effectiveness, the Committee recommended that homosexual acts that were legal under civilian law should be decriminalised under Service law. As a result of this recommendation, Section 1(5) of the SOA 1967 was repealed by the Criminal Justice and Public Order Act 1994. The same Act reduced the minimum permitted age for homosexual activity for male civilians from 21 to 18. Thus, homosexual acts committed by civilian and military personnel are no longer criminal, provided that both parties consent, are over 18 and the act is committed in private. But evidence of homosexual orientation or conduct still results in the discharge of an individual from the Service under administrative arrangements.

II. PRESENT POSITION

5. As a consequence of change to the SOA 1967, effected by the Criminal Justice and Public Order Act 1994, updated Armed Forces Policy and Guidelines on Homosexuality were distributed to the respective Service Directorates of Personnel in December 1994. A copy is at Annex B. Each of the Services incorporated the new policy into its own specific guidelines and implementation documents. The overall emphasis has now moved away from police investigations. The provisions of the new guidelines have enabled each case to be approached in a more sympathetic and humane manner. Commanding Officers now conduct an internal inquiry if they consider that circumstances lead them to believe that a Serviceman or woman is homosexual. Guidance during an enquiry can be sought from both Service Police and Service Legal staffs. In some circumstances a police investigation may be initiated, but only where there is suspicion that an offence has been committed. If the Commanding Officer subsequently considers that there is a high degree of probability that an individual is homosexual, action for administrative termination of service is initiated, unless any disciplinary action is to be taken.

6. Where there is some evidence of homosexuality but insufficient either to apply for administrative termination of service or to proceed with disciplinary action, a written warning in respect of an individual's conduct or behaviour may be given. Details of the written warning are at Annex C. It appears however that this graduated approach is not widely known among Service personnel and the general perception is that discharge is the single inevitable outcome for plausible accusations involving homosexuality. No figures are available on numbers of written warnings given. In addition, caution is applied to dealings with recently enlisted personnel, who may not have had time to adjust to the

standards of behaviour required by the Services and to communal life in general. In these circumstances cautionary words of advice may be sufficient to remedy the situation and again, this is left to the Commanding Officer.

7. Provided that no disciplinary action is being taken, officers who voluntarily admit to homosexuality will be required to resign their Commissions. In the case of other ranks, application for administrative discharge is initiated. The timescales involved in the discharge procedures vary depending on the features of each case, but normally take no longer than 6 months in the case of officers and 3 months for other ranks. However, when formal investigations have been initiated by Commanding Officers, the timescales involved may be protracted for a number of reasons. These may include the rebuttal of the evidence by the individual concerned, participation in redress procedures, the complexity of the case, legal aspects and any medical involvement. During investigations or discharge proceedings, a Commanding Officer can apply discretion as to the employment of the individual concerned; in some circumstances additional leave may be granted or relocation may be appropriate. However, despite the aim of dealing with all cases as quickly as possible, the procedure can, understandably, be drawn out by the individuals concerned, both for financial advantage and to gain extra time to prepare for civilian life.

8. Individuals may request or be referred to military doctors for advice. The medical officer has a duty to both the Service and the individual when dealing with matters relating to homosexuality, and may have to discuss elements of a resultant interview with the Commanding Officer. The individual is warned of this fact at an early stage. Although homosexuality is not in itself a medical condition, Service medical officers are available to ensure that an individual's physical and mental well-being are considered,

including the need for onward referral to specialist services if required.

9. The MOD's systems for handling allegations of homosexuality have been amended to ensure outcomes which are as humane as possible in terms of personnel management and medical overview. Full account is now be taken of any special circumstances and of the inevitable stress on the individuals concerned, in order to avoid any risk of harm to themselves or others around them. The intention in the Service guidelines has been to reduce the involvement of Service police, whose investigatory methods based on criminal procedures have been strongly resented and widely publicised in the past. In practice, however, police involvement in investigations still varies between Service. This may be partly the result of unfamiliarity due to the small number of cases which individual units encounter; however, the situation is changing to conform to the guidelines.

10. Nevertheless, it is apparent that the involvement of Service police is unlikely to disappear. Despite the intention behind current guidelines, it is not clear how many Commanding Officers may still prefer to arrange more discreet investigations using specialists from outside the unit. Particularly for men, many possible homosexual acts, such as sexual activity in a public place (including a barracks or in public lavatories), or between more than two participants, may involve the possibility of criminal offences. In addition, and for both sexes, offences against various sections of the Service Discipline Acts covering conduct prejudicial to good order and military discipline scandalous behaviour or disobedience to Standing Orders can potentially extend very widely. Although Service police instructions and training have been changed to ensure that investigations are handled in a more sensitive manner, accusations of heavy-handed questioning, whether substantiated or not, may

continue from those subject to Service police investigation. Any such accusations would have to be assessed on their individual merits. It is also evident that, even if homosexuals were openly accepted into the Armed Forces, Service Police investigations would continue to address matters of sexual conduct and orientation which would not come to police notice in civilian life. This is in itself an indication that sexual issues have professional implications for Service personnel which are not found outside the Armed Forces. Indications of how the present policy and guidelines are being implemented are discussed at Section G-XI.

III. NUMBERS OF PERSONNEL LEAVING THE SERVICE ON GROUNDS OF HOMOSEXUALITY

11. The total number of Servicemen and women leaving the Armed Forces on grounds of homosexuality between 1990 and 30 November 1995, is as follows:

Key: M = Male F = Female T = Total

OFFICERS

	<u>Army</u>			<u>RN</u>			<u>RAF</u>			<u>FINAL</u>
	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>	<u>TOTAL</u>
1990	2	1	3	3	0	3	1	0	1	7
1991	2	0	2	0	0	0	1	1	2	4
1992	1	0	1	1	0	1	1	1	2	4
1993	2	0	2	0	0	0	2	1	3	5
1994	1	0	1	0	0	0	0	0	0	1
1995	0	0	0	4	1	5	4	0	4	9

OTHER RANKS

	<u>Army</u>			<u>RN</u>			<u>RAF</u>			<u>FINAL</u> <u>TOTAL</u>
	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>	
1990	20	19	39	11	1	12	14	5	19	70
1991	21	16	37	5	1	6	4	1	5	48
1992	13	15	28	12	3	15	6	4	10	53
1993	18	15	33	12	1	13	9	3	12	58
1994	17	12	29	7	6	13	5	3	8	50
1995	20	6	26	13	1	14	11	1	12	52

Notes:

1. Figures for 1995 up to 30 November 1995.

Dismissals

2. The above table gives figures for dismissals (ie. as a result of disciplinary action) as well as administrative discharges.

Dismissals account for the following in the above tables:

Other Ranks

Army: 1990: 5 Males; 1991: 8 Males; 1992: 3 Males, 1993: 7 Males

RN: 1990: 1 male

RAF: 1993: 1 male

Officers

Army: 1990: 2 Males; 1991: 1 Male; 1992: 1 Male; 1993: 1 Male
RN : None
RAF : None

Dismissals include all offenders who were convicted of at least one homosexual offence at their trial, and also those who may have been convicted of additional offences.

3. Figures for dismissals are available only up to 1993.

4. RAF statistics differ from those previously provided; for ease of reference, the figures in this table are now provided by calendar year, rather than by financial year, which is the normal RAF practice.

IV. LEGAL CHALLENGES

12. In 1995, four former Service personnel brought cases to the High Court for a Judicial Review of the legality of the MOD's policy of excluding homosexuals from the Armed Forces. On 6 June 1995 the High Court found in favour of the MOD, but added that the ban would be unlikely to be upheld if the cases were heard by the European Court of Human Rights. It was further suggested that a prompt review of the policy be carried out by the Armed Forces, in particular to examine the practices of other nations which are comparable to our own. On 3 November 1995 the Court of Appeal unanimously dismissed the appeals of the four former Service personnel and refused them leave to appeal to the House of Lords. The Applicants have applied to the House of Lords for leave to appeal. If and when domestic legal avenues have been exhausted, and assuming the Applicants lose in the House of Lords, it will be open for them to apply to the European Commission of Human Rights in Strasbourg, alleging a violation of the Convention.

B. THE MOD INTERNAL ASSESSMENT:

THE HOMOSEXUALITY POLICY ASSESSMENT TEAM

13. Following the High Court's judgement, the Homosexuality Policy Assessment Team (HPAT) was established in September 1995 to undertake an internal assessment of the current policy; details of the Team and its Terms of Reference are at Annex D. The Assessment will form the basis of a Departmental paper of evidence to the Select Committee on the Armed Forces Bill, in order to assist the Committee in its deliberations on the subject of homosexuality in the Armed Forces. The Committee is scheduled to begin hearing oral evidence in March 1996.

C. DEFINITIONS

14. For the purposes of this Assessment the following definitions will apply (sources are shown in brackets where necessary):

a. A Homosexual. A homosexual is "a person who is sexually attracted to a member of the same sex". (Armed Forces Policy and Guidelines on Homosexuals December 1994) For the purpose of this Paper, the following sub-categories have been devised:

i. A homosexual activist would work openly for the expansion of homosexual acceptance and opportunities in the Services;

ii. A flamboyant homosexual would emphasise his or her sexual orientation so that it was a constant factor in relations with fellow personnel;

iii. A declared homosexual would explicitly inform fellow Service personnel of his or her orientation in such a way that it became generally known;

iv. An open homosexual would, by his or her consistent expressive behaviour or reported conduct, clearly indicate a homosexual orientation to fellow Service personnel, though without necessarily explicitly declaring it;

v. A strongly suspected homosexual has by his or her expressive behaviour or reported conduct given strong grounds for fellow Service personnel to assume a homosexual orientation to fellow personnel;

vi. A suspected homosexual has given some indications of homosexual orientation;

vii. A covert homosexual has by controlling his or her actions, expressive behaviour or outside conduct prevented the Service authorities gaining compelling evidence of a homosexual orientation;

viii. A known homosexual has become generally understood by his, or her, fellow Service personnel and the Service authorities to be homosexual whether or not his, or her, intention was to remain covert;

ix. A celibate or non practising homosexual has a homosexual orientation which may be declared but has demonstrated that he or she will not engage in any homosexual activity in either Service or civilian contexts.

These potential and actual categories for the British Armed Services are set out in Section J, Figure 2.

b. Homosexuality. Homosexuality is "behaviour characterised by being sexually attracted to members of the same sex". (Ibid)

c. A Gay. A Gay is a male homosexual.

d. A Lesbian. A Lesbian is a female homosexual.

e. Fighting Power (often used interchangeably in HPAT's discussions with Service personnel with Combat Effectiveness, Operational Efficiency or Operational Effectiveness, (OE)). Fighting Power is "the overall ability to fight". It is made up of the 3 components below. Anything which undermines

these components damages the fighting power of armed forces:

i. **The Conceptual Component.** "The thought process of fighting which includes the principles of war, military doctrine and development.

ii. **The Physical Component.** The means to fight (Combat Power) and including manpower, equipment, logistics, training and readiness.

iii. **The Moral Component.** 'The ability to get people to fight' including morale, comradeship, motivation, leadership, and management". (British Military Doctrine 1989)

f. Moral. " The moral component concerns the ability to get people to fight. Many theorists and all practitioners of war have pointed to the significance of the moral aspect in fighting. For Clausewitz it was so important because with uncertainty in one scale, courage and self-confidence must be thrown into the other to correct the balance. The moral factor is difficult to define. It is often summed up in the term morale which Napoleon quantified in his saying that: morale is to the material [physical] as three is to one. Maintenance of morale is a Principle of War and as such embraces both the moral and physical aspects of Fighting Power. High morale will stem from sound training, confidence in equipment and good administration as well as confidence in commanders, discipline, self-respect and clear knowledge of what is going on and what is required. Yet the ability to get people to fight is not just a question of morale."

(Ibid)

g. Motivation. "Getting people to do things is a function of leadership but is made difficult in the absence of motivation. Soldiers who are well motivated and well led work as a team. From teamwork comes comradeship and there are few closer bonds in human relationships than comradeship-in-arms. It leads to that pride in belonging best described by the term esprit de corps. Motivation will follow from high morale but will also depend upon a continuing sense of purpose." (Ibid)

h. Trust.... "is a prerequisite of command at all levels. ... Soldiers must not only feel that they can trust their immediate superiors but right to the top. ... A superior needs to have trust not only of but also in his subordinates. Thus trust must be seen to function both ways. The basis of this two-way trust is mutual understanding." (Army Doctrine Publication (ADP) Vol 2 1994)

i. Cohesion ".... unity ... a quality that binds together constituent parts thereby providing resilience against dislocation and disruption." (Ibid)

j. All three Services in the UK support the Doctrine of Manoeuvre Warfare which is "a warfighting philosophy that seeks to defeat the enemy by shattering his moral and physical cohesion - his ability to fight as an effective coordinated whole, rather than destroying him physically through incremental attrition." (Ibid)

k. Friction. "Features of war that resist all action make the simple difficult and the difficult seemingly impossible. Friction may be mental (such as indecision) or physical (such as enemy fire). It may be externally imposed by enemy action, geography or the weather or self minded through a poor plan or clash of personalities [ADP Vol 1]. The expression was noted by Clausewitz in "On War"" (British Maritime Doctrine: BR1806 1995).

D. LEGAL ASPECTS

I. BACKGROUND

15. The law and practice relating to discrimination is developing rapidly, both under UK law and under European Community (EC) Law. EC Law is supreme and all domestic legislation must be interpreted so as to give effect to it. In addition, EC Law is directly enforceable in the UK courts against public sector employers, such as the MOD. Broadly, the combined effect of EC and UK Law is to prohibit discrimination on grounds of sex, race, and (from late 1996) disability. Most employers, including the Civil Service, include a commitment in their equal opportunities policies an avowal not to discriminate on additional grounds such as religion, or sexual orientation. This is a matter of practice rather than law, since a person who considers himself discriminated against on those grounds is not directly protected by legislation.

16. Under the existing UK legislation, there are exemptions from EC law for the Armed Forces. The Disability Discrimination Act 1995 will not apply to the Armed Forces. Under the Sex Discrimination Act 1975 (as recently amended) an act done for the purpose of ensuring the combat effectiveness of the Forces will not be unlawful. There are no exemptions for the Armed Forces from the Race Relations Act 1976.

17. Service personnel do not have the rights which civilians have to complain to an Industrial Tribunal of unfair dismissal under the Employment Protection (Consolidation) Act 1978.

II. APPLICATIONS FOR JUDICIAL REVIEW: R -v- THE SECRETARY OF STATE FOR DEFENCE ex parte SMITH and others

18. In the absence of any legislation concerning sexual orientation, the four applicants in ex parte Smith brought proceedings to seek judicial review of the MOD's policy. They are challenging the MOD's policy on three grounds: that it is "irrational", it is in breach of the European Convention on Human Rights (the Convention) and it is in breach of the Equal Treatment Directive. The challenge has been heard by both the High Court and the Court of Appeal, who have unanimously found the policy lawful. The Applicants are seeking leave to appeal to the House of Lords.

Irrationality

19. Irrationality is one of the three heads under which government decisions can be challenged, along with illegality and procedural impropriety. The Courts' test of irrationality is demanding. The decision, to be stigmatised as irrational, must be "*so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it*" (Lord Diplock in R -v- Minister for the Civil Service ex parte CCSU). Where human rights are in issue the Courts will give the decision the most anxious scrutiny, but the hurdle of the test itself is not lowered.

20. In ex parte Smith, the Courts declined to find the MOD's policy was "irrational". That is not to say that they found the policy was rational, sensible or necessary. Indeed, in greater or lesser degrees the judges were critical of it and were far from convinced that the evidence put forward by the MOD justified the policy as it stood. However, they were unanimous that the test in UK law for when a policy was "irrational" had not been met.

The Convention

21. Thus far, the Courts have adopted the orthodox approach that the Convention has not been incorporated into UK domestic law and thus the English Courts have no jurisdiction to consider whether the MOD's policy is in breach of the Convention. The Applicants have indicated that if they are unsuccessful in their challenge in the UK courts, they will pursue applications to the European Commission of Human Rights. If the Commission found in favour of the applicants, the matter would have to be referred by the Commission or the UK to the European Court of Human Rights for a final decision on whether there has been a violation. The process is likely to take at least three years.

The Equal Treatment Directive

22. The Equal Treatment Directive (ETD) is the main corpus of EC Law which protects men and women from discrimination on grounds of their gender. Again, the Courts were unanimous that the ETD did not protect those who were discriminated against on grounds of sexual orientation alone.

23. The final arbiter for interpretation of EC legislation is the European Court of Justice (ECJ) in Luxembourg. It is possible that the House of Lords may refer a question to the ECJ for a determination of whether the ETD protects those who are discriminated against on grounds of sexual orientation. The applicants cannot refer the question to the ECJ themselves.

III. CONCLUSIONS

24. It was implicit in the Court of Appeal's reasoning in ex parte Smith that, whilst at present it did not consider the MOD's policy irrational, there may come a time, because of

continuing changes both at home and abroad, when maintenance of the current policy would be irrational. Equally, however, the Court recognised that matters of military judgment are primarily a matter for the military, under the supervision of Parliament, and the Court's view is only secondary.

25. The MOD had given consideration to whether, by continuing the current policy, it is merely delaying and accumulating claims for compensation from those who have been discharged. Under UK and European law as it stands at present, the risk of a substantial compensation bill is very small.

26. It is evidently the view of the Courts that it is necessary for both the MOD and Parliament to keep the policy under review, weighing up both the effect which any relaxation of the ban would have on operational effectiveness and the interference with a person's career which the current ban causes.

E. THE STUDY AND EVIDENCE

I. INTRODUCTION, ASSUMPTIONS AND OVERALL APPROACH

27. The HPAT set out to collect and assess all information relevant to the issue of acknowledged homosexuals serving in the British Armed Forces. The Team used a multi-faceted study design, involving both quantitative and qualitative methodologies. Published literature concerning the impact of homosexuality on foreign military, and other disciplined organizations was examined to identify lessons learned and to provide instructive insights. Data from British Armed Forces personnel were obtained through attitude surveys, interviews, discussion groups and correspondence. Additional information obtained from relevant published material, interviews with subject matter experts and correspondence were also considered in the overall assessment.

28. The overall study, involved 8 main areas of investigation and data collection. The findings from each were analysed with emphasis placed on the key issue of the effect of open homosexuality on combat effectiveness. The 8 main areas of study were:

- a. Consultation with policy makers.
- b. Requests for the direct written view of all serving personnel.
- c. HPAT attitude survey.
- d. Individual interviews.
- e. Single-Service focus groups.
- f. Examination of foreign military experience.
- g. Tri-service regional focus groups
- h. Postal Single-Service attitude surveys.

29. HPAT's general approach was to carry out an assessment which would be self-evidently:

Comprehensive - engaging with the full range of opposing arguments and evidence;

Well substantiated - resting on multiple lines of inquiry;

Objective - carefully and clearly designed to avoid bias;

Robust - Making a case tested against the most difficult counter arguments;

Relevant - Dealing with the key consideration of Fighting Power.

30. The starting point was an assumption that homosexual men and women were in themselves no less physically capable, brave, dependable and skilled than heterosexuals. Problems, if there were any, would lie in the difficulties which integration of declared open or strongly suspected homosexuals would pose to the military system, largely staffed by heterosexuals. The best predictors of the reality and severity of such problems would be Service people themselves. In terms of the Definitions at Section C these would be problems for the Moral and not the Physical Component of Fighting Power. It is important to bear in mind however that these distinctions are arbitrary and that reductions in the moral component of Fighting Power can, by undermining combat performance, lead rapidly to greater losses in the physical component: aircraft, ships, weapons and human lives. Higher anticipated losses make the Armed Forces less usable as an instrument of National Power.

31. This approach explains why the Assessment has discounted parallels which cite the acceptance of homosexuality in ancient Greek armies, or the military achievements of Alexander or Caesar. The Services have to select and train soldiers, sailors, airmen and airwomen capable of fitting in interchangeably and effectively with the social systems of today's British Forces. They are not recruiting Spearmen or Warrior Kings from periods when sexual acts between men or between women had very different, often pre-Christian, social meanings and emotional implications.

32. The Team therefore attempted to draw out, debate, appraise and interpret current Service views on the question using its accumulated knowledge (totalling over 130 years) of Service life. The focus throughout was upon the anticipated effects on Fighting Power. Arguments, judgements, past experiences and predicted scenarios brought up in letters, individual interviews and group discussions, were studied, discussed and fitted into an evolving behavioural model at Section F, Figure 1. Every member of the Team read each letter and summary of interviews and also fed back to each other the key points of their own interviews and group discussions. The early predicted areas of difficulty were incorporated into questionnaire format to be tested by anonymous individual completion in the representative military sites visited. These were:

RN

HMS COLLINGWOOD (Shore establishment)
HMS FEARLESS (Landing Platform Dock [Amphibious])
HMS MANCHESTER (Type 42 Destroyer)
Commodore Naval Base FASLANE
40 COMMANDO ROYAL MARINES TAUNTON

ARMY

Catterick - 19 Mechanized Brigade; Royal Irish Regiment; Kings Own Border Regiment; 19 Mechanized Brigade Signal Squadron; 15 Field Workshop Section; The Duchess of Kent Military Hospital, 9 Signals Regiment, 5 Artillery Support Regiment, Royal Logistics Corps, 24 Field Ambulance

Pirbright - Army Training Regiment

RAF

Lyneham
Kinloss/Lossiemouth
Leeming
Honington (RAF Regiment)

33. Because of the shortage of time to complete the report, the Team had to rely on an existing Army Postal Survey design for a key pillar of its work. It would have been preferable to have been able to send out the HPAT Questionnaire, though the two separate surveys can be said to confirm and complement each other. The Army Postal Survey was adapted where necessary for the other two Services and sent to 2992 RN, 6000 Army, and 4491 RAF personnel on a stratified basis for anonymous completion.

34. Finally, wherever possible, the Team sought to talk to serving personnel who were in the process of being discharged for homosexuality. Not all wished to be seen, but there were two very useful interviews early on in the Assessment which were fully taken into account. The two officers concerned

were impressive and the loss of their service should not be accepted lightly accepted by Armed Forces without compelling justification.

35. The Team made foreign visits (to the USA, Canada, Australia, France, Germany and the Netherlands) to gain as much as possible of the real, informal experience of their Services. It then arranged regional tri-Service groups in three locations to confront Service personnel with their findings (in groups whose members did not know each other and would not meet again) and to discover if this had any effect on their attitude and questionnaire responses.

36. Throughout, the Team was able to make no particular assumptions about numbers or percentages of homosexuals in the military. Putting aside the considerable problems of definition, and the fact that homosexual behaviour is often a transient part of sexual development, the 1994 *British National Survey of Attitude of Lifestyles* gives the estimate of the proportion of the general population ever having any form of homosexual experience in their lifetime as 6.1% for men and 3.4% for women, but only 1.1% of men and 0.4% of women reported having a homosexual relationship in the past year. Clearly the numbers at present within the Services are even harder to guess. HPAT deliberately refrained from asking such details in its questionnaire. This would have seemed too intrusive and answers could often only have rested on guesswork. Nor was any attempt been made to assess how many more homosexual men or women might be attracted into the Services by various degrees of relaxation of the exclusion policy, since foreign evidence indicated that it would be unsafe to assume any linear connection. National culture, attitudes to homosexuality and levels of homosexual assertion seem crucial variables. For example, the Team were told, though they could not obtain precise figures to verify it, that proportionately more homosexual military personnel had

declared themselves in the US, where this was formally forbidden than in Australia, where it was formally allowed.

II. THE SPECIAL REQUIREMENTS OF MILITARY LIFE: UK SERVICE CULTURE

37. Advice from central and single Service policy makers in the MOD emphasised the uniqueness of the military environment and the distinctively British approach to Service life. The Team found little disagreement with this general perspective from the Service people it interviewed. A very few were prepared to describe themselves as "civilians in uniform" and doubted whether their particular specialisations would ever expose them to operational pressures for the remainder of their careers. The remainder, and vast majority, agreed that both peace and wartime arrangements and regulations should be determined by operational considerations as far as possible.

38. Armed Forces are designed round the uniquely testing requirements of battle. This may be limited to brief periods of intense activity (though it may also be protracted and gruelling), but the qualities and procedures which best prepare for it must still order the world of the men and women who make up the armed forces in peacetime. A comment on the US Navy of 1952 remains entirely applicable to the British Forces today:

"To maintain an organisation capable of such activities it must keep in view a future moment which rarely comes, but which must be assumed as constantly impending. Hence it builds its routine on the abnormal, its expectations on the unexpected. This procedure affords a rational technique for war and an equally necessary rationale for peacetime".

A more recent comment by a British Army Commanding officer stressed that:

"War fighting is a dirty, frightening and terrible activity which exposes the rawest of human emotions. To be successful armed forces have to have the highest standards of trust, morale, self discipline and self confidence. The stakes are the highest a nation can offer - the lives of its people. It is these high standards of mutual trust which are unique to armed forces."

39. This fierce mutual trust is not required in any element of civilian society to the same degree. It is fostered in a tight close-knit family environment that encourages the Armed Forces not to fight for some great political ideal, but for their comrades. Experience has consistently shown that on the battlefield men fight for each other, and not for some abstract idea. The worst crime a soldier can ever commit is to fail his fellows in combat. In peacetime, the Armed Forces environment can require Service personnel to move every 2-3 years and then fit in immediately as a member of the team in their new posting. In operations it enables cohesive, ad hoc groups to be formed instantly which can then survive, fight and complete their tasks under prolonged conditions of hardship and stress.

40. As the recently published Adjutant General's Standards Paper states

"The majority of armed forces personnel are young, robust heterosexual people. They are required to live in close proximity with others, often in single sex accommodation, to work at times under great stress and physically in close contact with one another. Servicemen and women do not have the right to choose the

company with whom they work or share accommodation which often has only limited privacy. Unlike civilians they do not have the opportunity to leave their employment if the conduct of a colleague causes offence ... To allow any element to affect adversely the morale, cohesion and hence operational efficiency of a unit would be detrimental to its role....."

"The Army and Armed Forces stress the importance of the group over self interest. Armed conflict is, by its very nature, a group rather than an individual endeavour. A sense of unity, cohesion and loyalty are decisive factors in any armed conflict. Nothing must be allowed to detract from the forging of close bonds, based on mutual trust and respect between members of the group, and between the group and its leaders ... This applies equally to low intensity conflict where the stresses on the individual can be considerable."

41. Unlike the Police and Fire Brigades, the British Armed Forces work largely outside society and not within it. They have an ethic of service to the nation as a whole and are based on a group rather than a personal ethos. They are an instrument of British society, but see themselves apart from it as a separate, self-contained community rather than a specialist occupation of self-interested individual careerists. Much that the Armed Forces do is aimed at promoting this corporate identity, for example, the use of a common language, the application of rigid codes of behaviour and dress, the encouragement of married personnel to live in a Service environment through the provision of Family Quarters, and a militarily sponsored education system for Service families overseas. Furthermore, those joining the all volunteer British Forces accept certain limitations on their liberty which are not expected elsewhere in society. For example, a Service person's conduct is subject to

restriction and scrutiny both within and outside the working environment. Working hours can be long and often irregular, frequently involving many months of service abroad in extremely harsh conditions. As another Commanding Officer stated to the Team, *"The Armed Forces are not designed to be equal opportunities employers. They exist to win wars"*.

42. A direct comparison of the United Kingdom's Armed Forces with those of other nations is difficult. Major similarities do exist, and the rationale for an armed force, of course, applies to all. However, the British military is unusual in its rigid maintenance of standards and traditions. It is these standards and traditions that most Service people seem to believe in, stress that they are proud to uphold, and emphasise as the professionalism which they see Allied Forces as lacking. They want to be the best and take great pride in anything that differentiates them from allies and potential foes alike. Most Service people seen by HPAT were particularly scornful and resistant to the idea that British Forces should move to conform to any European average.

"Continental Armed Forces are not as professional and capable as the British Armed Forces... We do not want an all embracing citizen Army with the same weaknesses [as Continental forces]. The role of the British Forces is to mount successful operations as directed, not to be a medium of social change" Lt Royal Marines.

This view seemed held with the same intensity at all ranks:

"The lads have to work closely, especially in operations. We don't need this [possible change of policy]. We are soldiers of the British Army and we're proud of the fact. Nothing should be allowed to destroy this harmony. We are the best Armed Forces in the world." Corporal, Infantry, 11 years service.

Its prevalence is confirmed by Postal Survey (see Section E) Question 59 "Other countries have declared homosexuals in their [Navies/Armies/Air Forces] therefore there is no reason why the British RN/Army/RAF should not follow their example."

Responses were as follows

	Agree(%)	Neutral(%)	Disagree(%)
RN	8	7	86
Army	9	6	86
RAF	14	10	76

43. In January 1996 the UK had over 35,000 service personnel deployed overseas on operations, more than any other NATO European Nation. Some 25% of the trained British Army is now involved in active service abroad. All RN personnel are liable to service at sea and, if they are men, in the particularly rigorous submarine service. Approximately 10,000 RAF personnel are deployed overseas, many in the same harsh and cramped conditions as the Army and Navy.

44. The British Armed Forces have long held a reputation, both in the United Kingdom and internationally, for high standards, high morale and strong discipline. These standards have stood the test of time in combat - Britain's Armed Forces have successfully deployed on operations every year since 1945. The challenge of those operational conditions is shown by the fact that Servicemen have died in combat-related conditions in all but 2 years during that period. HPAT encountered very considerable reluctance to change what is seen as a winning formula:

"Individual first? Wrong! Unit first!" Army NCO Discussion Group.

"Remember you don't have to be a democracy to enforce [defend] one." Able Seaman, 28, 6 years service.

45. The obverse is apparent abroad; the image of UK Forces as harsher and more aggressive in their attitudes, more concerned with formal discipline, more traditional and less tolerant of individual or minority rights than their foreign counterparts was regularly mentioned during HPAT visits overseas.

III. LETTERS FROM SERVICE PEOPLE

46. The Team Leader also sent out a signal to all members of the Services, including the Reserve Forces, requesting views of whatever kind on the issue. The text is attached at Annex E. By 16 January 1996 some 639 letters had been received from Service people, 41 for change in policy; 587 against; 11 were ambiguous. 58 of them, all in favour of retention of the policy were multiply signed. 11 letters were anonymous including seven from professed homosexuals (one of which was facetious and ambiguous) but those who chose to remain anonymous there was only a small majority for change. 45 more were not in favour of change but felt it could be made to work. 29 were explicitly in favour of adopting a US style "Don't Ask Don't Tell Policy" and 29 explicitly against. Consistent with this, eight mentioned covert homosexuals and felt that if discovered, they should be allowed to stay in the Services and nine felt they should not. An analysis of themes and categories in letters received is at Annex F. It is certainly not true that people were afraid to write openly to HPAT arguing the case for change. But because it is obviously impossible to be entirely sure of the statistically representative nature of the written responses, especially with proforma or collectively signed letters, the Assessment has not emphasised the significance of their relative

numbers. They have however been an invaluable source of detailed views, for and against the policy, and of anticipated or experienced problems relating both to homosexuals or the policy of excluding them.

47. The letters in favour of the MOD's policy are quoted throughout the report and their overwhelming majority speaks for itself. But, at the risk of over representing minority views it is desirable to give the flavour of some of the very serious and well argued letters calling for change. This will indicate the spread - though not anything approaching equal distribution - of attitudes on this issue which HPAT encountered throughout its study. If the MOD policy is to be justified, it needs to answer the case such letters set out.

"... the presence of known homosexuals in a unit may be distressing to some. Their objections must though have a sound moral and logical basis which has yet to be articulated. The fact of their distress alone cannot be used as an argument for discrimination if it reflects nothing more ...

... Change is inevitable and the Services should accept this now. Robust measures for dealing with unacceptable behaviour either heterosexual or homosexual exist already and I doubt if the social consequences would be as disruptive as some fear. Deregulation, far from exacerbating the problem may well defuse it. Once homosexuals are seen to be as good (or as bad) as heterosexual Service personnel then their sexual orientation will cease to be an issue." Major RMP

"When I go to war, I would rather have alongside me a gay who shoots straight, than a straight who shoots crooked." Lieutenant Colonel, Army

" I do not believe my Corps and the other Services should be wasting time trying to stop the inevitable ... My Corps is renowned for always making it work ... we should be striving to ensure that when the inevitable happens we are properly prepared." Warrant Officer 2 RM, 22 years service

"MOD's continuing struggle against the inevitable is embarrassing and is affecting the morale of the Services as yet again we are mocked in the media ... HPAT [should] look carefully at US Don't Ask Don't Tell ... My conscience is eased in that this is the first time I have spoken out for those individuals who lost their livelihood due to an intolerant system that has I hope, at long last seen its day." [married] Corporal RAF

"Why continue to let homosexuals serve in the RN illegally which is the situation at the moment? Why not accept their plea and let them get on with the job with nothing to hide, after all they are human beings and deserve to be treated that way?" Petty Officer Physical Training RN

"Like most gay people I have no interest in fooling around with straight people. There is something conceited about men who assume every gay man must fancy them. As for using the same shower rooms, sleeping gulches [tiers of bunks] or cabins I have been doing it for 15 years and more. There is nothing sexy in it at all. It doesn't work like that...

'Standards and discipline can very easily be maintained. We don't want any special treatment, we just want to be treated equally and left to get on with the job we enjoy. Please give us a fair on. We're already here so please let us stay." Anon homosexual RN Senior Rate

"There are many serving homosexual officers ... 2 within the author's mess and 2 others known to [me] ... [homosexuals are, like others attracted to the Forces,] highly motivated and disciplined men and women ... devoted to their Service and their duty.... not people likely to put their careers, or indeed lives, at risk for temporary sexual gratification ...

Granted impropriety will always occur, but it is this author's experience that in ships at sea, observed improprieties have always been of a heterosexual nature. Admittedly there have been and will continue to be (ban or no ban) homosexual improprieties. However because of the disdain shown to homosexuals they are likely to be very private people [who] will tend to have relationships outside the confines of a Service where homophobia is rife..... It is erroneous to believe that homosexual men for example will be any more predatory of other young men than heterosexual men will be of young women.

'The Forces [are] not appealing to the stereotypical 'queer' in tight leather trousers..... The MOD need not fear an invasion of the Careers Offices by drag queens, diesel dykes and leather boys. Those homosexuals who wish to join will fit the same profile as their heterosexual comrades [as they do already].

The author has served operationally... There was never any sexual impropriety; nor would the men under his command have suspected his sexuality.

[It is an insult to] the professionalism of heterosexual men and women [to say that] combat effectiveness would be degraded if homosexuals were allowed to serve.

[Most] serving officers under 35 ... accept ... homosexuals ... and can surely be trusted to make the necessary adjustments.....

HPAT will undoubtedly encounter a majority of personnel who adamantly support the current ban; [and] is urged to see through the bravado and machismo of those who are simply uninformed and prejudiced without reasonable grounds ... and to acknowledge that the majority of

those who wish to see [change] are unlikely to speak candidly and will simply keep their heads down." Intentionally unsigned, homosexual, Lieutenant RN

48. Finally, a particularly thoughtful letter from a Royal Navy Officer in process of discharge for homosexuality and previously interviewed by the Team set out a case and detailed proposals for change. In doing so, it necessarily acknowledges - but its solutions do not seem to overcome - many of the problems brought out in the rest of the Assessment:

"My belief that this policy is wrong and that change is essential is a matter of principle ... People have an absolute right to be what they are, which is entirely separate from any restriction on how they may be permitted to express themselves within the community... Where it is apparent that an individual is incapable of performing a specific function because of what they are it is wholly reasonable to exclude that individual on those grounds. It is demonstrably not the case that ... homosexual orientation and military service are incompatible.

Maintenance of a policy by MOD that actively discriminates against homosexuals reinforces the view of the majority that it is acceptable to violate this fundamental human right to self expression. There is therefore an obligation on Government and the MOD to uphold the principle of human rights irrespective of the

gut emotional reaction of others, even if they are in the majority... Legislation can seldom alter an individual's personal view but it can make it intolerable to express that view.

Concerns ... that a change will result in an explosion of openly homosexual serving personnel could not be further from the truth. [Service] standards repel those of a militant tendency from joining or remaining... existing ... procedures ... [could remove them] on grounds of unsuitability or incompatibility ...

I have still not received any adverse [personal] reaction [from former colleagues] to my present circumstances [of discharge] ... experience indicates that predicted reaction does not match actual reaction when a heterosexual encounters a known homosexual ... undoubtedly there will be a minority who are overtly hostile but most heterosexuals are not going to resort to physical action ... because of the consequences ... [and as few homosexuals would disclose themselves] ... incidents would be isolated and the effect on Operational Effectiveness ... negligible.

[Privacy problems could be overcome by] sensitively designed accommodation areas [on new ships], shower curtains, ... screen curtains, a more modest approach by everyone using shared facilities and eradication of excessive exhibitionist behaviour within mess decks, including practical jokes of the more lewd and unsavoury nature ... there is a definite requirement for an education programme. No attempt should be made to justify or promote homosexuality as argument is most unlikely to change emotional response. But there needs to be a factual brief to dispel myth and explain why [the policy needed to be changed].

It would be foolish to deny the risk of isolation ... [but not] only homosexuality causes certain individuals to become isolated within a community ... [but this] is generally confined to the social, not professional

environment and ... the effect on Operational Effectiveness ... is minimal or non-existent ... The situation of admitted homosexuals seeking each other out for mutual support would be an understandable reaction to any degree of rejection by their community ... but the members who would be open about their sexuality [are small] ... and a conduct code and administrative procedure would alleviate cross rank difficulties and possible homosexual relationships were this to become a problem ...

Homosexuals [should be] permitted to serve throughout the Armed Forces without restriction when open or known but should behave within a well defined code of conduct ... biased to the [private and discreet required] conduct of homosexuals but [addressing] the expected conduct of heterosexuals ... and distinguishing between Service and non Service environments."

IV. THE HPAT ATTITUDE SURVEY

49. The HPAT Questionnaire at Annex G Appendix 1 was completed by 1710 Service people, including 202 (12%) women. This considerably over represented women's actual proportion of the Service population, which is 7%, but was necessary to obtain a statistically reliable sample of their views.

50. The HPAT took great pains to ensure that its Questionnaire was completed anonymously and those who filled it in were not biased by any outside pressure or influence from peers or seniors. (A standard brief emphasised that the completed Questionnaire would be handled in strict confidence and the Questionnaire completion sessions were all unobtrusively invigilated to prevent collaborative responses.) To validate this approach, a final statement: "This questionnaire has given me the opportunity freely to

express my own views" was inserted and respondents were required to respond 'yes', 'no' or 'do not know'. Only 59 (3.4%) chose 'no' in response to this statement. Of the 17 giving written explanations for their response, none suggested he/she had been pressured to answer questions in a way which prevented him/her registering his/her true views. Objections were to the ambiguity of specific questions (particularly the questions that were common to published civilian questionnaires); the fact that questionnaire items did not cover sufficient aspects or policy alternatives; and the use of questionnaires rather than discussions to elicit their views. In terms of their general attitude 5 of the 57 said the ban should be lifted "now", 5 "within the next 5 years", 4 "within 6-10 years", 2 "after 10 years", 1 omitted to answer, while 37 said the ban should never be lifted.

51. Detailed results of the HPAT survey are presented at Annex G and in Sections F, G H and J.

52. The HPAT Questionnaire results indicated that there was overwhelming support, across the Services, for the MOD's present policy to exclude homosexuals from the British Armed Forces (HPAT Q147). Servicewomen generally had a more tolerant attitude towards male homosexuality and lesbianism than servicemen, but the majority still believed that the ban should remain indefinitely (HPAT Q146). Service personnel

completing the HPAT Questionnaire appeared slightly less tolerant of male homosexuality than the general population, but they were at least as tolerant of lesbianism. The HPAT survey respondents, also, clearly distinguished between civilian and military life: male homosexuality and lesbianism were considered significantly more acceptable in civilian life than in the Armed Forces.

53. In general, responses were largely consistent across the three Services. Age, length of service, marital status, and education at a boarding school, were largely unrelated to Service personnel's attitudes towards the compatibility of homosexuality with Service life (HPAT Q67, Q69). So, too, were rank, educational attainment, and having children. But personnel without A levels (or equivalent) versus those with A levels or above; people with children versus those without; and NCOs and other ranks versus officers, were slightly more likely to say that the ban should never be lifted. The type of accommodation occupied also had some effect on respondents' attitudes: Service personnel living in ships, barracks or messes tended to accept even less that homosexuality was compatible with Service life than those living in quarters or private accommodation. For the Navy and RAF it was not practicable to identify people serving in combat roles and support roles, but for soldiers it was found that those serving in support roles were somewhat less insistent on preserving the ban (77% said it should never be lifted) than those serving in combat - "teeth arm" - roles (85% said it should never be lifted).

54. Service personnel with civilian homosexual or lesbian friends were somewhat less likely to say that the ban should never be lifted than those without homosexual friends. (14% of the Servicemen surveyed had civilian male homosexual friends and 16% had civilian lesbian friends, while 31% of the Servicewomen had civilian male homosexual friends and 27%

had civilian lesbian friends.) Nevertheless, 66% of the Servicemen with male homosexual friends - who were thus particularly unlikely to be either personally ignorant of homosexuals or violently opposed to homosexuality in itself - still considered that the ban should never be lifted, and 75% considered the ban to be justified. Of Servicemen with lesbian friends, 74% said the ban should never be lifted and 80% considered the ban justified. Servicewomen with male homosexual and lesbian friends were also less likely to say that the ban should never be lifted than those without.

55. The survey results also show that most Servicemen and Servicewomen view homosexuality among civilian and Service friends quite separately. Significantly more Servicemen and Servicewomen considered it would be easier to come to terms with discovering that a close civilian friend was a male homosexual or lesbian than a close military friend (HPAT Q58, Q59, Q64, Q65). Again, these results suggest that, for Service personnel, homosexuality is distinctively different, and very clearly more acceptable, in civilian rather than Service life.

56. 23% of the HPAT sample stated that they had worked with servicemen whom they believed to be homosexual and 27% said that they had worked with lesbian Servicewomen. These data do not, however, imply that there is necessarily a corresponding incidence of homosexuality within the Services since Service personnel usually move jobs relatively frequently and one homosexual could have worked with a very large number of people. Every member of a ship's company that contained one Serviceman who had been discharged for homosexuality, for example, would have worked with a homosexual. Moreover, this question must in other circumstances largely rest on respondents' guesses and impressions. It is probably not uncommon for Servicemen, in particular, to misinterpret Servicewomen's friendly or

physically expressive behaviour towards each other, and to suspect them of being lesbians. Nevertheless, while those who claim to have worked with homosexual servicemen and lesbian servicewomen were less likely to say that the ban should never be lifted, again, the vast majority of even this category (72% of those who believed they had worked with homosexual Servicemen and 73% who believed they had worked with lesbian Servicewomen) still consider that the ban should never be lifted.

SURVEY IMPLICATIONS FOR CHANGE

57. The HPAT Questionnaire results indicate clearly that the vast majority of the Service personnel surveyed did not want the present policy on homosexuality in the Armed Forces changed. If the ban were to be lifted now, it would be done against their wishes and professional judgements, and with the additional factor that publication of these findings and their revelation as the overwhelming professional consensus, could be expected to further strengthen some of the measured attitudes.

58. Despite Service people's generalizations to the contrary expressed in discussions, younger servicemen and servicewomen were not significantly more likely to want to lift the ban than older Service personnel. This suggests that tolerance to homosexuals serving in the military is unlikely to change substantially in the next few years.

59. The acceptability of homosexuals in civilian life and in the military were judged very differently. As the Armed Forces are generally accepted as attracting those with more traditional and conservative values, it was unsurprising that HPAT Questionnaire respondents were slightly less tolerant of male homosexuality than the general population, but they had,

in fact, a tendency to be more tolerant of lesbianism. The questionnaire results did not demonstrate overwhelming prejudice against homosexuality. By contrast, attitudes to homosexuality appeared dependant on its context, with consistent patterns of judgement distinguishing between civilian and military environments. Moreover, as a large majority of Service personnel with homosexual friends still considered that homosexuals should not be permitted to join the Armed Forces, it seems unlikely that an education programme to enlighten service personnel about homosexual lifestyles, or practical experience of mixing with homosexuals in the Services, would greatly change their attitudes on the issue. Undesired contact with homosexuals in a military environment, where their presence was experienced as particularly inappropriate, or compulsory education on homosexuality could as easily lead to increasingly negative attitudes as to increasingly positive ones. If a policy change were made, and homosexuals were allowed to serve openly, Service personnel would need to be ordered into behavioural compliance, and since their opinions are so strong, it is highly unlikely that their underlying attitudes would change. Consistent with these considerations, only 11% of those surveyed agreed that, in the future, employing known homosexuals in the British Armed Forces will become acceptable without difficulty; 76% disagreed (HPAT Q81).

V. THE INTERVIEWS WITH SERVICE PERSONNEL

60. In the interviews and discussions it was readily apparent that Service people did not hesitate to state differing views, and the Questionnaire results show this. As with the letters, quotations in favour of maintaining the exclusion of homosexuals are presented later in the Assessment, but a flavour of those who wished for change or felt it to be inevitable is given below. It is however much

more certain that these were minority views as the Questionnaires were filled in by everyone seen by HPAT and their very clear statistical pattern has been shown.

"Don't kick people out who are good at their jobs."
Corporal Royal Signals 27, 10 years service

"It professional competence that matters. If someone's a good pilot that's all that should count." Flight Lieutenant Aircrew 25,

"Off base you should be able to do what you want without bringing the Services into disrepute." Corporal RAF

"People are not interested in touching you up when you are being shot at." Private Infantry 22, 6 years service.

"Don't we have Don't Ask Don't Tell already? Men are so childish about this." Private Female Driver 18, 10 weeks service

and, showing a more ambiguous view:

"Change is inevitable. We could make it work. We will have to change. We shouldn't volunteer but we shouldn't build up a wall against the inevitable." Warrant Officer 2 Royal Signals 39, 24 years service

"The Services are not ready to accept homosexuals because of the tremendous upset it would cause, and the lack of knowledge. A 10 year period should be set aside to plan the introduction. There are too many ifs and buts, at the moment about AIDS screening, first aid, accommodation and amount of openness." SAC 23 years, 6 years service

VI. THE FOCUS GROUPS

61. The HPAT team conducted 43 single service focus group discussions. The aim of these discussions was to gather information about the diversity of military opinion on the subject of homosexuality. The focus groups were designed to obtain a breadth and depth of military views; and to provide insights, perceptions and explanations that would complement the survey results.

62. Six people were selected randomly to take part in each focus group, but participants were stratified by rank and role. There were separate groups for officers; warrant officers and senior non-commissioned officers; and other ranks. Where possible, two people in each group had combat roles, two had combat support roles (i.e. operations or engineering), and two had service support roles. Most groups comprised male participants exclusively, but a few Officer and NCO groups included women. In addition, at units where servicewomen were present in sufficient numbers, an all female other ranks focus group was conducted. Each focus group was run by two HPAT members: one acted as the primary facilitator and the other took notes. Each session lasted approximately one hour.

OVERALL FINDINGS

63. Verbatim quotes from the focus groups appear in the body of this report and details about the methodology and the results are presented at Annex G.

64. Most focus group participants appeared not to be inhibited about discussing homosexuality and, consequently, discussions yielded a vast range of views. Most servicemen and servicewomen had knowingly met homosexuals or lesbians in

civilian life and views expressed about homosexuality, and those homosexuals who might want to join the Armed Forces appeared, in the main, to be realistic and, indeed explicitly contrasted with media stock characters.

65. There was an overwhelmingly held view that homosexuality was not "normal" or "natural". There were few reservations over the integration of women and ethnic minorities because they were "normal", but homosexuality was "abnormal". Lesbianism was more acceptable than male homosexuality: it did not affect men personally, and servicewomen were generally more tolerant of homosexuality than servicemen. In addition, it was often mentioned that lesbianism did not involve sodomy, which was considered, by many, to be particularly distasteful.

66. Clear distinctions were made between homosexuality in civilian life and in the British Armed Forces. Homosexuality in civilian life did not bother most Servicemen or Servicewomen. Group participants emphasised that civilians have "jobs", but they have a "way of life". Most civilian jobs were not seen as requiring close physical contact with other people, or involving life threatening situations dependent upon total trust in a work team. A person's sexuality, therefore, would not - and generally should not - necessarily be of any concern in civilian life. A view expressed in most focus groups was that at the end of a "9 to 5" job, one could usually get away from a homosexual if one wanted to, but for the military, in many cases, one might have to live with the same people, for 24 hours a day, over extended periods. In ships and submarines, in particular, there is nowhere to get away and "escape". Living with homosexuals: sharing accommodation and washing facilities, and lack of privacy, were of great concern to most participants, although the women tended not to be as worried as the men.

67. The impact of homosexuals on discipline was a major concern for most participants. It was a strongly held view that homosexuals - especially junior ranks - would be ignored, insulted, or even attacked. Many service personnel, particularly NCOs, thought that attempting to maintain discipline would substantially increase their workload. It was agreed that homosexuals were physically and intellectually capable of doing military jobs, but it was strongly believed that their presence would lower team spirit and hence reduce operational effectiveness. It was frequently stated that the men in front line units were too "hard" and "macho" ever to accept homosexuals amongst them, but selective employment - allowing homosexuals to work in, say, non-combat roles only - was opposed almost unanimously. It was felt that this would be unfair and would lead to a great deal of resentment.

68. The fact that other NATO Forces, and the Australian Defence Forces, accept homosexuals was initially disbelieved by many. When the Team re-emphasized these Forces' reported integration of homosexuals (probably too vigorously in view of later discoveries on foreign visits), the point tended to be judged to be of little consequence. Service personnel felt strongly that it was illogical and unnecessary to change the MOD's policy merely to fall in line with other countries whose Armed Forces were perceived as less effective than the British.

69. Overall, the vast majority of participants believed that the present ban on homosexuality in the British Armed Forces should remain and that there would be a detrimental effect on operational performance if policy changed. Some participants believed that the ban could be lifted in the future if and when homosexuality became acceptable in the civilian community. A few said they felt that the Services were

becoming seriously out of step with the wider society on the issue. But participants, on the whole, did not consider that homosexuality was yet generally accepted outside. A large number of Service personnel, however, expressed a fatalistic view. They felt that the ban would be lifted despite military opposition. Many participants thought politicians and judges - whom they believed did not have a realistic understanding of their working and living conditions - would impose a policy change on the MOD, against the views and professional judgement of the Armed Forces. Most Servicemen and Servicewomen thought that Service Chiefs would continue to oppose change vigorously, though there was some scepticism about their willingness to stand up to political pressure and considerable pessimism about their likelihood of success. Many, in fact, believed that a decision to concede had already been made in secret, and that the HPAT's work was just a face saving public relations cover for it.

VII. THE EXPERIENCE OF FOREIGN ARMED FORCES

70. To assess the effective practical arrangements as well the formally announced policy in the foreign Armed Forces principally quoted in the debate over homosexuality the Team attempted to visit as many as realistically possible in the time period. Time constraints required this to be done by splitting into 2 sub-teams. One went to Australia, Germany and France; the other visited the United States, Canada and the Netherlands. Detailed findings are at Annex H

71. HPAT also sought to visit Israel where there is now an officially announced policy of complete non-discrimination in the Israeli Defence Force, but various articles have indicated that the reality falls short of this. As the Israeli authorities were unwilling to accept such a visit to discuss these issues, the Team arranged instead for an interview with an eminent Israeli Military Psychologist who

was able to confirm that in the Israeli Defence Force very few homosexuals had chosen to reveal their orientation, though for those who had (generally after they had established their personal credibility within small units in which they would remain throughout their training and reserve service) no problems had been reported.

72. Apart from the Turkish Armed Forces, where homosexuality is forbidden, it is also understood that, although Portuguese law does not address the issue, in the Portuguese Armed Forces homosexuality is classified as a medical problem which would automatically tend to render homosexuals unfit for military employment. Similarly in Italy it is understood that homosexuals are given psychological tests. "Ego-dystonic" homosexuals (those unhappy with their orientation) are certified unfit for military Service: "ego-syntonic" homosexuals (those who are content with their orientation) are certified fit for service but with such a low marking as to cause their discharge. This is said to be to protect the individual's psychological well-being and the rest of the community of which he/she would become a member. This would seem to amount to a formal policy of exclusion, based on a diagnosis of homosexuality as a medical problem which would not be accepted in other Western countries.

73. In those countries visited HPAT found a wide variety of official positions and legal arrangements, evolving from local legal and political circumstances. They ranged from a formal prohibition of all homosexual activity in the USA through administrative arrangements falling considerably short of real equality in France and Germany, to a deliberate policy to create an Armed Forces friendly to homosexuals in the Netherlands. The authorities in each country felt that their policy worked successfully.

74. But nowhere did HPAT learn that there were significant numbers of open homosexuals serving in the Forces (precise figures were never available from the authorities since the category was nowhere officially recorded). Whatever the degree of official toleration or encouragement, informal pressures or threats within the military social system appeared to prevent the vast majority of homosexuals from choosing to exercise their varying legal rights to open expression of their active sexual identity in a professional setting. This was confirmed in discussion with a homosexual RAAF activist in Sydney and illustrated by a homosexual Dutch Colonel in The Hague who said *"You have to be mad to be a homosexual and want to be in the military - but to come out as well you would have to be completely insane."* A German naval officer put an apparently common management view by remarking that if someone on his ship "came out" he would have every sympathy, but would also make every effort to have him transferred away as a personnel problem that he himself and the ship did not need. It goes without saying that the continuing reticence of military homosexuals in these Armed Forces means that there has been little practical experience of protecting them against ostracism, harassment or physical attack.

75. Since this common pattern of a near complete absence of openly homosexual personnel occurs irrespective of the formal legal frameworks, it is reasonable to assume that it is the informal functioning of actual military systems which is largely incompatible with homosexual self expression. This is entirely consistent with the pattern of British service personnel's attitudes confirmed by HPAT.

76. This is the picture now. It is possible that matters may change, particularly if the full implications of the Symmetrical Behaviour Codes in the Canadian and Australian Armed Forces are progressively exploited to enforce a change

in the still principally heterosexual culture in those Armed Forces. In theory the end point would be that any form of sexual expression previously taken for granted (for example in conversation, or by touching in social situations such as dancing or drinking) which was not permitted among homosexuals would have to be forbidden among heterosexuals also. In practice, it appears that few such challenges have been launched to existing in-Service mores, although this may change over the years. If so, it is impossible to predict how much friction or diverted management effort these potential legal pressures on traditional Service cultures may involve.

77. Finally, nowhere does there seem to have been significant evidence of success in changing attitudes among the heterosexual majority of Service personnel by formally instituted courses or workshops. The Armed Forces concerned have chosen to confine their efforts to control of behaviour rather than try to change hearts and minds. This may be because they judge that most Service people simply would not accept indoctrination in a subject which many see as bound up with fundamental moral or religious beliefs, and therefore as inappropriate for interference from the Armed Forces hierarchy. It may also be through knowledge of 18 years of Dutch attempts which, the Team was told, have made negligible impact on underlying attitudes towards homosexuals, but have had some limited effect on behaviour.

VIII. THE EXPERIENCE OF DISCIPLINED CIVILIAN SERVICES IN THE UK COMPARISONS WITH THE POLICE, FIRE SERVICE AND MERCHANT NAVY

78. The Police Force, Fire Brigade and Merchant Navy are uniformed and disciplined organisations, with some ostensible similarities to the Armed Forces. All 3 now operate comprehensive equal opportunity policies and thus do not, in principle, discriminate or allow discrimination against homosexuals.

79. The Police consider it vital that they recruit and accept representatives from all areas of society into their ranks, not just to demonstrate that they are equal opportunity employers, but because effective policing depends on it; *"The community is used to police the community"*. (However, this does not necessarily mean that homosexual or ethnic officers work directly with their specific identity groups) Internal diversity brings a positive operational advantage for the task of the Police, in a way which has no obvious counterpoint in the Armed Forces. Furthermore, the Armed Forces are based around a 24 hour team ethos, while police men and women while often working in teams are trained principally to act as individual officers and will seldom live away from home for extended period. A few homosexual police officers have been prepared to declare their sexual orientation in the last few years, largely as a result of an increase in the tolerance of their colleagues. However, HPAT was told that this almost always occurs only after they have served for some years in the Force, when they feel their position is secure and their professional abilities have been recognised. This view was confirmed by heterosexual officers. It was considered that whilst there are only a

small number of discreet and non-assertively homosexual officers few problems will occur with their integration. However considerable frictions could result in the future, if an increased number of officers wish to display their sexuality more obviously and to demand parity of expression.

80. The views and attitudes that prevail in the London Fire Service appear akin to those expressed by the majority of Armed Forces personnel with whom the team spoke. All operational fire fighters are regularly required to complete 15 hour night shifts on standby at fire stations, where they sleep and share communal ablutions. Fire fighters rarely work as individuals, but always operate as close knit team, as in the Armed Forces from which many of them are recruited. However, unlike members of the Armed Forces, fire fighters go home at the end of the day, have longer in each posting than is possible in the military and work in smaller teams than the complex of sub-units, units and formations which form the military community. Nevertheless, anything which damages efficient teamwork in the Fire Brigade is not tolerated, and any behaviour or characteristic which differs from what is locally perceived as normal will invoke ridicule and derision.

81. The social conditions of a fire station were described by a senior officer as *"harsh, intolerant and unforgiving"*. In consequence few fire fighters have elected to "come out", a testament to their perception of the amount of animosity they might face. Only a few individuals have been prepared to declare their sexual orientation, and only where they have been already accepted and trusted as part of a team for some time. Accepting the reality of this organisational culture the authorities do not attempt to force the pace of the integration of homosexuals; it is understood for example

that Gay Support Line phone numbers for the fire service are only published in homosexual magazines and not throughout normal force information bulletins in order to avoid hostile hoax telephone calls.

82. The Merchant Navy relies on individual companies and Trade Unions to agree codes of conduct which include provisions for the employment of homosexuals. All such codes are based upon equal opportunities legislation and prohibit discrimination on the grounds of sexual orientation. Although the team did not visit any merchant ships or the Royal Fleet Auxiliary, it is understood that homosexual males in support service trades (Chefs and Stewards) are accepted provided their conduct is not overt or "camp". Outside those trades open homosexuality is not apparently common. But comparisons of the merchant service with the military are not convincing. The purpose of the Merchant Navy is commercial and, unlike the Armed Forces, its routines are not built round preparation for emergency conditions requiring intense trust and self sacrificial commitment between members of a team. The ship's company of a Merchant Vessel is usually less than 50, and so is small in comparison with a typical warship. Ships' companies are rarely required to share large communal mess decks and tend to be provided with individual accommodation and ensuite bathroom facilities. In many shipping companies personnel may be accompanied by wives, but this is not extended to homosexual partners.

IX. THE TRI-SERVICE FOCUS GROUPS

83. Three sets of regional tri-Service focus groups were conducted. Three focus groups - one each for officers, warrant officers and senior non-commissioned officers, and other ranks - were held at Redford Barracks in Edinburgh, RAF Honington in Suffolk and Tidworth Barracks in Hampshire. Nine participants took part in each discussion group: three

from each Service. None of the participants in any one group came from the same Unit. These focus groups, like the single Service groups, were designed to obtain a breadth and depth of military opinion. But by bringing together people from the three Services, it was considered that further insights might be elicited. The regional focus groups provided an opportunity for participants to contrast the predicted impact of homosexuals on their working and living environments with comparative conditions in the other Services.

84. The regional focus groups followed the same general procedure as the single Service groups. Overall findings from the tri-Service focus groups are similar to those from the single Service groups. Further details are presented at Annex G.

X. POSTAL SURVEYS

85. To complement the HPAT Survey three separate single Service postal surveys were conducted. These had the advantage of having a wider distribution, to a more statistically representative sample. The postal surveys were distributed to a random sample of military personnel stratified by rank, age and gender. The surveys were distributed to: 3000 Royal Navy and Royal Marine personnel, representing 6% of the trained strength; 6000 Army personnel, representing 5.4% of the trained strength; and 4491 Royal Air Force personnel, representing 6% of the trained strength. The return rates for the data included in this assessment were: 60.3% for the Navy; 50.4% for the Army and 62.4% for the RAF.

86. The results are presented in Section F and at Annex G. Overall the findings generally corroborate the HPAT survey results.

XI. INDEPENDENT UNIT SURVEYS

87. In addition to personal letters received from Service personnel and responses to both HPAT and single Service Questionnaires, the Team also received a number of informal unit questionnaires organised by individual Commanding Officers. As HPAT has therefore had no knowledge of the circumstances in which these were arranged it has noted them but not drawn on them in either the evidence or analysis sections of this Appraisal.

88. There were apparently 2729 responses from serving personnel, broken down as follows:

RN	1042 seagoing
	544 shore based and new entry
	<u>135</u> RM
	1721 total
Army	949
RAF	59

A generally similar pattern to that revealed in the HPAT and Survey Questionnaires was disclosed with large majorities against change, except among some Servicewomen. In addition the writers of a number of "individual" letters received claim to have discussed the issue widely with colleagues and might therefore represent the views of an unknown number of others.

F. THE IMPACT ON FIGHTING POWER

I. METHOD OF ASSESSMENT

89. Since there was nowhere HPAT could study the actual experience, especially under operational conditions, of integrating a significant number of known homosexuals into military systems, it focused on serving UK personnel's views, experiences and professional judgements of the consequences. Using statements collected from letters, discussions and interviews the attached Behavioural Model at Figure 1 was constructed from the effect of openly accepting homosexuals into the British Armed Forces. It sets out 12 specific Problem Areas and lists concrete examples or predicted scenarios. Not all are equally confirmed and the status of evidence is shown for each. The model also traces the systematic tendencies deriving from these problems and their cumulatively lowering effect on the overall morale of the military system and thus its Fighting Power.

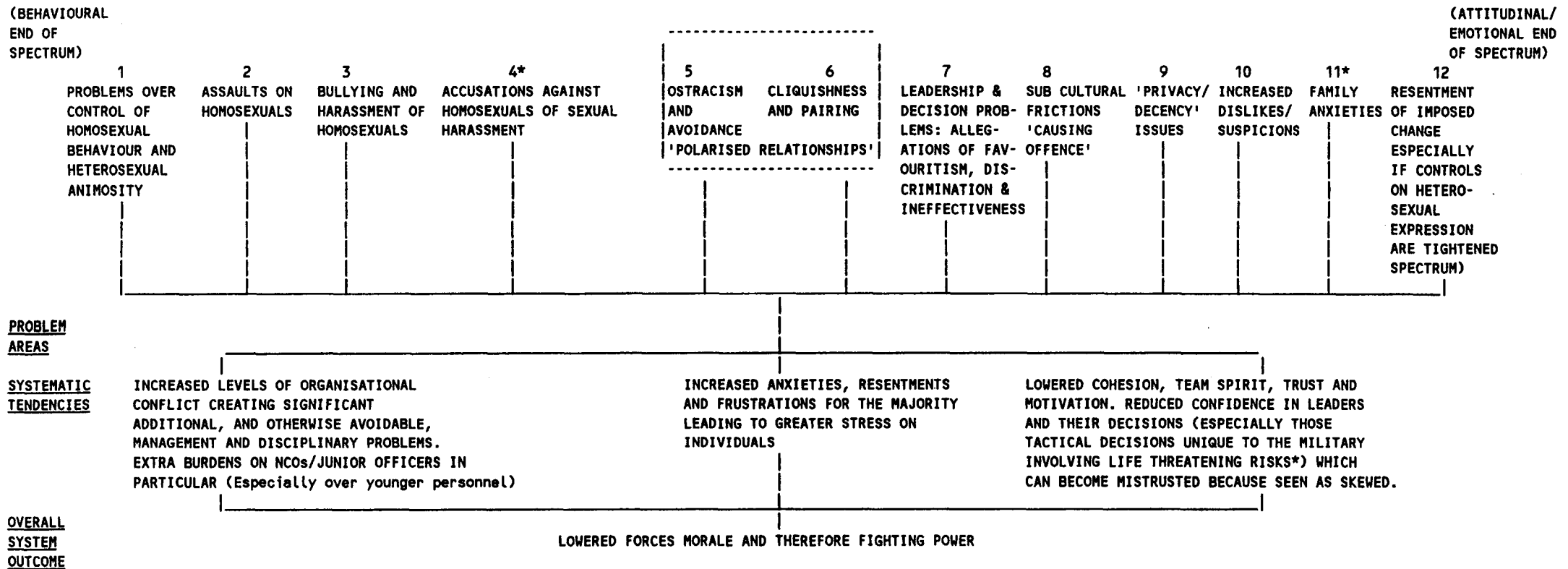
90. Some of the examples are of worst case (though not necessarily infrequent) incidents such as those involving violence. Others show pervasive, continuous tendencies within the military social system. Most would be strongly and obviously mutually-reinforcing, although not all would operate everywhere at all times. Actions by officers and NCOs might mitigate or check some problems by constant vigilance and corrective action, but the effort and distraction required for this would itself be part of the loss of Fighting Power.

91. There is anecdotal evidence that in some individual cases, suspected but apparently semi-tolerated homosexuals, in certain peacetime military environments (particularly among Servicewomen) seem to avoid some of the antagonism and difficulty anticipated, perhaps by circumspection, unusual charm or strength of character. But individual exceptions do

not amount to disproof of systematic trends. Overall, the behavioural tendencies, recurrent organisational problems and psychological dynamics shown in the model are what very large numbers of Service people at all levels would expect to be the general impact on the military system (in which they are themselves the practitioners and experts) of accepting known or large numbers of strongly suspected homosexuals.

FIGURE 1

BEHAVIOURAL MODEL SHOWING THE PREDICTED NEGATIVE EFFECTS OF KNOWN OR STRONGLY SUSPECTED HOMOSEXUALITY ON THE UK MILITARY SYSTEM



* = Not strongly confirmed by HPAT Questionnaire results

II. ANTICIPATED PROBLEM AREAS AFFECTING FIGHTING POWER:
EXAMPLES SCENARIOS AND EVIDENCE

PROBLEM AREA 1

CONTROLLING HOMOSEXUAL BEHAVIOUR AND ANIMOSITY

OVERVIEW

1. The introduction of a new source of division, homosexuality, into a unit, would produce problems with discipline and maintenance of military standards of behaviour. These would have to be dealt with by junior management, even if they occurred under stressful operational conditions. The additional disciplinary matters needing to be addressed could include:

a. Preventing, investigating and punishing conflict between homosexuals and heterosexuals.

b. Silencing overheard abuse or disputes about sexuality.

c. Controlling sexual behaviour and regulating sexual tensions by keeping apart both the mutually antagonistic and the potentially over-friendly within the other demands of the operational goal. Selection problems would therefore become particularly difficult for shared tasks such as:

Small detachments

Observation Posts

Sentry Duty, which regularly continues for an entire week

2 man technical jobs in confined spaces etc.

2. An important background concern in all this would be "not what might happen but what would be said to have happened" - about which suspicions could reverberate around task or informal groups indefinitely.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS, IN LETTERS AND QUESTIONNAIRES, INTERVIEW AND DISCUSSION GROUPS

"Past experience of working with homosexuals confirms to me that their presence is unacceptable. They do get bullied and are a constant admin burden. As a SNCO I had constantly to keep an 'eye' on them." RAF Flight Sergeant 38, 21 years service

"I would reckon that the efficiency of my platoon would go down by about 10% if I had to try to make it run [with homosexuals in it]." Guards Sergeant (Household Cavalry)

"The stress on a NCO or officer of any rank would be so much if a homosexual male was posted to his unit". Corporal 28, 11 years service

"It's obvious. If you have two platoons, one with 2 open gays and 3 guys who would want to hit them, and 5 who just don't like them and don't think they should be there - or another with 30 blokes who all seem to be straight, which do you think would be easier to command in combat?" Army Discussion Group

"As a WO2 my main concern is standards. Morale/welfare etc already occupy a great deal of my time. It is rare that we have women attached to us but they create their own problems when they are. I feel that if Gays of whatever sex were added, the equation would become unmanageable. In particular maintenance of standards re discipline would suffer." RM WO2 Tech Spec 38, 20 years service.

"It is relatively easy to control heterosexual activity on a warship but homosexual activity is a much more difficult problem." Captain RN

"How could homosexuals on the same ship be kept from having relationships?... A ship is a big place at 3am" Able Seaman Warfare, 23, 7 years service.

"In March 1994 while serving on HMS [] 2 female members of my Dept were suspected of homosexuality after a port visit to [] after 2 others approached the [Regulators] about the conduct of the suspects and the effects of their behaviour on mess morale. One owned up - one denied it. Interviews took several days [and] morale got even lower on the messdeck as there was nowhere else for them to be until discharged. I cannot begin to imagine how things would have worked out had the women been allowed to remain on ship." RN Warrant Officer (RS)

"Whilst on my last ship in the South Atlantic [2 members] of the messdeck [were] found committing an act of a sexual nature [one] was removed from the ship and flown back to the UK. The atmosphere that followed was bad for morale and we were 8000 miles from home. After 12 years of service I know that gays lower morale and put their personal safety at risk and could no longer serve on a ship that I knew had homosexuals aboard." Leading Seaman [EW]

"A bloke in the Corps was found cottaging [soliciting in public lavatories] . I have no respect for him now he has left and I am forced to suspect the people he worked with".
Sergeant RM

[I knew] a serving homosexual (he left the Navy of his own accord). His behaviour on board worried me, as although no one knew in the RN that he was gay, he fancied and fantasised about the other ratings on board and this must have affected his performance at work. It most certainly ultimately undermined discipline. He was also bullied and ostracised by those who 'suspected' he was gay. This is not an acceptable situation on a seagoing ship." Chief Petty Officer RN

"The Regulating Branch in the RN would... Have an impossible work load. Bullying, fighting, threats... It would all most certainly happen. Is it really worth it?" Able Seaman (Regulator) RN

"As a young apprentice, one night after a drinking session in a local pub a member of the [apprentice] group began forcing his attention on one of the other apprentices. A violent fight ensued... the matter was reported, but until it was dealt with (the culprit left the service on administrative grounds) he continued to live with the same people in the same room. The atmosphere quickly became intolerable... [he] was ostracised and physical violence was offered [repeatedly].. considerable friction was generated which lead to the complete breakdown of what had been a very happy group... it was impossible to monitor the situation continuously... and therefore impossible to control. [attitudes over this have not changed today]. [As an officer I had later] experience with 2 courts martial for homosexual activity. Without dwelling on the unsavoury aspects, both [proved] that in the closed community of the Barrack Block

homosexual behaviour was considered by the perpetrators' peers to be totally unacceptable. Again violence was involved, the harmony of the community was destroyed and morale impaired." Group Captain RAF 36 years service; 9 in the ranks

"In all circumstances sexual impropriety [reduces] morale, but cases of homosexual misconduct are infinitely more damaging." Captain RN

"With 25 years service and more recent experience as Frigate Executive officer and Helicopter Squadron CO, I have reconsidered those aspects of homosexual activity that gave me concern ashore and at sea.

On balance, the greatest workload for my staff was caused by the individuals who made or, more usually, were believed to have made, homosexual advances on my men and women. As incidents reported to me were not proved, the greatest penalty was feelings of disgust in messdecks towards the perceived homosexual. This, usually senior, person was, of course, legally innocent. Nevertheless, there was a major loss of confidence in that individual which then adversely affected how others worked with him or her.

The recipients of homosexual advances were invariably the youngest sailors of both sexes. With no case to answer, many considered that they had been effectively ignored because they could not provide enough evidence. They were left mistrusting a "system" that allowed this to happen. The youngsters usually took messdeck advice before raising the case to the Divisional Officer ... This, in turn, lead to vigilante verbal abuse and occasionally violence towards the alleged homosexual from messmates who sought to protect their own. In cases of "beer Queers", where advances were alleged after drinking sessions ashore, I have to admit that I doubted the honesty of 2 different men who were both accused of making more than one advance over long periods. In all,

it formed a chaotic and unacceptable impulse into RN management." Lieutenant Commander RN

"The RN is a disciplined Service; discipline is dependent on mutual respect. I can foresee scenarios where a serious breakdown of discipline will occur should homosexuals be granted the right to join the Service. [Their] ability to do the day to day job is not relevant, but what is relevant is the effect they would have on the Service and on the people who would be expected to serve alongside them." Chief Petty Officer (MEA), 16 years service

"It would certainly make me uneasy and uncomfortable spending a week or longer in an Observation Post with a homosexual, and would make a difficult job worse." Royal Marine

"Who would relish the stigma of having to share ones slit trench with a gay"? Warrant Officer Royal Marines, 36 yrs service

"The very fact that a heterosexual has shared a room or tent with a homosexual leaves then open for accusation or suspicion." Corporal RAF 28, 12 years service

SURVEY DATA

HPAT QUESTIONNAIRE

Q105. It would be difficult to maintain discipline if homosexuals served openly in the British Armed Forces.

Strongly Agree/Agree

Total %	RN		Army		RAF	
74	M	F	M	F	M	F
	76	75	79	43	73	58

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
13	M	F	M	F	M	F
	11	13	10	39	13	29

POSTAL SURVEY

Q41. Homosexual behaviour can cause offence, polarise relationships, and lead to ill-discipline.

Strongly Agree/Agree

RN	Army	RAF
94	92	88

Strongly Disagree/Disagree

RN	Army	RAF
3	4	7

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
1. Discipline would suffer from change	436	13
2. Change would cause a fall in Service standards	481	27
	<hr/> 917	<hr/> 40

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 2

ASSAULTS ON HOMOSEXUALS

OVERVIEW

1. Assaults could certainly be punished - if they were reported and the culprits detected - but could never be entirely prevented by the Service authorities. The MOD has a responsibility to protect its personnel as far as possible and could not claim that anticipation of illegal actions such as assault and bullying should stop it from proceeding with policies that were justified in themselves. Nevertheless to refrain from mentioning this problem area in an Assessment of this kind would be to censor a real, though not in itself determinant, issue.

2. The problem would be far from unique to the Services. (It is understood for example, that the homosexual lobby group Stonewall have quoted a 1993 survey in which 5% of their respondents had suffered physical violence and a further 15% had been threatened.) Violence is much more likely to occur among men than women and to be associated with alcohol. Predicted scenarios include:

- a. "Deliberate Accidents."
- b. Drunken Saturday night violence in barrack rooms.
- c. Traditional Service methods of settling scores: premeditated attacks when sleeping ("bed-ending", striking sleepers with hard objects wrapped in towels in the Army); blows with Samson bars (metal pry bars clipped next to each hatch) when moving around ship in the RN; taking someone "behind the hanger" in the RAF.

d. Attacks in or outside pubs in town or on "runs ashore."

e. Spontaneous "frictional" aggression: "He touched me/ He was eyeing me up/He rubbed up against me more than he needed to" (see 'Privacy Decency' Issues at Problem Area 9 below)/"He deserved it/I was only defending myself/It's my word against his/All my mates agree, sir."

f. Lasting fear and bitterness even when the violence stops or is punished.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES INTERVIEWS AND DISCUSSION GROUPS

"If a homosexual was on board he will have an accident waiting for him when no one is looking" RN Able Seaman Warfare, 23, 6 years service

"The first homosexual to come out will get attacked or shot. It's not fair to subject anyone to this violence." Corporal Infantry

"A homosexual in my section would definitely get battered. If I were there they'd have to come through me to do it, but I couldn't always be around." Infantry Sergeant

"Homosexuals would get beaten up. There are a few things that soldiers really get worked up about and this is one. A behaviour code might work OK on camp but homosexuals would be sorted out off camp." Senior Aircraftsman RAF Regiment 32, 8 years service

"I would never serve in a unit where a known homosexual is serving and I like many others would quite happily smash their faces in if I found any in my unit".
Corporal Royal Signals 29, 9 years service

"It is very hard to see how homosexuals would be accepted into this very macho environment without violence and bullying. Regimental pride would be dented if there were any homosexuals within the ranks and this would not be accepted." Sergeant Royal Army Medical Corps

"I would not be willing to serve in a unit that permitted homosexuals to serve also (getting my head kicked in because a queer shared my cap badge would not be acceptable to me or most of my colleagues) RAF Corporal 34, 17 years service

[Between 1955 and 1987] I had to deal with a number of incidents [involving assaults on homosexuals often apparently following sexual approaches by them under the influence of drink.] The soldiers attitude was "What's the problem? He was a queer, he asked for it and got it..." 'Regimental dealing' by soldiers is frightening in that Kangaroo punishment is well over the top but impossible to investigate due to the wall of silence and lack of complaint." Retired Officer formerly Royal Military Police

"Ultimately [to get rid of homosexuals] there is violence, an attractive option to some of the more mindless in our company. Violence can be very subtle, there are a hundred opportunities in the rush of an exercise, when shutting a hatch, following someone down a ladder or during a replenishment at sea on a slippery deck, for an accident of course. And it is where people

are under the strains and pressures of life at sea that the worst side of their natures can come to the fore, not [in] comfortable shore jobs. No, I am not a homophobe and I don't know anyone who is. But there are a lot of us out here who, purely because of the extreme conditions we happily tolerate at sea, are just not prepared to accept homosexuals amongst us and are potentially homophobes of the very worst sort.

'I don't know what I dread most - homosexuals in the bunk space and bathroom - or the inevitable consequences that will follow, if the superiors to whom we daily demonstrate our loyalty and commitment, let us down now [in accepting homosexuals]." Warrant Officer RN, 25 years service

SURVEY DATA

HPAT QUESTIONNAIRE

There were no specific questions in the HPAT Questionnaire addressing violence since the Team had not anticipated how recurrent a theme this would be in discussions, interviews and letters. However HPAT believes that most of those giving the answers to Questions in the next section on Bullying and Harassment would also have had physical assault on homosexuals in mind.

POSTAL SURVEY

Q55. Allowing declared homosexuals into the Services would increase bullying and assaults.

Strongly Agree/Agree

RN	Army	RAF
84	88	80

Strongly Disagree/Disagree

RN	Army	RAF
5	5	6

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Risk of violence against homosexuals	258	4

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 3

BULLYING AND HARASSMENT OF HOMOSEXUALS

OVERVIEW

1. The 1993 survey by Stonewall quoted previously found that 48% of respondents in the general population had suffered harassment for their homosexuality. For the Services the following difficulties were predicted:

- a. Systematic and psychologically painful denigration by entire work teams.
- b. Menaces: *"Who/what are you looking at?"*.
- c. Nicknames (which, if forbidden, are merely changed and can be either newly coined or selected from a large specialised vocabulary of Service slang).

and, in response to real or supposed problems:

- d. Complaints and litigation, leading to increased administrative problems and continuing bitterness.

2. It is theoretically possible that there might be a converse problem of bullying and harassment of heterosexuals where homosexuals formed the local majority but (except possibly in some former WRAC units where HPAT heard of allegations of assaults by lesbians) this seems statistically unlikely, and the responses to **HPAT Questions 98 and 99** show that Service people do not seem to regard it now as a serious potential problem. It was however, mentioned as a risk in a number of letters.

EVIDENCE

ILLUSTRATIVE, WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"I personally hate the idea of working with gays and would make this openly known to them if I ever had to" Marine First Class 24, 5 years service.

"What will happen if our top cover [Senior Management] fails us and we have to admit homosexuals. We will have to deal with the problem ourselves... bullying will be just the tip of the iceberg... I am pretty relaxed about homosexuality at the moment. I can afford to be - what people chose to do to each other in privacy is not my business. But neither I nor anyone I know will put up with the [Privacy/Decency problems on board ship].

"In the messdeck we can - do now on rare occasions - make a misfit's life a misery. The individual is ignored, treated with contempt and little things happen to him. His footwear is kicked into a corner, tea is spilt on his clean uniform, he gets pushed around a lot and constantly sneered at. You up the ante a bit until he cracks. It is very unpleasant and always gets out of hand, poisoning all concerned like a cancer." Warrant Officer RN, 25 years service

"On a submarine or ship the gay would have nowhere to run."
RN letter

"What would happen is that the blokes round him would simply hide his gun or bits of his kit and he'd be in constant trouble." Young Private, Army Training Regiment

"The ban must stay because I do not want to see a human being suffer!" RN Discussion Group

"Without even bringing violence into it, if you wanted to get rid of someone that's gay there are ways of doing it even if it's your boss." Corporal, Guards Depot

"I have [some experience of discipline problems over sexual harassment cases with WRNS at sea] and I feel the problem would be worse with Gay personnel ... barracking is an every day part of Service life and is for the most part good natured but all too often one person is singled out for their slight differences and their life is made a misery. Where then does this leave the Senior Rate? Does he/she protect the person, rightly, which may lead [him or her] open to some suspicious minds: 'why is he/she protecting that queer? maybe he/she is one?' If however you turn a blind eye .. you leave yourself open to disciplinary action ... Stopping harassment of a member of the opposite sex is easy but to stop it for a member of the same sex?" Chief Petty Officer Communications Yeoman, RN 17 years service

"The way the job is carried out is in a constant environment of banter and sexual connotations. Homosexuals would feel threatened by this and would complain". RN Female Junior Rates Discussion Group

"Knowing what Naval messdeck banter can be, the merest suggestion that someone was gay would turn their life into a nightmare. I am not saying there would be malice in what was said or done but [suspected homosexuals] once having been subject to a sustained period of sea time under the barrage of mess jokes and innuendoes could be driven to the breakdown in Naval discipline ... or suicide." Leading Seaman (SEA)

SURVEY DATA

HPAT QUESTIONNAIRE

Q96. A known homosexual Serviceman would tend to be bullied or harassed.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
90	90	90	92	78	90	83

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
2	2	1	1	5	3	1

Q97. A known lesbian Servicewomen would tend to be bullied or harassed.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
70	75	83	59	37	75	75

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
7	5	7	10	36	6	3

Q98. A homosexual serviceman would tend to bully or harass heterosexuals.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
13	15	7	15	18	11	6

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
54	54	54	55	55	51	64

Q99. A lesbian servicewoman would tend to bully or harass heterosexuals.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
17	16	12	26	14	13	9

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
45	48	48	38	54	45	61

Q115. Military rules that are used to prevent minority groups being harassed and bullied would be enough to stop homosexuals being harassed and bullied.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	13	13	11	12	11	13

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
74	74	80	72	68	76	74

POSTAL SURVEY

Q72. I believe that declared homosexuals would find life very difficult in the Service.

Strongly Agree/Agree

RN	Army	RAF
95	95	91

Strongly Disagree/Disagree

RN	Army	RAF
2	2	3

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Risk of intimidation of heterosexuals after change	145	10

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 4

ACCUSATIONS AGAINST HOMOSEXUALS OF SEXUAL HARASSMENT

OVERVIEW

1. These could potentially consist of the following:
 - a. Malicious and
 - b. Mistaken accusations.
 - c. Real abuses of power for sexual advantage.

All seem more likely in cases involving younger and junior personnel, which would induce the most heightened emotions and suspicions. There have been a number of cases mentioned in letters to HPAT of sexual misconduct of homosexual Service people in the military environment, some of them involving violence or abuse of rank. It is not necessary to assume - and there are no convincing comparative figures - that homosexuals are less controlled or more predatory than heterosexuals for these problems to arise or be believed to arise and for their consequences for unit cohesion to be particularly serious. In addition, a new category of disciplinary problem would appear which the Services would have to be prepared to address: official allegations of sexual harassment of homosexuals by other homosexuals in uniform.

EVIDENCE

ILLUSTRATIVE, WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"You must be able to trust and feel you are in a safe

environment at work." Flight Lieutenant RAF

"As a bloke you still make advances to a married woman, it's the same with gays. They would make advances towards heterosexual men." RN Petty Officer, RN, 13 years service

"[To rid ourselves of a homosexual] we could start with false accusation - most especially if it's an officer. Plenty of us are hard enough and determined enough to stand up to the most rigorous interrogation. Sort those problems out, Master at Arms." Warrant Officer RN, 25 years service

"What will happen when the homosexual senior rate/officer has a crush on a young lad. If the crush is reciprocated we will have the resultant breakdown in discipline as the senior will tend to look after the junior. If it is not reciprocated will the heavy hand of seniority take over and the lad become browbeaten into submission?" Chief Petty Officer, Submarine Coxswain, RN

"During my tour [in the early 1990's] I was subjected to homosexual harassment by an individual senior to myself. It was neither obvious [nor was there physical evidence.] It got to the stage where I was in fear of being alone and actively avoided that... I managed to remain in control of the situation but I believe that someone junior to myself might not have been able to." Warrant Officer, RAF

"As a young rating aged 16 I was subjected to the unwelcome and serious advances of homosexuals on 2 occasions and can remember clearly the fear and confusion I suffered at the time." Commander, RN

"It would be a daunting prospect for a subordinate to take action against a superior for homosexual harassment, particularly in the Army where discipline and rank authority are rigidly applied". Major, Army

"No gay officer would use his or her seniority to try and 'recruit' non gays. It just would not work. The risk is too high" Anonymous letter from a homosexual Service person in favour of change

"A lot of people were worried that gays will pose a sexual threat towards juniors. Sexual harassment comes from both sides in the heterosexual society. It is not fair to say that gay people will do the same. They are just speculating." Able Seaman (Supply and Secretariat).

"The possibility of homosexuals applying sexual pressure on weaker members of the team is a discipline not a sexual problem." Letter from 4 UK personnel at a NATO HQ

SURVEY DATA

HPAT QUESTIONNAIRE

Q100. A male homosexual superior would tend to abuse his position of authority for sexual advantage.

Strongly Agree/Agree

Total %	RN		Army		RAF	
29	M	F	M	F	M	F
	30	16	39	14	24	16

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
25	M	F	M	F	M	F
	22	36	19	48	28	36

Q101. A male heterosexual superior would tend to abuse his position of authority for sexual advantage.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	14	7	15	9	7	8

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
42	38	49	42	43	47	42

Q102. A lesbian superior would tend to abuse her position of authority for sexual advantage.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	14	7	15	9	7	8

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
42	38	49	42	43	47	42

Q103. A female heterosexual superior would tend to abuse her position of authority for sexual advantage.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
9	11	6	12	2	5	4

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
45	40	54	42	57	49	52

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Change would risk sexual aggression from homosexuals	76	9
Change would risk abuse of power for homosexual advantage	95	5
	<hr/> 171	<hr/> 14

CONCLUSION

The risks of sexual harassment or assault, especially of young Service people, by homosexuals were mentioned sufficiently often in letters, interviews and discussions, to indicate real concern over the issue. There have certainly

been examples of such abuse being attempted even under the present rules, and the powers of rank in the Services make it a particularly worrying eventuality. Nevertheless the Survey evidence indicates that most Service people generally do not feel so strongly about the relative probability of such misbehaviour by homosexuals as to make this concern a major obstacle to homosexual acceptance and effectiveness. (This may be because most Service people feel they could themselves physically deter or resist homosexual or lesbian advances, and that homosexual superiors would know they would be watched closely for any signs of abusing rank. Furthermore, Service personnel may believe it unlikely that homosexuals who could not control themselves would generally choose, be selected by, or continue in the Services. Similarly, homosexuals or lesbians may not be seen as disposed to the assault or harassment of the sexually unwilling). The overall conclusion must therefore be that this Problem Area is not, at present, strongly supported by the evidence as a major threat to Fighting Power, though, if known homosexuals were accepted, even one or two incidents of such misbehaviour by them could no doubt change Service perceptions very rapidly on this subject.

PROBLEM AREA 5

OSTRACISM AND AVOIDANCE

OVERVIEW

This seems likely to occur through:

- a. Moral distaste, leading to deliberate avoidance.
- b. Fears of seeming too friendly in the eyes of the heterosexual majority. (The problem is unlike the integration of women or ethnic minorities where members of the majority group remain indisputably white and male however much time they spend with members of those military minorities.)
- c. Problems in working the Services' 'Buddy-Buddy' system, which relies precisely on two nominated individuals taking special responsibility for each other's physical safety especially over intimate tasks such as applying First Aid or Nuclear Biological or Chemical decontamination.

EVIDENCE

ILLUSTRATIVE, WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"The inevitable sub-division of personnel occurring, 'Them and Us' no longer 'The Team'". Corporal, RAF

"Homosexuals would be treated like weak people are on a squadron now - abysmally. Nobody will stand up for a weak person." Warrant Officer RAF 51, 35 years service

"The beeper (homosexual) would be the weak link. No one would want to work with the beeper." Sergeant, RM

"A gay would have a lonely long life." RN Coxswain RN, 42, 27 years service

"As a submariner, the prospect of living cheek by jaw with a person whom I find behaviourally repulsive is totally unacceptable. As for the homosexual, I would think that being totally alienated by his peers in a mess for 10 weeks at a time would not be a pleasant one." Lieutenant RN, 27 years old, 4 years service.

"You can tolerate people you don't like more easily than any homosexual. You will ostracise them. It's the natural law of selection." Major 32, 13 years service

"The suicide risk for gays in the Service would be high." Corporal Royal Signals 27, 10 years service

"The problems in the short term of accepting homosexuals will be enormous. In the long run they will be more significant than race or gender." Flying Officer (Engineer) RAF 24, 6 years service

"Whilst the integration of women at sea has undoubtedly required additional management effort, it has not involved fundamental spiritual or moral questions, since heterosexual relations are accepted as both natural and normal" Commander, RN

"There is no doubt there are homosexuals serving in the RN. They probably give good and loyal service and are respected by their colleagues. They are able to do so because they keep their sexual preferences private. If they were allowed and chose to come out they would in most cases undoubtedly

lose the respect of their colleagues, be ostracised, and their actions, however innocent, suspected." Warrant Officer Writer RN, 45, 24 years service

"In my career I can recall 2 episodes dealing with allegations of homosexual conduct... and I can recall clearly in both cases the drawing back of mess mates and the developing isolation of the men concerned..." Commander, RN

"I am in no way discriminative towards homosexuals in everyday life [but] I have the experience of a soldier with gay tendencies in Germany in 1985-7. In brief he was moved from room to room; others would not go into the showers at the same time as him, no one would socialise with him, he was treated as an outcast and ignored by once close friends. There became an aura of distrust within the accommodation and the troop. Whilst on exercise his job was to work on a 2 man detachment, no one wanted to work with him. The whole troop was affected" Sergeant, Royal Signals

SURVEY DATA

HPAT QUESTIONNAIRE

Q64. If I discovered that a close male friend in the Services were a homosexual, I could come to terms with it.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
24	19	45	14	75	26	51

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
58	66	35	69	5	54	29

Q65. If I discovered that a close female friend in the Services were a lesbian, I could come to terms with it.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
35	28	38	36	70	37	48

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
38	43	42	35	16	36	25

Q116. It would be more difficult to integrate homosexual men into the military than it has been to integrate heterosexual women.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
78	79	74	75	62	82	77

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
6	6	12	5	14	5	10

Q117. It would be more difficult to integrate lesbians into the military than it has been to integrate heterosexual women.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
61	66	74	45	30	69	73

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
13	12	16	17	34	9	17

Q118. It would be more difficult to integrate homosexual men into the military than it has been to integrate ethnic minorities.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
79	82	80	74	58	83	80

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
7	7	9	6	16	6	9

Q119. It would be more difficult to integrate lesbians into the military than it has been to integrate ethnic minorities.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
67	72	75	52	39	74	73

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
11	9	11	13	32	9	14

POSTAL SURVEY

Q58. Declared homosexuals would not be accepted in barrack blocks or messes.

Strongly Agree/Agree

RN	Army	RAF
87	86	81

Strongly Disagree/Disagree

RN	Army	RAF
6	7	8

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Risk of Discrimination against open homosexuals	118	3

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 6

CLIQUISHNESS AND PAIRING

OVERVIEW

This would be in part an inevitable human response to the ostracism and avoidance predicted in Problem Area 5. But even without this pressure it is also reasonable to assume a counterpart to the homosexual community of pubs, cafes, shops and social networks held together by common identity and preoccupations which are apparent in civil society. It again seems reasonable to assume that, as in civilian life, homosexual service people would learn to recognize each other without alerting heterosexuals to their orientation.. (A term for this in the homosexual subculture is "Gaydar" and it seems already in operation in the anonymous letter quoted in Paragraph 47). Once known to each other, sexual attraction between homosexuals and between lesbians could quite obviously become a factor. Real or perceived informal segregation is very widely predicted to occur through:

- a. Shared accommodation off-base where allowed.
- b. Runs ashore.
- c. Seating in mess halls.
- d. Particular bars or corners of bars.
- e. Sports teams and partners.
- f. Particular trades or specializations in which homosexual men or women would accumulate through transfers and career preferences, creating 'Pink Ghettos'.

g. Emotional or sexual bonding between individual homosexuals possibly across rank boundaries in the same unit. (Heterosexual couples are prevented from serving together at different levels in the same chain of command precisely to prevent this, and it might similarly be possible to transfer one of a homosexual pair - if they could be detected.)

The reputation for homosexual pairings and cliques tends to linger with a unit or ship, often causing intensely resented stigma even after the departure or discharge of the individuals concerned.

EVIDENCE

ILLUSTRATIVE, WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"Thankfully... I was never posted to one of the units infamous for its large number of lesbians... [if I had].. I would not have wished to remain in the Army for as long as I have.

'[In an Army unit with strong lesbian influence before the WRAC was merged into the Army as a whole] heterosexual girls were frightened to report assaults because they were unsure exactly who they could trust within the system. Within the power structure the term Queen Bee was frequently used to refer to the prominent lesbian. The atmosphere which surrounded her was detrimental and very negative. Not only were the heterosexual girls disadvantaged by this within the living community, they also suffered blatant injustices and favouritism which decided the selection for promotion. When the approved rank structure is thrown to the wind, which happened on some occasions when high concentrations of lesbians arose, the resulting over familiarity adversely affected the whole efficiency and morale of the units

involved. With the knowledge of how the WRAC worked [my] major concern is that by allowing homosexuals to join the Army one particular Regiment, Battalion or Corps would be favoured and that similar problems to the ones listed above would recur." Female Second Lieutenant, Letter jointly signed by a Female Corporal with the same experiences, both Adjutant General Corps.

"The Stewards Branch.. became a homosexual colony during the 1950's and was ... 'purged' over a number of years. This [ghettoisation] was ... an unattractive possibility we should not wish to repeat. The word 'frightening' was applied by a retired officer who joined as a rating during [that] period." Commander RN

"In the past investigations in the WRAC revealed that some young women were coerced into lesbianism by force , fear or blackmail. This was extremely difficult to prove and prosecutions and administrative action leading to discharge were rare and prolonged. There was clear evidence of oppression and duress applied to any service women who came forward to assist their unit authorities and the service police. In some units it was widely known that a 'mafia' was in control and little could be done to remove it. A relaxation of current policy could be the catalyst for a resurgence of the situation" Captain Royal Military Police. 13 years service, over 10 as an investigator

"I joined the RN in 1965 as a Junior Sick Berth Attendant and entered a branch that was rife with homosexuals ... Fortunately it was realized that the homosexual population was growing... and increasingly insidious and so homosexuals were sought out and discharged. This took some time and the outcome was that I, along with many of my heterosexual peers,

spent many years trying to remove the stigma left on the branch and now, some 30 years later, we have eventually achieved a professional branch which is accepted as such by the rest of the RN." Warrant Officer, RN (Medical Assistant)

"Any relationship which is sexual between members of frontline operational units degrades operational effectiveness. Rash decisions can be made and lives lost unnecessarily even in peacetime. Has not everyone made bad and stupid decisions in the aftermath of a row with a loved one though they are rarely decisions regarding work because [outside the services] you can separate work life and home life" Chief Petty Officer, RN 27, 9 years service

"I joined HMS [] just after the Captain was removed in [] for homosexual behaviour with a Junior Rate and then joined HMS []. Both ships [still, after 10-15 years] have a bad reputation for homosexuality" Leading Writer RN, 26, 9 years

"I have had personal experience of a unit where a bachelor CO showed great favour to 2 young officers (who have since left the Army and 'come out'). They were placed in positions or given responsibilities sometimes well above their experience and ability with a number of unfortunate repercussions. The situation poisoned the Officers Mess whose collective reputation suffered, because trust and respect were lost. Luckily the unit was not tested on operations..."

Major, Army

"I served in a unit where 1 officer and 1 NCO were discharged for their sexual orientation. It was well known in the unit about their behaviour and once they had left the unit it seemed far happier and more relaxed" Major REME 30 years, 9 years service

"Comradeship would be affected to the extent that groups of gay soldiers would rather spend off duty time with other gay men and heterosexual soldiers with their own group."
Corporal, Infantry

"I have experienced 3 cases of lesbianism in 2 years of commanding [a predominately female unit]. Two girls formed a lesbian relationship (almost certainly encouraged by an SNCO)... one wanted to break it off. The other could not accept this; the affair culminated in a knock down drag out [public] fight. The second case was similar ... [In the third] 2 women were discovered sleeping in one bed and the JNCO who discovered them was threatened..." (Male) Major, Army

"I have known 2 homosexuals in my unit of about 15 men. They produced an atmosphere which made work and discipline very difficult and had an effect on unit discipline both in barracks and on exercise". Sergeant RAC 35, 18 years service

"A man will fight to death for the other man not because of his particular characteristics as an individual but because he is there: he is in my fire team, my section, therefore I owe it to him. And it's a 2 way thing... It is a form of love but an unjealous, indiscriminate, and above all asexual, love all for one and one for all. Introduce a sexual element, either homosexual or heterosexual, and sooner or later the nature of this attachment will tend to change and one will start getting one to one relationships. Jealousies will tend to divide what had hitherto been seamless. A man's need for self respect could be satisfied by looking after one individual to whom he is particularly committed. He prioritises. And the cohesion of the fighting group is weakened." Lieutenant Colonel RM

SURVEY DATA

HPAT QUESTIONNAIRE

Q86. Homosexual Service personnel would tend to gather together in homosexual cliques.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
80	81	61	82	57	82	67

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
4	3	14	2	16	4	5

Q137. Homosexual cliques would damage unit cohesiveness.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
81	85	80	83	39	82	66

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
5	3	4	3	27	5	12

POSTAL SURVEY

Q60. Homosexuals do not make good team members.

Strongly Agree/Agree

Total	RN	Army	RAF
	M	M	M
	32	37	25

Strongly Disagree/Disagree

Total	RN	Army	RAF
	M	M	M
	24	21	27

Q62. If declared homosexuals were allowed to serve, there should be no objection to setting up 'Gay Support Groups' or similar organisations within units.

Strongly Agree/Agree

Total	RN	Army	RAF
	6	6	9

Strongly Disagree/Disagree

Total	RN	Army	RAF
	86	86	81

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Risk of Cliques of homosexuals offending heterosexual personnel	14	0

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 7

LEADERSHIP AND DECISION MAKING PROBLEMS: ALLEGATIONS OF FAVOURITISM, DISCRIMINATION AND INEFFECTIVENESS

OVERVIEW

1. Problems that have been predicted include:

a. Resentments over unprovable grievances resting on alleged favouritism arising from:

i. Normal work tasking.

ii. Tactical tasking under life threatening operational conditions.

iii. Promotions.

iv. Transfers.

v. Annual assessments.

vi. Success on courses.

b. Conversely, predictions that, if homosexuals were officially and openly accepted, their superiors' fear of being accused of discrimination would be perceived to, or would actually, affect their decisions. An important net effect of these voiced or unspoken accusations would be to reduce confidence in the officers and NCOs responsible for disputed decisions.

c. A general disbelief in homosexual officers' and NCOs' ability to command respect or exercise leadership if their sexual identity became known.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS, IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"If a gay officer gave an order you'd follow it with the minimum amount of cooperation." Lance Corporal RM 26, 6½ years service

"Young [homosexual] officers would be stitched up by JNCOs/SNCOs to get rid of them or make them seem ineffective". Flight Lieutenant (Engineer) RAF 34 years

"The leader who is gay will get on if he is very good but will really have to prove himself." Corporal 9 years service, Royal Artillery

"As a gay Platoon Commander your men will not trust your judgement to follow you into battle, risking their lives, if they feel your actions are sexually motivated... your men look to you for guidance standards, welfare, advice etc. How can you help save a Corporal's marriage if he sees you as unnaturally orientated and have no experience of the relationship hassles his job is putting his wife and family through?" Lieutenant Royal Logistics Corps, 24, 2 yrs service

"Leadership skills would be tested to the full (how do you pretend to like them if you don't?)" Major REME 36; 15 years service

"There would be biased reporting: over or under compensating." Male Flight Sergeant 51, 26 years service

"I think that bullying, disrespect and outright contempt for superiors and those below them in rate would increase dramatically if homosexuals were admitted." Petty Officer Age 38; 20 years service

"Something we fear is that for mere PR reasons a homosexual will be pushed through the selection and training process, and gain his 'Green Beret' then placed in a non combat role such as Clerk, Chef, Driver etc." Lance Corporal RM

"As I see it a percentage of homosexuals would have to get promoted (whether warranted or not) or they would claim discrimination. Its hard enough now to get promotion without them adding insult to injury". Senior Aircraftsman RAF, 25 years - 8 years service.

"I could probably be managed by [a homosexual] but I could not be led by one and leadership is what fighting efficiency is all about. [Some homosexuals] have given exemplary service ... but as soon as [their] proclivities are exposed ... the loss of respect and consequently of that persons ability to inspire and lead is instantaneous. Swift administrative removal is the only possible remedy." Group Captain RAF.

"A homosexual officer or NCO has to be respected by his men. Respect has to be earned.... it is not an automatic entitlement when you get rank. If you are not respected by your men because of your sexuality, then you have serious problems and eventually the once solid foundations will crumble and when this happens, especially in war, lives will needlessly be lost." Lance Sergeant Army.

"Soldiers have [common interests] including their sexual habits. Peers are respected for their Family Values and social beliefs. A homosexual NCO could command no respect or have any credibility..... and so no hope of maintaining discipline and respect from his subordinates." Sergeant RM.

"In the long term any policy or decision is apt to fail if the managing ranks of any organisation are not seen to

persistently uphold established standards of ethical behaviour; in other words lead by example. How could a homosexual lead by example?" Flight Lieutenant RAF.

SURVEY DATA

HPAT QUESTIONNAIRE

Q88. Male homosexual officers would command less respect than male heterosexual officers.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
80	83	62	82	48	83	65

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
5	6	20	6	23	7	14

Q89. Lesbian officers would command less respect than female heterosexual officers.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
71	72	65	70	41	75	61

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
9	7	20	7	36	8	16

Q90. Male homosexual NCOs would command less respect than male heterosexual NCOs.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
82	84	67	84	54	84	64

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
7	6	14	5	25	6	13

Q91. Lesbian NCOs would command less respect than female heterosexual NCOs.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
72	73	68	72	43	77	62

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
9	8	16	8	34	7	14

Q139. Knowing someone, of my own sex and of a superior rank, was homosexual, would make it more difficult for me to work with him/her.

Strongly Agree/Agree

Total %	RN		Army		RAF	
75	M	F	M	F	M	F
	82	55	80	25	75	58

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
15	M	F	M	F	M	F
	10	27	11	57	16	35

Q140. Knowing someone, of my own sex and of a junior rank, was homosexual, would make it more difficult for me to work with him/her.

Strongly Agree/Agree

Total %	RN		Army		RAF	
70	M	F	M	F	M	F
	77	45	75	20	69	47

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
17	M	F	M	F	M	F
	12	32	12	61	18	35

But this particular prediction was very largely not supported:

Q114. Homosexual military leaders would be suspected of making tactical decisions based on sexual preference.

Strongly Agree/Agree

Total %	RN		Army		RAF	
29	M	F	M	F	M	F
	30	22	32	16	28	23

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
28	M	F	M	F	M	F
	27	27	23	50	31	39

POSTAL SURVEY

Q52. Declared homosexual NCOs would not command the respect of Servicemen/women of junior rank.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
85	87	80

Strongly Disagree/Disagree

RN	Army	RAF
8	8	12

Q48. Declared homosexual officers would not command the respect of servicemen/women.

Strongly Agree/Agree

RN	Army	RAF
87	89	81

Strongly Disagree/Disagree

RN	Army	RAF
6	6	11

Q72. I would be very worried if I knew that my immediate superior was homosexual.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
72	75	62

Strongly Disagree/Disagree

RN	Army	RAF
M	M	M
12	13	19

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
Change would cause a lack of trust in leaders	157	2
Change would lead to favouritism between homosexuals	52	3
	<hr/> 209	<hr/> 5

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established, although one of the most serious potential anxieties, that homosexual officers or NCO would be believed to take tactical decisions swayed by sexual preference, does not.

PROBLEM AREA 8

SUB CULTURAL FRICTIONS: 'CAUSING OFFENCE'

OVERVIEW

Offence could be caused to heterosexuals by homosexuals in the following manner:

- a. Befriending, or appearing to influence, younger and junior personnel, especially those not previously seen to be committed to homosexuality.
 - b. Dress, even in subtle variations or codings.
 - c. Pin-ups and pictures of partners.
 - d. Magazines and books, including pornography.
 - e. Bringing, or being entitled to bring, homosexual partners or groups of friends to mess or other social functions.
 - f. Expressions (and not necessarily flamboyant displays) of homosexual identity risk activating very powerful feelings, experienced by many members of the Armed Forces, of physical distaste and moral or religious revulsion at the thought of homosexual physical activities.
- ii. Conversely, offence could be caused to homosexuals by heterosexual expressions and behaviour.
- iii. It is evident that problems in this area could overlap, or appear to overlap with those in Problem Area 3: Bullying and Harassment.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"I worked with a Flt Lt suspected of homosexuality and under investigation. Once I knew I could not accept him, did not like to be in the same room and would not work night shift with him". Senior Aircraftsman Air Traffic Control, 28 years

"The Regimental system often requires members to attend certain functions where 'spouses' would be expected to attend [Extending this to partners gives scope for potentially disastrous situations]. Many other colleagues said they would not attend functions alongside homosexuals unless ordered to. Others canvassed wives and girlfriends of whom a majority said they would boycott functions even if their husbands were ordered to attend." Joint letter by 8 RM NCOs and Marines.

"I have no objection to homosexuals in general but wish to be part of their community or way of life. In civilian life, I choose not to go to pubs or clubs frequented by those who prefer the company of someone of their own sex, but were homosexuals allowed at sea I and my colleagues would have no choice." Commander RN.

"If the policy is changed... there should be guidelines to ensure homosexuals are not overt about it. Not only might their opinions offend but they might face a distinct lack of toleration from others, prompting greater disciplinary problems." Flight Lieutenant Admin Sec RAF, 30, 8 years service

"It is not unusual for young heterosexual couples to indulge themselves in one or two cuddles at the weekly NAAFI dance

but are we to turn a blind eye to the 2 young men holding hands and having a snog in the corner?" Flight Sergeant RAF, 23 years service

"I would like to think that I could treat them the same as everyone else, but I know that because homosexuality disgusts me I would end up treating them different. We all live and work too close for it NOT to cause problems, especially in a messdeck." Leading Rate (WE) RN, 20, 4 years service

"If homosexuals and lesbians wish to serve... they should understand that in my opinion and I believe others, it is not what we want and keep their private lives PRIVATE." Corporal RM, 29, 10 years service

"There would be great anger from the majority of soldiers, especially and the seniors, over young 17 year olds away for the first time and joining the Regimental family, being subjected to advances and temptations from homosexual soldiers." Major, Army, 30 years service

"Our sense of humour can be described as basic and/or colourful and [various words] are very often used to take the mickey... with no offence given or taken. Feelings of camaraderie go a long way to inspire men working and living in such stressful conditions. It would seriously affect those feelings if any member of the team were to feel singled out... every time we used words which have always been part of our vocabulary." Flight Sergeant RAF, 23 years service

"Soldiers talk about their sexual exploits all the time and homosexuals could not fit in." Major, Army, 32, 13 years service

HPAT QUESTIONNAIRE

Q68. In a Service Environment, heterosexuals would find the presence of known homosexuals offensive.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
84	88	81	85	59	84	60

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
5	4	4	3	20	5	14

Q56. The thought of sexual acts between two men revolts me.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
81	84	54	83	43	86	39

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
8	6	22	6	29	5	5

Q57. The thought of sexual acts between two women revolts me.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
34	30	56	28	45	36	39

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
30	31	22	33	30	28	5

Q113. If homosexuals were allowed to serve, homosexual couples would have to be allowed to attend mess events.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
31	29	42	26	52	33	48

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
49	50	39	56	25	48	30

POSTAL SURVEY

Q63. If declared homosexuals were allowed to serve, homosexual couples should be eligible for equivalent accommodation and allowances to heterosexual couples.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
8	6	8

Strongly Disagree/Disagree

RN	Army	RAF
M	M	M
82	88	82

Q70. I could not accept a declared homosexual in my flight/squadron/ship/unit.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
65	71	50

Strongly Disagree/Disagree

RN	Army	RAF
M	M	M
15	15	23

REFERENCES IN LETTERS

	A significant factor against policy change ?	
	Yes	No
Moral/religious factors should prevent change	94	3
Homosexuality is unnatural	186	5
Homosexual partner entitlements a problem after change	45	1
	<hr/> 325	<hr/> 9

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 9

'PRIVACY, DECENCY' ISSUES

OVERVIEW

1. There has been a particularly strong emphasis among very many of those consulted on the distress and tension which would be induced in heterosexuals, whatever their emotional attitude to homosexuality in the abstract, through having to live (and not simply to work) in very close, inescapable proximity for unremittingly long periods alongside known homosexuals. This would mean heterosexuals being unable to escape the sexualised gazes of others who might see potential objects of physical desire rather than simply the often naked bodies of comrades. It would often also mean unwillingly colluding in potentially erotic situations through touching, lying alongside or having constantly to brush past homosexuals. The following military environments, dictated by harsh unchanging physical constraints, and for which there are few or no civilian analogues, would be especially troublesome:

- a. Snowholes. (Temporary overnight shelter in Arctic conditions)
- b. Shared sleeping bags (simultaneously in cases of hypothermia or frost bite; consecutively by personnel on ultra lightweight reconnaissance missions).
- c. Bivouacs (Improvised tents)
- d. Trenches
- e. Gunpits
- f. Observation Posts.

g. Sangars (Miniature forts with very little internal space, commonly continuously manned to protect key points against terrorism.)

h. Tents (all the above would apply especially in cold weather requiring occupants to nestle together for body heat).

i. Permanent Vehicle Checkpoints

j. Messdecks, especially with triple bunks and with "hot bunking". (Sharing the same bunk at different periods of the watchkeeping day).

k. Armoured Vehicle (especially when 'closed down')

l. Barrack rooms.

m. Washing facilities which may even in modern nuclear submarines allow only one shower for 53 people, and where nudity, crowding and availability of facilities only for short periods is the norm.

ii. The feelings induced among heterosexuals when Privacy/Decency concerns are violated seem particularly likely to trigger physical aggression. These emotions are not aroused through contact with ethnic minorities; women are given segregated accommodation precisely to prevent such problems. Nor do they seem to occur in the abstract. In letters, interviews and discussions the same point recurred: Service people have probably lived or showered regularly next to at least one homosexual during their careers, "but what you don't know you can't worry about". Moreover, these concerns are independent of any calculations of risk of sexual assault or approach (though there could very often also be such apprehensions, whatever their realistic grounding).

iii. The Team considered the extent to which the introduction of curtaining could curtail these problems. In the RN there are already curtains in shower cubicles but this cannot prevent unavoidable displays of nudity in the communal waiting and walking spaces. On messdecks, although the bunks themselves have curtains, personnel have to change in the few feet of space between triple tiers of bunks and this is where the greatest Privacy/Decency issues would arise. In the Army and RAF under field conditions, mass shower units, for four persons at a time, and communal changing areas make curtaining impossible - as it obviously is in environments (a) to (h) above.

iv. It is imaginable, and has been claimed (in the letter at Paragraph 47 that at least some homosexuals in the Services can cease, through over-familiarity, to feel any sexual interest in intimate physical displays. But this is unprovable and heterosexuals evidently do not believe it would fit their own experience of equivalent situations. Nor does society accept that those, such as doctors and nurses, who could also be expected to develop an indifference to the sexual implications of nakedness, are thereby freed from compliance with Privacy/Decency constraints in general social life. Moreover, in sexual harassment cases the key defining feature is the subjective emotion and experience of the offended party.

v. As a problem area for integration of homosexuals Privacy/Decency issues may well increase over time as improved accommodation standards make individuals inside and outside the Services less tolerant of infringements of their physical privacy.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS, IN LETTER AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"Let's force Members of Parliament to take a homosexual into their home - that is what they are suggesting to us!" RN letter

"Unless one has lived in the conditions [not wardroom] that exist on a warship, it is impossible to appreciate the problems that open homosexuality would cause.

'Because of the impact on the lower deck and not the wardroom, I stress this, because of the total dissimilarity between officers' and ratings' accommodation this decision must be based on their attitudes - not those of high ranking officers or civil servants whose lives are unlikely to be affected in any way by the decision (unless they sit on the first court-martial resulting in injury or worse to a homosexual)." CC WEA 48, 33 years service

"On operations when not on duty on sentry, or on watch, a soldier may be expected to sleep, eat, defecate and wash immediately next to his place of duty. He cannot go away because he would prefer to" Lieutenant Colonel Army

"I have occasionally needed to 'snuggle-up' throughout the night with a colleague to share body heat. This is not unusual, it is sometimes necessary to survive. Never was my bed-partner chosen by me. Frequently, I have had to share a 'hole in the ground' or a two-man tent with someone else. Allowing choices of bed-partner for infanters in field conditions is impracticable. If forced to share my sleeping place with someone I suspected was homosexual, I would have definitely left the Service. It is completely unreasonable to expect a normal man to sleep cheek by cheek with a

homosexual. My son is in the Royal Marines. If I thought he might be forced to sleep with homosexuals I would have done everything in my power to stop him joining." Lieutenant RM

"Sharing a shower with a heterosexual black man or a woman is completely different from sharing a shower with a homosexual." Flight Sergeant RAF

"I would regard being looked at by a homosexual in communal showers or changing areas as a real form of sexual harassment" Major Royal Logistic Corps

"If a known homosexual was in the Marines and started to 'Go Down' as we call it [with hypothermia in Arctic Conditions]. I would not share my body heat with him. I'd rather he died." Royal Marine

"With the small amount of space that you have down our messdecks on board ships it is absolutely out of the question to bring homosexuals down there as well. I would not feel at all comfortable undressing in front of a girl who found the female body sexually attractive. Likewise the thought of showering in front of her... As a Catholic I would find it very disturbing" AB (WE) female, 24, 4 years service

"Men don't like taking showers with men who like taking showers with men." Warrant Officer RM, 36 years service

"I have worked with gays in civilian life and had no problems. It was however, an 8 to 5 job and we went back to our own homes. I find it unacceptable to have homosexuals in the Forces sharing rooms, showers or on ops living in close proximity" Corporal (Engineer) RAF, 37, 18 years service

"On a submarine bodily contact is inevitable and part of every day." Lieutenant Instructor RN, 30, 5 years service

"The 'no touching rule' between male and female personnel in the same ship is difficult enough to apply; between [those] in the same mess deck it would be impossible" Commodore RN

"In AFVs when vehicles go to the Battle Role the vehicle could be closed down possibly for several days. Being a vehicle commander I would feel uncomfortable having a homosexual with me for this time because defecation, washing and sleeping drills would be upset. Crews would work against each other rather than together. The Commander on Challenger has the Gunner between his legs and the toilet on the Loader side. This could cause considerable upset. I personally would not have a homosexual as my Gunner or Loader." Corporal RAC, 12 Years service

"A lot of people make reference to taking a shower with a homosexual and the reply is often 'They don't fancy everything that moves you know.' But what if they do? What if they fancy one particular individual and make it known? How is the straight person supposed to react? It would give rise to stress which would not normally be present" Leading Rate (WE) 27, 11 years service

"I visited a Permanent Vehicle Checkpoint near Londonderry. four man rows with bunk-beds about 3 foot apart. I asked the CSM what the effect on his team would be if the accommodation was shared by one or more homosexual. His reply was ...unprintable." Wing Commander RAF

"What is the homosexual's view of how women are accommodated in ships? Presumably they see no justification for separate messdecks, heads and bathrooms." Commander RN, 31 years service

"The insidious problem is that ... [some] one may be enjoying a sexual buzz during what the other believes to be routine

activity. When in the field you agree to surrender some (most? all?) of your privacy in the belief that no one will take advantage of this." Major Royal Logistic Corps

"The worst possible scenario I could see happening is sharing a room with 3 homosexuals as could happen in the Falkland Islands where junior ranks have 4 man rooms" Junior Technician 31, 8 years service

"To be blunt... in my unmarried youth I would have relished the opportunity to share a bed, room, tent, bath or shower with a [female]. What then would be in the mind of a homosexual in similar circumstances? If his thoughts and desires were as devious as mine, it would lead to a total disintegration of the trust and comradeship I have totally relied on till now" Soon to retire Wing Commander RAF

HPAT QUESTIONNAIRE

Q106. It would be acceptable for homosexuals to share accommodation with heterosexuals.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
11	9	14	12	32	10	19

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
79	84	71	82	45	78	68

Q107. It would be acceptable for homosexuals to share accommodation with other homosexuals.

Strongly Agree/Agree

Total %	RN		Army		RAF	
23	M	F	M	F	M	F
	18	23	19	50	27	32

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
56	M	F	M	F	M	F
	60	51	64	34	50	36

Q133. I would object to sharing a bedroom with someone of my own sex who was a known homosexual.

Strongly Agree/Agree

Total %	RN		Army		RAF	
79	M	F	M	F	M	F
	82	68	79	36	84	70

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
13	M	F	M	F	M	F
	11	22	14	46	9	18

Q135. If I were confident that they would not make a physical approach I would still object to sharing communal showers with someone of my own sex who was a known homosexual.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
69	73	61	72	29	70	53

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
20	17	30	18	48	19	31

POSTAL SURVEY

Q47. Personnel should be willing to share communal living facilities with declared homosexuals.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
5	6	8

Strongly Disagree/Disagree

RN	Army	RAF
M	M	M
88	88	83

Q68. I would object to sharing living facilities with declared homosexuals.

Strongly Agree/Agree

RN	Army	RAF
M	M	M
88	87	82

Strongly Disagree/Disagree

RN	Army	RAF
M	M	M
6	9	10

REFERENCES IN LETTERS

	A significant factor against policy change ?	
	Yes	No
1. Unique conditions of service life should prevent change	485	29
2. Accommodation problems from change	413	12
3. Ablutions/showers/latrine problems	283	9
	<hr/> 1081	<hr/> 50

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 10

INCREASED DISLIKES AND SUSPICIONS: 'POLARISED RELATIONSHIPS'

OVERVIEW

1. These problems form the crux of military concerns over group solidarity and unit cohesion.

a. Increased uncertainty about the sexual orientations of fellow Service personnel which could no longer be taken for granted as heterosexual.

b. Very serious concerns that attempted inclusion of known homosexuals would undermine the interpersonal dynamics necessary for effective and cohesive military teams

c. Resentments directed, consciously or unconsciously, at homosexuals over the distress and discomfort resulting from shared accommodation and washing facilities (see Privacy/Decency issues at Problem Area 9 above).

d. Particular RAF worries about flight safety as interpersonal relationships within the crew of an aircraft and amongst squadron personnel on an Air Force unit are considerably closer than, for example, among pilots working for the same airline. It is well accepted that high stress can markedly affect performance of aircrew duties. Additional stress and worsened relationships and an increased supervisory load on squadron executives would together be expected to create, in some cases, positive threats to flight safety.

e. Inhibited social behaviour for example jokes, mess games, entertainments, close single sex friendships time spent in others' company, especially in their rooms or cabins, or ashore, or on leave.

f. Bypassing of homosexuals in the formal command chain, especially over personal matters, and a potential weakening of the important informal structures of communication involving relationships of informal access between different ranks based on trust

g. Reluctance to give first aid to homosexuals or unknown fellow Service personnel (probably uneasily announced or joked about in advance). The extent of these anxieties may be influenced by the amount and the extent of HIV testing and the availability to management of the results. This would create clear tensions for the "Buddy-Buddy" system (of nominated individuals who are paired to look after each other).

h. Generally soured attitudes, irritability, personal enmities and resultant worsened communications and tolerance within units, ships, and bases. This would be exacerbated by the existence of real or suspected homosexual cliques or pairings. It would be an especially significant factor during stressful and prolonged peak loadings such as Defence Watches (RN), field conditions (Army) and RAF Operational Deployments.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS, IN LETTERS AND QUESTIONNAIRES INTERVIEWS AND DISCUSSION GROUPS

"I feel that to change the policy would attract some high calibre individuals at the expense of extremely high calibre teams." Sergeant Royal Signals

"Operations are like a pressure cooker: if you don't get on with someone in camp you won't get on with them on ops." Major, 32

"A happy ship is an effective ship." RN discussion group

"Human nature is difficult to change and this is after all not about what colour wall paper do we want in the office, but will Able Seaman X work well with Petty Officer Y in order to fight his or her ship effectively." Coxswain 28, 10 years service

"Living close together you have bad days and then you taunt each other. [The BBC documentary on] HMS BRILLIANT showed how women could be offended, but women have their own mess deck. Homosexuals would not be able to escape abuse." Leading Writer RN, 26, 9 years service

"In the Armed Services we are sometimes required to pay the ultimate price and to ask that requires implicit and total trust that requires some form of unique male bonding - if homosexuals were allowed to serve this would not form." Lieutenant Commander RN

"I believe it would be unrealistic to expect a known

homosexual to be protected [from danger during operations] by his colleagues in the same way as a normal man would be."

Senior Aircraftsman RAF, 21, 4 years service.

"In my posting to the Red Arrows, one of the potential new pilots was technically perfect but was not liked by any of the other pilots. So he did not get the job ... Technical expertise is by no means the best criterion for selecting an operationally effective team ... You can work with homosexuals but you will not be as effective as you could be." Squadron Leader Aircrew RAF

"Doing the job is not the issue here. The issue is doing the job better as a team." Lieutenant RN, 30, 5 years service

"In my experience social integration within a small group is even more important for a soldier than professional ability." Captain RAC, 27

"[In 23 years very active service including 2 years with the Army and 3 years afloat in the RN] I have never experienced a situation where the presence of [a known or strongly suspected homosexual] would have caused anything other than friction. In two isolated situations I have witnessed the spread of extreme disquiet when an individual's behaviour cast doubt on their sexuality and the accompanying lack of trust this caused. In both cases ... the mere suspicion made the working environment very unpleasant and tense. ... I do not think I exaggerate ... that lives could be put at risk by this erosion of trust and its effect on efficiency within teams." Company Sergeant Major RM

"In the Gulf War we had 3 people living in one vehicle cab, working in a close and sometimes tense relationship. I don't think we could have achieved this with a homosexual eating, sleeping and washing with us." Corporal Army Royal Logistic Corps

"I am a Tornado Navigator and flew a number of operational missions into Iraq and am therefore used to working at close quarters with my fellow servicemen in times of stress. I know how vital it is to be able to trust your friends and colleagues without hesitation. The presences of practising homosexuals in our midst would have been quite intolerable for virtually all the people I knew who were involved and this adverse effect on morale must be considered." Flight Lieutenant RAF

"The British Army works on trust; inclusion of homosexuals would destroy it. The homosexual soldier would be passed from unit to unit rather like the bad soldier." Major RA 34 years service

"My main concern is the effect of the recruitment of homosexuals on serving personnel's morale. If morale is damaged, the general attitude of the serving soldiers would change into resentment of known homosexuals or, maybe, even hate the target of such feelings cannot [then] be relied upon because nobody would be prepared to rely [on them]. This lack of trust would surely effect the combat effectiveness of the section or group....

I feel you cannot knowingly introduce into the Armed Forces a person who will not be accepted ... who will be detached from the rest of the group. The Forces work by camaraderie and team work. That cannot be effective when you introduce a loner [either by his own choice or through] knowledge or suspicion of his sexuality." Corporal REME

"Our selection procedures aim to weed out the potential outsider, the person who argues - who insists on his point of view at all costs - who fails to listen or the dullard with no depth of personality and unable to mix. No one really fears being chased out of the bathroom [by homosexuals].

Most of us would be able to cope with that. The argument is about undermining the solidity of the foundation on which comradeship and fellowship are built ... forcing us to allow outsiders in our midst." Flight Lieutenant RAF (Engineer)

"Friendships [among RN ratings] become very deep as the majority of the men are at an age when clubbing together from the home to the peer group is taking place ... Unlike civilians they have no respite from their immediate grouping and, even when ashore, have no real contact with anyone but themselves. Their friendships can become reasonably physical with horseplay and banter and, dare I say it, affection. Most will have a special "oppo". [Though on a messdeck] there was no modesty allowed in their lifestyles, nor needed... there was no stigma and no threat attached to [nakedness] so it was not unnatural or of any importance. Introduce homosexuals and the whole playing field changes

[like RN ratings], Officers develop healthy friendship and can spend many hours in each others company or in each others cabins, putting the world to rights. This would be instantly taboo or at the very least [questionable] because everyone would have to build artificial barriers against the introduced possibilities. Not because either suspected the other was queer, but because previously the issue never arose... one never had to defend oneself from the implied accusations. It simply never entered ones thoughts and when a colleague sat on your bunk you did not immediately have to consider whether you ought to jam your door open or call a 3rd party to attend... Removing the ban will lead to insecurity and a crisis of morale. The term oppo will develop a new meaning, the RN will be poorer for the experience and the homosexual will probably suffer most of all" Lieutenant Commander RN, about to retire after a career starting as an Apprentice

"Trust comes from mutual acceptance and reliance on each other... We spend a great deal of time moulding people to think, behave and act in the same way... Anyone who does not fit in is viewed with distrust and suspicion and can become a weak link. The infantry soldier... sees most issues in black and white. He lives a hard life with hard individuals in a very close knit intensive society with little privacy ... He is harsh with criticism and lives a life of permanent sparring, ribbing or joking with his mates. Those not fitting in are ridiculed mostly in jest but sometimes maliciously ...a [known] homosexual is likely to be treated at best as an object of morbid curiosity and at worst victimised ridiculed and intimidated." Major Infantry

"A chain is only as strong as its weakest link. The trust between heterosexual and homosexual service personnel whether superior, junior or [equal] would be the weak link." Captain Infantry 27, 9 years service.

"Everybody would question people's behaviour if homosexuals were allowed. Why did that officer not invite a woman to that event?" Lieutenant Fighter Controller RN

"We take the clothes off drunk colleagues now and put them to bed but if homosexuals were allowed in we might be accused of sexual assault." Sergeant RM

"It would upset the extremely happy hard working status quo that we have at present, by introducing doubt and speculation about everybody's motivation for joining the Corps. Men will ask themselves: was it for the physical challenge, travel and excitement or was it for the possibility of finding a partner? I joined [because] I wanted to live in a safe, friendly society where trust and honour matter more than anything else. I [would therefore leave]." Company Commander RM

"I would not give First Aid to a homosexual under any circumstances." Senior Aircraftsman, Air Traffic Control, RAF, 28, 12 years service

"As a member of a front-line squadron ... the environment I work in is moderately dangerous. We recently had an accident involving major blood loss. Everyone immediately ran to the casualty to give First-Aid and almost all were liberally splattered with blood. I would feel uninclined for want of a better word to give such First Aid to a known homosexual because of the increased risk of HIV." Corporal RAF, 30, 14 years service

"I would have to consider my future in the Service quite seriously if homosexuals were permitted to join. The effect on all aspects of service life would be far more deeply felt than the introduction of [other] minority groups, for example." Squadron Leader, Navigator, 37, 14 years service

SURVEY DATA

HPAT QUESTIONNAIRE

Q78. I would be content to work alongside homosexual Servicemen.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
18	13	38	10	68	18	44

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
72	78	52	79	21	72	35

Q79. I would be content to work alongside lesbian Servicewomen.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
27	24	26	27	61	27	38

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
49	52	61	46	21	49	44

Q108. Accepting homosexuals into the Armed Forces would cause suspicion and uncertainty between people.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
87	91	87	88	59	86	82

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
6	4	10	4	23	7	9

Q109. Accepting homosexuals into the Armed Forces would inhibit social behaviour.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
70	72	59	78	36	67	55

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
11	9	17	7	34	12	19

Q110. If I had to share showers and sleeping accommodation with known homosexuals, I would resent them.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
77	82	65	82	30	77	62

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
10	7	19	7	45	10	18

Q123. I would not want a homosexual, of my own sex, as my close co-worker (ie "buddy"/"oppo").

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
72	77	52	78	29	71	49

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
14	12	27	9	48	12	30

Q124. If someone did their job well, their sexual orientation would be of no concern to me.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
26	21	40	20	73	29	40

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
54	59	38	60	11	54	30

Q131. I would be content to be treated by a male homosexual military medic/dentist/nurse.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
19	15	35	14	64	17	34

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
65	73	48	69	16	64	49

Q132. I would be content to be treated by a lesbian military medic/dentist/nurse.

Strongly Agree/Agree

Total %	RN		Army		RAF	
28	M	F	M	F	M	F
	26	26	28	62	26	29

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
45	M	F	M	F	M	F
	46	61	42	23	45	57

Q138. Knowing someone, of my own sex and rank, who was homosexual would make it more difficult for me to work with him/her.

Strongly Agree/Agree

Total %	RN		Army		RAF	
73	M	F	M	F	M	F
	79	55	77	23	71	55

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
16	M	F	M	F	M	F
	12	30	11	59	17	35

POSTAL SURVEY

Q64. Declared homosexuals in the Armed Forces would cause a breakdown in trust within a unit.

Strongly Agree/Agree

RN	Army	RAF
81	82	70

Strongly Disagree/Disagree

RN	Army	RAF
8	10	14

Q69. I would be happy to give first aid to someone I knew was homosexual.

Strongly Agree/Agree

RN	Army	RAF
28	33	32

Strongly Disagree/Disagree

RN	Army	RAF
51	49	57

Q71. I feel I could rely on someone who I knew to be homosexual in a dangerous situation.

Strongly Agree/Agree

RN	Army	RAF
26	24	29

Strongly Disagree/Disagree

RN	Army	RAF
32	39	30

REFERENCES IN LETTERS

	A significant factor against policy change ?	
	Yes	No
1. Reduction in unit cohesion from change	442	17
2. Morale loss from change	371	13
3. Homosexuality especially unacceptable to Service personnel	553	37
4. Change would cause medical problems other than AIDS	113	0
5. Change would increase risk of AIDS/HIV to service personnel	123	3
	<hr/> 1602	<hr/> 70

Note: 639 letters were received but most letters covered more than one point.

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well established.

PROBLEM AREA 11

FAMILY ANXIETIES

OVERVIEW

1. There could be concern over, and opposition to, a continued Service career from families. Many Service personnel believe this would be continuously expressed in leave visits and in letters. It could be significant for younger Service personnel, especially if it were known, or suspected, that they had a homosexual instructor or immediate superior.

EVIDENCE

ILLUSTRATIVE WRITTEN AND ORAL STATEMENTS, IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"Parents of youngsters, even those over 18, still have a strong concern for the environment in which their dependants will find themselves". Lieutenant Colonel Army

"As a Careers Information Officer I deal with parents of young people who wish to join the Royal Navy. Young people, away from their parents and friends, are vulnerable and easily influenced. Managers should use this vulnerability and power to influence for good. It can be used to corrupt. The influence of older homosexuals worries me, particularly if they hold positions of power. Parents wish to know that their sons and daughters will be cared for properly. How can I reassure parents that their young offspring are safe from the advances of homosexuals? Because, if I cannot, my moral duty is to advise them not to join the Royal Navy." Lieutenant Careers Information Officer, RN

"[as an Army Schools Liaison Officer] ... should we shoot

ourselves in the foot again by allowing homosexuals free range in the Army with all the media attention this would draw. Parents might be less than enthusiastic in wanting their children to join." Major Army

"Would they be allowed Married Quarters in which to carry out their homosexual practices and what effect would this have on the Service community?" Warrant Officer RAF

"Also as a parent I find it totally inappropriate that if my son or daughter wished to join the Royal Navy they could be serving in a ship of the Fleet or Naval shore establishment with self confessed homosexuals. It is totally unacceptable" Chief Petty Officer RN

SURVEY DATA

HPAT QUESTIONNAIRE

Q66. Homosexuals present a threat to family life in the military community.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
46	49	27	55	18	45	25

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
23	20	27	18	57	25	38

Q122. My family would be worried if I had to serve alongside a homosexual of my own sex.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
40	45	35	45	18	34	23

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
31	29	33	26	59	33	52

Just over a third of the HPAT questionnaire respondents were aged 25 or under. Further HPAT analysis indicated these young Servicemen and Servicewomen were significantly more likely than those aged over 25 years to consider that their families would be worried if they had to serve alongside a homosexual of their own sex. 45% of the younger group agreed or strongly agreed that their families would be worried, while only 26% of the older group agreed or strongly agreed.

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
1. Change would lead to family anxieties	95	0
2. MOD in loco parentis	111	0
	<hr/> 206	<hr/> 0

CONCLUSION

The overall Survey results do not support the likelihood that this Problem Area currently presents major difficulties for Fighting Power, though Service people under 25 were significantly more likely to be concerned about this than those over 25. It should however be noted that, as with Problem Area 4 (Accusations of Sexual Harassment against Homosexuals), and for connected reasons, even a small number of incidents of misbehaviour by known homosexuals could change attitudes very rapidly on this.

PROBLEM AREA 12

RESENTMENT OF IMPOSED CHANGES ESPECIALLY IF CONTROLS ON HETEROSEXUAL EXPRESSION ARE TIGHTENED.

OVERVIEW

1. There were frequently expressed predictions of lowered morale and retention from feelings that:

a. Service personnel's well-established preferences and professional judgements were being ignored.

b. The importance of fighting power, their professional *raison d'etre*, was being subordinated to abstract political or legal principles.

c. The Services' ethic of putting the interests of the whole organisation first (even, if necessary, at the cost of individual lives) is being violated to benefit a small group.

d. Pressures on most Service people would increase through administrative and disciplinary measures to accommodate that minority.

e. Other, often much more pressing, restrictions on Service people's freedom, such as limitations on the right to bring friends of the other sex or alcohol to their rooms, were being maintained.

f. A more inhibitory behaviour code setting rigid limits on sexual expression affecting both sexes and all orientations would be introduced, as in the Canadian and Australian cases.

EVIDENCE

WRITTEN AND ORAL STATEMENTS IN LETTERS AND QUESTIONNAIRES, INTERVIEWS AND DISCUSSION GROUPS

"Many of those in favour of a policy change will never have worn uniform in their lives, yet they will trumpet Gay Rights What right have they to tell me what I am to accept while I am doing my humble part in preserving the security of the nation so that they can pursue their own particular, peculiar, pleasures? They have no right whatsoever and if they believe they have ... Why don't they visit their local recruiting office?" Lieutenant Commander RN, 51, 35 years service

"Why are the European Courts interfering in our affairs? Would the European Armies fight for the Falklands. No! So why do they dictate policy to us." RN ratings discussion group

"I would probably resign my commission if declared homosexuals are accepted into the Service and would regard a "Don't ask - Don't tell" policy as being a management cop-out, tantamount to the same thing." Lieutenant Commander RN

"Most heterosexual serving members will not tolerate this ruling being imposed upon them, and if it is, will it be a breach of my original contract?" Warrant Officer RN

"What I find just [as] distasteful is the thought that my life, and that of my shipmates, could be put at risk in the cause of political correctness and at the behest of a vocal minority." Lieutenant Commander RN

"There is a grave danger that a policy change will be forced upon the Ministry of Defence by well-meaning, but ill-informed, politicians and civil servants." Major, Army

"In society in general, there is a choice, if you don't like it then you can avoid or ignore it and even be outspoken against it. We do not have that choice in the military."

Wing Commander RAF

"The RAF has a proven method of overcoming threats to smooth running. We remove them [by] daily discipline measures involving little more than common sense... an opened locker door presents the threat that a weak willed person will be tempted to steal.... Our philosophy would be to discipline the custodian of the locker for allowing an opportunity for the Thief - the Threat. Alcohol is seen as a threat so its management is closely guided. These measures are typical. The threat though of homosexuals amongst us is actually being introduced".

Warrant Officer RAF

"One of the factors that helped me make up my mind to leave the Service is the constant decline of what might be termed 'old fashioned Service ethics and ethos'. The prospect of accepting homosexuals into our ranks is the last straw."

Squadron Leader RAF

"What next, drugs perhaps?" Senior Aircraftsman RAF Regiment

"[British Forces] should be allowed to select the people that the Services need for the future. Homosexuality is incompatible with Service life and we should not be forced to alter our selection criteria by some modern day idea of Political Correctness. We must select with the need of the Service in mind not the liberal ideas of a Minority"

Lieutenant RA 25, 6 years service.

"I support the current policy extremely strongly and if money were no object would resign my commission if it were reversed." Major Army

"We have our people at full stretch, and are demanding more from them almost daily. If we continue to demand too much, especially when a change is so unpopular, I fear we will change - we will lose many good people and will become a well run business organisation and welfare co-operative, NOT a fighting arm." Lieutenant Commander RN

"This is the bottom line - if, as seems likely, we are forced yet again by a minority group with a major voice to accept a decision which contravenes all our instincts and morals, then it will be to the detriment of the service, it will breed discontent, dissatisfaction, lower morale and ultimately chisel away at that foundation stone, discipline." Chief Petty Officer (S) RN

"The fact that homosexuals may have served in the Armed Forces in the past, and done so with distinction, does not change the argument. It is homosexuality which is overt or becomes known which is the problem. That which is successfully concealed and suppressed might as well not exist. To permit open homosexuality is to remove any incentive for concealment and self-restraint." Lieutenant Colonel Army

"I feel most strongly that we are being driven down an unwelcome path by a very small, but highly vociferous minority who are intent on forcing their views onto the rest of us for very selfish reasons." Lieutenant Colonel Army

"Firstly a service person has 'rights'. Secondly he must have the minimum of a moral right not to share his sleeping bag, bed, shower or even snow hole with a homosexual. Why? the answer is simple THE SERVICE PERSON IS MOST DEFINITELY NOT A CONSENTING ADULT." Company SergeantMajor RM

"Why change a law when there is no need? The Royal Marines have done better than good up to now. No matter what laws or feeling change in civilian life the Government and public must understand this that the RM is more than a job to its members and cannot be judged the same as other jobs." Lance Corporal RM

"Bring the RAF into the so called 1990's by bringing homosexuals in? I consider it very strange when we are not allowed someone of the opposite sex into our accommodation after midnight... would this mean that 2 people (known homosexuals) would be allowed in the same room after midnight?" Senior Aircraftsman, Dental, 9 years service

"We have rightly asked people's views [in the Naval surveys undertaken in mid 1995] and received a resounding response which gives no room for misunderstanding their antipathy... the system will loose credibility should the views of our people subsequently be ignored." Captain RN

SURVEY DATA

HPAT QUESTIONNAIRE

Q80. Acceptance of homosexuals into the British Armed Forces would be resented by most Service personnel.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
91	93	96	89	70	93	84

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
4	3	3	5	18	3	3

Q111. Accepting homosexuals into the Armed Forces would lead to tighter restrictions on heterosexual behaviour.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
40	41	39	46	39	36	30

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
18	16	26	15	25	20	26

POSTAL SURVEYS

Q66. I would not want to serve in [a Service] which included declared homosexuals.

Strongly Agree/Agree

RN	Army	RAF
77	76	60

Strongly Disagree/Disagree

RN	Army	RAF
11	13	20

REFERENCES IN LETTERS

	A significant factor against policy change?	
	Yes	No
1. Recruitment of heterosexuals would reduce	124	1
2. Retention of heterosexuals would reduce	120	0
3. Change would represent European interference	69	1
4. Sense of betrayal and resentment among service personnel if ban lifted	84	0
5. Pressure for change by small numbers of homosexuals against heterosexual majority	211	0
6. Accepting homosexuals would change "contract conditions"	12	0
	<hr/> 620	<hr/> 2

CONCLUSION

The likelihood of this Problem Area affecting Fighting Power seems well supported.

III. POSSIBLE BENEFITS OF ACCEPTING OPEN HOMOSEXUALS AND NET ASSESSMENT

92. To reach a net assessment of the impact of openly homosexual Service people on Fighting Power it is necessary to consider whether the negative tendencies set out in the Behavioural Model Figure 1 could be offset by any advantages. One possible gain might be in lowered tension and stress among previously covert homosexuals who would not have to maintain their pretence. In practice, however, it seems from the foregoing that if they disclosed themselves they would remain subject to considerable and probably increased stress from those around them. The experience of foreign Armed Forces (Section E-VII) indicates that they are indeed so far generally unlikely to disclose themselves. Their level of stress over avoiding disclosure of their orientation may thus remain much the same. Their numbers, though uncertain, will in any case certainly be lower than the heterosexual majority whose stress would be increased by the change. No precise quantification of prospective relative stress levels is possible but the following HPAT Questionnaire findings are significant:

Q141. Accepting homosexuals into the Armed Forces would increase the amount of stress in my environment.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
71	78	55	76	36	69	39

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	7	22	9	46	13	27

Similarly:

Q142. The Armed Forces would be a more comfortable environment if homosexuals were accepted.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
3	3	3	3	7	2	5

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
84	87	85	85	57	86	65

93. Another theoretical gain from accepting homosexuals might be through increased numbers of qualified applicants for Service careers so that the quality of Service personnel rose, or undermanning was avoided. This might be a factor of importance when considering manning mass conscript Services enduring serious losses, as in the Second World War, where anecdotal historical accounts indicate that rather little attention was sometimes paid to fairly evident suspicions of homosexual orientation. Open manifestations of homosexual activity were, at that time, in any case inhibited by the then total prohibition of male homosexuality in civil as well as military life. But today's circumstances are very different. Expressions of homosexuality are widely apparent in civilian life. The Services depend on voluntary enlistment, many Service specialisations are oversubscribed and instituting redundancy, and even where undermanning is a problem it is the judgement of the recruiters (see Section G-VI) that acceptance of known homosexuals would be a negative factor for recruitment and retention.

NET ASSESSMENT

94. Some of the assumptions in the Behavioural Model have not been strongly confirmed by Service peoples judgements. Thus it does not seem likely that Accusations of Sexual Harassment against Homosexuals (Problem Area 4) or Family Anxieties (Problem Area 11) would be at present significant causes of loss of Fighting Power (though this could change rapidly). It also appears that rather few Service people would be likely to lose confidence in the tactical decisions of homosexual officers and NCOs. But the consistency and synergy of the remaining set of judgements is very striking. Overall it is difficult to avoid the conclusion that in considering the impact on Fighting Power any hypothetical potential gains from acceptance of open homosexual Service people are enormously outweighed by the very definite risks and losses itemised above. There may be other considerations involving the Services' image or ability to reflect outside society, but these are distinctively different issues and do not affect the fundamental judgement over Fighting Power. The statistical data presented below show conclusively and from multiple angles how strongly Service personnel have shown themselves to share this conclusion.

OVERALL EVIDENCE

ILLUSTRATIVE STATEMENTS

"In the final analysis success in combat depends on more than technical skills. It is my concern that the extra qualities of discipline, trust and morale may be seriously damaged when there is no demonstrable operational or legal need for us to follow this route." Group Captain RAF.

"What we have to allow for [in the Service] is the worst case situation, not the run of the mill day." Flight Lieutenant RAF 45, 29 years service

"There are certain areas where the [Armed Forces] must remain necessarily different from society as a whole, [if they are] to maintain their ability to prosecute war. Homosexuality remains such an area." Colonel Army.

SURVEY EVIDENCE

HPAT QUESTIONNAIRE

Q82. Military life is so unlike civilian jobs that excluding homosexuals is justified.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
78	84	74	80	37	78	60

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	8	9	11	36	13	21

Q83. Homosexuals should be excluded from the military because their presence would damage combat effectiveness.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
71	74	52	78	30	70	52

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
13	10	19	10	46	14	25

Q71. Accepting male homosexuality in the military would reduce combat effectiveness.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
69	70	46	77	36	70	47

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
13	11	22	10	36	12	29

Q67. Male homosexuality is incompatible with service life.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
81	86	80	81	55	80	66

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
60	8	10	11	27	10	19

Q72. Accepting lesbianism in the military would reduce combat effectiveness

Strongly Agree/Agree

Total %	RN		Army		RAF	
56	M	F	M	F	M	F
	60	45	56	21	59	47

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
17	M	F	M	F	M	F
	14	22	14	52	15	26

Q70. A person's sexual orientation should not be a bar to their being employed in the Armed Forces.

Strongly Agree/Agree

Total %	RN		Army		RAF	
20	M	F	M	F	M	F
	14	25	17	57	20	38

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
72	M	F	M	F	M	F
	80	64	76	30	71	47

Q74. Homosexuals could serve in my specialization without damaging combat effectiveness.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
19	14	32	14	30	66	38

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
67	71	48	76	30	66	38

Q73. The MOD's policy on homosexuality should remain unchanged.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
80	80	78	84	50	78	58

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	8	14	9	43	12	29

POSTAL SURVEY QUESTIONS

Q40. Homosexuality, male or female, is incompatible with service life.

Strongly Agree/Agree

RN	Army	RAF
90	88	83

Strongly Disagree/Disagree

RN	Army	RAF
6	8	10

Q41. Homosexual behaviour can cause offence, polarise relationships, and lead to ill-discipline.

Strongly Agree/Agree

RN	Army	RAF
94	92	88

Strongly Disagree/Disagree

RN	Army	RAF
3	4	7

Q42. Allowing homosexuals to serve would damage morale and unit effectiveness.

Strongly Agree/Agree

RN	Army	RAF
91	89	81

Strongly Disagree/Disagree

RN	Army	RAF
5	6	9

Q53. The ban on homosexuals in the Armed Forces is based on prejudice rather than on its impact on operational effectiveness.

Strongly Agree/Agree

RN	Army	RAF
14	16	20

Strongly Disagree/Disagree

RN	Army	RAF
77	76	67

LETTERS RECEIVED BY HPAT

For change	587
Against change	41
Ambiguous	11
	<hr/>
	639

G. OTHER ISSUES

I. COST AND ACCOMMODATION

95. In view of its Terms of Reference, the Team has not concentrated on issues of cost, where useful figures are, in any case, largely unavailable. One potential additional source of costs for the Ministry might be claims for harassment or discrimination by or against homosexuals if they were formally admitted. Such costs might occur after any change in policy but are so dependent on future legal developments, homosexual visibility and Service attitudes as to be impossible to discuss usefully.

96. The key financial factor, if the existing policy were changed, is usually assumed to be accommodation. There have been widely quoted complaints in many letters from Service personnel that new categories of segregated accommodation, lavatories and showers would have to be constructed for homosexuals of both sexes at the expense of much more important defence priorities. This is a misconception. In order to maintain fairness and equal treatment it could not be acceptable to allow a distinct category, exactly composed of those likely to be expected to be sexually attracted to one another, to live together in this way when all other servicemen and women remained sexually segregated. This would make control of sexual behaviour impossible to assure and further undermine cohesion. Whatever the actual level of sexual activity, segregation of this kind could create suspicions, resentments and sexual envy amongst heterosexual Service people. It is also very likely that segregation of accommodation by sexual orientation might create relatively luxurious, because less crowded, conditions for homosexuals even of junior rank, which would be a further cause of discontent among the heterosexual majority.

97. In the most difficult environments of all, such as warships, the pressures on space dictated by naval architecture, which enforce close quarters sharing and raise the most severe Privacy/Decency issues, also mean that it would be physically impossible to provide new separate messdecks or ablutions. Overall, the effect of accepting open homosexuals might mean a somewhat higher priority being given to the construction of individual en-suite accommodation in peacetime base environments when making budgetary decisions. It is not possible to make a worthwhile calculation of cost.

II. WASTED TRAINING

98. In the Judicial Review of the present policy the Applicants' case made much of the cost of training tied up in those who are discharged for homosexuality. It should be remembered that while training costs are certainly significant these are sunk costs. The cost of training personnel subsequently to be discharged on grounds of homosexuality is small in proportion to the training invested in all those who move out of specialist jobs, retire from the Services, or are forced out of extremely expensive specialisations, such as aircrew, through injuries, every year. The Applicants could not have remained in the Services indefinitely: average lengths of service are 13 years for officers and 14 years for other ranks. To put matters in context comparative figures are shown below:

PERSONNEL OUTFLOWS FOR 1993-94
(calculations to 3 decimal places)

Royal Navy/Royal Marines

Training Budget (financial year 93/94)	£653M
Personnel Outflow (financial year 93/94)	5,106
Homosexual discharges (calendar year 1994)	13
Homosexual discharges in calendar year as % of total outflow in FY 93/94	0.255%
Total strength at 1 April 1994	55,779
Homosexual discharges in calendar year as % of total strength at 1 April 1994	0.023%

Army

Training Budget (financial year 93/94)	£500M
Personnel Outflow (financial year 93/94)	20,921
Homosexual discharges (calendar year 1994)	30

Homosexual discharges in calendar year as % of total outflow in FY 93/94	0.143%
Total strength at 1 April 1994	123,028
Homosexual discharges in calendar year as % of Total strength at 1 April 1994	0.024%
<u>Royal Air Force</u>	
Training Budget (financial year 93/94)	£250M
Personnel Outflow (financial year 93/94)	6,101
Homosexual discharges (calendar year 93/94)	8
Homosexual discharge in calendar year as % of total outflow in FY 93/94	0.131%
Total strength at 1 April 1994	75,681
Homosexual discharges in calendar year as % of total strength at 1 April 1994	0.011%

99. Any deterioration in retention rates as a result of an unpopular policy change over homosexuality would tend to cancel out the training costs of discharged homosexuals. (See Section G-VI below). There might also be further offsetting effects from any discharges for disciplinary infractions arising from the frictions between heterosexuals and open

homosexuals. Overall, if as the majority of Service people believe, the introduction of open homosexuals would lead to a significant reduction of Fighting Power in a military system costing £21 billion in 1995/6, the wasted training costs of a small number of discharged individuals are justified many times over.

III. INVESTIGATIONS INTO HOMOSEXUALITY

100. An unquantifiable but smaller amount has been quoted as a cost of the present system for the diversion of Service police from other tasks into the investigation of homosexuals. Separate identification of such costs is not possible as investigation into homosexuality is part of normal Service police duties.

IV. FUTURE ENTITLEMENTS FOR HOMOSEXUAL PARTNERS

101. This is a doubly hypothetical category of additional expenditure which would first depend upon a MOD decision to accept homosexuals, and secondly, upon possible changes in the wider social and legal systems. At present there is no indication that the State will recognise marriages between homosexuals. The MOD does not generally acknowledge the legitimacy of any relationship other than marriage, although it will provide family accommodation for unmarried heterosexual personnel and their dependant children. The MOD has no requirement at all to pioneer change in this area but, if it accepted homosexuals and if the law changed at a national level it might have to change its policy appropriately and this could lead to extra expense. Against this however, may be a lower propensity among homosexual people to marry, even if marriage became available to them, and perhaps too, a lower likelihood of having children, which would in any case tend to reduce their personnel costs relative to heterosexual personnel.

V. HOMOSEXUALITY AWARENESS AND TOLERANCE TRAINING

102. This Assessment has emphasised that integrating known homosexuals would be difficult. Expensive and time consuming training courses might be required to assist the process, and this point has several times been made in letters from Service personnel. In fact the general experience of foreign Armed Forces seems to have been that controlling behaviour has been more effective than attempting to change attitudes in such a contested and emotive area and against strong group resistance at unit level. Where basic attitude change has been tried it appears to have failed. This seems unlikely therefore to be an activity to which the MOD would wish to commit large amounts of time or money. If required, the subject would probably be best addressed as part of an integrated programme for equal opportunities training in the military.

VI. RECRUITMENT AND RETENTION RATES

103. A number of colleges and university student union societies have sought to restrict access to the MOD recruiters and Officer Training Corps activities on the grounds of the alleged homophobia of the present policy. Nevertheless, the general advice of Service recruiters has been that **a change of MOD policy to accept homosexuals would damage recruiting.** HPAT Q84 addressed this possibility: 65% believed this would be so; 13% disagreed. **Question 46** of the Postal Survey further corroborated these opinions: 77% of RN, 80% of Army, and 66% of RAF respondents agreed that **permitting declared homosexuals would make their Service less attractive to recruits;** 8%; 10% and 16% respectively **disagreed.** Letters and discussions indicated that effects on cadet forces might be particularly marked as a result of parental unease.

104. Approximately 61% of those questioned by HPAT in its Question 112 also believed that there would be a fall in the retention of heterosexual personnel in the Services if homosexuals were accepted; 13% disagreed. To the equivalent Question 66 of the Postal Survey "I would not want to serve in [a service] which included declared homosexuals", the numbers agreeing were RN 77%, Army 76%, RAF 60%; and disagreeing 11%; 13% and 20% respectively. Very many Questionnaires and letters stated strongly that their authors would never have joined the Services if homosexuals had been admitted and would leave immediately if they were now admitted. It is difficult to know precisely how seriously to take this. Financial commitments and lack of employment alternatives for some (though 80% of ex-Service personnel seeking jobs find one within 3 months) probably mean no immediate mass exodus would be likely. The eventual effects might largely depend on how visible homosexuals actually made themselves to large numbers of Service people. Even so, these responses from Service personnel suggest strongly that overall recruitment and retention rates would go down if there were a major change of policy. This would be very likely to outweigh any additional inflow of qualified homosexual personnel, or the retention of the small numbers who are at present discharged. At worst, reduction in retention would also involve a dilution in experience:

"I would never work knowingly alongside a [homosexual] and would leave the Army before doing so. Which would be the bigger loss: A well qualified war experienced NCO or a [homosexual] recruit?" Lance Corporal Infantry 24, 8 years Service.

VII. INTEROPERABILITY OF PERSONNEL WITH ALLIED FORCES

105. It has been argued that the ban on homosexuals in the British military creates unnecessary problems when working with Allied Nations whose Armed Forces do accept them, and that this may even undermine the success of joint operations. On closer consideration several points need to be made:

- a. In all HPAT's discussions, British Service personnel have shown a robust indifference to arrangements in foreign forces, and no concern over what degree of acceptance even closely integrated Allies like Dutch Marines give to homosexuals. The principal point for the average Service person is that those others are not British, have different standards, and are thus only to be expected to do things differently.
- b. Personnel from different nations are usually accommodated apart.
- c. The evidence from foreign Armed Forces is that very few homosexuals, in practice, do "come out".
- d. The overall chance of one of these very few open homosexuals happening to be in a situation where their sexual orientation would become a problem with British Service personnel is, thus, very remote.
- e. For exchange postings, the UK restrictions on homosexuality have so far presented few problems. There is some risk of complicating Allied personnel posting policies. This is regrettable, but unavoidable if the UK policy, which clearly should only be maintained if it

meets far more serious objections than this, is to continue.

f. Any such residual difficulty would be offset by the fact that many friendly, non NATO countries do not tolerate homosexuality in their Armed Forces and the Americans do not accept practising homosexuals. Integration of open homosexuals into the British Services could therefore present new difficulties for the UK in filling exchange and loan postings in these countries.

VIII. PUBLIC OPINION AND EFFECT ON THE IMAGE OF THE SERVICES

106. A number of letters to HPAT have mentioned the alleged detriment which would occur to the Services' public image if open homosexuals were accepted, and the theme has recurred in interviews. There was particular concern over whether, after a change, there would be a tendency for the general public to regard Service people as disproportionately homosexual. There have been rather fewer letters or Questionnaire comments which have argued the opposite point, that the Ministry's continued resistance to social changes, which much of the rest of Europe and NATO have (at least ostensibly) accepted will cause it to appear increasingly archaic and hypocritical. This latter argument has understandably been stressed by Stonewall and its sympathisers.

107. HPAT limited its data collection to surveying the attitudes of serving military personnel. Outside public opinion was, however, canvassed by a Guardian ICM poll (Guardian 14 Dec 95). It is understood on the 8th and 9th of December 1995, 1201 randomly selected adults were telephoned and asked:

"If a person is a declared homosexual living in a stable relationship with a partner, should they be allowed to take a job in the Armed Services?"

The results were that 62% said "yes" and 33% "no". (The figures were 55% "yes" and 41% "no" for men and 69% "yes" and 26% "no" for women). Those polled were also asked whether or not homosexuals should be allowed to take jobs in the Police Service, as an MP, in teaching and in the church. The overall results were as follows:

Police Service	yes 72%	no 22%
The Church	yes 70%	no 25%
MPs	yes 78%	no 18%
Teaching	yes 72%	no 22%

108. The question asked only about declared homosexuals living in a stable relationship with a partner. The results might have been different had covert homosexuals and those outside stable relationships been considered too, as they would have to be, if the policy changed. It is not recorded how many of the respondents had had military experience. Even so, the results suggest that more of the general public consider that homosexuals, even in a stable relationship, should not be allowed to serve in the Armed Forces than in any other occupation, including the Police Service.

109. It is obviously also relevant that in the HPAT Questionnaire, about 76% of all Service personnel believed that (Q 85) "Permitting homosexuals to serve in the British Armed Forces would damage the reputation of the Services in the eyes of the public"; some 10% disagreed. In the Postal

Survey 80% of the RN; 81% of the Army and 72% of the RAF disagreed with Q50: "Allowing declared homosexual to serve would not damage [my Service's] reputation. 13% [14%] and 16% respectively disagreed. The disparity with the Guardian Poll may be explained by the assumption of a greater military knowledge and interest and more traditional values among the communities, families and friends which matter most to Service people.

110. In addition between 4 September 1995 and 22 December 1995, letters from members of the public were received by the MOD as follows:

For continuation of the present policy ie. excluding homosexuals from the Armed Forces: 98

For a change in the present policy ie. to allow homosexuals to serve in the Armed Forces: 35

Members of the public who wrote more than once on the subject, or who did identical "round-robin" letters to a number of Ministers or MPs during the period have been counted once. There were also 23 letters where the wording and layout was either identical, or differed only very slightly; these were evidently the result of lobbying by pro-homosexual support groups - Lesbian and Gay Action Network, Parents' Friend, Stonewall and Rank Outsiders were all specifically mentioned.

IX. IN LOCO PARENTIS ARGUMENTS

111. Over 100 letters from Service personnel mentioned the MOD "in loco parentis" responsibilities for young Service personnel as an argument against change in policy towards homosexuality. It was also raised by the MOD's a factor in the Judicial Review proceedings. This is a serious issue:

over 45% of Army, 20% of RN and 10% of RAF recruits are under 18. Anything which allowed their sexual exploitation by older, more senior, personnel would be of major concern. In fact, even if openly homosexual personnel were accepted into the Services, existing Service and civilian law would prevent and punish homosexual activity involving both underage men and women, especially if abuse of rank were a feature. Civilian law permits individuals to engage in homosexual activity if they are above the minimum age (18 for men, 16 for women). Homosexual activity which is permitted under civilian law may not in itself be an offence under Service Law. Sexual misconduct, such as that involving abuse of rank, may still be a Service offence. Providing these laws continue to be properly enforced, the "in loco parentis" issue, though important, does not in itself seem to require the exclusion of all homosexuals from the Services. It is also apparent that in civilian life homosexuals are not prohibited from working with same sex children and adolescents who are much younger and more vulnerable than recruits to the Services.

112. Nevertheless, as Section F, Problem Area 8 (Sub Cultural Frictions) points out, the perception that older and more senior Service people were influencing the still malleable sexual orientation of their juniors could be expected to be a source of very considerable resentment and tension. Moreover it is the judgement of the recruiters that fewer younger people would be encouraged or allowed to join the Armed Forces by their families if restrictions on homosexuality in the Services were seen to be loosened or removed.

X. WIDER NATIONAL INTERESTS?

113. Certain arguments have been advanced suggesting the analogy between integration of homosexuals into the British Armed Services and past American efforts, despite

considerable in-Service opposition, to integrate black Service people in the US Armed Forces. This policy is generally acknowledged to have wider positive benefits by raising the status and economic circumstances of a multiply disadvantaged minority. Some might argue that this would be a national social goal worth some loss of Fighting Power to achieve.

114. In fact few of the underlying factors appear comparable. It is not apparent that homosexuals are an economically disadvantaged group who need assistance to overcome their economic position. (It is understood that there have been press statements from homosexual groups that in Britain homosexuals are on average better qualified than the average population). While the Team was aware of recent scientific research indicating a possible genetic component to homosexuality it is not generally disputed that homosexuals are born in each generation overwhelmingly to heterosexual parents, and there consequently seems little question of intervening to overcome a cumulative intergenerational cycle of deprivation.

115. Service in the UK Armed Forces is not, as it is for example in Israel, an expected preparation for adulthood, so that absence of a military record does not amount to a permanent stigma. Nor, since the British Welfare State is available to all, are the Armed Forces, as in the US, an important route to entitlements such as health care for dependants. All this limits any wider gains. Some certainly would benefit from change: in practical terms individual homosexual service people or would-be service people, and, symbolically perhaps, the homosexual community as a whole. But, given Service attitudes confirmed by the HPAT assessment, their satisfaction on the issue could only be achieved (quite apart from the loss of Fighting Power) at the cost of continuing affront to the feeling of the great majority of Service people - and very probably also many ex-

Service people and to a lesser extent, perhaps, the families of both.

116. Finally it should be emphasised that change in the US military meant precisely the overcoming of the morally troubling national anomaly of segregation within the Forces. In the UK the objection is in a way the opposite: Service feelings and the pressures of military life and work are such that it would appear to be largely impossible to overcome serious informal segregation if homosexuals ceased to be excluded. This new anomaly, with its resultant frictions, would become both a problem for Fighting Power and probably also a continuing source of complaint and national dispute.

117. The overall validity of analogies based upon women or ethnic minorities with the question of homosexuals in the military is discussed in Section L.

XI. ENFORCEMENT OF THE PRESENT POLICY AND GUIDELINES

118. If the present policy were now being enforced in a heavy handed or unfair way, it and the Ministry might be brought into disrepute. There have been a number of Parliamentary Enquiries on this issue and HPAT received letters emphasising how distressing investigations under previous rules had been. If therefore attempted to form impressions of whether this might still be the case. Q148 of its Questionnaire asked **whether MOD's procedures for dealing with homosexuals who are identified in the British Armed Forces are acceptable: 71% thought yes; 13% no; 14% did not know.** Judging from the widespread ignorance encountered by the Team of how the procedures had changed, these figures can only be indicative since it is likely that attitudes to the policy itself were being reflected. Presumably only those who have themselves recently been through the investigation process could know precisely how the procedures functioned, although their

Commanding Officers would know of the steps taken in each case. Neither of the two officers seen by HPAT had complaints about this since both had decided to declare their orientation as soon as challenged (as a result of information about their outside life reaching their Commanding Officers). No others in the course of discharge chose to come forward to discuss their experience or to write in about the way they had been treated.

119. HPAT received one letter from a large Naval shore establishment stating that while in the 12 months up to October 1995, five ratings had been discharged for homosexuality, and none of the cases had been the subject of any representation or complaint, a representation had now been received in a sixth case. The letter was heartfelt and strongly opposed to the MOD's policy but made no complaint about the treatment experienced by the individual himself in investigations or discharge.

120. The only other evidence reaching HPAT was a comment added to a Servicewoman's questionnaire.

"I am leaving [my service] in [mid] 96 after being accused of being gay by the [Service Police]. The way I was treated was appalling. People pointing the finger and willing guilt on. Lifting this ban would bring an end to accusations and 'behind the door' gays. Humiliation is not nice."

True to its promise of anonymity, HPAT did not attempt to find out her identity and hence was unable to investigate the strength of her complaint or what behaviour had prompted the investigation and brought in the Service Police. She did not choose to take up the invitation on the Questionnaire to make contact with the Team over any issue she wished to go into more fully. It is possible that her investigation was

conducted under previous guidelines and that suspicions had persisted. The fact that she would be remaining in the eight accusations had been proven. It may be that she was objecting as much to the existence of a policy which inevitably involve investigations as to its specific method of implementation, or to the attitudes of fellow personnel

121. Nevertheless it is quite understandable that, however civilised the process, the experience of investigation will be painful and it cannot be denied this is part of the cost of the policy. However as negative evidence, approximately 60 Service people are discharged or dismissed for homosexuality each year and no other such complaints have been expressed to the Team between mid September 1995 and January 1996. Moreover, foreign experience indicates that lifting the ban does not in fact stop the vast majority of homosexual men and women remaining covert, presumably because of negative "finger pointing" reactions from their colleagues which seem to remain constant whatever the formal rules.

H. MEDICAL ISSUES

122. The Team invited the Surgeon General and his staff to advise on the medical issues related to the acceptance of homosexuals in the Armed Forces, from the perspective both of the possible impact on the Defence Medical Services (DMS) and of the perceived health concerns voiced by many of those in the Armed Forces to whom the Team have spoken.

123. Looking first at the general health burden on the DMS, it has not been possible to assess whether the acceptance of homosexuals would have any broad impact upon the health of the Armed Forces generally. The sexual orientation of patients is not recorded by the NHS and is generally unknown to a medical practitioner. Because of this the size of the denominator is unknown and there is no firm data on the morbidity of the homosexual population in the UK. In the view of Surgeon General's staff, however, there is no evidence to suggest that any significant overall health deterioration would result specifically from the acceptance of homosexuals although there is a higher prevalence of AIDS among male homosexuals than heterosexuals. The total numbers of AIDS cases involved in the Armed Forces are very small.

124. Nevertheless, it has been apparent from all HPAT's investigations that a major concern in the Armed Forces at large is clearly centred round HIV and AIDS, particularly in the context of assisting wounded colleagues in operational situations. But there are also linked health concerns about the increased susceptibility of these individuals to other infections, for example TB. The intensity of these concerns is not proportionate to the clinical risks involved. In fact, individuals who are HIV positive do not suffer excess morbidity until their immune systems break down: 50% remain well for 10 years, 35% for 14 years. In the general

population, it is known that among those who are diagnosed as HIV positive at present the condition has been acquired by the following means of transmission:

Male homosexual	61%
Heterosexual (male <u>and</u> female)	17%
(males	9%)
(females	8%)
Injecting drug abuse	11%
Blood/tissue transfer	7%
Undetermined	4%

It will be seen that just under one-fifth of the transmission by sexual routes is now heterosexual and this proportion is increasing. The majority of people with HIV and AIDS in the UK are male homosexuals but even in nominally entirely heterosexual Armed Forces, servicemen are going to be at risk. The DMS currently provide care for those diagnosed HIV positive, as for those infected with other sexually transmitted diseases, such as Hepatitis B, which is many times more infectious than HIV. Health practices are already in place to minimise the risk of cross infection to those, for example, required to administer first aid either in peace or in war.

125. A total of 35 cases of HIV-infected individuals or AIDS sufferers have been reported through the DMS and consultants are aware of at least 9 who reported to the NHS for treatment. All those known to the DMS receive counselling from nominated consultants. The additional burden of care of HIV/AIDS patients likely from the known integration of homosexuals into the Armed Forces is impossible to quantify.

However, as the structures for care and protection are already in place, and as heterosexuals would continue to outnumber homosexuals by a large factor, Surgeon General's staff do not believe that this would place an unacceptable burden on these services.

126. It has been suggested by some that, should homosexuals be accepted into the Armed Forces, the introduction of compulsory HIV testing/screening would provide a degree of assurance to heterosexual Service personnel that the colleagues with whom they are working and fighting side by side pose no health risk. This argument was put to the Surgeon General's staff. They felt that the underlying concerns revealed by the proposal were based on ignorance of the medical facts and more than anything indicated the need for better HIV/AIDS education. They emphasise that some risk from HIV already exists, albeit to a lesser extent, in a heterosexual environment. Compulsory testing would have no medical justification, in that it would not benefit the patient by care or cure with an appropriate intervention; whether or not to screen compulsorily would therefore be a Service policy decision and not a medical requirement. It is firm Government policy that there should be no compulsory testing for HIV in the private and public sectors. Testing should be voluntary and with explicit consent.

127. The reasons for resisting compulsory testing are ethical and practical. Ethically, it has always been argued that HIV testing should be a matter for individual decision. Amongst the practical considerations is that even if compulsory testing was introduced for all recruits and/or those already in the Services, an HIV free Armed Forces would not be guaranteed. Testing does not offer a guarantee of freedom from infection since HIV antibodies cannot be detected during the initial 3-6 month period following infection with HIV.

128. Although it is still open to the MOD to propose changes to its present policies on AIDS and the Armed Forces, it would be necessary to establish not only that changes were essential in the interest of Defence policy, but also that any changes would not prejudice overall Government policies on AIDS. Compulsory testing would also need to be covered by appropriate legislation.

129. On medical grounds alone, the Surgeon General would not argue for the introduction of compulsory testing but accepts that it could be useful in providing reassurance to other Service personnel, if this were judged essential on personnel policy grounds. To be reassuring, however, the testing would have to be fairly frequent (which is not cheap to arrange) and probably carried out before and after each foreign deployment, as is the pattern in the US, Canada and Australia. Moreover, full reassurance could only be achieved if there were a stated policy that in future personnel found to be HIV positive would not be permitted to serve in operational units where the risks of infection would be greatest. This would be exceptionally difficult to enforce in practice (it would for example involve exclusion from all RN ships yet Service personnel have to be available for frontline operational service in any environment regardless of nominal trade or unit) and could be challenged as being discriminatory. These changes would create a far reaching precedent for civilian emergency services such as the police and fire and ambulance services. They could not be made without extreme difficulty.

130. It is hard to make any firm statement about how effectively reassurance and medical education could be achieved if homosexual men were allowed into the Services. Factual understanding of AIDS and knowledge of relative risk factors seemed very low to HPAT (though it is understood that detailed advice is provided both throughout Service

personnel's careers and also before deployments to risk areas overseas). Changes would certainly be needed, but it is evident that the Service audience will not be easily convinced, and that much of the hard statistical evidence on the real dangers of helping wounded homosexual comrades in combat, which would be needed to construct education packages appropriate to a new policy, is simply unavailable. Without such packages, and probably some system of compulsory HIV Testing, real acceptance and integration of openly homosexual Servicemen would be seriously prejudiced by emotional reactions and resentments about the threat of AIDS. The scale of current anxieties over AIDS is shown by answers to the following HPAT Question:

Q134. If the military accepted homosexuality I would willingly give first aid, involving bodily fluids, to anyone I did not know.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
21	18	19	25	55	17	19

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
62	66	52	56	30	68	65

131. It is also necessary to consider whether any move to accept homosexuals would lead to demands from allied nations that British Service personnel including entire warships' companies, are HIV tested for visits, courses, exercises or exchange postings. So far only the US has insisted on HIV testing for UK (as for all foreign military personnel) personnel, and only for those attending military training courses. A declared policy of accepting open homosexuals

could, however, lead to US insistence on HIV testing for entire RN warship companies. However, the Association of British Insurers has withdrawn its previously recommended question on HIV tests and life insurance companies will no longer seek information about HIV negative test results. Taking an HIV test therefore, providing the result is negative, will not subsequently create difficulties when applying for Life Insurance.

132. Finally, the issue of blood transfusions has also been raised as a possible source of concern in that personnel who suspected they are HIV positive might offer to donate blood in order to obtain an HIV test indirectly, which they would not have to declare. The unfounded fear that the blood supply could be put at risk in this way can be met by assurances that all blood supplied to Service personnel is screened for HIV (and hepatitis) prior to transfusion, even in operational conditions.

I. SECURITY

133. Homosexuals were until recently banned from sensitive positions in the Civil, Diplomatic, and Security Services as security risks. It is now accepted that openness about their sexuality can enable homosexuals to resist blackmail attempts and these restrictions have accordingly been lifted. Decisions on clearance for all staff take into account lifestyle in its broader sense which may increase vulnerability to pressure or blackmail. Advice from the Service Security and Vetting Authorities is that the open acceptance of homosexuality in the military would on balance represent a slight advantage in security terms. Security and vetting officers emphasise that personal disclosures on any subject including sexual orientation will not be passed on into the Command chain. Finally, the Service Vetting Authorities indicate that because many homosexuals may not wish to reveal their orientation to their colleagues even if the system were changed to allow it, they could therefore retain a marginal openness to blackmail under total formal acceptance. It is not clear however that this would be any greater a risk factor than exists for adultery.

J. APPRAISAL

I. CONTEXT

1. THE CIVIL AND MILITARY AUDIENCES

134. Because it has become the subject of a highly publicised legal challenge and seems likely to involve the European Court of Human Rights, the MOD's policy on homosexuality in the Armed Forces has now assumed a considerable political and legal salience both for the general public and Service personnel: 87% of the latter agreed with HPAT Q144: "The policy on homosexuality is a very important issue for the British Armed Forces," and only 5% disagreed.

135. One side of the dispute emphasises the importance of the Forces being seen to conform to the general civilian values of fair treatment and non-discrimination against any group on the basis of their identity rather than their conduct. The other side stresses both the priority of avoiding any degradation of military performance, and the right of UK Service personnel not to have their own preferences and judgements overridden by what many of them see as a misapplied abstract principle, especially if imposed by an apparently remote international institution such as the European Court of Human Rights (ECHR).

136. With some exceptions, the civil and military audiences have so far been largely separated by their relative concern for these 2 contradictory sets of values. The legal, and some of the political establishment, and much of the media, tend to be sceptical of any tolerated illiberal anomaly which contradicts general civilian standards. They may be increasingly inclined to question expert military justifications for such arrangements, in view of the

declining emphasis on military considerations in developed countries after the end of the Cold War. They are also stimulated by pressure groups, such as Stonewall, who wish not only to oppose what they see as the unnecessary oppression of individual homosexual Service personnel, but also to overcome the alleged stigma of formal closure of the Armed Forces (which enjoy much greater symbolic importance in the UK in than some other countries) to homosexuals as a group. Public opinion and internal Service perceptions of the impact of the issue on the Services' public image were discussed at Section G-VIII:

137. As an organisation subject to the rule of law, which ultimately now involves European law, the MOD has to reconcile its priorities of the maintenance of Fighting Power and morale with legal and human rights principles. Nevertheless the MOD cannot be simply neutral about the views of its own Service personnel, which have not only corroborated its judgement of the purely operational effects of accepting homosexuals, but also indicated an emotional level of support for the present policy which goes beyond the purely operational case.

138. This difference is illustrated by the variation in responses to Survey questions. 69% and 56% respectively agreed with HPAT Q71 and Q72 that **accepting male homosexuality and lesbianism in the military would reduce combat effectiveness**. 13% and 17% respectively disagreed. However, 80% believed (Q73) that **the MOD's policy on homosexuality should remain unchanged**; 12% disagreed. Similarly, the Postal Survey (Q53) showed that 77% of the RN, 76% of the Army and 67% of the RAF would not agree that **the ban on homosexuality is based on prejudice rather than its impact on operational effectiveness**, yet for each Service about 10% more - 86%, 86% and 77% respectively - believe it **should never be lifted**. This seems a strong indication that

Service personnel can discriminate between what they would themselves prefer and what they judge would have operational consequences. It would be understandable therefore if they reacted badly to imposition of a change which they have now clearly indicated they believe would be not only bad for Fighting Power - and should therefore justifiably be resisted in strictly military terms - but which they have even more overwhelmingly indicated they do not want. The widely announced and unusual Assessment process, in which these attitudes have been registered, has itself raised expectations that Service personnel's own attitudes on this issue will be given particular weight.

2. WIDER FACTORS FOR AND AGAINST CHANGE

139. At present the MOD needs to take account of the following comparative and internal factors:

a. Legally, the Department is not facing a ruling from any supreme or constitutional court as occurred in Canada, which would require a change to the current policy. The Applicants' case, if it reaches the ECHR in Strasbourg, is unlikely to be decided in under three years, and, as Section L below indicates, the MOD has very serious and compelling arguments on its side. Even if the UK's case were without merit and the outside legal imposition of change inevitable, there would be little advantage in Defence terms in an early anticipatory move from a more to a less satisfactory state of affairs. Furthermore, if the boundaries of the MOD's policy in this area are to be set by decisions in Strasbourg, there is good reason to learn what those limits actually are rather than trying to guess them in advance;

b. If, however, the Applicants' case were to succeed, compensation might become an issue. Indeed it has been a concern expressed by various Service people to HPAT that continuing the present policy might put the MOD in danger of accumulating compensation claims from those who have been discharged. Under UK and European law as it presently stands, the risk of a substantial compensation bill is very small. (See **Paragraph 25**). Whilst changes in the law are being kept under review, the present level of financial risk is not considered a significant factor arguing for change in policy;

c. Politically, there has been no Cabinet decision overruling Defence Departmental preference, as occurred in Australia. The governing party in the UK has not been elected with a mandate to allow homosexuals into the Forces, as in the USA. Indeed neither of the two main parties has formally adopted such a policy, though it is understood that Labour would appoint a Commission on the issue if elected and that the Liberal Democrats have called for an end to the present policy on Human Rights grounds;

d. In contemplating the consequences of a change it would be unwise for the UK to count on maintaining any legally unchallenged system of administered arrangements which effectively treats homosexuals differently from heterosexuals, as France and Germany have evolved, or on using medical definitions for the ban as Italy and Portugal do;

e. In considering the likely pressure after any initial concessions for a fully open homosexual presence in the Armed Forces, public statements by homosexual organisations such as Stonewall indicate that the levels of outside support and media attention are likely to be

relatively high in international terms, equalled perhaps only by the pressures which would face the US Military if restrictions on homosexuality there were repealed.

f. In terms of public opinion, if the recent Guardian poll (Section G VIII) is accurate, the MOD could be at a potential presentational disadvantage by continuing its policy (though less so with those closest to the Defence community). But, the public are not so far aware of how overwhelmingly strong Service opinion has been discovered to be on the matter, nor has there been a full scale presentation of the arguments and experiences which can be brought forward to justify the present policy. It would be reasonable to expect these to have a significant impact on public attitudes. However, if, after explanation, public opinion were to show itself indifferent to Service peoples' revealed personal preferences and professional judgements, many of HPAT's interviewees certainly argued that there are limits to how far MOD policy can or ought to conform with public opinion.

g. In terms of internal Service opinion, the case for maintaining the policy indefinitely is evident. It is worth emphasising however, that of those Service people who do favour change: 20% overall in the HPAT Questionnaire; (15% RN, 16% Army and 21% RAF in the Postal Survey), only 5% (HPAT) and 3% RN, 4% Army and 7% RAF respectively believe it should come immediately, and 8% (HPAT) or 8%, 6% or 8% in the next 5 years;

h. Any changes to the policy which soften its impact are unlikely to be easily reversible.

II. ANALYSIS AND ALTERNATIVES

1. HOMOSEXUALITY AND FIGHTING POWER

140. Based on the judgements and experience of MOD personnel, this Assessment has in 10 of the 12 potential Problem Areas, confirmed the model presented in **Figure 1** and itemised in Section F. It indicates that there would be a significant negative impact on the Fighting Power of the British Armed Forces if appreciable numbers of known or strongly suspected homosexuals were to be accepted. The practical experiences of foreign militaries do not appear to contradict this. It must be the starting point for any subsequent analysis.

141. **Figure 2** sets out relevant categories for discussion.

In terms of the typology:

k. The Present Policy would lead to the immediate discharge of categories (a) - (f) and the investigation of (g);

l. A Symmetrical Behaviour Code would allow all except f(1) but might- with dispute and difficulty - limit (b);

m. The US Don't Ask/Don't Tell (and, to some extent, Don't Pursue) Policy would discharge (a) - (f) unless they could prove that they were non practising: (j). It would not launch investigations into (g) without evidence to establish orientation;

n. A 'No Open Homosexuality' Policy might differ from the Present Policy by allowing the retention of those at (f)(ii) - providing their orientation was not generally known amongst fellow Service personnel. To be consistent with this it would probably need to reduce investigations into (g);

o. A 'No Flaunting Code' might permit (e) and (f) (ii). Investigations would then be largely pointless.

2. THE PRESENT POLICY

142. The present policy acts directly against the overall loss of Fighting Power, based on a principle which is simple to understand and relatively straightforward to enforce. It is also evidently in accord with the wishes of the vast majority of the Armed Forces, and seen as so even by those who would prefer change. (HPAT Q80 asked whether **acceptance of homosexuals into the British Armed Forces would be resented by most Service personnel: 91% agreed; only 4% disagreed**). In terms of Figure 2, by removing known

homosexuals and investigating those strongly suspected of homosexuality the policy prevents sexual orientation becoming a day to day issue of concern in most of the Armed Forces: Service people very largely assume each other to be heterosexual without question. Quite evidently not all homosexuals are removed from the Armed Forces each year, but the present generally trusting atmosphere in most units seems to mean that those who are unsuspected remain more easily in that category, and even those suspected do not become strongly suspected unless by continuing indiscretion or accidental revelation. Various Service people have argued that suspicion and distrust therefore tend to be minimised except - of course - for those actually investigated.

143. Letters from Service policemen and women and Commanding Officers have emphasised the indispensability of investigation (whether or not carried out by Service police), as it is rare to catch homosexuals in sexual acts, and most allegations of homosexuality, even where there is strong suspicion, are denied. Without investigation the Strongly Suspected category in Figure 2 would therefore certainly tend to grow every year, even with no change in homosexual behaviour or discretion. This would soon amount to de facto toleration. Furthermore the policy minimises (but even so, as examples in Section F prove, cannot entirely eliminate) risks that homosexuals will be discovered or will reveal themselves under operational conditions when the interpersonal consequences are most disruptive and yet physically removing or replacing revealed homosexual personnel may be impossible.

144. The enforcement of the policy does not seem to lead to investigations against all Service persons with any hint of homosexuality. HPAT encountered the belief in significant numbers that individuals have worked among Service people who they believe to be homosexual, particularly among female personnel. Though most had not knowingly encountered

homosexuals within the military, sufficient others thought they had done so to indicate that there is far from a ruthless tracking down of all who are even lightly suspected to be homosexual.

"I've had some doubts about some men in the Army - and left them alone." Major 32, 13 years Service.

145. Only a witch-hunting and draconian system could entirely prevent all such suspicions (Paragraph 52 puts the Survey evidence on this into context). At present the discharges and dismissals, and the incentive they provide for concealment, mean that homosexuals in the Forces produce only the intermittent and localised effects on Fighting Power illustrated in Section F, which are limited by the removal of identified homosexuals involved.

146. Perhaps inevitably in an area so humanly sensitive, the Assessment process has uncovered views from letters and discussions that enforcement is not seen as entirely uniform throughout the Services. There is a widespread perception that suspected female homosexuality is more tolerated than male homosexuality, and particularly so in the Army. A small majority, 58%, of Servicemen agreed that: (HPAT Q136) **The system that uncovers homosexuals in the military should be more rigorous.** By contrast, HPAT found that a significant number of Servicewomen, whatever their view of the policy, said they would not be personally comfortable in reporting other women for lesbian activities. This is a further reminder that, although Service personnel overwhelmingly support the policy, upholding it in practice can be uncomfortable for heterosexuals as well as homosexuals. A more common sentiment among Service personnel, however, is a mood of angry pessimism about the current legal challenge to the policy. As the policy is controversial outside, and not universally supported among all Service people, are there

policy alternatives which could safeguard Fighting Power with less dispute and human cost?

3. IN-SERVICE ARGUMENTS FOR CHANGE

147. A number of general points have recurred in letters from, or interviews and discussions with, those Service Personnel in favour of change. They deserve to be considered seriously, though with an acknowledgement that, as several admit, they are minority views. Some have already been quoted. The following are the key arguments received for change with observations on their validity.

(a) It is morally wrong to discriminate against those who are physically and technically able to do Service jobs, because the Services should mirror wider society, and this should outweigh other concerns:

"All people who wish to serve their country in the Armed Forces whatever their sexual orientations, should be allowed to do so equal opportunity is the sign of a balanced society even a Military society."
Chaplain RAF, 6 years Service.

This is an indisputably coherent moral position, but it is not one which is held by most Service people, who have a quite different conception of Service priorities; nor does it deal with the associated costs in morale and cohesion and their consequences for overall Fighting Power which the MOD must consider.

(b) Homosexuals are already in the Forces and do not affect morale and discipline.

The existence of homosexuals within the Services has never been in doubt. The question is how to deal with the revelation or suspicion of their orientation and whether to discontinue the policy which presumably deters more from joining. The present policy cannot, by definition, remove unsuspected homosexuals but effects on morale and discipline do occur as Section F illustrates, where suspicions have been strongly aroused or behaviour has become obvious.

(c) Foreign experience has shown that change would not have apparent consequences, and at the extreme would hardly be noticed by the majority of Service people.

The most likely consequences of change are addressed later at **Paragraphs 154-158 and 179-183**. It is certainly true that in many areas there might be little immediate visible difference, but this overlooks early difficulties over Problem Areas 10 (Distrust and Suspicions) and 12 (Resentment Of Imposed Change) and the longer term consequences of a decision which is likely to be irrevocable. Acceptance of homosexuality might make relatively little difference in some individuals' areas, but across the Services this strongly appears not to be so, and the creation of pockets of toleration would be the prelude to sexual ghettoisation and the appearance of cliques.

(d) Change is legally and politically inevitable and the MOD should not be isolated in its policies internationally or within UK society

Paragraph 139 has pointed out the current context for decisions on MOD policy. Present Service attitudes make

early policy change particularly unpromising (see **Paragraphs 55-57**) but may conceivably mellow over time, if general outside social attitudes over homosexuality continue to evolve.

"This is the wrong time to accept it when homosexuality is entirely accepted by society at large, when [for example] homosexual marriages are wholeheartedly accepted, then that will be the time to allow them into the Forces." Flight Lieutenant RAF

(e) The views of most Service people are ignorant, prejudiced and not to be given serious weight.

The attitudes of Service people are a crucial social fact which cannot be ignored. Moreover the indications are that Servicewomen are more tolerant of homosexuality than the general population, and Servicemen, although no doubt recruited from the more traditional members of their generation and slightly less tolerant to homosexuality than the general population, are not stereotypically homophobic. Their attitudes to homosexuality in civilian life are significantly different from their judgements about its impact within the military. (See **Paragraphs 51-58**) Their answers in both the HPAT Questionnaire and the Postal Survey show evidence of thoughtful discrimination over the various aspects of the issue. Notably, there is a fair minded unwillingness to assume (**HPAT Questions 98, 99, 100, 102**) that homosexual men or women would be particularly given to sexual harassment or abuse of rank, that, if officers or NCOs, their tactical decisions would be swayed by sexual considerations (**HPAT Q114**), or that homosexuals were not in themselves "good team players" (**Postal Survey Q60**). But on the principal Problem Areas set out in Section F the judgements conveyed in the Survey data are overwhelmingly

consistent, as are the overall conclusions about the impact on Fighting Power and the desirability of change to the policy.

(f) Those personnel in favour of change would, themselves, be willing to cope with working alongside homosexuals and others could or should do the same.

This is a point whose significance needs close examination. HPAT's work has now established the scale of the opposition to change to an extent which could not have been apparent before to concerned writers. One letter in favour of change shows a keen appreciation of how much its effects would depend upon majority attitudes and of the conflict between the moral principle of non-discrimination and Service effectiveness.

"I have no doubt that any Serviceman announcing their homosexuality, whether or not in accordance with Service policy would be the victim of very serious physical and verbal abuse. I am also sure it would take enormous time and effort from the vast majority of Servicemen. Moreover the efficiency of the Forces would certainly fall during any transition period.

I am prepared to make the effort supporting a MOD policy permitting homosexuals in the forces: most personnel are not. Furthermore morale is already low because of our current changes. As usual the fundamental choice is between what is expedient and what is logically and morally right. Accepting homosexuals will never be expedient, but perhaps it is right in the light of changing moral standards regardless of individual views." Flight Lieutenant RAF

4. SERVICE SUPPORT FOR A NEW POLICY?

148. There is no doubt of the conviction and sincerity of those Service people who, like the writer of that letter, or many others completing Questionnaires, believe in a moral case for change. They indicate they could themselves work and live with homosexuals (or in a few cases may be homosexual themselves) and could be expected to do their best to ensure that homosexual integration was successful within their units. In principle this might help overcome or offset some of the problems for Fighting Power set out in Section F.

5. A "HIDDEN CONSTITUENCY" FOR CHANGE?

149. The statistics shown in this Assessment and derived from anonymous survey data demonstrate consistently and exhaustively, however, that such positive attitudes and willingness are in a considerable minority. It is no longer plausible to posit a substantial "hidden constituency" for change in the Services and it must be supposed that reactions to the attempted integration of homosexuals would be determined by the vast majority, which evidently does not accept, either intellectually or emotionally, that there is a legitimate place for homosexuals in the military.

150. A "hidden constituency" might have been revealed by a serious discrepancy between attitudes openly expressed in front of HPAT in interviews or discussions and the actual views revealed in anonymous Questionnaires or Postal Surveys. It was not. But, even if it had, there would have been grounds for doubt whether those who were not prepared to assert their views, in the abstract, by writing in, even with anonymous letters, or, face to face, in carefully neutral and moderated surroundings, could be relied upon to take the risk of voicing them to reduce friction in real situations of

conflict or suspicion between openly homosexual and heterosexual Service people. (Similarly it seems clear that many discharged homosexuals have received expressions of sympathy from colleagues. This is understandable. But it does not in any way amount to proof that a majority of Service people - or even of the sympathisers themselves - would want the policy changed despite their immediate emotional reaction when confronted with its undoubted human cost).

6. PREDICTABLE SERVICE RESPONSES TO CHANGE

151. It could not be responsible to base judgements of Service responses to change and the consequences for Fighting Power on anything but the most convincing overall predictions of behaviour. These must in turn rest heavily on the best available statistical evidence. The collected data are conclusive on how negative these reactions and outcomes would be. They indicate that official attempts to retain and integrate known homosexuals would run into exceptionally strong and pervasive disagreement, and even informal opposition, from the British military community and that the divisiveness of that opposition would in itself lead to a loss of Fighting Power:

"They shouldn't be allowed to serve because the lads, me included, just would not accept it". Corporal RM 28, 8 years service".

This conclusion is largely unaffected by differences in attitudes between Servicemen and women. While women evidently feel much less strongly on the issue than men, they represent only 7% of the Service population, are fully integrated to serve alongside the male majority, and not even a majority of Army women answering the HPAT Questionnaire,

who seem considerably the most tolerant group encountered in the Assessment, favour change in the policy (HPAT Q73).

152. Consistent advocates of change must therefore be prepared to set aside not only Service people's considered views of the justification of lifting the ban, but also their collective judgements of how difficult it would be to overcome resistance to a change. They could only ignore these factors on the grounds that collective Service professional judgements and preferences are inaccurate (though as these refer overwhelming to Service people's own attitudes and experiences it is hard to see who would be in a position to prove this) or simply less important than the moral right of homosexuals to be allowed into the Armed Forces.

ALTERNATIVES

7. A LAISSEZ FAIRE SOLUTION: LIFT THE BAN AND RELY ON HOMOSEXUAL RETICENCE?

153. Various letters to HPAT have argued that the very severity of the reactions described at Section F which would be risked by any open homosexual, including concerns (justified or not) for their careers, mean very few homosexuals could wish deliberately to reveal their sexual identity, whatever the official policy in force. This low estimate is supported by foreign military, and UK Fire and Police, experiences. Despite the Service concerns documented above, an explanation is needed of whether any formal prohibition of homosexuals remains necessary at all. Might informal social threats and pressures be relied upon to prevent problems by continuing to deter homosexuals from revealing their orientation or even perhaps to force out those who failed to conceal it?

8. MILITARY EFFECTIVENESS AND EQUAL TREATMENT IMPERATIVES

154. Here the MOD's predicament would be that once it ceased to forbid homosexuality it would have to try to protect those who expressed or revealed it (subject to the normal overall limits set by Service regulations). Such protection would be necessary for both military effectiveness, and the Services' commitment to the principle of Equal Treatment. After a policy change the MOD could not be indifferent to the integration of those Service people who became known to be homosexual, to their effectiveness in their military roles in tautly manned volunteer Forces, and to their legitimate expectations of safety and equal treatment in the work place.

155. The demand to allow known or strongly suspected homosexuals to serve therefore necessarily carries with it a positive obligation on the MOD not just to drop its prohibition, but then to attempt a guarantee of their interpersonal integration, equal treatment and personal safety. This point is vital and often overlooked. Put simply, it would mean trying to persuade or force heterosexual Service people to accept known or strongly suspected homosexuals fully as team members or leaders - and wherever this proved unsuccessful to live with the resultant friction. 'Live and let live' solutions cannot work in the Services: if homosexuals ceased to be excluded, voluntary cooperation could certainly not be universally assumed and heterosexuals would have to be coerced to accept them if necessary. Coercion would have severe limits. It could enforce general outward (though probably never complete) compliance, but Service discipline could not magic away the underlying friction and suspicions which homosexuality would cause. Some dilemmas could arise very rapidly and starkly:

"How would we deal with a soldier who had a physical revulsion for the concept of homosexuality and refused to share a trench with one?" Major, Infantry on behalf of his company after (non HPAT) unit discussions.

"When last at sea... I shared a very small cabin with the first Lieutenant. If he had been a homosexual, then I would have refused to [share] with him. If I had accepted his sexuality then I would have been tarred with the same brush whatever my sexual inclinations. A totally unacceptable state of affairs." Lieutenant Commander RN

Other consequences for morale would mount up less dramatically through rancour, disrespect and, above all, immediately increased suspicion.

156. The assessment has shown, in Section F, examples of the difficulties which homosexuality causes even when prohibited. Section F also indicates how considerable the problems would be in ensuring the acceptance to which even a few known or strongly suspected homosexuals would then become entitled, if the formal prohibition ceased. The Service authorities would have to investigate and resolve their very likely grievances in a largely unfriendly informal environment and to address the various allegations of discrimination, informal hostility and unfair treatment which they might make. This would be true even for homosexuals who had wished to remain covert, but had become known or strongly suspected, even if by accident and against their will. Under the present rules, some 60 personnel have given sufficient doubt about their sexual orientation to be discharged or dismissed each year. Many of these (if they had not been convicted of offences under Service discipline) may have remained in the Services and numbers could accumulate in the future. Without presupposing any 'invasion', it would also be reasonable to assume that a military career would become more attractive to

more homosexual men and women, and that homosexuals already in the Services would tend to become progressively less circumspect if they faced only informal sanctions, offset by protection from the command chain, for allowing their orientation to become known or increasingly suspected. It would certainly not be possible to arrange administrative discharges for individual homosexuals creating difficulties and tensions in their unit simply by virtue of an orientation which was no longer excluded from the Forces.

157. The longer term consequences would be even more problematic if homosexual personnel became progressively emboldened to demand and - if rules allowed it - enforce complete equality of treatment and sexual expression, and were able in this to use (possibly to a greater extent than in other countries) the UK law to intervene in military matters. The issue, and homosexual rights questions generally, have become so politicised in the UK that it is impossible to be sure that some Servicemen or women will not set themselves up as martyrs, litigants and catalysts for forced change, especially if approaching the end of their military careers. In terms of **Figure 2**, it would be simply irresponsible to assume, that if restrictions were removed, all homosexuals would indefinitely choose, or be able to remain as conveniently as low in the scale of visibility as merely "Suspected".

158. The MOD would be caught in a self defeating paradox if it had to move to guarantee homosexuals' right to manifest a strongly suspected identity which its own internal assessment has just re-confirmed would reduce the Fighting Power of British Forces. Even without positive discrimination, it would still mean the Services taking on, without belief in its justification or feasibility, and entirely contrary to their principal purpose, the responsibility of safeguarding known homosexuals against the suspicion, emotional

distancing, disrespect, harassment and even violence which HPAT's investigations confirm they would certainly tend to attract. Homosexual service personnel could not be fully effective unless they were respected and trusted team members or leaders, yet the Services cannot enforce respect and trust, which are qualities that must be voluntarily accorded by the other Service personnel. Attempts to integrate homosexuals would have to be made in the teeth of a Service population which seems overwhelmingly to reject their compatibility with the military environment and which would be very sensitive indeed to any hint of positive discrimination in their favour. Even so, any apparently unfavourable career outcome or alleged failure of protection for known or strongly suspected military homosexuals could become the subject of bitter and divisive dispute with very likely media attention, outside political pressure and future legal challenge.

"If you changed the policy what would you tell homosexuals at the Recruiting Offices if they asked about Equal Opportunities? You'd be lying if you said they would have the same chances. How could they, when if they tried to become officers or NCOs they would never really be accepted by the lads? How effective could they ever be?" Army NCO Discussion Group

"[It is true that not many overt homosexuals will wish to join but] there will be a vociferous publicity seeking element that will wish to test the system to the utmost, knowing they cannot lose. To them we will be opening the doors of a sweet shop, where the only punishment would be a blaze of lucrative publicity accompanied by cries of victimisation, and in this ever more litigious society, suits for compensation." Group Captain RAF.

9. LIFT THE BAN AND RELY ON A POSSIBLE SYMMETRICAL BEHAVIOUR CODE?

159. A new military Behaviour Code has been referred to by the Courts as a possible safeguard and solution to the problems of such a change. The assumption, based probably on the Australian example at Annex H, Appendix 1, appears to be that such a Code would be more proportionate than the present ban and could or should be symmetrical in its effect on homosexuals and heterosexuals. At first glance this seems appealing. It appears to hold out the encouraging promise of eliminating behaviour which causes difficulties in a military social system through even handed and non-discriminatory rules.

160. But, unfortunately, the analysis in Section F shows the core problem to be essentially unamenable to any such equal treatment approach familiar from civilian life. Sexual intercourse under inappropriate circumstances (eg ships at sea), abuse of rank for sexual purposes, and objectionable behaviour are already forbidden by Service disciplinary and sexual harassment codes. No further new Behaviour Code is required for their prohibition. What would cause the anticipated loss of cohesion and Fighting Power is something quite different: the knowledge or strong suspicion of the sexual identity of homosexual Service people. Most of this loss would occur no matter how restrained or muted that expression might be. Heterosexual expression in all its socially tolerated and taken-for-granted forms (as opposed to its extreme and aggressive manifestations which are anyway prohibited by existing Harassment Codes) simply does not, in itself, have these military consequences.

"The key to all of it is knowledge. If you know someone is homosexual that is the problem. Before then there is

no problem. After the knowledge there is, and no amount of education will make it go away." Senior Aircraftswoman, Admin 25, 7 years service

Q44 of the Postal Survey proposed that "Declared homosexuals should be allowed to serve but homosexual behaviour should not be permitted in barracks or on duty." and received a negative reaction:

	AGREE	NEUTRAL	DISAGREE
RN	16	5	79
ARMY	19	4	77
RAF	23	8	69

161. A single Symmetrical Behaviour Code could not therefore avoid problems for cohesion. It might attempt - with great unpopularity and difficulty - to limit heterosexual expression but would still have to allow equivalent homosexual expression in banter, dress, reading matter, pin-ups, dancing, physical displays of affection and social gatherings. Flamboyant homosexuality might be prevented by being willing to suppress flamboyant heterosexuality, but Open and Declared, and very probably - as already in Australia and the Netherlands - Activist homosexuality would have to be accepted. For example, sexual approaches between Servicemen would have to be treated as essentially equivalent in disciplinary terms to those between Servicemen and Servicewomen, despite the repeatedly proven explosive effects of the former, and the tensions that would remain between the two men or women (and their respective friends) who would very probably have to continue to living closely alongside one other.

162. Overall, a Symmetrical Code has to insist that the freedom to live out an overt homosexual identity is more important than its negative military consequences. At most, after a policy change for non-Defence reasons, such a Code might usefully restate the prohibition of extreme or obnoxious behaviour by or towards any Service person. But, if seriously applied, it would still have to guarantee a particularly significant and militarily problematic form of sexual self-identity by one category of Service people, against the grain, and at the expense of, the overall Service ethos. Such an outcome might be imposed in the UK by political or legal decision, but it could not be regarded as intrinsically desirable from a Defence perspective.

"Overt homosexuality is the strongest form of non conformity possible within a group of highly motivated fit young heterosexual men trained to inflict violence on whoever threatens their group. As such, even in one individual it will make their team disproportionately ineffective." Captain Age 27 Royal Armoured Corps.

ASYMMETRICAL ALTERNATIVES:

10. "DON'T ASK DON'T TELL"?

163. The Team therefore looked carefully at possible Asymmetrical Behaviour Codes, which by definition would work unequally between homosexual and heterosexuals. The American 'Don't Ask Don't Tell' (DADT) model amounts to a continued ban on all except celibate homosexuals. In formal terms, it would represent an Asymmetrical Double Behaviour Code, prohibiting only homosexual activity in both private and professional domains. The model has evolved for the American situation (where 'sodomy', which includes oral-genital sex, is illegal under US military law and in several US states) and is, in US practice, mitigated by requiring an compelling

evidence before suspected homosexuals can be investigated or discharged. The Pentagon believe that it works and will hold against legal challenge.

164. A significant and under-reported element of US policy is the "Don't Pursue" aspect which means that no military investigations can be conducted without evidence solely to determine the sexuality of a Service person. In the US Commanding Officers are the only authority empowered to initiate enquiries and then only when they have "credible evidence" of homosexuality. Rumours, unsubstantiated accusations and other circumstantial evidence must be carefully evaluated and assessed before being considered admissible. Even so, a US style 'Don't Ask Don't Tell' Policy would still amount to a formal prohibition of all homosexual activities for all Service personnel everywhere and at all times. Yet the distinction between orientation and activity at the heart of DADT does not seem significant to UK Service personnel. **Postal Survey Question 57** proposed that:

"Declared homosexuals who do not practice homosexual behaviour should be permitted to serve."

It received the following negative response:

	AGREE	NEUTRAL	DISAGREE
RN	10	11	79
ARMY	12	11	77
RAF	15	17	68

"Even a non practising homosexual would be a problem. He might just start practising again" Lance Corporal
24, 7 years service

11. A 'NO OPEN HOMOSEXUALITY' BEHAVIOUR CODE?

165. If the MOD decided to change its current policy, a 'No Open Homosexuality' Behaviour Code might be a more radical and more logically consistent alternative to DADT. Under such a policy the MOD would cease to concern itself with discreet homosexual behaviour outside the Service environment providing there were no indications of a criminal offence. The policy would then no longer be based on what Service personnel did with their bodies in private situations of little apparent military relevance, but on the militarily very significant effect on Fighting Power which knowledge or suspicion of their sexuality would have on those around them. Like all other alternatives, at least in the short term, there would be little visible practical difference to the actual situation experienced by the ordinary heterosexual Service person.

166. This policy would amount to forbidding the admission or expression of homosexuality by Service personnel in any way which their colleagues could become aware. It would guarantee and enforce in the UK the reticence of military homosexuals observed in those countries which accept homosexuality in their Armed Forces. It would involve an Asymmetrical Behaviour Code which could be more proportionate than the American model by forbidding simply the open expression of homosexuality. It would need then apply to all professional life, but only so much of private life as is necessary to avoid a reputation for homosexuality among other Service people. It might therefore be called a 'One and a Half Domain' code. A possible draft tri-Service Behaviour Code Prohibiting Open Homosexuality is at Annex I. Some cases would be contested and criticised but overall numbers should be relatively few and in many cases there might be little actual apparent difference from existing policy. Fewer (but not many fewer) homosexual Service people would

need to be discharged and some might well be relatively content to follow a military career secure in the knowledge that they could now maintain a truly private life in accordance with their own orientation, with a much reduced threat of discharge.

12. OBJECTIONS TO 'NO OPEN HOMOSEXUALITY'

167. The problems of a 'No Open Homosexuality' policy would lie in its unavoidable vagueness, since it would be based on disputable expression rather than precise conduct, and the fact that it would depend upon the diffusion of knowledge about an individual's behaviour which could not be entirely under the individual's control. (It is easy to imagine examples where even a careful and entirely discreet Service person, perhaps abroad on leave, could be encountered accidentally by someone from their unit when in a homosexual context with a lover or friends.) Most important of all is the logical and practical difficulty of denying or compartmentalising such knowledge about an individual within a military system which spreads personal news very fast over innumerable informal grapevines. Hard test cases could undoubtedly arise when stories of outside conduct were widely passed on. Determined blackmailers or vengeful estranged partners who in the past have merely had to tell the Service police or Commanding Officers could still step up their efforts by informing other members of their target's unit or ship.

168. In the formal analytical terms of **Figure 2**, a 'No Open Homosexuality' Code, even if the followed it rigorously and wholly within legal limits, could not prevent some homosexuals orientation becoming accidentally revealed, so that they at once moving up from Category i, ("Unsuspected"), to Category f(ii) ("Involuntarily discovered"):

(i) The Code's advantage would then lie in being able to allow the retention of those personnel who had conformed to the Code, provided the knowledge of their orientation had not spread generally round their fellow personnel, so that they had become irretrievably widely "Known".

(ii) The Code's drawbacks would be:

a. The small numbers of homosexuals who might benefit, precisely because they would be those least likely to indulge in suspicious or prohibited behaviour which would have left them at risk of discovery under the present policy;

b. The institutionalised contradiction involved in trying to maintain the fiction that some of those who had entered the 'Known' category were still covert. Compartmentalisation of this knowledge is very difficult in the military. At best, therefore, in most cases the individuals would become widely seen as Strongly Suspected, a category which causes many of the same problems as "Known" homosexuality. If they were not then investigated (which would defeat the purpose of the Code), but others were, even if they had broken the Code by behaving blatantly, the system would still be criticised as acting unfairly and anomalously;

c. A general increase of interpersonal suspicions within the Services over homosexuality, although to a lesser extent than under a Symmetrical Behaviour Code. (Increased suspicions seem to be most probable in front line units; in some support units the vagueness of the Code and a lower concern with

group cohesion might lead to a general loosening of control. This would in itself tend to create unequal implementation and the appearance of cliques). By increasing suspicions, introduction of the Code would tend to move the assumed orientation of those whose heterosexuality was less than certain to fellow personnel up the scale: those previously "Unsuspected" might become "Suspected" and the Suspected become "Strongly Suspected". The effects of this process would be generally negative all round: the military system would suffer much of the loss of morale and cohesion induced by widespread known homosexuality, and suspected individuals themselves would risk distrust, ostracism, harassment or violence. Most affected might be those joining the Service after the MOD's policy was modified and who did not present themselves as robustly heterosexual.

"If the policy concerned with knowledge of sexual orientation is "keep it secret" ... then every new joiner to the unit will be viewed with suspicion.... accusations will be the order of their day, be they correct or otherwise." CPO (WEA) RN

The latter two points would also hold for a DADT policy if numbers of homosexuals removed fell significantly.

169. A further, and crucial, objection to any Asymmetrical Behaviour Codes based on accepting covert homosexuality is that they would, at present, be generally opposed by Service people, particularly Servicemen.

HPAT Q75. Homosexuals who do not reveal their sexual orientation should be permitted to serve in the British Armed Forces.

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
20	16	23	18	55	21	34

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
59	65	51	58	23	61	35

Postal Survey Question 56 suggested that:

"Homosexual behaviour by personnel away from barracks/ships and off duty would not affect trust and cohesion in a unit." The results were:

	AGREE	NEUTRAL	DISAGREE
RN	13	16	71
ARMY	13	13	72
RAF	14	17	69

170. The reasons for this seem to lie in a combination of:

- a. Service people's strong rejection of any such enforced change (Problem Area 12) as the beginning of a slippery slope of further concessions to outside pressure groups;

b. a feeling that there is in reality no simple boundary between covert and known homosexuality. Living in long term enforced proximity would mean that however covert some homosexuals attempted to remain, they would still become suspected over time of having something different and questionable about them and that the problems resulting from strongly suspected homosexuality would begin to approach or equal those of known homosexuality;

c. concerns, in particular, that condoned covert homosexuality would cause accumulating difficulties in Problem Areas 10 (Increased Dislikes and Suspicions), 9 (Privacy Decency Issues), 5 (Ostracism and Avoidance) and 6 (Cliquishness and Pairing);

d. an outright moral rejection of such policies as hypocritical in permitting members of a group to continue serving only as long as they concealed their identity as members of that group;

e. an associated objection by others that such an arrangement would be cruelly unfair to the homosexuals concerned (even though presumably requiring less sacrifice of private life than at present);

f. worries about enforceability and slow 'acceptability creep';

g. anxieties about AIDS.

ILLUSTRATIVE STATEMENTS

"Rules should remain black and white [on this] and therefore understandable without ambiguity" Flight Lieutenant (Pilot) RAF 32, 14 years service

"Don't Ask Don't Tell: Oops, sorry we found out! It still leaves homosexuals in fear and makes heterosexuals look over their shoulders. It won't work". Corporal Royal Signals, 27

"People have to fit in on a ship and sailors would be unforgiving about homosexuals. If the lads just think someone is homosexual there will be a problem." Lieutenant Fighter Controller RN

["For the infantry] under DADT discovery will lead to humiliation, and for officers and NCOs a lack of trust and faith in the Chain of Command". Major Army

"[In the Marines] there is absolutely no privacy and the old adage that men get to know each other better than their mothers is true." Lieutenant Colonel RM

"Having served on a ships messdeck with a homosexual it was not a very pleasant experience, especially as he [was not discovered] for almost a year. This made me very angry and resentful to [homosexuals]" Able Seaman 24, 5 years service

"Putting in a [covert] homosexual would be like putting a man into a cage with 10 man eating

blindfold lions. Once the blindfold has gone and the lions see the man he's dead" Corporal RLC 29, 9 years service

"It could be said that the covert homosexual was more likely to undermine discipline and effectiveness than the declared homosexual". Lieutenant Commander RN 22, 11 years in the ranks.

"Bullying, threats and other psychological intimidation would increase [with policy change], not necessarily because of the number of homosexuals but because of the suspicion of who was homosexual" Flight Lieutenant (Engineer) RAF, 34 years service

"There is an argument that [if the policy were changed] the majority of homosexuals would not declare themselves and therefore the expected problems could not arise. This may be [so] in most instances but if a person became known to be a homosexual would the Commanding Officer be justified in putting them ashore to prevent an upset in harmony as most ships COs would want [to do]? Leading Seaman (S) RN

"We should not go the American way of Don't Ask Don't Tell. It would make members of the Regiment look differently at each other." Senior Aircraftsman RAF Regiment, 27, 10 years service

"DADT is a big deceit". Chief Petty Officer RN, 20 years service

"A policy of non disclosure would be only the start of full acceptance." Lieutenant Army 25, 2 years service

But as a reminder that implementation of the present policy is widely perceived as measured and less than ruthless

"DADT is what we are basically operating now." Tri-Service Officer Group - Scotland

171. Given the implications of uncertainty and suspicion for Fighting Power, the opposition of Service personnel to the idea, and the expected negative response from the homosexual community, moving to an Asymmetrical Behaviour Code condoning covert or even celibate homosexuality does not present an attractive alternative to the present policy.

13. ACCEPTANCE OF HOMOSEXUALITY BUT RESTRICTIONS ON ITS EXPRESSION - 'A NO FLAUNTING CODE?'

172. It is possible to conceive of an Asymmetrical Code which would amount to an injunction on those who had become known as homosexuals to treat their sexuality as an entirely private and discreet matter. This is the idea proposed at Paragraph 48 by the Naval Officer in course of discharge and would involve considerably greater restrictions on expression of homosexual than heterosexual sexuality. But homosexuality itself, even if widely known, would no longer be grounds for discharge. The intention would be to mitigate the difficulties set out in Section F, particularly in Problem Area 10 (Causing Offence). The code might also impose concomitant restrictions on expressions of homophobic antagonism or attempts at "outing".

173. But again, for reasons explained in Paragraph 160-162, no behaviour code which allows those known to be homosexual to continue serving, with whatever degree of self restraint, can avoid most of the adverse consequences predicted for Fighting Power. A 'No Flaunting' Code would therefore be less desirable from a Defence viewpoint than a 'No Open Homosexuality' Code, though in principle it would be somewhat less problematic than any Symmetrical Code. In practice there would be daunting complexity in defining whether a homosexual Service person had been sufficiently discreet to avoid causing offence in their speech, dress or behaviour. Intractable disputes or grievances over relative guilt would arise in confrontations where sexual orientation had been at issue. A code of this sort would of course remain a controversial symbol of unequal treatment of homosexuals within the Services and thus a potential cause of continuing political dispute. It cannot therefore be considered an attractive option for the MOD.

"A statement of what constitutes homosexual behaviour would be difficult to formulate, but overtly homosexual behaviour would, now, be unacceptable.... The question 'is he/she acting in a manner which is too overtly homosexual' is extremely subjective. It cannot be answered satisfactorily. It is more difficult to answer than questions on heterosexual behaviour. It should therefore not be asked. It can only be avoided if any level of homosexual behaviour will not be tolerated. That may be possible if the Armed Forces do not ask and homosexuals do not tell and behave with total discretion. It is possible if as now homosexuality is not allowed and homosexuals go undetected. Either way

it cannot happen if we accept some subjective level of open homosexual behaviour at work or away from the Military." Commander RN

The Postal Survey asked whether [Q49] declared homosexuals should be allowed to serve but outward displays of their orientation should not be permitted. The results were unambiguous:

	AGREE	NEUTRAL	DISAGREE
RN	12	6	81
ARMY	15	6	78
RAF	20	10	70

14. SPLIT SOLUTIONS?

174. Other theoretical possibilities, such as allowing homosexuality in some units or Services, but not others, or among Servicewomen but not Servicemen, look even less appealing as they would immediately fracture the cohesion and interoperability of the Services on which so much depends, or would be sexually discriminatory. Nor, in the fluid modern military environment are there any secure non-deployable rear areas or non-combatant specialisations where the problems for Fighting Power and unit cohesion might be predicted not to matter. Non-military support tasks are carried out either by civilians or by Service personnel earmarked for a designated operational role in a military unit.

"If homosexuals were admitted into the forces on a Second Line only basis, this would only add to the segregation they already have to endure. Furthermore it is likely to increase bad feelings amongst straight servicemen and women and will be seen to spoil sea to shore ratios or the equivalent in other services."
 Lieutenant Commander RN

HPAT Question 145 addressed such options and obtained strongly negative reactions:

"It would be better to permit homosexuals to serve in some units than to ban them altogether."

Strongly Agree/Agree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
12	10	14	12	34	10	21

Strongly Disagree/Disagree

Total %	RN		Army		RAF	
	M	F	M	F	M	F
74	77	65	76	48	75	61

So did Postal Survey Q54; "Declared homosexuals should be allowed to serve but their employment should be limited."

	AGREE	NEUTRAL	DISAGREE
RN	14	9	77
ARMY	16	9	76
RAF	20	12	67

15. SUMMARY OF ALTERNATIVES

175. No policy alternative can be identified which avoids risks for Fighting Power with the same certainty as the present policy and which in consequence would not be strongly opposed by the Service population which it would effect.

K. CONCLUSIONS

176. There is no easy escape from the long term dilemma. Reduced cohesion and increased frictions must be expected to undermine Fighting Power unless the Armed Forces continue to exclude homosexuals, when in all other respects the MOD takes its Equal Treatment responsibilities very seriously. But even if the MOD ceased to exclude homosexuals, the difficulty of ensuring their integration would mean that in time there would almost certainly be renewed and continuing complaints of discrimination from homosexual organisations.

177. The Assessment has indicated that some previous subsidiary arguments to justify the policy, such as "in loco parentis" problems (Section G-IX) or Security (Section I) do not stand up to close examination. Others of concern to some service personnel, such as partner entitlements for homosexuals, might simply have eventually to be accepted if the policy changed and homosexual relationships were formally accepted by the State (Section G-IV). Cost is not a quantifiable factor, and major expenditures on accommodation are unlikely to occur (Section G-I). But the key problem remains and its intractability has indeed been reconfirmed. The evidence for an anticipated loss in Fighting Power has been set out in Section F and forms the centrepiece of this Assessment. The various steps of the argument and the overall conclusion have been shown to be accepted as a professional judgement not only by the Service authorities but by the great majority of Service personnel of all ranks. It is nowhere in practice refuted by foreign experiences (Section E-VII and Annex 1) or that of the Police and Fire Service or the Merchant Navy in the UK (Section E-VIII). No wider national interest would be furthered by change (Section G-X) without equivalent symbolic affront to Service people.

178. There is no reason to predict an early or natural end to the conflict over acceptability of homosexuals in the military. Pressures to question or subordinate the effect on Fighting Power in the interests of the moral consideration of non-discrimination can be expected to continue within the political and legal system and in the media. Yet the similarity in opposition to policy change demonstrated between different age groups of Service people (**Paragraph 54**) means that current Service attitudes are unlikely to change in the near future. In the longer term, evolving social attitudes towards homosexuality might reduce the risks to Fighting Power inherent in change, but while such predictions have been put to HPAT, they are purely speculative. It may equally be that the permanent features of the military environment are such that it will never be possible to integrate homosexuals without unacceptable loss of cohesion. This Assessment can only deal with present attitudes and risks.

179. The dispute over the acceptability of homosexuality in the Services is now being intensely evaluated and debated in Parliament and the Courts, and it will inevitably be kept under future review by the Department. Formal acceptance by the MOD of known homosexuals would mean moving the contradiction inside the Services. Because of the unlikelihood of large numbers of military homosexuals initially disclosing themselves, due to the difficulties they would accurately anticipate from the resulting frictions, the salience of the issue might initially drop, as after such a change it seems to have done in Canada and Australia. Many military homosexuals may be content to remain covert, and flamboyant homosexuals are unlikely to choose a Service career.

180. But it could not be moral or prudent to give an undertaking of equality which the Ministry did not believe was militarily justifiable and was not prepared to try to honour. In UK circumstances, where homosexual self assertion is an increasing factor, we must assume that a MOD promise of equal opportunities would have real consequences. More homosexuals might join the Services. Suspicions of others' sexuality would certainly increase, and those whose behaviour would formerly have led to discharge would accumulate, probably disproportionately in particular areas, and with inhibitions on behaviour or expression which would reduce over time. The possibility of homosexual rights activists within the military is certainly not a self-evident absurdity which can be ruled out of realistic calculation. The potential friction between such assertion and the reaction of most of the military community would then become real and would cause part of the anticipated loss of Fighting Power.

181. The conflict between the civil principle of equal treatment and the resistance of the military social environment would, by that stage, no longer be manageable by Ministers, legal advisers and personnel staffs, but would emerge wherever there were known or strongly suspected homosexuals in the Services. It would, to varying degrees, become the concern of all personnel in contact with them. The discomfort of the confrontations and suspicions would be felt on all sides, often in intense and ambiguous situations. Much would depend on both the behaviour of individual homosexuals and outside homosexual organisations' desire for confrontation. The more either chose to raise the profile of homosexuals in the Services or to support those who wished to raise it, the greater the likely heterosexual resentment and hostility. Stonewall's recent press statements rejecting any compromise based on DADT in the UK gives a strong indication

that there would be continuing external pressure to support the right to open homosexual identity in the Armed Forces.

182. Nevertheless, it is important not to exaggerate the overall consequences of accepting homosexuality. The Services would not collapse, although recruitment and retention might suffer (Section G-VI). Where homosexuals did not or could not remain covert, after considerable senior management intervention and effort, and, no doubt, some highly publicised claims (and counter claims) of harassment, discrimination and assault, compromises would emerge. But these would probably fall short of truly effective equal treatment and vary undesirably between units and specialisations. Fighting Power would be reduced and there would be a continuing expectation of litigiousness, rancour and division. Medical anxieties and complexities would also arise and, whether scientifically justified or not, would have to be addressed - as far as this was possible - by education, if compulsory HIV testing was not introduced. (Section H).

183. Some outsiders would see the myriad resultant local adjustments of Service culture (discussed in Section E-II) and even language, as overdue concessions to standards that are commonly accepted or enforced in outside society. A very few Service people (perhaps more than a very few Servicewomen) might agree. For the majority, however, real change would be experienced as coercive interference in their way of life for exterior goals utterly unrelated, and indeed directly in opposition to their main professional purpose, and to their own wishes. (This was emphasised by responses to **HPAT Question 142: only 3% felt the Services would be a more comfortable environment if homosexuals were accepted; 84% disagreed**) This outcome could be positively welcomed only from a moral perspective in which it was inherently desirable to force the Armed Services closer to the most

liberal and tolerant sections of civil society, whatever the military cost, and that the resultant conflict, distraction and transformation of the special features of British Service culture was a good thing in itself.

184. If enforced change of this sort were inevitable and if tolerance training and attitude change were effective, there might be a case for anticipatory acceptance and a training and preparation programme for change. But externally enforced change is not inevitable and there is no evidence that homosexuality awareness or equal opportunities training or education in the abstract - and certainly when dealing with a resentful and resistant Service population - would have any positive effect. It would undoubtedly look like a first step in premature capitulation to legal challenge. No benefits have emerged from this Assessment which would argue for the MOD to decide at this point to start inflicting on Service personnel preparations for a process which they overwhelmingly do not want and from which they can eventually only lose in terms of personal stress and professional effectiveness.

185. If it were eventually judged that non-Defence considerations required a policy change, an Asymmetrical Behaviour code based on the prohibition of open homosexuality (Section I) would seem more appropriate to UK circumstances than the US DADT model. It might avoid many - but by no means all - of the difficulties of total attempted integration on Symmetrical lines. A 'No Open Homosexuality' Policy would go a very limited way to meet homosexual grievances. But its inherently morally paradoxical quality, its vagueness, the small number of cases to which it would make a difference, its likelihood of generally increasing suspicions, together with the unfavourable attitudes of Service personnel to the idea of condoning covert homosexuality, make it a compromise far from attractive

enough to either side to adopt in preference to existing arrangements.

186. In considering the overall balance of arguments, it is easy to forget that this issue has a further dimension beyond a dispute between military advantage and the civil virtues of fairness and non discrimination. It also needs to take into account not only the professional judgements, but also the rights and concerns of Service people, whose day-to-day lives, sense of privacy and fate under combat conditions would be affected by the change. It has been a major object of this Assessment to discover and present their views, whether for or against the policy. Now that they are reliably known rather than suspected, this would be a further disincentive for MOD Ministers deliberately to override them, and to impose continuing and inevitable friction and uncertainty over homosexuality as a further problem for Service people who already facing enormous changes. There are human costs on both sides of this equation.

187. It can be no source of satisfaction for the Ministry that the dispute, therefore, seems certain to continue with the homosexual community, many of whom are highly talented and articulate, and have been badly treated by society in the past. It is never going to be easy to explain and justify the MOD policy to a general population which has diminishing military experience. The special circumstances of the Service environment are not immediately obvious to civilians. No other employer sends its employees out in disciplined teams to kill and be killed. It has required an Assessment of the present length to indicate why continued exclusion can be a rational and justifiable policy choice which is not based on prejudice, although it has to take realistic account of a spectrum of military emotions, psychological dynamics and attitudes which do at the extreme include prejudice. (Indeed, an appraisal which neglected the full human dimension of

military effectiveness would be utterly misleading). It will be important to continue to stress that the MOD policy does not assume homosexuals to be individually morally or physically inferior to heterosexuals or generally unable to be trusted to control their sexual behaviour.

188. Certainly, if Service people believed they could work and live alongside homosexuals without loss of cohesion, far fewer of the anticipated problems would emerge. But the Ministry must deal with the world as it is. Service attitudes, in so far as they differ from those of the general population, emerge from the unique conditions of military life, and represent the current social and psychological realities. They indicate military risk from a policy change, just as more tangible causes of military friction, such as weaponry and terrain, would affect other Defence decisions. These attitudes may in some ways be the corollary of British Service culture's particular emphasis on strong group cohesion and uniformity, but it must be re-emphasised that nowhere in the world are homosexuals apparently openly serving in significant numbers alongside heterosexual Service personnel, presumably because of similar local military attitudes. Clearly, professionalism does not - and should not be expected to - mean absence of strong feelings about potential interpersonal pressures which few, if any, civilian heterosexuals have to face.

189. The MOD is the Government Department charged with maintenance of Fighting Power of the Nation's Armed Forces and hence, inescapably, with preserving the morale of those who make them up. No other body will lead in upholding these interests in the political and legal process. This Assessment would be resisting the consistent pattern and weight of its evidence if, from an MOD perspective, it argued for change in the overall policy itself.

190. It is certainly possible to welcome the more sympathetic arrangements for investigation and discharge of homosexuals. But after collecting the most exhaustive evidence available, it is also evident that in the UK homosexuality remains in practice incompatible with Service life if the Armed Services, in their present form, are to be maintained at their full potential Fighting Power. (The single and rule-proving exception might be homosexuality which was effectively concealed from fellow Service personnel, in all contexts, over a full career. But it would contradict MOD's primary responsibilities to opt either to rely on perfect voluntary lifetime dissimulation or on some new Behaviour Code, which in attempting both to enforce and legitimate such concealment, would lead to dispute, ambiguity and suspicion).

191. Furthermore, the justification for the present policy has been overwhelmingly endorsed by a demonstrated consensus of the profession best able to judge it. It must follow that a major change to the Ministry's current Tri-Service Guidelines on homosexuality should be contemplated only for clearly stated non-Defence reasons, and with a full acknowledgement of the impact on Service effectiveness and Service people's feelings.

L. IMPLICATIONS FOR THE APPLICANTS LEGAL ARGUMENTS

192. The main arguments of the Applicants identified by the judges in the Judicial Review as requiring the MOD's consideration, are set out below with the conclusions which emerge from this Assessment for each.

I. THE GRAVE INVASION OF THE INDIVIDUAL'S FREEDOM TO LIVE IN ACCORDANCE WITH HIS/HER SEXUAL ORIENTATION, AND THE HARDSHIP CAUSED BY THE CURRENT POLICY

193. There is clearly hardship and invasion of privacy for some homosexuals who attempt, despite notification that their sexuality would be incompatible with Service life, to pursue military careers. But Section F demonstrates why this is justified, like many other sacrifices and personal constraints in the military, to maintain overall Fighting Power. No other regulations or behaviour codes seem workable or acceptable, especially given current attitudes of Service personnel (see Section J). Moreover, even if the formal rules changed, foreign military experience and much of that of disciplined UK civilian services, indicates that homosexuals in the military would not in reality feel that they had the freedom to live openly in accordance with their sexual orientation, because of fear of disapproval and friction.

II. THE DEGRADING INVESTIGATIONS OF THOSE ALLEGED TO BE HOMOSEXUAL

194. The current single Service guidelines were introduced in the 4 months between March and July 1995, and police investigations in an aggressive style are no longer likely to occur. But investigations on sexual matters which among civilians would not come to the attention of the civilian police, could still remain the subject of investigations by

Service Police even if the ban were lifted because offences under the Service Discipline Acts cover a wide range of activities from drunkenness, deceitful behaviour, sexual misconduct across the rank structure to disobedience of standing orders, such as entering an out of bounds area. Any police investigations may attract complaints of degrading and oppressive methods, whether or not well-founded. Should future complaints occur over the methods of Service police, the justification of the complaints would, similarly, have to be established on a case by case basis.

III. WHETHER UNIT EFFECTIVENESS WOULD BE UNDERMINED BY THE PRESENCE OF A HOMOSEXUAL WOULD DEPEND ON THE INDIVIDUAL INVOLVED AND DOES NOT NECESSITATE A BLANKET BAN

195. The possibility that an individual homosexual might, by his or her personal qualities, avoid or reduce any impact on unit effectiveness could not be assessed in advance. It would simply not be possible for any Armed Forces to run personnel policy by trying to maintain special posting lists of open homosexuals who would need to be juggled provisionally between different units according to their assessed compatibility. Even if attempted, it would mean that, over time, homosexuals might be expected to end up, whether or not they wished to, away from Teeth Arms in relatively comfortable (for example non-seagoing) support areas. It is difficult to imagine a more certain cause of resentment and military inefficiency through loss of interoperability than the creation of two Armed Forces in this way.

IV. MANY HOMOSEXUALS HAVE SERVED UNDETECTED AND HAVE NOT CAUSED THE PROBLEMS IDENTIFIED BY THE MOD

196. The whole analysis has emphasised that it is the knowledge or strong suspicion of homosexuality which is the key problem for the military system. Section J has shown the

logical and practical difficulties of introducing regulations to protect and condone covert homosexuality, against the strong instinct of the Service population (and the probable opposition of the homosexual community as well).

V. THAT ISSUES OF PRIVACY AND DECENCY, "LOCO PARENTIS" ETC COULD BE MET BY REGULATION OF INAPPROPRIATE BEHAVIOUR IN A CONDUCT-BASED CODE

197. The prohibition of homosexuality within the Forces does not in itself seem necessary on "loco parentis" grounds (Section G-IX). No behaviour code symmetrical between homosexuals and heterosexuals is capable of avoiding an impact on Fighting Power. (It was tacitly accepted in the proceedings that the exigencies of Service life might properly justify restrictions on manifestations of homosexual orientation). Asymmetrical codes of behaviour ensuring that only covert homosexuality is tolerated are conceivable and might cause somewhat less reduction in Fighting Power but would be controversial and under present attitudes appear unlikely to satisfy those intent on change and would quite certainly be opposed by the great majority of Service personnel who wish to keep the present rules. (Section J)

VI. THE MINISTRY SHOULD NOT BE DETERRED FROM DOING WHAT FAIRNESS AND GOOD SENSE DEMAND BY THE APPREHENSIONS OF IRRATIONAL, INTOLERANT AND PREJUDICED BEHAVIOUR ON THE PART OF OTHERS

198. It could not be fairness and good sense to disregard the evidence gathered in this Assessment about the impact of open homosexuality on the total Service community of 220,000. The survey evidence shows that Service people are capable of distinguishing between their own preferences and their judgements about impact on Fighting Power. Inevitably, as in any personnel related issue, much turns on the social

reactions to a proposed measure and it would simply be irresponsible to suggest that the Ministry must impose a solution based on the principle that Service people's expressed feelings and strongly predicted reactions ought not to exist and so should be ignored. This would be particularly unfair for NCOs and junior officers who, more than any other group, would be faced with the responsibility for coping with the frictions, hostilities and resentments which imposed change under present attitudes would cause.

199. As illustrated at length in the Assessment, and particularly in Section G-X on possible wider national interests, integration of homosexuals would raise distinctively different issues from those of women or ethnic minorities and arguments applying to those groups have little relevance. Overall, the key reasons which have emerged are:

- a. The problems posed for privacy and decency in military settings;
- b. The logical impossibility (where both integration and segregation are unacceptable) of satisfactorily arranging accommodation and ablutions to compensate even if physical constraints allowed;
- c. The special anxieties, divisiveness and suspicion caused by homosexuality, which is not only a cultural and psychological identity, but also a pattern of potential emotional and sexual behaviour which many people find disturbing and threatening, even when it is entirely lawful. This contrasts with differences of race and sex which do not and, through education can be shown not to, correlate reliably with behaviour in this way;

d. The corrosive uncertainties over orientation, influence and in-group loyalties, which arise out of homosexuality's lack of external indication;

e. The moral and physical revulsion caused in many Service people at the thought of homosexual activities, which has no convincing counterpart in the feelings induced by close sustained contact with women or ethnic minorities;

f. The fact that suspicions of unwanted but concealed desire and sexual motivation by others would become part of the fabric of social life in their Services;

g. The clearly established social fact that, as a consequence of the above, the vast majority of Service people, in this decade, and in this country, regard integration of homosexuals as much harder to achieve in a military system than that of women or ethnic minorities. (This is documented in the answers to **HPAT Questions 115-119**). Their strong collective judgement is based upon a coherent, intellectually plausible and factually well-established set of views about its actual effects in their community, which this Assessment has drawn out and systematised.

200. Because homosexuality as a category of difference at present evidently raises problems of a type and intensity that gender and race do not, the MOD does not believe, on well documented evidence, that successful integration of homosexuals into the Services would be achievable. Yet, if integration had to be attempted, its failure would cause disharmonies and frictions with a significant impact on cohesion and thus the moral component of Fighting Power. Jeopardising this would undermine National Security and put lives avoidably at risk, both on operations and in dangerous peacetime training.

201. The absurd result of a legally imposed change requiring the MOD to cease excluding homosexuals would be to require the UK Armed Services to make much greater (yet almost certainly unsuccessful) efforts to integrate homosexuals than civilian employers, who need expect only polite day-to-day coexistence between their employees (rather than intense team loyalties in protracted life and death operational conditions), and yet remain legally permitted to discriminate against homosexuals.

VII. THE COMPARISON WITH THE FORCES OF OTHER NATIONS, PARTICULARLY THOSE TO WHOM THE UK SENDS EXCHANGE PERSONNEL

202. Among European nations it is noteworthy that Italy and Portugal avoid the entire issue by redefining homosexuality as a medical condition, and that France and Germany apply policies towards open homosexuals which are, in practice, far from identical with those applied to heterosexuals. Overall experience of other nations, including the Netherlands, Australia, America and Canada, has shown that, despite public statements, nowhere do appreciable numbers of homosexuals serve openly in Armed Forces which are comparable to those of the UK. It is not apparent why it should be the pioneering responsibility of the UK, which does strongly press to achieve equal opportunities for race and gender among its personnel, to enable this to be achieved in the British Armed Forces. Yet the MOD could be forced to attempt to do so, and to be held liable for the consequences, if external decisions required the acceptance of known homosexuals. The issues over exchange personnel and their relative importance are addressed at Section G-VII.

VIII. THE COMPARISON WITH OTHER DISCIPLINED SERVICES SUCH AS THE POLICE, FIRE BRIGADE AND MERCHANT NAVY

203. This is discussed at length in Section E-VIII. None of these occupations involves the same unremittingly demanding

and long-term working environment as the Armed Forces, or requires the same emphasis on building rapidly interchangeable, but fiercely committed and self supporting teams, capable of retaining their cohesion after months of stress, casualties and discomfort. Nevertheless, it is noteworthy that in the Police and Fire Service, homosexuals still seem to manifest much of the same caution about disclosing their orientation as can be observed in military systems.

IX. THE COMPARISON WITH OTHER DISRUPTIVE BEHAVIOUR SUCH AS ALCOHOLISM AND MARITAL INFIDELITY WHICH ARE DEALT WITH ON A CASE BY CASE BASIS

204. Unlike homosexuality, marital infidelity and alcoholism are only grounds for discharge when they actually happen, because their potential occurrence does not affect the military community. Homosexuality, by contrast, is a permanent predisposition which, when known or strongly suspected, has an impact upon other serving personnel, even if activity is not engaged in.

X. THE LACK OF SPECIFIC EXAMPLES TO SUBSTANTIATE THE MOD'S ASSERTIONS

205. Examples have already been given in the Assessment of the effects of various cases of known or strongly suspected homosexuality on Fighting Power. It would be misleading to assume that these would necessarily be lists of incidents of sexual misbehaviour by homosexuals. Such misconduct has occurred, as it has among heterosexuals, but it is only one of a complex of difficulties. The essential issue is the cumulative effect on morale and cohesion of the various overlapping and mutual reinforcing Problem Areas set out in Section F.

206. Where homosexuals have been discovered in the Forces to date, the emphasis has been on their rapid, discreet, and humane removal, rather than on the quantification and documentation of the ramifying consequences of their revealed sexuality for those around them. The resultant collective emotional and psychological effects are by definition subjective, but no military expert could doubt the reality and the significance of unit morale. It is not realistic to expect follow-up interviews and surveys to have been conducted among the former colleagues of removed homosexuals to justify the basis of a policy which, in the British Armed Forces, has not until now been legally challenged and is still perceived among Service people as overwhelmingly justified. In individual cases, the collection of such evidence of consequences, with names, circumstances, dates, units and recorded collective reactions, would have been emotionally destructive, inordinately lengthy and quite impracticable under operational conditions. But if it had been attempted, it would have resembled the combination of personal statements and statistical data provided in this Assessment.

207. Finally, it must also be emphasised that the military consequences of all such examples to date have been generally mitigated and limited by the often pre-emptive removal or rapid departure of the homosexuals concerned. It is thus logically impossible for accumulated evidence to bear fully on the basic issue of the long-term effects on the morale and cohesion of the total UK military system of permitting homosexuality, whether this was unambiguously known or strongly suspected, but never investigated. Foreign experience yields no reliable practical experience as a guide and it is not apparent what else, even in principle, could be produced, short of an experiment with the whole Armed Forces, involving the military risk and insult to most British

Service people's feelings which have been exhaustively set out.

XI. THE COST TO THE MOD IN ITS LOSS OF WELL QUALIFIED AND EXPENSIVELY TRAINED PERSONNEL

208. The relative insignificance of the total numbers of personnel and quantities of sunk costs involved in comparison with the MOD's annual outflow of trained personnel and scale of financial inputs has been pointed out in Section G-II.

ANNEX A

**TRI-SERVICE STATEMENT TO BE READ AND SIGNED BY ALL APPLICANTS
BEFORE ENLISTMENT PROCEDURES ARE CARRIED OUT**

1. Commitment. You must realise that in joining the Armed Forces you will be entering a disciplined Service which has to have different requirements from those in civilian life. There will be times when the requirements of the Service take priority over personal needs and, for example, you will be liable for duty at any time of the day or night seven days a week. In addition, you may be required to serve in any part of the world.

2. Discipline. Conduct which does not amount to a crime in civilian life can be a disciplinary matter in the Armed Forces and carry appropriate penalties. For instance, you can be disciplined for disobeying an order, being untidily dressed, being late for work, or taking unauthorised absence from your place of duty.

3. Integrity. Some offences are regarded more seriously in the Armed Forces than in civilian life. Dishonesty of any kind is unacceptable and can damage morale and trust.

4. Drugs. Drug or solvent misuse is not tolerated and can attract disciplinary action including dismissal or administrative discharge from the Service.

5. Compulsory Drugs Testing. At any time you may be required to provide a urine specimen as part of a Compulsory Drugs Testing (CDT) programme. CDT is designed to identify personnel who have been taking controlled drugs for their effect on the mind instead of for medical purposes. CDT will detect traces of controlled drugs such as Cannabis products (including herbal Cannabis and Cannabis resin); cocaine

(including crack); amphetamines (including "speed" and "ecstasy"); opiates (including heroin); LSD ("acid"); and phencyclidine ("angel dust"). A positive test result or refusal to provide a proper specimen may constitute grounds for administrative discharge.

6. Alcohol. Drunkenness is an offence under the Service Discipline Acts and is taken very seriously by the Armed Forces. Those who persistently offend may be administratively discharged.

7. Standards of Behaviour. In the Service environment where men and women may live in close proximity, particularly high standards of behaviour are demanded. Where Service restrictions are placed on sexual activity, any breach may lead to administrative or disciplinary action.

8. Homosexuality. Homosexuality, including lesbianism, is not considered compatible with Service life and can lead to administrative discharge.

9. Bullying. Ill-treatment and bullying are unacceptable. Disciplinary action will be taken against offenders.

10. Sexual or Racial Discrimination. Any form of racial or sexual harassment/discrimination will not be tolerated and disciplinary action will be taken against offenders.

11. Conclusion. If for any reason you anticipate that it will be difficult for you to meet the required standards, you should consider again whether you wish to undertake a Service career.

DECLARATION

I have read and understand the statement above.

Careers Office/AIB/
RMAS/OASC Office Stamp

Name and initials

Signature

Date

--

ARMED FORCES POLICY AND GUIDELINES

ON HOMOSEXUALITY

INTRODUCTION

1. This document sets out Armed Forces Policy on Homosexuality and provides guidance to Commanding Officers on dealing with cases which come to their notice. For the purposes of this document a homosexual is defined as "a person who is sexually attracted to a member of the same sex", and homosexuality is defined as "behaviour characterised by being sexually attracted to members of the same sex".

2. Reference in this document to Service personnel, unless otherwise stated, is to be taken to include all members of the Armed Forces, both Regular and Reserve.

3. Homosexuality, whether male or female, is considered incompatible with service in the Armed Forces. This is not only because of the close physical conditions in which personnel often have to live and work, but also because homosexual behaviour can cause offence, polarise relationships, induce ill-discipline, and as a consequence damage morale and unit effectiveness. If individuals admit to being homosexual whilst serving and their Commanding Officer judges that this admission is well founded they will be required to leave the Services. The Armed Forces policy was supported by the Select Committee on the Armed Forces Bill 1991 who stated in their report that they were not persuaded that the time had come to require the Armed Forces to accept homosexuals or homosexual activity. However, the

Committee recommended, and the MOD accepted, that homosexual activity of a kind that is legal in civilian law should not constitute an offence under Service law.

4. Buggery and Gross Indecency are civil criminal offences under the Sexual Offences Act (SOA) 1956. They can only be committed by men. However, the SOA 1967 (as amended by the Criminal Justice and Public Order Act 1994 (CJPO)) provides that neither offence will be committed in circumstances where both parties are over 18 and both consent and the act is in private. Service personnel are not exempt from the provisions of the civil criminal law. If a Serviceman commits an act of buggery or gross indecency contrary to the SOA 1967 he can be prosecuted for the civil criminal offence either through the civil courts or by court-martial.

5. In accordance with the Select Committee's recommendation, the CJPO brought Service personnel more into line with their civilian counterparts. Subject to the exception set out below, if a Serviceman participates in a homosexual act which is legal in civilian law, it will not be an offence under service law.

6. The exception, which Parliament accepted in the CJPO, is that in the Armed Forces a homosexual act which occurs in conjunction with other acts or circumstances may still constitute an offence under Service law. The rationale for this exception is that there are circumstances in Service life where all sexual behaviour is inappropriate, and in such circumstances both heterosexual and homosexual behaviour will constitute an offence.

7. There are four relevant Service disciplinary offences, and they apply to both men and women. They are: Disobedience to Standing Orders (s36 Army Act 1955 and Air Force Act 1955 (AA/AFA), s14A Naval Discipline Act 1957

(NDA)); Scandalous Conduct by Officers (s64 AA/AFA, s36NDA); Disgraceful Conduct (s66 AA/AFA, s37 NDA); and Conduct to the Prejudice of Service Discipline) (s69 AA/AFA, s39 NDA). In drawing a charge under any of these sections in relation to a homosexual act, care must be taken to ensure that the intent of Parliament that homosexual acts by consenting adults in private should not be criminal, is not circumvented.

APPLICANTS TO THE ARMED FORCES

8. The Armed Forces Policy on homosexuality is made clear to all those considering enlistment. If a potential recruit admits to being homosexual he/she will not be enlisted. Even if a potential recruit admits to being homosexual, but states that he/she does not at present nor in the future intend to engage in homosexual activity, he/she will not be enlisted.

SERVING PERSONNEL

9. It is not possible in a document of this nature to set out every circumstance which might lead to suspicion that a Serviceman or woman is homosexual. It would be invidious to try to define all behaviour that might lead to suspicion.

10. In dealing with cases of suspected homosexuality a commanding Officer must make a balanced judgement taking into account all the relevant factors. Particular caution is necessary in dealing with recently enlisted personnel who have not had time to adjust to the standards of behaviour required by the Services and to communal life in general. In such circumstances cautionary words of advice about behaviour and the need to show more considering to other members of the community, may be sufficient to remedy the situation. In most circumstances, however, the interests of the individual and the Armed Forces will best be served by formal investigation of the allegations or suspicion.

11. Depending on the circumstances the Commanding Officer will either conduct an internal inquiry, using his own staff, or he will seek assistance from the Service police. When conducting an internal inquiry he will normally discuss the matter with his welfare support staff. Homosexuality is not a medical matter, but there may be circumstances in which the Commanding Officer should seek the advice of the Unit Medical Officer on the individual concerned and may then, if the individual agrees, refer him/her to the Unit Medical Officer. Instructions for the Guidance of Medical Officers in dealing with instances of homosexuality, where there is no suspicion that an offence has been committed, are at Annex A.

12. If the Commanding Officer has reason to suspect that a civil criminal or disciplinary offence has been committed, he should seek advice from the Service Police as to the need for them to conduct a formal investigation.

13. After consideration of the Service Police report the Commanding Officer is to seek advice from the Service Legal staffs on the evidence and whether any charges should be preferred.

14. Security Considerations Commanding Officers must bear in mind the security aspects of homosexuality and must refer to the appropriate Security Authorities when necessary.

ACTION AFTER INVESTIGATION

15. Written Warnings A written warning in respect of an individual's conduct or behaviour may be given in circumstances where there is some evidence of homosexuality but insufficient either to apply for administrative termination of service or to proceed with disciplinary

action. In such instances the warning will be given in accordance with single Service rules.

16. Administrative Termination of Service If the Commanding Officer is satisfied on a high standard of proof of an individual's homosexuality, administrative action to terminate service in accordance with single Service rules is to be initiated, unless disciplinary action is to be taken.

17. Disciplinary Action Disciplinary action is normally to be taken if legal advice indicates that there is sufficient evidence to support a charge of:

a. A civil criminal offence (or an alternative a Service disciplinary offence where it may be more appropriate to use the disciplinary charge even though a civil criminal offence has occurred);

or

b. A Service disciplinary offence where the homosexual act occurs in conjunction with other acts or circumstances such that the conduct constitutes an offence under Service law.

Should the Commanding Officer wish to recommend administrative disposal of such a case, instead of disciplinary action, he is to consult higher authority.

CONCLUSION

18. Homosexuality in the Armed Forces is a very sensitive issues and Commanding Officers must ensure that in dealing with any instances of homosexuality, alleged or proven, the matter is dealt with fairly and promptly in accordance with the above guidelines.

Annex A: Instructions for the Guidance of Medical Officers in Dealing with Instances of Homosexuality where no Offence has been Committed.

Annex A

INSTRUCTION FOR THE GUIDANCE OF MEDICAL OFFICERS IN DEALING WITH CASES OF HOMOSEXUALITY WHERE NO OFFENCE HAS BEEN COMMITTED

1. The role of the Medical Officer in matters relating to homosexuality involves discharging responsibilities to both the individual and to the Service. It must be remembered that homosexuality is not in itself a medical condition and that the individual is owed a duty of care such that his or her physical and mental wellbeing must be considered at all times. Intimate examinations are not indicated purely on the grounds of homosexuality.
2. A Commanding Officer will normally seek the advice of the Unit Medical Officer when dealing with instances of homosexuality. Advice given may either relate to general principles or be case specific; in the latter circumstances the normal rules of medical confidentiality should apply at the discretion of the Medical Officer. Additionally, individuals who have admitted to or are suspected of being homosexual may be referred to the Unit Medical Officer.
3. In the resultant interview the Medical Officer should make clear to the individual that the purpose of the interview is not to obtain evidence of sexual orientation but to assess the individuals physical and mental wellbeing, including the need for onward referral to specialist services if required. The individual must, however, be warned at an early stage in the consultation that it may be necessary for

the Medical Officer to discuss elements of the interview (such as general health and psychological development) with the Commanding Officer on an "in confidence" basis as part of the administrative process and, if possible, the individual's consent for this should be obtained. Such disclosure, with or without the individual's consent, of information to the Commanding Officer in the circumstances outlined here and in the following paragraph would be fully supported by the Service Medical authorities.

4. When, on the other hand, an individual admits to homosexual feelings in the first instance to a medical officer, the individual should also be warned that, notwithstanding medical confidentiality, the Medical Officer has a duty to report to the Commanding Officer any information relating to a serious offence or matters which might adversely affect the health, security or discipline of the unit. If the Medical Officer is satisfied that the individual is experiencing homosexual feelings then it would be most unusual not to discuss the matter with the Commanding Officer (again if possible having obtained the individual's consent). The Medical Officer should remember that "coming out", can be highly stressful, particularly because of the prospect of the loss of a Service career, and attention should be paid to assessment of the individual's mental state since some individuals are vulnerable to thoughts of self harm at this time.

5. In all cases, due consideration should be given to individual's motives. Admissions of homosexuality may be for a variety of reasons. Any Medical Officer who is in doubt about the correct course of action should seek further advice from his Command Medical Officer.

6. Health care personnel without a medical qualification (eg nurses or medical assistants) who are presented with an

individual admitting homosexuality must refer the case to a Medical Officer as a matter of urgency. They are not to undertake any form of medical examination. If a Medical Officer is not available (eg ships at sea or units deployed) the Command medical organisation must be contacted by telephone or immediate signal for advice. The health career should attempt to provide psychological support to the individual while awaiting further instructions. Additionally, the health career must advise the Commanding Officer of the case.

ANNEX C

FORM OF WRITTEN WARNING

"Recent investigations give rise to suspicion that you may have been involved in homosexual behaviour. It is not intended to take any further action against you in relation to what has been revealed by these investigations, but you are warned as to your future conduct. You are reminded that homosexuality is considered incompatible with service in the Armed Forces and those who admit to being, or found to be, homosexual, or have engaged in homosexual activity during their service, whether on or off duty, are discharged."

In addition, for those in employment who require security clearance:

"You are further warned that a review of your security clearance may be necessary, which could affect your employability."

TERMS OF REFERENCE FOR AN ASSESSMENT OF THE MOD'S CURRENT
POLICY ON HOMOSEXUALITY

1. The Ministry of Defence's policy is that homosexuality is incompatible with service in the Armed Forces. Service personnel who are known to be homosexual or who engage in homosexual activity are administratively discharged from the Armed Forces. You are to undertake an internal assessment of the current policy. This will form the basis of a Departmental paper of evidence to the Select Committee on the forthcoming Armed Forces Bill, to assist the Committee in its deliberations on the subject of homosexuality in the Armed Forces.

2. In conducting your work, you are to have regard:

a. to the advice given to Ministers by the most senior military officers about the implications of homosexuality for military life and operational effectiveness, and

b. to the full range of arguments put forward in the High Court.

3. You should consult widely with the Ministry of Defence and the Armed Forces. Your consultations should include discussions with Service personnel of all ranks, as well as Service and civilian staffs with responsibilities for carrying out the policy, and members of the Legal Adviser's staff.

4. As part of your assessment you should examine the policies of the Armed Forces of other Nations, including

those which have changed their policies on this matter in recent years. In doing this, you are to have particular regard to the way in which policies operate in practice as well as the policies themselves. In order to achieve the latter, there will be a requirement for members of the team to travel abroad.

5. You are also to examine whether existing procedures stemming from the current policy - including the treatment of individuals - are appropriate and humane.

APPENDIX 1 TO

ANNEX D

THE HOMOSEXUALITY POLICY ASSESSMENT TEAM

1. The MOD Homosexuality Policy Assessment Team comprised a mixed age, sex, tri-service and civilian group from a wide variety of backgrounds. Composition of the team is shown below:

<u>Position</u>	<u>Rank</u>	<u>Significant Previous Experience</u>
Team Leader	Grade 5	Head of Med F&S
Deputy Leader	Col	Battalion Commander
Psychologist	Grade 7 Dr	MOD Harassment Policy Chartered Psychologist
HPAT 1	Lt Cdr RN	Executive Officer Type 42 Destroyer
HPAT 2	Sqn Ldr	Senior Air Traffic Control Officer
HPAT 3	WO RN	Ex Submarine Coxswain
HPAT 4	WO2	Company Sergeant Major
HPAT 5	WO RAF	RAF Administration
HPAT 6	WOI	HQ Training, Army
Interviewer	WO RAF	Air Member for Personnel's Liaison Team
Interviewer	WO2	Infantry (SAS)

ANNEX E

TEXT OF SIGNAL REQUESTING SERVICE VIEWS

1. (....) You will already be aware from reference [....] that the Ministry of Defence has decided to conduct an assessment of its policy on homosexuality in the Armed Forces in order to assist the Parliamentary Select Committee which will consider the forthcoming Armed Forces Bill. The Homosexuality Policy Assessment Team (HPAT), has therefore been established consisting primarily of serving members drawn from all 3 Services and I wish to outline the plans for its work in the coming months.

2. HPAT's aim is to conduct an objective internal examination and assessment of the Ministry of Defence's policy on homosexuality in the Armed Forces.

3. In order to meet this remit the team will conduct a full and detailed examination of the policy and associated procedures. This will, of course, take note of recent discussion and legal issues but, most importantly, I am determined that we must seek and accurately reflect the considered views of those currently serving in the Armed Forces. To that end, I invite all serving personnel with views, especially on the implications for combat effectiveness, on this topic to write direct to the team at the address shown below.

4. Naturally, we will not have the resources to reply to all the letters we may receive, but I hope that all personnel will understand that this method of communication can offer a unique channel from which my team can gather ideas and opinions that might not occur in the planned discussions with

unit groups and individuals. We may, however, in some cases follow up and offer face-to-face discussions with the authors of letters which raise new points requiring detailed consideration.

5. In addition, I will be asking for full cooperation and assistance in the conduct of a series of visits by the members of my team to a cross-section of units and individual personnel across the 3 services.

6. Concurrently with this series of interviews, members of the team will meet those within the departments which are responsible for the policy on homosexuality. We shall also take evidence from overseas Armed Forces.

7. I must remind all personnel that, despite this assessment work, the current Ministry of Defence policy on homosexuality in the Armed Forces remains extant.

8. Time is short, [...and] we shall have to work fast and ask challenging questions if we are to produce a full, convincing and objective picture of the complex issues involved. I, therefore, hope for and expect your full cooperation at all levels with the team.

9. All correspondence to the team should be addressed to:
HPAT, Room 333, Adastral House, Theobalds Road, London WC1X
8RU.

ANNEX F

LETTERS RECEIVED FROM SERVICE PERSONNEL AS AT 16 JAN 96

Ser No	Category	RN	Army	RAF	RM	NK	TOTAL
1	Service	237 Signatures = 367	195 Signatures = 213	65	139 Signatures = 161	3	639
2	Sex	M = 212 F = 9 N = 13	M = 164 F = 3 NK = 28	M = 53 F = 3 NK = 9	M = 139 F = 0 NK = 0	M = 0 F = 0 NK = 3	M = 568 F = 15 NK = 56
3	Type of Letter	Anonymous = 3 Proforma = 1 Group = 17 Signatures = 130 Individual = 216	Anonymous = 4 Proforma = 0 Group = 17 Signatures = 18 Individual = 174	Anonymous = 2 Proforma = 0 Group = 4 Individual = 59	Anonymous = 1 Proforma = 63 Group = 7 Signatures = 22 Individual = 68	Anonymous = 1 Proforma = 0 Group = 0 Individual = 2	Anonymous = 11 Proforma = 64 Group = 45 Individual = 519
4	Unit Type	Teeth Arm = 116 Support = 95 NK = 26	Teeth Arm = 93 Support = 80 NK = 22	Teeth Arm = 8 Support = 50 NK = 7	Teeth Arm = 135 Support = 4 NK = 0	Teeth Arm = 0 Support = 0 NK = 3	Teeth Arm = 352 Support = 229 NK = 58
5	I'm homosexual	Yes = 4 No = 16 NK = 217	Yes = 1 No = 14 NK = 180	Yes = 2 No = 7 NK = 56	Yes = 0 No = 6 NK = 133	Yes = 0 No = 0 NK = 1	Yes = 7 No = 43 NK = 589
6	I'm homophobe	Yes = 3 No = 41 Nk = 193	Yes = 1 No = 26 NK = 167	Yes = 2 No = 9 NK = 54	Yes = 3 No = 9 NK = 127	Yes = 0 No = 1 NK = 2	Yes = 10 No = 86 NK = 543
7	Change in the policy	Anti = 218 Pro = 12 Nk = 4	Anti = 179 Pro = 12 Nk = 4	Anti = 52 Pro = 9 NK = 41	Anti = 136 Pro = 3 NK = 0	Anti = 2 Pro = 1 NK = 0	Anti = 587 Pro = 41 NK = 11

8	Not in favour of ban being lifted but believe it could work	Would work = 17 Not work = 145 NK	Would Work = 14 Not work = 145 NK = 46	Would work = 9 Not work = 49 NK = 7	Would work = 4 Not work = 116 NK = 19	Would work = 4 Not work = 116 NK = 1	Would work = 45 Not work = 502 NK = 92
9	MOD should move to don't ask don't tell	Yes = 12 No = 14 NK = 175	Yes = 13 No = 6 NK = 175	Yes = 2 No = 7 NK = 56	Yes = 2 No = 2 NK = 135	Yes = 0 No = 0 NK = 3	Yes = 29 No = 29 NK = 581
10	Convert homosexuals if discovered should leave the Service	Stay = 1 Go = 2 NK = 234	Stay = 6 Go = 5 NK = 175	stay = 1 Go = 0 NK = 64	stay = 0 Go = 1 NK = 138	stay = 0 Go = 1 NK = 2	stay = 8 Go = 9 NK = 622
11 PA10	Reduction in unit cohesion from change	Yes = 158 No = 5 NK = 74	Yes = 138 No = 8 NK = 49	Yes = 33 No = 2 NK = 30	Yes = 112 No = 1 NK = 26	Yes = 1 No = 1 NK = 1	Yes = 442 No = 17 NK = 180
12 PA10	Morale loss from change	Yes = 137 No = 3 NK = 97	Yes = 115 No = 6 NK = 74	Yes = 40 No = 3 NK = 22	Yes = 78 No = 0 NK = 61	Yes = 1 No = 1 NK = 1	Yes = 371 No = 13 NK = 255
13 PA1	Discipline would suffer from change	Yes = 161 No = 4 NK = 72	Yes = 131 No = 5 NK = 59	Yes = 39 No = 3 NK = 24	Yes = 104 No = 1 NK = 34	Yes = 1 No = 1 NK = 1	Yes = 436 No = 13 NK = 195
14	Operational effectiveness would suffer from change	Yes = 176 No = 8 NK = 53	Yes = 158 No = 9 NK = 28	Yes = 45 No = 3 NK = 17	Yes = 125 No = 1 NK = 13	Yes = 1 No = 1 NK = 1	Yes = 505 No = 22 NK = 112
15 PA8	Moral/Religious factors should prevent change	Yes = 38 No = 1 NK = 198	Yes = 29 No = 2 NK = 164	Yes = 16 No = 0 NK = 49	Yes = 11 No = 0 NK = 128	Yes = 0 No = 0 NK = 3	Yes = 94 No = 3 NK = 542
16 PA9	Unique conditions of Service life should prevent change	Yes = 185 No = 12 NK = 40	Yes = 139 No = 8 NK = 48	Yes = 47 No = 8 NK = 10	Yes = 113 No = 0 NK = 26	Yes = 1 No = 1 NK = 1	Yes = 485 No = 29 NK = 125

17 PA9	Accommodation problems from change	Yes = 163 No = 5 NK = 69	Yes = 125 No = 3 NK = 67	Yes = 32 No = 3 NK = 67	Yes = 92 No = 0 NK = 47	Yes = 1 No = 0 NK = 2	Yes = 413 No = 12 NK = 214
18 PA9	Abutions (showers/latrine) problems should prevent change	Yes = 104 No = 4 NK = 129	Yes = 86 No = 3 NK = 106	Yes = 16 No = 2 NK = 47	Yes = 76 No = 0 NK = 63	Yes = 1 No = 0 NK = 2	Yes = 283 No = 9 NK = 347
19 PA4	Change would bring sexual aggression from homosexuals	Yes = 25 No = 5 NK = 207	Yes = 29 no = 2 NK = 164	Yes = 6 No = 1 NK = 58	Yes = 16 No = 0 NK = 123	Yes = 0 No = 1 NK = 2	Yes = 76 No = 9 NK = 554
20 PA8	Homosexuality is unnatural	Yes = 65 No = 1 NK = 171	Yes = 58 No = 2 NK = 135	Yes = 29 No = 1 NK = 35	Yes = 34 No = 0 NK = 105	Yes = 0 No = 1 NK = 2	Yes = 186 No = 5 NK = 448
21 PA10	Homosexuality is especially unacceptable to Service personnel	Yes = 230 No = 16 NK = 1	Yes = 162 No = 1 NK = 2	Yes = 50 No = 7 NK = 8	Yes = 130 No = 2 NK = 7	Yes = 1 No = 1 NK = 1	Yes = 553 No = 37 NK = 49
22 PA2	Risk of violence against homosexuals after change	Yes = 85 No = 0 NK = 152	Yes = 81 No = 4 NK = 110	Yes = 10 No = 0 NK = 46	Yes = 72 No = 0 NK = 67	Yes = 1 No = 0 NK = 2	Yes = 258 No = 4 NK = 377
23 PA3	Risk of intimidation of heterosexuals after change	Yes = 54 No = 4 NK = 179	Yes = 46 No = 3 NK = 146	Yes = 8 No = 2 NK = 55	Yes = 36 No = 0 NK = 103	Yes = 1 No = 1 NK = 1	Yes = 145 No = 10 NK = 484
24 PA5	Risk of discrimination against open homosexuals after change	Yes = 30 No = 0 NK = 207	Yes = 39 No = 3 NK = 153	Yes = 14 No = 0 NK = 51	Yes = 35 No = 0 NK = 104	Yes = 0 No = 0 NK = 3	Yes = 118 No = 3 NK = 518

25 PA12	Recruitment of heterosexuals would reduce after	Yes = 43 No = 1 NK = 193	Yes = 47 No = 0 NK = 148	Yes = 9 No = 0 NK = 56	Yes = 25 No = 0 NK = 114	Yes = 0 No = 0 NK = 3	Yes = 124 No = 1 NK = 514
26 PA12	Retention of heterosexuals would reduce	Yes = 46 No = 0 NK = 191	Yes = 32 No = 0 NK = 163	Yes = 6 No = 0 NK = 59	Yes = 36 No = 0 NK = 103	Yes = 0 No = 0 NK = 3	Yes = 120 No = 0 NK = 519
27 PA12	Change would represent European interference	Yes = 2 No = 0 NK = 215	Yes = 26 No = 0 NK = 169	Yes = 9 No = 0 NK = 56	Yes = 12 No = 0 NK = 127	Yes = 0 No = 1 NK = 3	Yes = 69 No = 1 NK = 570
28 PA10	Change would cause medical problems	Yes = 30 No = 0 NK = 207	Yes = 51 No = 0 NK = 144	Yes = 7 No = 0 NK = 58	Yes = 25 No = 0 NK = 114	Yes = 0 No = 0 NK = 3	Yes = 113 No = 0 NK = 526
29 PA10	Change would increase risk of Aids/HIV to service personnel	Yes = 35 No = 2 NK = 200	Yes = 54 No = 0 NK = 141	Yes = 10 No = 0 NK = 5	Yes = 24 No = 0 NK = 115	Yes = 0 No = 1 NK = 2	Yes = 123 No = 3 NK = 513
30	Change would increase security risk through blackmail of homosexuals	Yes = 10 No = 3 NK = 224	Yes = 14 No = 1 NK = 180	Yes = 5 No = 1 NK = 59	Yes = 1 No = 0 NK = 138	Yes = 0 No = 1 NK = 2	Yes = 30 No = 6 NK = 603
31 PA11	Change would lead to family anxieties	Yes = 45 No = 0 NK = 192	Yes = 31 No = 0 NK = 164	Yes = 1 No = 0 NK = 54	Yes = 8 No = 0 NK = 131	Yes = 0 No = 0 NK = 3	Yes = 95 No = 0 NK = 544
32 PA11	MOD is often in loco parentis so should not change	Yes = 54 No = 0 NK = 183	Yes = 36 No = 0 NK = 159	Yes = 12 No = 0 NK = 53	Yes = 9 No = 0 NK = 130	Yes = 0 No = 0 NK = 3	Yes = 111 No = 0 NK = 528

33 PA4	Change would risk abuse of power for homosexual advantage	Yes = 34 No = 3 NK = 200	Yes = 33 No = 1 NK = 161	Yes = 2 No = 0 NK = 63	Yes = 26 No = 0 NK = 113	Yes = 0 No = 1 NK = 2	Yes = 95 No = 5 NK = 539
34 PA7	Change would cause lack of trust in leaders	Yes = 59 No = 0 NK = 178	Yes = 51 No = 1 NK = 143	Yes = 8 No = 0 NK = 57	Yes = 39 No = 1 NK = 9	Yes = 0 No = 0 NK = 1	Yes = 157 No = 2 NK = 480
35 PA12	Sense of betrayal and resentment among Service personnel if ban lifted	Yes = 28 No = 0 NK = 209	Yes = 26 No = 0 NK = 169	Yes = 6 No = 0 NK = 59	Yes = 24 No = 0 NK = 115	Yes = 0 No = 0 NK = 3	Yes = 84 No = 0 NK = 555
36 PA6	Risk of cliques of homosexuals offending heterosexual Service personnel	Yes = 3 No = 0 NK = 234	Yes = 9 No = 0 NK = 186	Yes = 1 No = 0 NK = 64	Yes = 1 No = 0 NK = 138	Yes = 0 No = 0 NK = 3	Yes = 14 No = 0 NK = 625
37 PA7	Change would lead to favouritism between homosexuals	Yes = 13 No = 0 NK = 224	Yes = 23 No = 2 NK = 170	Yes = 2 No = 0 NK = 63	Yes = 13 No = 0 NK = 126	Yes = 0 No = 1 NK = 2	Yes = 52 No = 3 NK = 585
38 PA8	Homosexual partner entitlements a problem following change	Yes = 6 No = 0 NK = 231	Yes = 24 No = 1 NK = 170	Yes = 9 No = 0 NK = 56	Yes = 6 No = 0 NK = 133	Yes = 0 No = 0 NK = 3	Yes = 45 No = 1 NK = 593
39 PA12	Pressure for change by small number of homosexuals against heterosexual majority	Yes = 8 No = 0 NK = 149	Yes = 57 No = 0 NK = 138	Yes = 29 No = 0 NK = 36	Yes = 37 No = 0 NK = 102	Yes = 0 No = 0 NK = 3	Yes = 211 No = 0 NK = 428
40 PA1	Change would cause a fall in Service standard	Yes = 179 No = 13 NK = 45	Yes = 145 No = 9 NK = 41	Yes = 44 No = 2 NK = 19	Yes = 112 No = 2 NK = 25	Yes = 1 No = 1 NK = 1	Yes = 481 No = 27 NK = 131

41 PA12	Accepting homosexuals would change contractual conditions	Yes = 6 No = 0 NK = 231	Yes = 2 No = 0 NK = 193	Yes = 3 No = 0 NK = 62	Yes = 1 No = 0 NK = 138	Yes = 0 No = 0 NK = 3	Yes = 12 No = 0 NK = 627
42	Homosexuals in the Services already widespread	Yes = 0 No = 0 NK = 237	Yes = 0 No = 2 NK = 193	Yes = 0 No = 0 NK = 65	Yes = 0 No = 0 NK = 139	Yes = 0 No = 0 NK = 3	Yes = 0 No = 2 NK = 637
42	Homosexuals, individually, are as professional as heterosexuals	Yes = 32 No = 3 NK = 202	Yes = 27 No = 5 NK = 163	Yes = 13 No = 1 NK = 51	Yes = 15 No = 20 NK = 104	Yes = 1 No = 0 NK = 2	Yes = 88 No = 29 NK = 522
44	Homosexuals acceptable in some parts of the Services but not others	Yes = 5 No = 15 NK = 217	Yes = 3 No = 5 NK = 187	Yes = 0 No = 3 NK = 62	Yes = 2 No = 0 NK = 137	Yes = 0 No = 0 NK = 3	Yes = 10 No = 23 NK = 606
45	Change should come in time	Yes = 27 No = 8 NK = 202	Yes = 22 No = 11 NK = 162	Yes = 13 No = 5 NK = 47	Yes = 3 No = 4 NK = 132	Yes = 1 No = 0 NK = 2	Yes = 66 No = 28 NK = 545
46	Policy should never change	Yes = 123 No = 33 NK = 81	Yes = 90 No = 28 NK = 77	Yes = 36 No = 13 NK = 16	Yes = 99 No = 7 NK = 33	Yes = 0 No = 1 NK = 2	Yes = 348 No = 82 NK = 209
47	Homosexuals are accepted in civilian life	Yes = 13 No = 7 NK = 20217	Yes = 15 No = 10 NK = 170	Yes = 5 No = 7 NK = 53	Yes = 6 No = 0 NK = 133	Yes = 1 No = 0 NK = 2	Yes = 40 No = 24 NK = 575

ANNEX G

HPAT RESEARCH METHODOLOGY: SURVEYS, INTERVIEWS AND FOCUS GROUPS

209. As indicated in Section E, Paragraph 27, an adequate assessment of the views of the British Armed Forces on military policy towards homosexuality required collection and analysis of both quantitative and qualitative data. The principal quantitative data came from an Attitude Survey that was specifically designed to assess military opinion on homosexuality. To supplement this HPAT survey data, separate Postal Questionnaires, designed by the Centre for Human Sciences (CHS) in the Defence Research Agency, were sent out, by the single Services, to samples of Royal Navy, Army and Royal Air Force personnel. The HPAT Survey and the Postal Questionnaires provided the opportunity for respondents to add anonymous written comments, and qualitative data were also obtained from letters, focus groups, and individual interviews. Qualitative information of this kind from all sources was essential for the initial design and subsequent evolution of the Behavioural Model used in Section F.

THE HPAT ATTITUDE SURVEY

210. A survey of British Armed Forces attitudes towards homosexuality conducted by the HPAT was specifically designed to collect the opinions of serving personnel across the three

Services. The HPAT survey was targeted at a number of military units which represented combat, support and training elements of the three Services. Those taking part in the survey in those units were all given a standard verbal brief prior to completing the questionnaires. The surveys were completed anonymously under examination conditions and respondents were assured that all completed questionnaires would be treated in strict confidence. The aim was to measure attitudes on homosexuality from a broad sample of military personnel, confidentially, using a structured technique, and with a very high response rate.

Questionnaire design

211. The attitude questionnaire was designed, by the HPAT Psychologist, to measure attitudes to areas of interest specified by the Team. Members of the HPAT acted as subject matter experts, proposing, trialling and revising test items. Most attitude statements were selected from a pool of items generated specifically for the HPAT study in this way. But in order to allow comparison of military with general civilian attitudes, a few items taken from the "British National Survey of Sexual Attitudes and Lifestyles"¹ and the Social Community Planning Research's "Discrimination against Gay Men and Lesbians" survey² were included in the survey. The construction of the HPAT questionnaire involved some collaborative effort with the CHS. A few questions, therefore, were common to both the single-Service postal attitude surveys, and the HPAT survey.

¹ Johnson, A. M., Wadsworth, J., Wellings, K. & Field, J. (1994) *Sexual Attitudes and Lifestyles*. Blackwell Scientific Publications, Oxford.

² Snape, D., Thomson, K. & Chetwynd, M. (1995) *Discrimination Against Gay Men and Lesbians*. Social and Community and Planning Research, London.

HPAT Survey Sample

212. The sample was drawn from Service personnel from the three Services. Owing to the strict time constraints of the study and the need to minimize the disruption to personnel during their normal duties, military units had to be chosen where the survey questionnaires could be administered to relatively large numbers of personnel during a single visit. After consultation over sampling techniques with the Office of Population Census and Surveys and the Defence Analytical Services Agency, it was decided that the most practical method of data collection was to target the survey at a small number of representative military units widely distributed across the UK, to stratify the sample partially by rank, and to employ a randomized method of selecting the respondents at each unit. In addition, women were oversampled to obtain a sample size sufficient to enable statistically reliable comparisons to be made between Servicemen's and Servicewomen's responses.

213. For each Service, representative combat, combat support and training units were identified by the single-Service representatives within the HPAT. At each main unit or base that the HPAT visited for a full day, a minimum of 170 personnel were requested to attend a briefing and complete a

questionnaire. (From that pool 18 people were required to take part in one-to-one structured interviews and a further 18 people were requested to attend focus (i.e. discussion) groups.) The schedule was as follows:

- a. Catterick (4 Oct 95)
- b. Catterick (second day, 5 Oct 95)
- c. Portsmouth - HMS Fearless & HMS Manchester
(11 Oct 95)
- d. HMS Collingwood (12 Oct 95)
- e. RAF Lyneham (16 Oct 95)
- f. Army Training Regiment, Pirbright (17-18 Oct 95)
- g. RAF Kinloss - including RAF Lossiemouth (23 Oct 95)
- h. RAF Leeming (24 Oct 95)
- i. CNB Faslane (25 Oct 95)
- j. 40 Commando Royal Marines, Taunton (half day visit, seeing half the usual sample size (85), 13 Nov 95)
- k. RAF Regiment, Honington (half day visit, seeing one third of the usual sample size (57), 20 Nov 95)

(Questionnaires were also administered during the 3 regional tri-Service focus group visits.)

214. Administrative officers at each unit were provided with instructions for selecting personnel to take part in the study. They were asked to provide a total of 170 Service personnel divided into the following categories:

- a. 20 Officers of various ranks, of whom there should be:
 - 10 from the combat element;
 - 4 from combat support (i.e. operations/engineering);
 - 6 from combat service support (i.e. administration).

- b. 34 Warrant Officers/Senior Non-Commissioned Officers, of various ranks, of whom there should be:
 - 17 from the combat element;
 - 4 from combat support;
 - 6 from combat service support.

- c. 116 Other Ranks, of whom there should be:
 - 58 from the combat element;
 - 20 from combat support;
 - 38 from combat service support.

215. In order to randomize the sample, personnel with an even digit at the end of their Service numbers were to be selected in preference to those with an odd digit. To minimize potential bias from self-selection, those taking part in the study were directed to attend briefing sessions and were not asked to volunteer.

Survey administration

216. The attitude questionnaires were administered to a total of 1711 Service personnel between 4 October and 22 November 1995: 1710 returns were suitable for analysis. (One was incomplete and discarded.)

217. Prior to administering the questionnaires, all taking part were given a general brief on the purpose of the HPAT study and visit, followed by a standard verbal brief specifically about the HPAT attitude survey. All were reminded that they had been selected at random, that the questionnaires were to be completed anonymously (no names or Service numbers were to be entered), that all completed questionnaires would be treated in strict confidence, and that the establishment of Service personnel's collective views would be very important for determining future policy. It was emphasised that respondents should complete the questionnaire individually and that they should answer honestly, giving their own opinions. If they had any concerns whatsoever about the way in which their completed questionnaires would be handled, they were invited to contact the Team Psychologist, in confidence, to discuss the issue. Respondents were told that the questionnaires were lengthy, but that answers to all questions were required. They were asked to read the attitude statements carefully, because, if they were to respond consistently, they would want to agree with some statements and disagree with others. They were also asked to check that they had completed every item before they returned the questionnaire. Everyone was encouraged to add their written comments to the questionnaire. Finally, however, those attending the brief were given the option not to take part in the survey if they had reasons for not wishing to do so (though they would not have to state what those reasons were).

218. The questionnaires were completed under examination conditions though lack of space meant that in some locations not all respondents had tables or desks. HPAT members invigilated unobtrusively to prevent collaborative responses and to deal with any questions.

Results and Discussion

219. The sample comprised data from a total of 1710 questionnaires of which 1508 (88%) were from Servicemen and 202 (12%) from Servicewomen.

220. A complete set of percentage responses to the survey attitude items, for Servicemen and Servicewomen, are shown at Appendix 2. Single-Service results are presented at Appendix 3. Principal findings are discussed in the main body of the report. Further details of general trends that emerged from the analysis are presented here under separate headings.

a Comparison with the general population

221. Owing to unavoidable sampling constraints, some caution might have been required when making generalizations about the entire Service population's opinions on homosexuality, from the HPAT survey results alone. Corroborative evidence from the postal surveys indicates, however, that the HPAT survey results are generally representative, and are certainly not atypical. It is, therefore, worthwhile to compare the attitudes of the HPAT sample with those of the general civilian population.

222. The "British National Survey of Sexual Attitudes and Lifestyles" sought the opinions of 18,876 men and women aged 16-59 between May 1990 and November 1991 and is currently the most authoritative study of British attitudes towards

sexuality. The results of that survey, which are broadly representative of the population of Great Britain aged 16-59, indicate that:

"..despite the spread of opinion, homophobic attitudes are widespread in Britain. More than two-thirds of men (70.2%) and more than half of women (57.9%) believe sex between two men to be always or mostly wrong, and there is only marginally less condemnation of sex between two women (which 64.5% of men and 58.8% of women see as always or mostly wrong)." (Johnson, A. et al., 1994, p.241)

223. In comparison with these findings, a slightly higher percentage of the Servicemen responding to the HPAT survey, 73%, believed sex between two men to be always or mostly wrong. But in contrast to the civilians, significantly fewer Servicewomen - less than half of the Servicewomen surveyed (39%) - believed sex between two men to be always or mostly wrong. The Servicemen's condemnation of sex between two women was similar to the civilian view: 64% of Servicemen believed sex between two women to be always or mostly wrong. But, again, the Servicewomen's view of sex between two women was significantly less condemnatory than that of either Servicemen or civilian women: only 39% of Servicewomen in the HPAT sample saw sexual relationships between two adult civilian females as always or mostly wrong.

224. A further, more detailed, comparison was made between the HPAT survey results and findings from a survey of 619 United Kingdom adult heterosexuals (304 (49%) males and 315 (51%) females) who were interviewed in 1993 for the Social and Community Planning Research's (SCPR) "Discrimination against Gay Men and Lesbians" study (Snape, D. et al., 1995). The 619 people surveyed were originally interviewed as part

of the National Survey of Sexual Attitudes and Lifestyles (Johnson et al., 1994).

225. **Table 1** presents the following information:

- a. weighted percentage scores from the SCPR survey, taken from their sample and giving an effective base of 49% males and 51% females;
- b. unweighted percentage scores from the HPAT survey (based on the full sample of 1710: 1508 males and 202 females);
- c. unweighted male percentage scores from the HPAT survey;
- d. unweighted female percentage scores from the HPAT survey; and
- e. weighted HPAT percentage scores which, in order to compare with the SCPR data, are adjusted to give a 49% weighting to the Servicemen's scores and 51% weighting to the Servicewomen's scores.

TABLE 1

A COMPARISON OF THE HPAT SURVEY RESULTS AND THE SOCIAL AND COMMUNITY PLANNING RESEARCH RESULTS

Percentage scores are shown throughout.

	Wrong			Not wrong		
	AW	MW	SW	RW	NAAW	DK
33. In my opinion, if a married person has sexual relations with someone other than his or her partner, it is:	SCRP	45	31	20	2	1
	HPAT	45	34	18	1	2
	m	44	34	19	1	2
	f	48	36	14	0	1
	WHPAT	46	35	16	1	1
34. In my opinion, sexual relations between two adult civilian males are:	SCRP	41	10	10	7	29
	HPAT	59	10	11	5	14
	m	63	10	10	4	13
	f	28	11	19	13	27
	WHPAT	45	11	15	9	20
35. In my opinion, sexual relations between two adult civilian females are:	SCRP	37	12	11	8	29
	HPAT	47	14	13	6	19
	m	49	14	12	5	18
	f	26	12	19	13	27
	WHPAT	38	13	16	9	23

36. Do you know of any bisexuals, homosexual men or lesbians among the following groups of people?

	SCPR	HPAT	m	f	WHPAT
Civilian male friends	17	16	14	31	22
Civilian female friends	12	17	16	27	21
Civilian male acquaintances	--	20	20	21	20
Civilian female acquaintances	--	14	13	20	16
A close male relative (eg father, brother, husband, son)	4	2	2	2	2
A close female relative (eg mother, sister, wife, daughter)	4	2	2	0	1

	Agree			Disagree		
	SA	A	N	D	SD	
44. I would find it acceptable* to see two civilian men kissing and cuddling in the street.	SCPR	2	17	10	43	29
	HPAT	2	2	10	21	65
	m	2	2	8	18	70
	f	2	6	22	39	30
	WHPAT	2	4	15	29	50
45. I would find it acceptable* to see two civilian women kissing and cuddling in the street.	SCPR	2	19	13	40	26
	HPAT	3	6	19	26	46
	m	3	6	18	24	48
	f	2	7	22	39	30
	WHPAT	3	6	20	32	39
46. I would find it acceptable* to see a civilian man and a civilian woman kissing and cuddling in the street.	SCPR	13	59	17	11	1
	HPAT	38	44	13	3	1
	m	40	44	12	2	1
	f	29	43	21	7	0
	WHPAT	34	43	17	5	1

	SA	A	N	D	SD	
47.Lots of homosexual men and women make excellent teachers and youth leaders.	SCPR	4	54	26	13	3
	HPAT	3	11	50	13	22
	m	3	9	48	14	25
	f	9	22	59	6	3
	WHPAT	6	16	54	10	14
48.Homosexual men and lesbians should be banned from working with children.	SCPR	6	18	18	49	9
	HPAT	19	14	30	23	14
	m	21	15	31	21	12
	f	5	7	24	40	23
	WHPAT	13	11	28	31	18
49.Most male homosexuals have too many sexual partners.	SCPR	6	26	52	15	1
	HPAT	10	12	65	8	3
	m	11	12	66	6	3
	f	3	8	58	25	6
	WHPAT	7	11	62	16	4
50.Most lesbians have too many sexual partners.	SCPR	4	16	58	22	1
	HPAT	7	6	71	10	3
	m	7	7	73	8	3
	f	3	4	59	27	6
	WHPAT	5	6	66	18	5
51.Children should be taught about homosexuality at school so that they grow up more tolerant.	SCPR	7	59	12	17	5
	HPAT	10	31	17	22	19
	m	9	30	16	23	20
	f	12	45	23	14	6
	WHPAT	11	38	20	18	13

	SA	A	N	D	SD	
53.It is quite natural for some people to be male homosexuals or lesbians.	SCPR	6	64	11	15	4
	HPAT	5	28	28	17	21
	m	4	27	28	17	23
	f	9	37	29	17	8
	WHPAT	7	32	29	17	15
54.All homosexuals are perverted.	SCPR	3	6	16	52	23
	HPAT	13	11	34	26	16
	m	14	12	36	25	13
	f	2	6	21	37	34
	WHPAT	8	9	28	31	24
55.In civilian life people should be allowed to have sex with any other consenting adult that they wish to, without interference from others.	SCPR	10	64	12	12	2
	HPAT	13	39	22	13	12
	m	11	39	23	13	13
	f	30	38	17	10	3
	WHPAT21	39	20	12	12	8

(Abbreviations: AW = always wrong; MW = mostly wrong; SW = sometimes wrong; RW = rarely wrong; NAAW = not at all wrong; DK = don't know; SCRP = Social and Community Planning Research results; HPAT = HPAT total sample results; m = HPAT male only results; f = HPAT female only results; WHPAT = weighted HPAT results; SA = strongly agree; A = agree; N = neither agree nor disagree; D = disagree; SD = strongly disagree.)

* In the UK sex survey the question word "offensive" was used in place of "acceptable". The scores for the SCPR survey have been reversed, but, though indicative, the question should not be regarded as a precise equivalent.

226. It is generally accepted that women tend to be more tolerant of homosexuality than men. Since the HPAT total sample comprised 88% males and 12% females, it might have been expected that the overall views of the HPAT sample would be less tolerant than those from the SCPR sample that comprised 49% males and 51% females. The weighted HPAT results - increasing the relative weighting of the Servicewomen's responses and reducing the Servicemen's responses - are, therefore, a more appropriate way of comparing military with civilian attitudes. (It should be noted, however, that, owing to the small sample size, the Servicewomen's scores are less reliable than the Servicemen's scores. Moreover, the HPAT sample over-represented women, who form only about 7% of the trained strength. Overwhelmingly, therefore, it is the attitudes of Servicemen, rather than Servicewomen, which will in fact strongly predominate in the British Armed Forces on this issue.)

227. A comparison of the attitudes towards sexual relations with same-sex partners shows very little difference between the HPAT weighted military sample and the SCRP civilian sample. In both cases, just over 50% of the respondents considered sexual relations between two adult civilian males to be always or mostly wrong (SCRP 51%, WHPAT 56%), while slightly fewer considered sexual relations between two adult civilian females always or mostly wrong (SCRP 49%, WHPAT 51%). **If "wrong" indicates a view on morality, then the military sample have a similar moral view to the comparative SCRP civilian sample.**

228. Further comparisons of the total (i.e. male plus female) weighted military responses with the civilian responses to the same questions show, in general, that the HPAT respondents have a tendency to be less tolerant towards homosexuality than the SCPR civilian sample. This attitude is held despite the fact that the military respondents reported having more homosexual friends than the civilians: 22% of the weighted military sample

stated that they had male homosexual civilian friends, and slightly fewer civilians, 17%, had male homosexual friends; while 21% of the military sample had lesbian friends, but only 12% of the civilians had lesbian friends. Overall, the data suggests that military males may be slightly less tolerant towards homosexuality in the abstract than their civilian counterparts. But Servicewomen tend to be as tolerant, or more tolerant, of homosexuality in civilian life than civilian females.

b. **Homosexuality in civilian versus military life**

229. Over a quarter of the Servicemen surveyed (27%) considered male homosexuality in the civilian community acceptable (HPAT Q42). In comparison, a significantly smaller proportion - 9% - considered male homosexuality compatible with Service life (HPAT Q67). The Servicemen were significantly less negative towards lesbianism than male homosexuality - 32% considered lesbianism in the civilian community acceptable (HPAT Q43) - but they were also distinctly more accepting towards civilian lesbians than lesbians in the military: only 11% considered lesbianism compatible with Service life (HPAT Q69).

230. As expected, Servicewomen generally accepted homosexuality more than did the men, but again they were significantly more positive towards civilian male homosexuals and lesbians. Over half (55%) of the Servicewomen surveyed considered that male homosexuality in civilian life was acceptable, but only 18% considered male homosexuality compatible with Service life. Fifty-four percent considered lesbianism acceptable in civilian life - but by contrast, only 22% considered lesbianism compatible with Service life.

231. Overall, attitudes among Servicemen and Servicewomen are significantly more tolerant towards homosexuality in civilian life than towards homosexuality in the Armed Forces. This finding is strongly supported by corroborative evidence from the single Service postal surveys.

c. Views on lifting the ban

232. The overwhelming majority of questionnaire respondents considered that the ban on admitting homosexuals into the British Armed Forces should not be lifted. Only 5% considered that the ban should be lifted "now"; 8% "within the next 5 years"; 3% "within the next 6-10 years"; 4% "after the next 10 years"; while 77% believed that the ban should never be lifted. The majority, 83%, also believed that the MOD's policy on homosexuality in the British Armed Forces to be justified and a further 3% considered that the policy should be made more stringent.

d. Attitudes of Servicemen in contrast to Servicewomen

233. The "British National Survey of Sexual Attitudes and Lifestyles" found that: "Women tend to be more accepting than men of same-gender relationships, and this is more marked in attitudes towards sexual relations between two men than in attitudes towards sexual relations between two women." (Johnson, A. et al., 1994, p.241)

234. The HPAT survey results also found women to be significantly more tolerant of same-gender relationships than men (HPAT Q34 & Q35), but Servicewomen's acceptance of same-gender relationships was not more marked in their attitudes towards sexual relations between two men (HPAT Q34) than in attitudes towards sexual relations between two women (HPAT Q35).

235. Table 2 shows that the Servicewomen surveyed by the HPAT considered male homosexuality and lesbianism more acceptable in the civilian community than Servicemen. Servicewomen viewed male homosexuality and lesbianism as nearly equally acceptable in the civilian community, but Servicemen found lesbianism slightly more acceptable than male homosexuality. Servicemen viewed male homosexuality as more offensive to them than lesbianism, but the opposite was true for Servicewomen (HPAT Q52). Servicewomen were also less likely to be revolted by the thought of sexual acts, whether between two men or two women, than Servicemen.

TABLE 2

MILITARY ATTITUDES TOWARDS MALE HOMOSEXUALITY AND LESBIANISM
IN CIVILIAN LIFE

Percentage scores are shown throughout.

		SA	A	N	D	SD
42. Male homosexuality within the civilian community is acceptable to me.	Total	4	26	25	17	27
	m	3	24	25	18	29
	f	14	41	25	13	7
43. Lesbianism within the civilian community is acceptable to me.	Total	5	29	31	16	18
	m	4	28	32	16	20
	f	14	40	24	15	7
52. Male homosexuality is more offensive to me than lesbianism.	Total	26	37	20	11	6
	m	29	40	18	7	6
	f	1	13	36	39	10
56. The thought of sexual acts between two men revolts me.	Total	59	22	11	5	3
	m	64	20	9	3	3
	w	21	34	23	17	6
57. The thought of sexual acts between two women revolts me.	Total	14	20	36	22	8
	m	13	19	38	22	8
	w	25	31	21	18	6

(Abbreviations: SA = strongly agree; A = agree; N = neither agree nor disagree; D = disagree; SD = strongly disagree; m = HPAT male only results; f = HPAT female only results.)

e. Service differences

236. The data in Appendix 3 show that, in general, responses were consistent across the three Services. Personnel from separate Services did, however, differ in their strength of opinion on various aspects of homosexuality. There were also differences in the degree of acceptance of homosexuality expressed separately by both men and women in the three Services. There was a tendency, overall, for the RN to appear the least accepting and the RAF to be most accepting, but this pattern was not universal. Army women tended to be more tolerant than women in the other two Services, but since the sample of Army females was small (N=56), responses from Army women were not necessarily statistically different from those for women in the other two Services.

237. Overall, 82% of RN, 76% of Army, and 72% of RAF respondents did not want the ban on homosexuality in the British Armed Forces ever to be lifted (HPAT Q146). Responses to the same statement by men and women separately showed that 83% RN, 82% Army, and 75% RAF Servicemen thought the ban should never be lifted. But only 65% RN, 34% Army and 56% RAF Servicewomen thought the same.

f. Age

238. Just over a third, 34% (N=590), of the HPAT questionnaire respondents were aged 25 or under. A comparison between this group and those aged over 25, yielded no significant difference in their attitudes to lifting the ban on homosexuality in the Armed Forces. Seventy six percent of the younger age group said that the ban should never be lifted, and 77% of the older group responded "never" - the difference is not statistically significant. In general, acceptance of homosexuality in civilian and Service life by the younger group was no

different from acceptance by the older group (HPAT Q42, Q43, Q67, Q69, Q78, Q79, Q126). These findings are consistent with those from the "British National Survey of Sexual Attitudes and Lifestyles" where it was shown that "Younger respondents are not markedly more tolerant than older ones" (Johnson, A. et al., 1994, p.241).

239. There were no significant differences between the two age groups in the percentage of those who had civilian friends or acquaintances who were male homosexuals or lesbians (HPAT Q36). Nor was there a significant difference between the age groups and their attitude towards sexual relations between two adult civilian males: 78% of the 25 and under group considered it always or mostly wrong and 79% of the older group responded the same way. There was, however, a small, but statistically significant difference in the attitude towards sexual relations between two adult civilian females: 58% of the younger group considered it always or mostly wrong while 62% of the older group considered it always or mostly wrong.

g. Having male homosexual/lesbian civilian friends

240. Servicemen, in the HPAT sample, with civilian homosexual or lesbian friends (14% had civilian male homosexual friends and 16% had lesbian friends), were significantly less likely to say that the ban should never be lifted than those who do not have homosexual friends. Of those who have male homosexual friends, however, two thirds (66%) still thought that the ban should never be lifted and 75% considered the ban was justified, compared with 86% and 90% respectively of Servicemen without civilian male homosexual friends. 74% of those with lesbian friends believed the ban should never be lifted and 80% considered the ban justified; 86% of the Servicemen without lesbian friends believed the ban should never be lifted and 89% considered the ban justified.

241. The Servicewomen surveyed who had civilian male homosexual or lesbian friends (31% had civilian male homosexual friends and 27% had lesbian friends), were significantly less likely to say that the ban should never be lifted than those without homosexual friends. Of those with male homosexual friends, 39% thought that the ban should never be lifted and 60% considered it justified, compared with 64% and 72% respectively of Servicewomen without civilian male homosexual friends. Unlike the Servicemen, however, the percentage of Servicewomen with male homosexual friends who considered the ban justified was not statistically significantly different from the percentage of Servicewomen without homosexual friends. 33% of those with lesbian friends believed the ban should never be lifted: significantly fewer than those with no lesbian friends where 67% considered the ban should never be lifted. But nearly half of the Servicewomen who had lesbian friends (47%) considered the ban justified, although this figure was significantly higher (78%) for the Servicewomen who did not have lesbian friends.

242. As expected, Servicemen and Servicewomen with civilian homosexual and lesbian friends are likely to express attitudes that are more favourable towards accepting homosexuality in the Armed Forces than those with exclusively heterosexual friends. But even three quarters of Servicemen with homosexual friends consider the ban is justified and two thirds think it should never be lifted. It is unlikely, therefore, that their views on the acceptability of homosexuality in the military are based on ignorance of homosexuals or opposition to homosexuality in itself.

h. Coming to terms with homosexuality in civilian versus military friends

243. Forty-one percent of the Servicemen questioned thought that they could come to terms with discovering that a close civilian male friend was a homosexual: 34% believed they could not come to terms with it (HPAT Q58). But only 20% thought they could come to terms with discovering that a close male friend in the Services was a homosexual, while the majority, 63%, believed they could not come to terms with it (HPAT Q64). 57% of the Servicemen thought they could come to terms with discovering that a close civilian female friend was a lesbian, and 16% believed they could not come to terms with it (HPAT Q59). But 33% thought they could come to terms with a discovering that a close female friend in the Services was a lesbian and 39% believed they could not come to terms with it (HPAT Q65). **For Servicemen, revelation of previously covert homosexuality amongst friends of either sex in the Services would be considerably harder to come to terms with than among civilian friends, though in both cases it would be much harder if the friend were a man.**

244. The same pattern of results was found for the Servicewomen surveyed. 73% percent thought they could come to terms with discovering that a close civilian male friend was a homosexual, and only 9% believed they could not come to terms with it (HPAT Q58). But only 55% thought they could come to terms with a discovering that a close male friend in the Services was a homosexual and 24% believed they could not come to terms with it (HPAT Q64). 64% of the Servicewomen thought they could come to terms with discovering that a close civilian female friend was a lesbian, and 15% believed they could not come to terms with it (HPAT Q59). While 50% thought they could come to terms with discovering that a close female friend in the Services was a lesbian, but 28% believed they could not (HPAT Q65). **Again, significantly more Servicewomen considered that it would be easier to come to terms with discovering that a civilian friend was homosexual than a military friend.**

i. **Rank**

245. Of the 1710 Service personnel who took part in the HPAT survey, 14% were officers, 24% were NCOs and 62% were other ranks. A comparison of the views of these three rank groupings of personnel showed that there were no significant differences in numbers who thought that homosexuality was incompatible with Service life: 79% of officers, 83% of NCOs and 81% other ranks considered male homosexuality incompatible with Service life; and 75%, 73%, and 66%, respectively, considered lesbianism incompatible (HPAT Q67. Q69). There was also no significant difference between the ranks on their opinion that the MOD policy on homosexuality should remain unchanged: 78% of officers, 84% of NCOs and 79% of other ranks agreed (HPAT Q73). But 70% of officers, 81% of NCOs and 77% of other ranks believed the ban should never be lifted, the difference between the officers and NCOs was statistically significant (HPAT Q146).

j. **Accommodation**

246. A comparison was made between the views of those living in communal accommodation in ships and submarines (7%), barracks (19%), or messes (15%); and those who lived with more privacy in married quarters (30%) or private accommodation (27%). Results showed that those living in communal accommodation were slightly, but statistically significantly, more likely to believe homosexuality to be incompatible with Service life: 83% of Service personnel living in communal accommodation agreed that male homosexuality was incompatible (8% disagreed), against 80% of those living in married quarters or private accommodation (12% disagreed). For lesbianism equivalent figures were 69% (10% disagreed) and 68% (14% disagreed) respectively (HPAT Q67, Q69). There was also a significant difference over MOD policy 83% of those in communal accommodation believed it should remain

unchanged against 77% of those in married quarters or private accommodation (HPAT Q73). Also, significantly more Service personnel living in communal accommodation (79%) believed the ban should never be lifted (HPAT Q146) than those in married quarters or private accommodation (75%).

HPAT INDIVIDUAL INTERVIEWS

247. Formal individual interviews were conducted at each unit that the HPAT visited. The purpose was to obtain individual views on homosexuality in the Armed Forces. As sexuality is a sensitive topic, it was considered possible that more honest and frank opinions might be elicited from Servicemen and Servicewomen during one-to-one confidential interviews than from group discussions. In addition, unlike the focus groups, the interview gave the interviewees the opportunity freely to express their views without risk of being interrupted, challenged, criticized or judged by their peers.

Sample

248. Individual interviews with 180 Service personnel were conducted during 10 military base visits in the UK between 4 October and 20 November 1995. The interviewees were drawn from the sample of personnel who were given the attitude questionnaire. Eighteen interviewees were selected at each unit. They were randomly selected from three rank levels and three occupational areas:

- a. 6 Officers of various ranks: 2 from the combat element;
2 from combat support; 2 from combat service support.

b. 6 Warrant Officers/ Senior Non-Commissioned Officers of various ranks: 2 from the combat element; 2 from combat support; and 2 from combat service support areas.

c. 6 Other Ranks: 2 from the combat element; 2 from combat support; and 2 from combat service support areas.

Procedure

249. All interviewees attended the initial briefing and first completed, and anonymously returned, the HPAT questionnaire before participating in an interview. Confidential one-to-one interviews were conducted in individual interview rooms. An hour was allocated for each interview, although most were completed in less than this time. The interviews were semi-structured. Each interviewer had a list of question areas to be covered (see Appendix 4). But to encourage the interviewees to express themselves freely the interviewers changed the question order and wording, where appropriate, so that the interviewees could talk naturally without unnecessary interruptions. Any additional relevant aspects of homosexuality in a military context which emerged were discussed.

250. Interviewees were asked whether or not they knew any homosexual men or lesbians: civilians and Service personnel. Attitudes towards those that they knew were explored and practical experience of working with homosexual men and lesbians was discussed. No interviewees were questioned about their own sexual orientation, and if any interviewee talked about homosexual men or lesbians serving, or who had served, in the British Armed Forces, no names were recorded and no attempt was made to identify individuals.

251. At the beginning of the interview the interviewer introduced himself, or herself, and emphasised that the interviewee's name would not be recorded or identified in the HPAT report. The interviewees were assured that their comments would be treated in strict confidence and that any details about the interviewee were recorded for statistical purposes and not to identify them. It was explained that the interviewer would take notes during the interview. Interviewees had the option to refuse to participate, but none refused.

252. The Service, gender and rank of each interviewee was recorded initially, and interviewees were also asked to state their trade or specialization, their age and length of service. Where, in a few cases, interviewees were reluctant to do so, this was not pressed. At the end of the interview, interviewees were asked if there was anything else they wanted to add. They were also asked if, after discussing the topic, they had changed their opinion on the ban on homosexuality in the Armed Forces, and would have responded differently to the HPAT questionnaire.

Results and discussion

253. A wide variety of opinions were expressed during the interviews. These ranged from people considering that the ban on homosexuals in the British Armed Forces was completely unnecessary and should be lifted immediately, to those who abhorred the thought of homosexuality and considered that the ban should never be lifted and, if it were, they would resign. Views and opinions expressed in the interviews were, overall, similar to those voiced in the focus groups. Most Servicemen and Servicewomen spoke easily about the subject. All appeared to have quite definite opinions, albeit that a few felt the issue was not important to them. A few interviewees acknowledged that they had not known that

homosexuality was not banned by most NATO Armed Forces, or that homosexuals were allowed to serve in the police and fire services. Nevertheless, none indicated that their opinions had changed as a result of their interview discussion and, therefore, no one said that they would have wanted to alter the responses they gave in the HPAT questionnaire. (This is compatible with international experience that attitudes to homosexuality are not easily changed by any method, and certainly not in the short duration of an HPAT interview or focus group.) A selection of verbatim responses from interviewees are presented in the body of the report and all the major topics discussed during the interviews are addressed in Section F.

254. Since the sample of Service personnel interviewed was relatively small, no attempt was made to quantify the responses and the data were treated qualitatively. The information obtained through interviews was used, like the focus group data, to gain a breadth and depth of opinions towards homosexuality and to obtain an understanding of Service attitudes.

HPAT FOCUS GROUPS

255. The HPAT team conducted 36 single-Service focus group discussions. The aim of these discussions was to gather information about the diversity of military opinion on the subject of homosexuality. The focus groups were designed to obtain a breadth and depth of military views: to provide insights, perceptions and explanations that would complement the survey results.

Group Composition

256. At each unit visited a random sample of those Service personnel selected to take part in the survey were also required to participate in focus groups. Units were requested to provide six people per group, two each from the three categories specified in the sample selection instructions: two from the combat element; two from combat support; and two from combat service support. Three types of focus group were conducted:

- a. officers;
- b. warrant officers and senior non-commissioned officers; and
- c. other ranks/rates.

257. Where women were present at a unit, either the officers and WOs/SNCO discussion groups were to be all male, or if the sexes were mixed, at least two female participants were requested. As it is preferable not to mix gender in focus groups where the topic to be discussed is experienced differently by each sex, at units where women were present in sufficient numbers, an additional all female other ranks/rates focus group was conducted.

258. The Servicemen and Servicewomen participating in the discussion groups could only form a small, and not necessarily statistically representative, sample of the British Armed Forces. But focus groups are not used in social research to make inferences and generalizations about entire populations. Their purpose is to determine the range of opinion and to provide a means of understanding the thoughts, feelings and experiences behind participants' measured attitudes.

Procedure

259. Each focus group was run by two HPAT members. One acted as the facilitator and the main role of the other, the assistant, was to take notes and write down useful verbatim quotes. Each discussion lasted approximately one hour and at the end of the session each participant was asked to complete the attitude survey questionnaire.

260. The focus groups were opened by the facilitator who welcomed the participants and introduced himself/herself and his/her assistant. The introduction included an outline of the purpose of the discussion and an emphasis was placed on confidentiality.

The general form of the introduction was as follows:

"My name is -----, and my colleague is -----.
We are here are part of the Homosexuality Policy Assessment Team to gather your views on the MOD policy of excluding homosexuals from serving in the British Armed Forces. We want to know what you think about this policy and how well you believe it works. We will be gathering opinions from Servicemen and Servicewoman of all ranks, across the three Services. The purpose of the exercise is to find out your views on homosexuality, and its impact on the military, to present to the Select Committee on the Armed Forces Bill early next year. So this is your opportunity to make your opinions known.

Before we begin, let me give you some ground rules. Firstly this is strictly a study into the attitudes and opinions of members of the Armed Forces on the MOD's policy on homosexuality. You have been selected at random to express your own opinions, not those of your unit or friends, but you may discuss their views too.

We will treat what you have to say in strict confidence and your names will not be attached to any report. By all means feel free talk about any suspected serving homosexuals in the military that you know about, if you think it is relevant, but if you do so, please don't mention their names.

There are many aspects to this issue. Two critical ones are your own feelings and your professional judgements. We want to cover both aspects, but we are particularly interested in the views of Servicemen and Servicewomen and their military judgement about the impact of accepting homosexuals on combat effectiveness.

There are no right or wrong answers and we are not looking for any party line. We want to explore, and talk through, as many sides to the issue as possible."

261. Following the general introduction, participants were asked to talk about their personal knowledge of homosexual civilians and to express their opinions about homosexuality in general. They were also invited to talk about their own experience of working, or having dealings, with known or suspected homosexuals in the Armed Forces. Topics covered in the discussion were similar to those used in the individual interviews and are detailed at Appendix 2.

262. The facilitators aimed to stimulate discussion and elicit information. As with the individual interviews, while being prepared to probe and challenge all views of whatever kind, they therefore attempted to minimize their own contribution to the discussions. But the facilitators did provide factual information when appropriate.

Results and discussion

263. Verbatim quotes from the focus groups appear in the body of this report and all the major issues that arose during the discussions are addressed in Section F. As with the interviews, the focus groups yielded a vast range of views on homosexuality from a wide variety of military personnel from the three Services. Prior to running the focus groups, it was of some concern to the HPAT that participants would be wary of the Team and would not be prepared to talk freely in front of them and their peers. But the consistency of the degree of participation across focus groups (using random pairings of the civilian and military HPAT facilitators and assistants), the candidness of the responses, and the willingness of one or two participants to express views not held by the others, suggests that, in general, participants were not inhibited and were able to talk freely. Moreover, the Team did not observe any antagonism directed towards those stating that they would be quite happy to work with homosexuals even when the rest of the group were strongly opposed to acceptance of homosexuality in the Services.

264. Most Servicemen and Servicewomen were aware of meeting homosexuals or lesbians in civilian life, although a number said that they had never knowingly met one. Several had worked with homosexual men or lesbians in previous civilian jobs. A number of group participants said that they had worked with homosexual Servicemen or Servicewomen prior to them being discharged from the Services. But only one Service officer claimed currently to be working with a military colleague whom he knew to be a practising but generally covert, homosexual. (The focus group member said he had no problem working with the homosexual officer in question - he had served with him in the Gulf War - and he had no intention of reporting him.) A few participants said

that they had worked with lesbian Servicewomen. Although several participants reported having male homosexual or lesbian friends, or relatives, the majority apparently did not.

265. Diverse opinions on the impact of homosexuality on the Armed Forces were expressed during the many hours of discussions. But the overwhelming majority of participants believed that removing the present ban on homosexuals joining the Services would have a detrimental effect for various reasons collated and set out in the main text in Sections F and J.

HPAT TRI-SERVICE FOCUS GROUPS

266. Three sets of regional focus groups were conducted. These were held at Redford Barracks, Edinburgh (16 Nov 95); RAF Honington (20 Nov 95); and Tidworth Barracks, Hampshire (22 Nov 95). The regional focus groups were designed, like the single-Service focus groups, to obtain a breadth and depth of military views. By bringing together people from different units and Services, it was considered that further insights might be elicited. The regional focus groups provided an opportunity for participants to contrast the impact of homosexuals on their working and living environments with working and living conditions in the other Services.

Group composition

267. Nine Service personnel were requested to attend each regional focus group - three from each Service. Each person came from a separate unit so, unlike the single-Service focus groups, participants were unlikely to know each other or to

meet again. Units were requested to provide three people, one from the three categories specified in the sample selection instructions: two from the combat element; two from combat support; and two from combat service support. Three types of focus group were conducted:

- a. officers;
- b. warrant officers and senior non-commissioned officers; and
- c. other ranks/rates.

Procedure

268. The regional discussion groups were conducted in a similar manner to the single service groups. There was, however, no initial general briefing for participants, so the standard information about the purpose of the HPAT visit, confidentiality, questionnaire administration, and data handling was provided by the focus group facilitator prior to the focus group introduction.

Results and discussion

269. The views expressed by members of the tri-Service focus groups were similar to those that emerged from the single-Service discussions. It was not apparent that separation from their normal units and colleagues, made group members more outspoken in any direction. Again quotes from the tri-Service focus groups are presented in the body of the report.

SINGLE SERVICE POSTAL SURVEYS

270. To complement the HPAT Survey three separate single-Service postal surveys were conducted, on their behalf, by the Selection and Surveys Division of the CHS, Defence Research Agency, between September and December 1995. These

had the advantage of having a wider distribution, to a more statistically representative sample. The postal surveys were distributed to a random sample of military personnel stratified by rank, and age. Like the HPAT survey, all questionnaires were completed anonymously. The surveys were distributed to: 2992 RN and RM personnel (6% of the trained strength); 6000 Army personnel (5.4% of the trained strength); and 4491 RAF personnel (6% of the trained strength). The return rates for the data included in this assessment were: 60.3% for the Navy; 50.4% for the Army and 62.4% for the RAF. (This method of data collection contrasts with the HPAT survey methodology where almost 100% of questionnaires issued were completed.) The low return rate from the Army was influenced by particularly poor returns from Privates and from the Infantry. HPAT survey results, indicating that junior soldiers in combat roles tend strongly to support keeping the ban, would suggest that these non-responders would be more likely than the average to support the MOD's present policy on homosexuality.

271. Initial results are presented in the body of the report and at Appendix 3 to this Annex. But further data analysis is in progress and a separate report, by the Centre for Human Sciences, which will compare and contrast the attitudes of personnel from each Service, is currently in preparation. Overall, the findings strongly corroborate the HPAT survey results. Postal survey respondents from all three Services again massively endorsed the view that male or female homosexuality was incompatible with Service life (90% RN, 88% Army, 83% RAF) and there was overwhelming support for maintaining the MOD's policy of excluding homosexuals from serving in the British Armed Forces: 86% RN, 86% Army, and 77% RAF said that the ban should never be lifted.

272. The postal surveys, like the HPAT survey, showed that Servicewomen's attitudes towards homosexuality were more tolerant than Servicemen's, but the women's attitudes tended to follow the same pattern as the men's. The postal survey results also showed that neither rank nor age had any material effect on respondents' attitudes towards MOD's policy on homosexuality, which is again consistent with the HPAT survey findings. Attitudes towards homosexuality in civilian and Service life were also examined. Results from each postal survey indicated that acceptance of homosexuality in civilian life is greater than acceptance in military life. Again, these findings support those that emerged from the HPAT survey.

61. In summary, there is strong consensus across the postal surveys in support of MOD's policy on homosexuality. The general findings from these larger scale postal surveys are consistent with the HPAT survey results. Overall, the attitudes and opinions measured by the different surveys appear reliable. The consistency of the attitude data from different sources, including letters received, suggests that the particularly detailed HPAT survey results are robust and generally representative of military opinion.

APPENDIX 1 TO
ANNEX G

ARMED FORCES HOMOSEXUALITY ATTITUDE QUESTIONNAIRE

You have been selected, at random, to take part in the Homosexuality Policy Assessment Armed Forces attitude study. Your views will be treated in the strictest confidence. This is an anonymous questionnaire so please **DO NOT** write your name or service number on this questionnaire.

Your views on the policy of homosexuality in the British Armed Forces are being sought. As a reminder the policy is as follows:

Homosexuality, whether male or female, is considered incompatible with service in the Armed Forces. If individuals admit to being homosexual whilst serving and their Commanding Officer judges that this admission is well founded they will be required to leave the Services.

If you would like to make any additional comments about the issue of homosexuality in the British Armed Forces please write to the Homosexuality Policy Assessment Team (HPAT) at the following address:

HPAT
MOD (Room 333)
Aadal House
Theobalds Road
London WC1X 8RU

If you have any concerns about this questionnaire, you may talk **in confidence** to Dr [name given], a civilian MOD psychologist, who is a member of HPAT, on 0171 305-8373 or extension 58373 LHQ.

7. Do you have children? Yes No
8. Did you attend a boarding school? Yes No
9. Do you have any of the following qualifications? Yes No
- GCSE or equivalent
- GCE 'A' levels or equivalent
- Other technical/business qualification
- Degree

ROYAL NAVY/ROYAL MARINES PERSONNEL ONLY

- 10a. What rank are you? (RN ranks first, followed by RM equivalents)

Commodore/Brigadier and above

Captain/Colonel

Commander/Major

Lieutenant Commander/Captain

Lieutenant

Sub Lieutenant (RN only)

Midshipman

Warrant Officer/Warrant Officer Class 1

Warrant Officer Class 2 (RM only)

Charge Chief Petty Officer

Chief Petty Officer/Colour Sergeant

Petty Officer/Sergeant

Leading Rate/Corporal

Able Rate/Marine (1st class)

Ordinary Rate/Marine (2nd class)

- 11a. What is your Branch or Specialisation?

ROYAL NAVY/MARINES/QARNNS OFFICERS ONLY - Enter code number associated with your Specialisation (select from list below)

Seaman	1 S&S	3 Medical	5 Chaplain	7 C&Q	9 TQ	11
Engineering	2 Instructor	4 Dental	6 Nursing	8 General	Other	12
				Duties	10	

ROYAL MARINES OTHER RANKS ONLY - Enter code number associated with your branch? (select from the list below)

Medical/Dental	1	Technical Specialist	4
General Duties	2	Bandsman/Bugler	5
General Duties/SQ	3		

ROYAL NAVY/ROYAL MARINES PERSONNEL ONLY
ARMY PERSONNEL ONLY

10b. What rank are you?

Brigadier and above
Colonel
Lieutenant Colonel
Major
Captain
Lieutenant/2nd Lieutenant
Warrant Officer Class 1
Warrant Officer Class 2
Staff Sergeant
Sergeant
Corporal
Lance Corporal
Private (Class 1 to 3)
Private (Class 4)

11b. What is your Regiment/Corps?

RAC
RA
RE
R SIGNALS
INF
AAC
RLC
REME
ARMY MEDICAL SERVICES
AGC
OTHERS

12b. Are you:

Combat
Combat-Support
Combat-Service Support

ARMY PERSONNEL ONLY
ROYAL AIR FORCE PERSONNEL ONLY

10c. What rank are you?

Air Commodore and above
Group Captain
Wing Commander
Squadron Leader
Flight Lieutenant
Flying/Pilot Officer
Warrant Officer
Flight Sergeant/Chief Technician
Sergeant
Corporal
Junior Technician
Senior Aircraftsman
Leading Aircraftsman

11c. What is your Branch or Trade?

OFFICERS ONLY - Enter code number
associated with your Branch (select from list below)

GD(P)	1	Engineer	8	Sy Prov	15
GD(N)	2	Supply	9	Medical	16
GD(AEO)	3	Admin Sec	10	Med Tech	17
GD(ALM)	4	Admin Cat	11	Dental	18
GD(Air Eng)	5	Admin PEd	12	PMRAFNS	19
GD(G)ATC	6	Admin Ed	13	Chaplain	20
GD(G)FC	7	Sy Regt	14	Legal	21
				Dir of Music	22

AIRMEN/AIRWOMEN ONLY - Enter your trade group number
(if you are Airman(Aircrew) enter code 20).

ROYAL AIR FORCE PERSONNEL ONLY

13. In what region was your home town before joining the Armed Forces, and in what region is the town which you now consider home (Please tick one box in the first column and one box in the second column)?

Home Region
BEFORE
joining Armed
Forces

Region of town
which
you **NOW**
consider home

North East
North West
Yorkshire and Humberside
East Midlands
West Midlands
East Anglia
South East
Greater London
South West
Scotland
Wales
Northern Ireland
Abroad

14. In the last 5 years, how long have you been employed in an operational environment?

None
Under 3 months
3 to 6 months
7 to 11 months
12 to 18 months
Over 18 months

15. What type of accommodation do you have during the working week?

Seagoing Ship/Submarine
Barracks
Mess
Married Quarter or equivalent
Private accommodation
Other

APPENDIX 2
TO ANNEX G

PERCENTAGE RESULTS: MALES AND FEMALES

ARMED FORCES HOMOSEXUALITY ATTITUDE QUESTIONNAIRE

Total sample size = 1710 - 1508 male, 202 female.

9. What Service do you belong to?

	m	f
Royal Navy	33	34
Royal Marines	6	0
Army	28	28
Royal Air Force	33	38

10. What sex are you?: Male 88 Female 12

11. What was your age last birthday?

	m	f
Mean age (years)	30	26
16-20	4	8
21-25	27	50
26-30	23	26
31-40	31	14
41-50	6	1
51 and over	0	1

13. Length of service?

	m	f
Mean length (years)	11	6
0- 5	22	56
6-10	33	28
11-15	20	10
16-20	13	4
21-30	10	2
31-40	2	0

15. What is your marital status?

	m	f
Single (never married)	31	48
Married	56	34
Permanent "live-in partner"	6	11
Separated	3	3
Widowed	0	0
Divorced	4	3

16. Do you have children?

	m	f
Yes	48	5
No	52	95

17. Did you attend a boarding school?

	m	f
Yes	9	4
No	90	95
(Did not answer)	1	0

18. Do you have any of the following qualifications?

	Yes	No	No		
	Ans.				
GCSE or equivalent	m 85	15	0		
		f 96	3	0	
GCE "A" levels/ Highers or equivalent	m 25	71	4		
		f 31	63	6	
Other technical or business qualification	m 41	56	3		
		f 34	59	7	
Degree	m 6	89	5		
		f 5	87	8	

22. What rank are you?

	m	f
Officers	15	10
NCOs	26	9
Other ranks	60	80
OF6 Brig	0	0
OF5 Col	0	0
OF4 Lt Col	0	0
OF3 Maj	3	2
OF2 Capt	8	5
OF1 Lt/2Lt	2	3
OR9 WO1	1	0
OR8 WO2	2	0
OR7 SSgt	7	2
OR6 Sgt	15	7
OR4 Cpl	26	23
OR3 LCpl	3	3
OR2 Pte class1-3	28	44
OR1 Pte class4	3	9

27. In what region is your home town?

	Before joining		Home region now	
	m	f	m	f
England:	75	72	75	74
North East	10	6	8	7
North West	15	13	9	4
Yorkshire/Humberside	10	11	9	13
East Midlands	5	5	3	3
West Midlands	8	8	4	6
East Anglia	4	6	4	4
South East	10	6	14	13
Greater London	3	4	3	4

South West	9	12	19	18
Scotland	13	18	16	20
Wales	5	4	3	3
Northern Ireland	2	2	1	1
Abroad	2	1	1	0
(Did not answer)	3	1	4	1

31. In the last 5 years how long have you been employed in an operational environment?

	m	f
None	14	36
Under 3 months	4	4
3-6 months	15	11
7-11 months	11	6
12-18 months	11	10
Over 18 months	41	28
(Did not answer)	2	4

32. What type of accommodation do you have during the working week?

	m	f
Sea going ship/submarine	7	8
Barracks	18	25
Mess	15	9
Married quarter or equivalent	31	22
Private accommodation	26	34
Other	1	0
(Did not answer)	2	1

GENERAL VIEWS ON SEXUALITY

33. In my opinion, if a married person has sexual relations with someone other than his or her partner, it is:

	RN		Army		RAF	
	m	f	m	f	m	f
Always wrong	38	45	52	54	45	48
Mostly wrong	36	39	28	27	37	39
Sometimes wrong	22	14	16	16	16	13
Rarely wrong	1	0	1	2	0	0
Not at all wrong	2	1	2	2	2	0

34. In my opinion, sexual relations between two adult civilian males are:

	RN		Army		RAF	
	m	f	m	f	m	f
Always wrong	61	35	70	20	60	27
Mostly wrong	9	9	8	11	12	14
Sometimes wrong	9	17	7	12	12	26
Rarely wrong	4	9	4	18	3	13
Not at all wrong	16	27	10	37	11	19

35. In my opinion, sexual relations between two adult civilian females are:

	RN		Army		RAF	
	m	f	m	f	m	f
Always wrong	46	32	51	18	51	27
Mostly wrong	14	12	12	12	16	13
Sometimes wrong	11	17	11	12	15	26
Rarely wrong	6	9	5	18	4	14
Not at all wrong	22	27	19	37	13	19

36. In my opinion, sexual relations between two adult civilian females are:

	m	f
Always wrong	49	26
Mostly wrong	14	12
Sometimes wrong	12	19
Rarely wrong	5	13
Not at all wrong	18	27
(Did not answer)	1	1

37. Do you know of any bisexuals, homosexual men or lesbians among the following groups of people?

		Yes	No	Don't Know	No Ans.
Civilian male friends	m	14	72	11	2
	f	31	60	7	1
Civilian female friends	m	16	69	13	2
	f	27	62	8	2
Civilian male acquaintances	m	20	62	16	2
	f	21	56	18	4
Civilian female acquaintances	m	13	66	18	3
	f	20	57	18	5
A close male relative (eg father, brother, husband, son)	m	2	88	5	4
	f	2	86	6	5
A close female relative (eg mother, sister, wife, daughter)	m	2	88	5	4
	f	0	87	6	5

SA=Strongly agree, A=Agree, N=Neither agree nor disagree, D=Disagree, SD=Strongly disagree n=Number who answered the question.

		SA	A	N	D	SD	n
42. Male homosexuality within the civilian community is acceptable to me.	m	3	24	25	18	29	1505
	f	14	41	25	13	7	202
43. Lesbianism within the civilian community is acceptable to me.	m	4	28	32	16	20	1505
	f	14	40	24	15	7	202
44. I would find it acceptable to see two civilian men kissing and cuddling in the street.	m	2	2	8	18	70	1505
	f	2	6	22	39	30	202
45. I would find it acceptable to see two civilian women kissing and cuddling in the street.	m	3	6	18	24	48	1504
	f	2	7	22	39	30	202

46. I would find it acceptable to see a civilian man and a civilian woman kissing and cuddling in the street.	m	40	44	12	2	1	1506
	f	29	43	21	7	0	202
47. Lots of homosexual men and women make excellent teachers and youth leaders.	m	3	9	48	14	25	1494
	f	9	22	59	6	3	202
48. Homosexual men and lesbians should be banned from working with children.		SA	A	N	D	SD	n
	m	21	15	31	21	12	1502
f	5	7	24	40	23	202	
49. Most male homosexuals have too many sexual partners.	m	11	12	66	6	3	1476
	f	3	8	58	25	6	202
50. Most lesbians have too many sexual partners.	m	7	7	73	8	3	1475
	f	3	4	59	27	6	202
51. Children should be taught about homosexuality at school so that they grow up more tolerant.	m	9	30	16	23	20	1498
	f	12	45	23	14	6	202
52. Male homosexuality is more offensive to me than lesbianism.	m	29	40	18	7	6	1502
	f	1	13	36	39	10	202
53. It is quite natural for some people to be male homosexuals or lesbians.	m	4	27	28	17	23	1499
	f	9	37	29	17	8	200
54. All homosexuals are perverted.	m	14	12	36	25	13	1499
	f	2	6	21	37	34	201
55. In civilian life people should be allowed to have sex with any other consenting adult that they wish to, without interference from others.	m	11	39	23	13	13	1501
	f	30	38	17	10	3	200
56. The thought of sexual acts between two men revolts me.	m	64	20	9	3	3	1502
	f	21	34	23	17	6	202
57. The thought of sexual acts between two women revolts me.	m	13	19	38	22	8	1505
	f	25	31	21	18	6	202
58. If I discovered that a close civilian male friend was a homosexual, I could come to terms with it.	m	7	34	24	18	16	1501
	f	19	53	18	6	3	202
59. If I discovered that a close civilian female friend was a lesbian, I could come to terms with it.	m	10	48	26	10	6	1502
	f	19	45	21	9	5	202

SEXUALITY AND MILITARY LIFE

		RN		Army		RAF	
		m	f	m	f	m	f
60.I have met a (some) British servicemen whom I believe to be homosexual(s).	Yes	39	27	32	39	35	34
	No	60	72	68	61	64	65
61.I have met a (some) British servicewomen whom I believe to be lesbian(s).	Yes	33	67	63	86	36	57
	No	66	33	37	14	63	42
62.I have worked with a (some) British servicemen whom I believe to be homosexual(s).	Yes	27	16	22	18	21	16
	No	72	84	78	82	79	84
63.I have worked with a (some) British servicewomen whom I believe to be lesbian(s).	Yes	18	36	49	77	13	26
	No	82	64	51	23	87	71
64.If I discovered that a close male friend in the services were a homosexual, I could come to terms with it.	m	3	17	17	26	37	1502
	f	11	45	20	18	6	202
65.If I discovered that a close female friend in the services were a lesbian, I could come to terms with it.	m	4	29	27	20	18	1500
	f	11	40	21	17	11	202
66.Homosexuals present a threat to family life in the military community.	m	27	22	29	17	4	1498
	f	7	17	36	29	10	201

67. Male homosexuality is incompatible with Service life.	m	68	15	7	6	3	1499	
	f	31	37	14	15	3	202	
68. In a Service environment, heterosexuals would find the presence of known homosexuals offensive.	m	59	27	9	3	1	1497	
	f	30	41	17	11	1	202	
69. Lesbianism is incompatible with Service life.	m	43	26	19	8	3	1499	
	f	30	34	13	18	4	202	
70. A person's sexual orientation should not be a bar their being employed in the Armed Forces.	m	5	12	6	22	53	1497	
	f	16	23	13	27	21	201	
71. Accepting male homosexuality in the military would reduce combat effectiveness.	m	48	24	16	8	3	1499	
	f	18	25	29	21	7	202	
72. Accepting lesbianism in the military would reduce combat effectiveness.	m	32	26	27	11	3	1500	
	f	15	24	29	24	8	202	
73. The MOD's policy on homosexuality should remain unchanged.	m	68	14	8	7	3	1499	
	f	36	27	9	18	9	202	
74. Homosexuals could serve in my specialization without damaging combat effectiveness.	m	4	12	13	18	52	1500	
	f	9	30	21	27	12	201	
75. Homosexuals who do not reveal their sexual orientation should be permitted to serve in the British Armed Forces.			SA	A	N	D	SD	n
	m	4	14	19	21	41	1493	
	f	8	28	27	26	11	202	

76.If someone says that they	m	2	9	10	31	47	1500
have discovered they are	f	9	23	18	35	15	202
homosexual only after joining							
the military, they should be							
allowed to remain in the Service.							
77.Homosexual men and women	m	4	19	58	7	10	1491
have shown, in past wars, that	f	9	27	55	6	1	200
they can be brave and effective							
members of the British Armed							
Forces.							
78.I would be content to work	m	2	12	9	19	57	1500
alongside male homosexual	f	10	39	14	26	11	202
servicemen.							
79.I would be content to work	m	4	22	24	20	29	1498
alongside lesbian servicewomen.	f	10	30	16	24	19	202
80.Acceptance of homosexuals	m	67	25	4	1	2	1500
into the British Armed Forces	f	43	41	9	5	1	202
would be resented by most							
service personnel.							
81.In the future, employing	m	2	9	11	27	51	1500
known homosexuals in the	f	3	15	20	37	26	202
British Armed Forces will							
become acceptable without							
difficulty.							
82.Military life is so unlike	m	56	25	8	8	3	1498
civilian jobs that excluding	f	29	30	21	15	6	202
homosexuals is justified.							

83. Homosexuals should be excluded from the military because their presence would damage combat effectiveness.	m	48	25	14	9	2	1500
	f	17	29	25	22	7	202
84. Permitting homosexuals to serve in the military would damage recruiting.	m	40	28	20	9	2	1497
	f	16	34	23	22	5	202
85. Permitting homosexuals to serve in the British Armed Forces would damage the reputation of the Services in the eyes of the public.	m	49	29	13	7	1	1500
	f	22	36	17	18	5	199
		SA	A	N	D	SD	n
86. Homosexual service personnel would tend to gather together in homosexual cliques.	m	39	43	14	3	0.3	1496
	f	16	46	25	10	1	200
87. Service personnel who are discovered to be homosexual should be retained in the military to present the loss of expensively trained personnel.	m	1	8	12	34	43	1495
	f	2	20	25	43	10	201
88. Male homosexual officers would command less respect than male heterosexual officers.	m	54	28	10	5	1	1496
	f	17	42	21	16	2	201
89. Lesbian officers would command less respect than female heterosexual officers.	m	42	30	19	6	1	1496
	f	16	41	20	20	2	201
90. Male homosexual NCOs would command less respect than male heterosexual NCOs.	m	58	27	9	4	2	1495
	f	17	45	21	14	2	201

91.Lesbian NCOs would command less respect than female heterosexual NCOs.	m	44	29	18	6	2	1495
	f	17	42	20	17	3	201
92.Morale would be lowered if male homosexuals were accepted in the British Armed Forces.	m	58	25	10	5	1	1496
	f	28	38	14	17	2	201
93.Morale would be lowered if lesbians were accepted in the British Armed Forces.	m	39	28	22	7	2	1495
	f	26	35	13	22	3	200
94.Male homosexuals should be allowed to serve in the British Armed Forces without any restrictions.	m	3	5	6	20	65	1495
	f	6	19	12	35	27	201
95.Lesbians should be allowed to serve in the British Armed Forces without any restrictions.	m	3	6	14	25	51	1497
	f	6	20	12	33	28	201
96.A known homosexual serviceman would tend to be bullied or harassed.	m	55	36	6	2	0.2	1494
	f	37	47	12	2	0.0	200
97.A known lesbian servicewoman would tend to be bullied or harassed.	m	35	36	22	6	1	1495
	f	25	42	18	12	1	200
98.A homosexual serviceman would tend to bully or harass heterosexuals.	m	5	8	32	37	17	1497
	f	1	8	32	45	13	202

SA A N D SD n

99.A lesbian servicewoman would	m	6	12	38	31	13	1497
tend to bully or harass	f	2	9	34	41	13	202
heterosexuals.							
100.A male homosexual superior	m	11	20	45	18	5	1496
would tend to abuse his position	f	3	12	45	28	10	201
of authority for sexual							
advantage.							
101.A male heterosexual superior	m	3	9	45	28	14	1498
would tend to abuse his position	f	1	6	47	37	7	202
of authority for sexual							
advantage.							
102.A lesbian superior would	m	9	18	48	18	5	1497
tend to abuse her position of	f	4	10	46	30	10	202
authority for sexual advantage.							
103.A female heterosexual	m	2	7	46	30	14	1498
superior would tend to abuse her	f	1	3	42	44	10	201
position of authority for							
sexual advantage.							
104.I think that only sexual	m	8	15	20	33	24	1493
behaviour, rather than sexual	f	14	28	24	26	7	202
orientation should matter to the							
military.							
105.It would be difficult to	m	43	33	12	9	2	1498
maintain discipline if	f	18	42	14	19	7	202
homosexuals served openly in							
the British Armed Forces.							
106.It would be acceptable	m	5	5	8	16	66	1499
for homosexuals to share	f	3	18	16	25	37	202
accomodation with heterosexuals.							

107.It would be acceptable for	m	4	18	19	18	40	1494
homosexuals to share	f	3	31	25	26	14	202
accomodation with other							
homosexuals.							
108.Accepting homosexuals into	m	52	37	6	4	1	1496
the Armed Forces would cause	f	30	47	10	12	1	202
suspicion and uncertainty							
between people.							
109.Accepting homosexuals into	m	36	36	17	9	1	1490
the Armed Forces would inhibit	f	16	35	26	22	1	202
social behaviour.							
110.If I had to share showers	m	59	21	10	6	2	1492
and sleeping accommodation with	f	28	26	19	21	5	201
known homosexuals, I would resent							
them.							
		SA	A	N	D	SD	n
111.Accepting homosexuals into	m	18	23	41	15	2	1493
the Armed Forces would lead to	f	11	24	38	23	3	201
tighter restrictions on							
heterosexual behaviour.							
112.Acceptance of homosexuals	m	31	34	23	10	1	1492
into the Armed Forces would	f	13	29	32	24	2	201
result in a fall in the retention							
of heterosexual service personnel.							
113.If homosexuals were allowed	m	3	26	18	14	37	1495
to serve, homosexual couples	f	5	42	21	16	16	202
would have to be allowed to							
attend mess functions.							

114. Homosexual military leaders	m	12	18	42	21	7	1489
would be suspected of making	f	6	15	41	29	9	202
tactical decisions based on							
sexual preference.							
115. Military rules that are	m	3	9	13	41	33	1493
used to prevent minority groups	f	3	10	13	53	21	202
being harassed and bullied would							
be enough to stop homosexuals							
being harassed and bullied.							
116. It would be more difficult	m	43	35	15	4	2	1492
to integrate homosexual men into	f	29	43	16	9	3	202
the Armed Forces than it has been							
to integrate heterosexual women.							
117. It would be more difficult	m	24	37	25	10	2	1492
to integrate lesbians into the	f	20	41	17	14	7	202
Armed Forces than it has been to							
integrate heterosexual women.							
118. It would more difficult	m	44	36	12	5	2	1493
integrate homosexual men into	f	23	50	15	8	3	202
the Armed Forces than it has been							
to integrate ethnic minorities.							
119. It would more difficult to	m	30	37	22	8	2	1494
integrate lesbians into the	f	19	45	17	15	3	202
Armed Forces than it has been to							
integrate ethnic minorities.							
120. Homosexuals should be given	m	4	12	14	24	45	1494
the opportunity to serve their	f	12	26	20	26	16	202
country in the British Armed							
Forces.							

		SA	A	N	D	SD	n
121.I would willingly serve in the British Armed Forces if homosexuals were openly accepted.	m	4	14	15	20	46	1495
	f	11	25	24	17	22	201
122.My family would be worried if I had to serve alongside a homosexual of my own sex.	m	19	22	28	22	7	1493
	f	11	15	27	36	11	202
123.I would not want a homosexual, of my own sex, as my close co-worker (ie "buddy"/"oppo").	m	53	22	12	8	3	1495
	f	19	26	21	23	11	202
124.If someone did their job well, their sexual orientation would be of no concern to me.	m	8	15	18	33	25	1493
	f	23	26	23	21	6	202
125.I would willingly share personal equipment (eg breathing apparatus, razors, mugs) with a homosexual man.	m	3	4	6	18	67	1493
	f	4	16	26	28	24	201
126.I would be content to work with homosexual civilians.	m	3	20	22	24	30	1494
	f	8	45	26	14	7	202
127.In my opinion it is acceptable for homosexual men to work in the civilian Police Force.	m	3	17	19	24	22	1275
	f	5	25	32	15	6	169
128.In my opinion it is acceptable for lesbians to work in the civilian Police Force.	m	3	18	24	22	17	1275
	f	5	26	32	14	6	169

129. In my opinion it is acceptable for homosexual men to work in the civilian Fire Service.	m	3	17	22	23	20	1273
	f	5	27	30	15	7	169
130. In my opinion it is acceptable for lesbians to work in the civilian Fire Service.	m	3	17	27	21	16	1273
	f	5	27	30	15	6	169
131. I would be content to be treated by a male homosexual military medic/dentist/nurse.	m	3	12	14	25	44	1490
	f	8	34	18	22	17	202
132. I would be content to be treated by a lesbian military medic/dentist/nurse.	m	5	21	28	19	25	1491
	f	8	29	13	28	21	201
133. I would object to sharing a bedroom with someone of my own sex who was a known homosexual.	m	63	18	6	5	7	1490
	f	35	25	13	20	7	202
134. If the military accepted homosexuals I would willingly give first aid, involving bodily fluids, to anyone I did not know.	m	4	15	15	20	44	1490
	f	5	24	20	30	21	202
		SA	A	N	D	SD	n
135. If I were confident that would not make a physical approach, I would still object to sharing communal showers with someone of my own sex, who was a known homosexual.	m	46	25	9	11	8	1492
	f	22	27	15	27	8	202

136. The system that uncovers homosexuals in the military should be more rigorous.	m	33	25	26	11	4	1490
	f	13	22	32	26	7	202
137. Homosexual cliques would damage unit cohesiveness.	m	49	34	11	3	1	1489
	f	17	46	23	10	3	201
138. Knowing someone, of my own sex and rank, was homosexual, would make it more difficult for me to work with him/her.	m	42	34	9	11	2	1490
	f	13	33	13	31	9	201
139. Knowing someone, of my own sex and of a superior rank, was homosexual, would make it more difficult for me to work with him/her.	m	46	33	7	10	2	1490
	f	16	32	13	29	9	202
140. Knowing someone, of my own sex and of a junior rank, was homosexual would make it more difficult for me to work with him/her.	m	42	32	11	12	2	1490
	f	12	26	20	31	10	202
141. Accepting homosexuals in the Armed Forces would increase the amount of stress in my environment.	m	41	33	15	8	1	1492
	f	12	32	26	24	7	202
142. The Armed Forces would be a more comfortable environment if homosexuals were accepted.	m	1	1	10	29	57	1492
	f	0.5	4	25	46	24	202

143. Even if homosexual men and lesbians were permitted to serve in the British Armed Forces, they would leave themselves open to blackmail.

m	22	27	31	15	3	1490
f	15	30	26	24	6	202

144. I believe the policy on homosexuality is a very important issue for the British Armed Forces.

m	59	27	6	3	2	1489
f	41	46	8	3	0	202

145. It would be better to permit homosexuals to serve in some units than to ban them altogether.

m	2	8	12	28	48	1489
f	3	19	19	38	21	202

146. I think the ban on homosexuality in the British Armed Forces should be lifted:

	TOTAL	m	f
Now	5	4	12
Within the next 5 years	8	7	18
Within the next 6-10 years	3	3	5
After the next 10 years	4	4	9
Never	77	80	53
Did not answer	2	2	2

147. I believe that the MOD's policy on homosexuality in the British Armed Forces is justified:

	TOTAL	m	f
Yes	83	85	68
No	15	13	32
Did not answer	2	2	0

If you answered "No", should the policy be:

	TOTAL	m	f
Made more stringent	17	19	9
Made more lenient	59	57	64
Other (Please specify)	9	8	11
Did not answer	16	16	16

148. I believe the MOD's procedures for dealing with homosexuals who are identified in the British Armed Forces are acceptable.

	TOTAL	m	f
Yes	71	74	49
No	13	11	29
Don't know	14	13	21
Did not answer	1	1	0

149. This questionnaire has given me the opportunity freely to express my own views.

	TOTAL	m	f
Yes	88	88	85
No	3	3	5
Don't Know	2	3	1
Did not answer	6	6	8

What type of accommodation do you have during the working week?

Sea going ship/submarine
Barracks
Mess
Married quarter or equivalent
Private accommodation
Other

GENERAL VIEWS ON SEXUALITY

In my opinion, if a married person has sexual relations with someone other than his or her partner, it is:

Always wrong
Mostly wrong
Sometimes wrong
Rarely wrong
Not at all wrong

In my opinion, sexual relations between two adult civilian males are:

Always wrong
Mostly wrong
Sometimes wrong
Rarely wrong
Not at all wrong

In my opinion, sexual relations between two adult civilian females are:

Always wrong
Mostly wrong
Sometimes wrong
Rarely wrong
Not at all wrong

Do you know of any bisexuals, homosexual men or lesbians among the following groups of people?

Yes No Don't N/A
 Know

Civilian male friends
Civilian female friends
Civilian male acquaintances
Civilian female acquaintances
A close male relative (eg
 father, brother, husband, son)
A close female relative (eg
 mother, sister, wife, daughter)

			SA	A	N	D	SD	N
42. Male homosexuality within the civilian community is acceptable to me.	RN	m	4	24	26	17	28	
		f	12	43	25	12	9	
	Army	m	2	23	25	13	40	
		f	20	46	16	14	4	
	RAF	m	3	25	25	22	25	
		f	12	35	32	14	8	
43. Lesbianism within the civilian community is acceptable to me.	RN	m	5	29	33	14	18	
		f	12	43	22	14	9	
	Army	m	4	27	33	13	22	
		f	20	45	16	16	4	
	RAF	m	3	28	29	21	19	
		f	12	34	32	14	8	
44. I would find it acceptable to see two civilian men kissing and cuddling in the street.	RN	m	1	2	9	20	67	
		f	1	6	20	42	30	
	Army	m	3	2	6	17	72	
		f	5	7	23	39	25	
	RAF	m	1	2	8	18	70	
		f	0	6	24	37	34	
45. I would find it acceptable to see two civilian women kissing and cuddling in the street.	RN	m	3	6	20	26	45	
		f	1	6	20	41	32	
	Army	m	6	7	18	21	48	
		f	5	7	21	43	23	
	RAF	m	1	4	18	25	51	
		f	0	8	25	35	32	
46. I would find it acceptable to see a civilian man and a civilian woman kissing and cuddling in the street.	RN	m	41	41	12	3	1	
		f	26	50	16	7	0	
	Army	m	49	39	8	2	1	
		f	29	45	18	9	0	
	RAF	m	30	51	16	2	1	
		f	31	35	27	6	0	
47. Lots of homosexual men and women make excellent teachers and youth leaders.	RN	m	2	10	48	13	25	
	Army	m	4	26	62	4	3	
		f	4	8	48	12	26	
	RAF	m	2	9	48	15	24	
		f	6	13	65	10	5	
	48. Homosexual men and lesbians should be banned from working with children.	RN	m	20	15	31	22	13
		f	4	9	22	48	17	
Army		m	25	10	29	21	14	
		f	20	29	48	2	2	
RAF		m	19	19	32	10	11	
		f	6	8	32	35	18	

			SA	A	N	D	SD	N
49. Most male homosexuals have too many sexual partners.	RN	m	10	14	67	5	2	
		f	1	6	70	17	6	
	Army	m	13	11	62	6	4	
		f	5	4	16	37	37	
	RAF	m	9	12	68	7	3	
		f	3	10	55	29	5	
50. Most lesbians have too many sexual partners.	RN	m	6	7	74	8	3	
		f	1	3	71	19	6	
	Army	m	11	7	67	7	4	
		f	5	5	48	34	7	
	RAF	m	6	6	76	8	3	
		f	3	5	56	30	6	
51. Children should be taught about homosexuality at school so that they grow up more tolerant.	RN	m	8	31	17	24	20	
		f	9	42	27	16	6	
	Army	m	16	30	12	20	21	
		f	23	39	23	7	7	
	RAF	m	6	28	19	25	21	
		f	6	52	18	17	6	
52. Male homosexuality is more offensive to me than lesbianism.	RN	m	28	41	18	7	5	
		f	0	10	38	42	10	
	Army	m	39	28	19	7	6	
		f	4	14	29	41	12	
	RAF	m	22	48	17	7	6	
		f	1	16	39	35	9	
53. It is quite natural for some people to be male homosexuals or lesbians.	RN	m	4	27	28	18	22	
		f	3	38	20	22	7	
	Army	m	4	21	33	15	27	
		f	12	41	27	14	5	
	RAF	m	5	32	25	18	20	
		f	11	32	30	14	10	
54. All homosexuals are perverted.	RN	m	13	12	37	23	14	
		f	3	4	26	41	25	
	Army	m	17	10	34	24	13	
		f	4	9	14	27	46	
	RAF	m	13	12	35	27	12	
		f	1	5	21	40	32	
55. In civilian life people should be allowed to have sex with any other consenting adult that they wish to, without interference from others.	RN	m	12	30	21	15	11	
		f	20	43	20	13	3	
	Army	m	13	37	23	10	16	
		f	48	32	11	5	4	
	RAF	m	9	40	25	14	12	
		f	26	38	18	12	4	

			SA	A	N	D	SD	N
56. The thought of sexual acts between two men revolts me.	RN	m	65	19	10	3	3	
		f	22	32	25	20	1	
	Army	m	66	16	10	2	4	
		f	14	29	29	16	12	
	RAF	m	62	24	8	3	2	
		f	25	39	17	14	5	
57. The thought of sexual acts between two women revolts me.	RN	m	12	18	39	23	8	
		f	32	25	22	20	1	
	Army	m	14	14	38	20	13	
		f	18	27	25	16	14	
	RAF	m	13	23	36	23	4	
		f	22	39	17	17	5	
58. If I discovered that a close civilian male friend was a homosexual, I could come to terms with it.	RN	m	8	37	26	17	12	
		f	17	54	20	6	3	
	Army	m	7	28	22	17	24	
		f	25	50	18	5	2	
	RAF	m	5	36	24	21	13	
		f	17	56	17	6	4	
59. If I discovered that a close civilian female friend was a lesbian, I could come to terms with it.	RN	m	10	49	28	8	4	
		f	16	41	25	13	6	
	Army	m	13	46	20	11	9	
		f	27	50	12	7	2	
	RAF	m	6	48	28	12	7	
		f	16	45	23	8	8	

SEXUALITY AND MILITARY LIFE

Yes No

I have met a (some) British servicemen whom I believe to be homosexual(s).

I have met a (some) British servicewomen whom I believe to be lesbian(s).

I have worked with a (some) British servicemen whom I believe to be homosexual(s).

I have worked with a (some) British servicewomen whom I believe to be lesbian(s).

			SA	A	N	D	SD	N
64. If I discovered that a close male friend in the services were a homosexual, I could come to terms with it.	RN	m	2	17	15	27	39	
		f	9	36	20	25	10	
	Army	m	3	11	16	22	47	
		f	16	59	20	5	0	
	RAF	m	3	22	20	28	26	
		f	9	42	21	21	8	

		SA	A	N	D	SD	N
65. If I discovered that a close female friend in the services were a lesbian, I could come to terms with it.	RN m	3	25	28	22	22	
	f	9	29	20	23	19	
	Army m	7	28	28	17	18	
	f	16	54	14	12	4	
	RAF m	3	33	27	22	14	
	f	9	39	27	14	10	
66. Homosexuals present a threat to family life in the military community.	RN m	27	22	30	16	5	
	f	4	23	43	20	7	
	Army m	37	10	26	14	4	
	f	11	7	25	41	16	
	RAF m	21	24	30	21	4	
	f	6	18	38	29	9	
67. Male homosexuality is incompatible with service life.	RN m	73	13	6	4	3	
	f	46	33	10	9	1	
	Army m	70	12	7	6	4	
	f	16	39	18	20	7	
	RAF m	61	20	9	7	3	
	f	27	39	14	17	3	
68. In a service environment, heterosexuals would find the presence of known homosexuals offensive.	RN m	62	26	7	2		
	f	41	41	14	4		
	Army m	65	21	10	2	1	
	f	18	41	21	16	4	
	RAF m	50	34	11	4	1	
	f	20	40	17	13	1	
69. Lesbianism is incompatible with service life.	RN m	49	24	16	7	3	
	f	43	36	9	9	3	
	Army m	39	23	24	9	4	
	f	18	23	21	30	7	
	RAF m	39	32	19	9	1	
	f	27	40	12	17	4	
70. A person's sexual orientation should not be a bar to their being employed in the Armed Forces.	RN m	5	9	5	24	55	
	f	7	17	12	33	30	
	Army m	7	10	6	17	59	
	f	30	27	12	20	11	
	RAF m	5	16	8	24	47	
	f	13	25	14	27	19	
71. Accepting male homosexuality in the military would reduce combat effectiveness.	RN m	46	24	18	8	4	
	f	22	25	32	17	4	
	Army m	61	16	11	7	3	
	f	12	20	32	21	14	
	RAF m	41	29	17	9	3	
	f	18	29	25	25	4	

		SA	A	N	D	SD
72. Accepting lesbianism in the military would reduce combat effectiveness.	RN m	32	28	25	10	4
	f	19	26	33	17	4
	Army m	36	19	30	11	2
	f	9	12	27	34	18
	RAF m	29	29	26	12	3
	f	17	30	27	22	4
73. The MOD's policy on homosexuality should remain unchanged.	RN m	72	12	7	6	3
	f	46	32	7	9	6
	Army m	72	12	6	6	3
	f	27	23	7	30	12
	RAF m	60	17	10	9	2
	f	32	26	13	18	10
74. Homosexuals could serve in my specialization without damaging combat effectiveness.	RN m	4	10	14	19	52
	f	7	25	20	30	17
	Army m	4	10	9	13	63
	f	12	36	20	21	9
	RAF m	4	16	14	22	44
	f	9	31	22	27	10
75. Homosexuals who do not reveal their sexual orientation should be permitted to serve in the British Armed Forces.	RN m	4	12	18	23	42
	f	6	17	26	33	17
	Army m	5	13	23	14	44
	f	12	43	21	20	4
	RAF m	3	18	17	24	37
	f	8	26	31	25	10
76. If someone says that they have discovered they are homosexual only after joining the military, they should be allowed to remain in the service.	RN m	2	7	9	32	49
	f	3	14	13	51	19
	Army m	1	8	10	24	56
	f	20	37	18	16	9
	RAF m	2	11	11	37	38
	f	6	19	22	35	17
77. Homosexual men and women have shown, in past wars, that they can be brave and effective members of the British Armed Forces.	RN m	5	20	57	7	9
	f	3	25	65	6	0
	Army m	4	15	57	8	14
	f	20	29	43	4	4
	RAF m	5	22	58	7	8
	f	6	29	56	8	1
78. I would be content to work alongside male homosexual servicemen.	RN m	3	10	8	18	60
	f	4	33	10	35	17
	Army m	2	8	10	16	64
	f	20	48	11	16	5
	RAF m	2	16	9	25	47
	f	8	36	21	25	10

			SA	A	N	D	SD
79. I would be content to work alongside lesbian servicewomen.	RN	m	3	21	23	19	33
		f	4	22	13	32	29
	Army	m	5	21	27	17	28
		f	21	39	18	12	9
	RAF	m	3	24	24	24	26
		f	8	30	18	26	18
80. Acceptance of homosexuals into the British Armed Forces would be resented by most service personnel.	RN	m	68	25	3	1	1
		f	58	38	1	1	1
	Army	m	73	16	5	1	4
		f	32	37	12	14	4
	RAF	m	61	32	3	2	1
		f	38	47	13	3	0
81. In the future, employing known homosexuals in the British Armed Forces will become acceptable without difficulty.	RN	m	2	8	10	28	52
		f	0	10	12	41	38
	Army	m	2	7	11	20	60
		f	9	18	27	29	18
	RAF	m	1	12	12	31	43
		f	1	17	22	39	21
82. Military life is so unlike civilian jobs that excluding homosexuals is justified.	RN	m	63	21	7	7	1
		f	42	32	17	7	1
	Army	m	58	22	9	6	4
		f	14	23	27	25	11
	RAF	m	46	31	9	11	3
		f					
83. Homosexuals should be excluded from the military because their presence would damage combat effectiveness.	RN	m	50	25	15	9	2
		f	20	32	29	16	3
	Army	m	57	21	11	8	2
		f	13	18	23	34	13
	RAF	m	40	31	16	12	2
		f	17	35	23	18	7
84. Permitting homosexuals to serve in the military would damage recruiting.	RN	m	40	30	19	9	1
		f	20	42	23	13	1
	Army	m	53	21	16	6	3
		f	20	21	25	27	7
	RAF	m	31	32	25	11	2
		f	10	35	21	27	7
85. Permitting homosexuals to serve in the British Armed Forces would damage the reputation of the Services in the eyes of the public.	RN	m	50	28	13	8	1
		f	32	30	22	15	1
	Army	m	59	25	10	4	2
		f	18	36	14	20	7
	RAF	m	41	32	16	9	1
		f	17	42	16	20	7

			SA	A	N	D	SD
86. Homosexual service personnel would tend to gather together in homosexual cliques.	RN	m	38	44	15	3	0
		f	17	44	25	13	1
	Army	m	50	33	10	4	2
		f	14	43	25	14	2
	RAF	m	32	50	13	4	0
		f	16	52	26	5	0
87. Service personnel who are discovered to be homosexual should be retained in the military to present the loss of expensively trained personnel.	RN	m	1	8	9	37	46
		f	0	12	23	57	9
	Army	m	2	8	14	27	49
		f	7	27	27	30	9
	RAF	m	1	9	16	38	36
		f	0	22	25	39	13
88. Male homosexual officers would command less respect than male heterosexual officers.	RN	m	54	29	10	5	1
		f	22	41	17	20	0
	Army	m	60	22	11	3	3
		f	18	30	29	16	7
	RAF	m	50	34	10	6	1
		f	13	52	20	13	1
89. Lesbian officers would command less respect than female heterosexual officers.	RN	m	41	31	20	6	1
		f	22	44	15	20	0
	Army	m	46	24	22	5	2
		f	14	27	23	29	7
	RAF	m	39	36	17	7	1
		f	13	48	22	14	1
90. Male homosexual NCOs would command less respect than male heterosexual NCOs.	RN	m	90	28	9	5	1
		f	22	45	19	15	0
	Army	m	65	20	9	3	3
		f	18	36	21	18	7
	RAF	m	53	31	9	5	1
		f	13	51	22	12	1
91. Lesbian NCOs would command less respect than female heterosexual NCOs.	RN	m	42	30	19	6	2
		f	22	46	16	16	0
	Army	m	49	23	19	5	2
		f	16	27	23	25	5
	RAF	m	43	34	16	6	1
		f	14	48	22	13	1
92. Morale would be lowered if male homosexuals were accepted in the British Armed Forces.	RN	m	61	24	9	5	1
		f	44	39	9	7	1
	Army	m	64	22	7	4	1
		f	21	30	21	21	5
	RAF	m	49	29	15	5	1
		f	20	43	14	22	0

			SA	A	N	D	SD
93. Morale would be lowered if lesbians were accepted in the British Armed Forces.	RN	m	43	27	19	7	2
		f	42	39	7	10	1
	Army	m	40	23	25	8	2
		f	14	23	16	36	9
	RAF	m	35	34	22	7	1
		f	20	40	17	22	0
94. Male homosexuals should be allowed to serve in the British Armed Forces without any restrictions.	RN	m	3	5	4	19	69
		f	3	9	7	45	36
	Army	m	4	5	5	16	70
		f	7	45	11	21	16
	RAF	m	3	6	9	26	56
		f	8	10	18	36	26
95. Lesbians should be allowed to serve in the British Armed Forces without any restrictions.	RN	m	3	6	11	25	54
		f	3	9	7	44	38
	Army	m	4	6	15	20	54
		f	7	48	11	18	16
	RAF	m	3	7	15	30	45
		f	8	10	18	35	27
96. A known homosexual serviceman would tend to be bullied or harassed.	RN	m	56	34	7	2	0
		f	49	41	9	1	0
	Army	m	64	28	5	1	0
		f	32	46	14	5	0
	RAF	m	46	44	7	3	0
		f	30	53	14	1	0
97. A known lesbian servicewoman would tend to be bullied or harassed.	RN	m	40	35	20	4	1
		f	38	45	10	7	0
	Army	m	33	27	29	8	1
		f	11	27	25	30	5
	RAF	m	30	45	19	6	0
		f	25	51	21	3	0
98. A homosexual serviceman would tend to bully or harass heterosexuals.	RN	m	5	9	30	37	18
		f	3	4	39	44	10
	Army	m	8	7	29	35	20
		f	2	16	27	43	13
	RAF	m	4	7	27	38	13
		f	0	7	30	46	16
99. A lesbian servicewoman would tend to bully or harass heterosexuals.	RN	m	4	11	36	34	14
		f	3	9	41	38	10
	Army	m	9	17	35	25	13
		f	4	11	32	39	14
	RAF	m	4	9	42	34	11
		f	0	9	30	46	16

			SA	A	N	D	SD
100. A male homosexual superior would tend to abuse his position of authority for sexual advantage.	RN	m	9	22	46	17	5
		f	4	12	48	28	9
	Army	m	18	21	41	13	6
		f	4	11	41	30	14
	RAF	m	7	17	47	23	5
		f	3	13	47	27	9
101. A male heterosexual superior would tend to abuse his position of authority for sexual advantage.	RN	m	3	12	47	28	10
		f	1	6	44	41	9
	Army	m	6	10	42	21	20
		f	4	5	48	32	11
	RAF	m	1	7	45	35	12
		f	3	13	47	27	9
102. A lesbian superior would tend to abuse her position of authority for sexual advantage.	RN	m	8	18	50	18	5
		f	6	12	46	41	9
	Army	m	17	20	44	13	6
		f	4	5	46	30	14
	RAF	m	5	16	49	24	5
		f	3	12	46	31	9
103. A female heterosexual superior would tend to abuse her position of authority for sexual advantage.	RN	m	2	10	48	30	11
		f	1	4	41	42	12
	Army	m	5	7	45	22	20
		f	2	0	41	42	14
	RAF	m	0	4	45	37	12
		f	0	4	43	46	7
104. I think that only sexual behaviour, rather than sexual orientation, should matter to the military.	RN	m	6	13	20	38	23
		f	10	17	25	28	10
	Army	m	10	12	24	24	30
		f	20	36	27	13	5
	RAF	m	8	20	16	35	20
		f	13	33	22	26	7
105. It would be difficult to maintain discipline if homosexuals served openly in the British Armed Forces.	RN	m	42	24	12	9	2
		f	25	51	12	9	4
	Army	m	53	26	11	7	3
		f	13	30	18	30	9
	RAF	m	37	37	14	11	2
		f	17	42	13	21	8
106. It would be acceptable for homosexuals to share accommodation with heterosexuals.	RN	m	4	5	6	14	70
		f	3	12	15	23	28
	Army	m	7	5	6	13	68
		f	5	27	23	23	21
	RAF	m	5	5	11	20	58
		f	3	17	13	29	39

			SA	A	N	D	SD
107. It would be acceptable for homosexuals to share accommodation with other homosexuals.	RN	m	3	15	21	17	43
		f	3	20	26	30	20
	Army	m	6	12	15	16	48
		f	5	45	16	23	11
	RAF	m	3	24	22	19	31
		f	3	30	31	25	12
108. Accepting homosexuals into the Armed Forces would cause suspicion and uncertainty between people.	RN	m	53	38	4	3	1
		f	38	49	3	7	3
	Army	m	61	27	7	3	1
		f	20	39	18	23	0
	RAF	m	43	44	6	6	1
		f	30	52	10	8	0
109. Accepting homosexuals into the Armed Forces would inhibit social behaviour.	RN	m	37	35	18	9	2
		f	20	39	23	15	3
	Army	m	47	31	13	6	1
		f	14	21	30	34	0
	RAF	m	27	40	20	11	1
		f	14	40	26	20	0
110. If I had to share showers and sleeping accommodation with known homosexuals, I would resent them.	RN	m	63	19	9	6	2
		f	35	30	16	17	1
	Army	m	64	18	8	5	2
		f	23	7	25	36	9
	RAF	m	51	26	12	8	2
		f	26	36	18	13	5
111. Accepting homosexuals into the Armed Forces would lead to tighter restrictions on heterosexual behaviour.	RN	m	18	24	41	14	2
		f	10	29	35	22	4
	Army	m	25	20	38	12	2
		f	14	25	36	21	4
	RAF	m	12	24	43	18	2
		f	9	21	43	25	1
112. Acceptance of homosexuals into the Armed Forces would result in a fall in the retention of heterosexual service personnel.	RN	m	35	35	21	7	1
		f	20	36	30	10	3
	Army	m	40	30	20	6	1
		f	9	18	43	29	2
	RAF	m	19	35	29	16	1
		f	9	30	26	33	1
113. If homosexuals were allowed to serve, homosexual couples would have to be allowed to attend mess functions.	RN	m	3	26	20	15	35
		f	4	38	19	19	20
	Army	m	5	21	16	13	44
		f	11	41	23	16	9
	RAF	m	2	31	19	15	33
		f	3	46	22	13	17

			SA	A	N	D	SD
114. Homosexual military leaders would be suspected of making tactical decisions based on sexual preference.	RN	m	12	18	43	20	7
		f	6	16	51	19	9
	Army	m	17	15	43	17	6
		f	4	13	34	38	13
	RAF	m	7	20	41	24	7
		f	8	16	38	31	8
115. Military rules that are used to prevent minority groups being harassed and bullied would be enough to stop homosexuals being harassed and bullied.	RN	m	3	10	13	40	34
		f	6	7	7	51	29
	Army	m	4	7	15	35	37
		f	2	11	20	54	14
	RAF	m	2	9	13	46	30
		f	1	12	13	55	20
116. It would be more difficult to integrate homosexual men into the Armed Forces than it has been to integrate heterosexual women.	RN	m	46	32	14	5	2
		f	39	35	15	12	0
	Army	m	42	33	18	3	3
		f	27	36	23	11	4
	RAF	m	42	41	12	4	1
		f	21	56	13	5	5
117. It would be more difficult to integrate lesbians into the Armed Forces than it has been to integrate heterosexual women.	RN	m	39	37	21	11	1
		f	36	38	10	13	0
	Army	m	20	25	35	13	5
		f	5	25	36	21	13
	RAF	m	23	46	22	8	1
		f	16	57	10	10	7
118. It would more difficult to integrate homosexual men into the Armed Forces than it has been to integrate ethnic minorities.	RN	m	48	33	11	6	1
		f	32	48	12	7	1
	Army	m	41	33	18	3	3
		f	21	36	27	13	4
	RAF	m	40	43	10	5	2
		f	17	64	10	5	4
119. It would more difficult to integrate lesbians into the Armed Forces than it has been to integrate ethnic minorities.	RN	m	35	37	18	8	1
		f	30	45	13	10	1
	Army	m	25	27	33	10	3
		f	14	25	29	27	5
	RAF	m	29	45	17	7	2
		f	13	60	13	10	4
120. Homosexuals should be given the opportunity to serve their country in the British Armed Forces.	RN	m	4	11	13	26	45
		f	7	16	20	39	17
	Army	m	3	10	14	18	54
		f	21	39	18	11	11
	RAF	m	4	15	15	28	38
		f	9	25	22	26	18

			SA	A	N	D	SD
121. I would willingly serve in the British Armed Forces if homosexuals were openly accepted.	RN	m	5	13	12	22	48
		f	7	15	20	23	25
	Army	m	4	11	13	14	56
		f	20	41	18	11	11
	RAF	m	4	18	21	22	35
		f	8	23	31	17	20
122. My family would be worried if I had to serve alongside a homosexual of my own sex.	RN	m	21	25	25	21	8
		f	13	22	32	26	7
	Army	m	25	19	27	18	8
		f	13	5	23	38	21
	RAF	m	12	22	33	26	6
		f	8	16	25	44	8
123. I would not want a homosexual, of my own sex, as my close co-worker (ie "buddy"/"oppo").	RN	m	55	22	10	8	4
		f	22	30	20	20	7
	Army	m	59	19	10	6	3
		f	16	13	23	27	21
	RAF	m	47	25	16	9	3
		f	18	31	21	22	8
124. If someone did their job well, their sexual orientation would be of no concern to me.	RN	m	8	14	19	33	26
		f	16	25	22	32	6
	Army	m	8	12	17	28	33
		f	39	34	16	5	5
	RAF	m	8	20	17	37	17
		f	18	22	30	22	8
125. I would willingly share personal equipment (eg breathing apparatus, razors, mugs) with a homosexual man.	RN	m	2	5	7	19	66
		f	1	16	25	28	29
	Army	m	3	5	4	13	73
		f	9	25	27	21	18
	RAF	m	3	3	7	22	64
		f	3	10	27	34	26
126. I would be content to work with homosexual civilians.	RN	m	4	21	21	26	27
		f	4	49	26	13	7
	Army	m	4	18	19	21	36
		f	16	52	20	2	11
	RAF	m	3	21	24	24	27
		f	5	36	30	23	5
127. In my opinion it is acceptable for homosexual men to work in the civilian Police Force.	RN	m	4	20	24	28	24
		f	3	35	35	16	10
	Army	m	1	8	11	10	17
		f	5	14	18	5	0
	RAF	m	3	21	21	31	23
		f	7	25	39	22	8

			SA	A	N	D	SD
128. In my opinion it is acceptable for lesbians to work in the civilian Police Force.	RN	m	4	21	28	27	19
		f	3	25	35	16	10
	Army	m	2	8	15	10	13
		f	5	14	29	4	0
	RAF	m	3	22	27	28	19
		f	7	26	39	21	8
129. In my opinion it is acceptable for homosexual men to work in the civilian Fire Service.	RN	m	4	19	25	27	23
		f	3	33	33	17	12
	Army	m	1	9	13	10	15
		f	5	18	16	4	0
	RAF	m	3	21	27	29	21
		f	7	29	36	21	8
130. In my opinion it is acceptable for lesbians to work in the civilian Fire Service.	RN	m	4	20	30	26	19
		f	3	33	32	20	10
	Army	m	1	9	17	9	11
		f	5	18	16	4	0
	RAF	m	3	21	32	26	18
		f	7	29	38	20	8
131. I would be content to be treated by a male homosexual military medic/dentist/nurse.	RN	m	4	12	11	30	43
		f	4	30	17	23	25
	Army	m	5	10	14	18	51
		f	20	45	20	9	7
	RAF	m	2	15	19	26	38
		f	4	30	17	31	18
132. I would be content to be treated by a lesbian military medic/dentist/nurse.	RN	m	5	21	28	20	25
		f	3	23	13	32	29
	Army	m	8	20	28	15	27
		f	21	41	14	14	9
	RAF	m	3	23	28	22	23
		f	4	25	13	35	22
133. I would object to sharing a bedroom with someone of my own sex who was a known homosexual.	RN	m	64	18	6	4	7
		f	39	29	10	16	6
	Army	m	64	15	4	6	8
		f	21	14	18	30	16
	RAF	m	63	22	6	4	5
		f	40	30	12	16	3
134. If the military accepted homosexuals I would willingly give first aid, involving bodily fluids, to anyone I did not know.	RN	m	3	15	15	20	46
		f	1	17	29	30	22
	Army	m	7	18	16	14	42
		f	14	41	14	18	13
	RAF	m	4	13	15	24	44
		f	3	17	16	38	27

			SA	A	N	D	SD
135. If I were confident that they would not make a physical approach, I would still object to sharing communal showers with someone of my own sex, who was a known homosexual.	RN	m	47	26	9	9	8
		f	28	33	9	26	4
	Army	m	54	18	7	10	9
		f	14	14	23	32	16
	RAF	m	39	31	10	13	6
		f	22	31	16	25	7
136. The system that uncovers homosexuals in the military should be more rigorous.	RN	m	34	26	26	10	3
		f	15	25	30	28	3
	Army	m	45	22	19	7	4
		f	9	13	34	34	11
	RAF	m	22	26	33	15	4
		f	14	27	33	18	8
137. Homosexual cliques would damage unit cohesiveness.	RN	m	47	38	11	3	0
		f	16	64	16	3	1
	Army	m	58	25	11	2	1
		f	16	23	34	21	5
	RAF	m	45	38	12	4	1
		f	18	48	21	9	3
138. Knowing someone, of my own sex and rank, was homosexual, would make it more difficult for me to work with him/her.	RN	m	44	36	8	10	2
		f	17	38	15	26	4
	Army	m	51	27	9	9	2
		f	7	16	16	41	18
	RAF	m	33	38	11	15	2
		f	13	42	10	27	8
139. Knowing someone, of my own sex and of a superior rank, was homosexual, would make it more difficult for me to work with him/her.	RN	m	49	34	7	8	2
		f	23	32	17	23	4
	Army	m	52	27	7	9	2
		f	9	16	18	38	20
	RAF	m	38	27	8	14	2
		f	16	43	7	29	7
140. Knowing someone, of my own sex and of a junior rank, was homosexual, would make it more difficult for me to work with him/her.	RN	m	44	33	11	10	2
		f	19	26	23	28	4
	Army	m	49	26	10	10	2
		f	7	13	20	43	18
	RAF	m	32	37	13	15	2
		f	10	36	18	26	9
141. Accepting homosexuals in the Armed Forces would increase the amount of stress in my environment.	RN	m	45	33	14	6	2
		f	19	36	23	17	4
	Army	m	49	27	13	7	1
		f	7	29	18	38	9
	RAF	m	31	39	17	11	2
		f	9	30	34	20	8

		SA	A	N	D	SD
142. The Armed Forces would be a more comfortable environment if homosexuals were accepted.	RN m	1	1	9	26	61
	f	0	3	12	57	29
	Army m	1	2	10	20	64
	f	2	5	36	41	16
	RAF m	1	1	12	38	48
	f	0	5	30	40	25

143. Even if homosexual men and lesbians were permitted to serve in the British Armed Forces, they would leave themselves open to blackmail.	RN m	20	29	33	15	2
	f	15	35	30	19	1
	Army m	28	25	30	12	3
	f	14	32	20	25	9
	RAF m	18	32	8	4	1
	f	16	24	26	26	8

144. I believe the policy on homosexuality is a very important issue for the British Armed Forces.	RN m	58	30	6	3	2
	f	38	54	7	1	0
	Army m	67	19	6	3	3
	f	46	38	11	5	0
	RAF m	55	32	8	4	1
	f	40	47	8	4	1

145. It would be better to permit homosexuals to serve in some units than to ban them altogether.	RN m	3	8	11	30	47
	f	0	15	20	42	23
	Army m	3	9	9	18	58
	f	5	28	18	34	14
	RAF m	2	8	15	4	1
	f	5	16	18	36	25

146. I think the ban on homosexuality in the British Armed Forces should be lifted:

	RN		Army		RAF	
	m	f	m	f	m	f
Now	4	3	4	4	16	17
Within the next 5 years	5	6	11	12	34	12
Within the next 6-10 years	3	2	3	4	7	5
After the next 10 years	84	3	5	13	7	7
Never	1	82	75	65	34	56

147. I believe that the MOD's policy on homosexuality in the British Armed Forces is justified:

Yes	88	83	83	81	50	69
No	11	13	16	19	48	31

If you answered "No", should the policy be:

Made more stringent	22	36	5	15	11	4
Made more lenient	56	38	72	69	52	75
Other (Please specify)	6	7	10	0	11	17

148. I believe the MOD's procedures for dealing with homosexuals who are identified in the British Armed Forces are acceptable.

Yes	77	72	72	59	39	48
No	10	11	13	19	43	27
Don't know	13	13	14	22	16	25

This questionnaire has given me the opportunity freely to express my own views.

Yes	88	86	91	81	86	88
No	3	3	3	4	4	7
Don't Know	3	4	1	3	2	0

Thank you for completing this questionnaire.

5. How do you think allowing homosexuals into the Forces might have an effect on combat effectiveness, particularly on unit cohesion, morale and discipline?

6. It has been pointed out in court that there have been many brave and competent military homosexuals and lesbians, and that many of those discharged for homosexuality have exemplary service records. In view of this are you able to give actual examples of how you would expect combat effectiveness to be reduced if present exclusions were to be lifted? How could your views be illustrated or proved to the satisfaction of Parliament or the courts?

7. Many of the same arguments against accepting homosexuals or lesbians have been, or could be, used against the inclusion of women or ethnic minorities. What reasons are there to think homosexuals are different and would have a specially damaging effect on combat effectiveness?

8. Some people have suggested that the MOD could allow homosexuals into some parts of the Armed Forces such as support areas (eg medical or transport). Would a policy of selective restriction work? Would it be better than the policy now or would it be better to lift the ban completely?

9. Alternatively, some people have suggested we should simply exclude known homosexuals and leave those who are discreet alone. (This might be like the so called American 'Don't Ask Don't Tell' policy.) Do you think that would be a sensible compromise or a messy fudge?

10. Problems of discipline and morale are important but they don't just arise from homosexuals. Wouldn't it be up to officers and NCOs to make the military system work with homosexuals just as with any other new factor? What reason is there for assuming that in the long term the system could not settle down with homosexuals just as well as it does at present?

11. Similarly, is there evidence that the framework of regulations and discipline within the services couldn't cope with any harassment or bullying of gays just like women or ethnic minorities or anyone else?

12. What about the practical arguments which have been put forward such as (a) extra recruits which would be available to MOD if it were to accept homosexuals; (b) the expensive training wasted at present when homosexual Servicemen or women have to leave; (c) the time and cost of investigating homosexual allegations?

13. What do you think of the argument which has been put forward that morale and combat effectiveness would be lowered just as much by adultery affecting married heterosexuals in the same unit or ship as by homosexuals?

14. What practical difference would the acceptance of homosexual Servicemen or women make to you in your present job?

15. Do you think there are any particular arguments for change in the present policy?

16. Do you think the policy should change? If so in which direction - tighter or looser?

17. If you think it should change, when do you think it should change? Is this because you think the attitudes of younger Service personnel are changing?

18. Would you leave the Service if [you had less than (3) years to serve] known homosexuals were introduced? Do you think others would? Would there be any effect on recruiting?

19. Have you worked with foreign Armed Forces who do accept homosexuals? If so, did this make any practical difference to you or your unit? Could it in future?

20. How does the Buddy/Buddy system affect your attitude - could you be a buddy for a gay?

21. What is/was your reaction to the American debate on this issue which has led to the adoption of the Don't Ask Don't Tell system in the US military?

22. Does the question of AIDS worry you in either the Battle Field or Barrack Room/daily work scenario. Do you foresee any problems with giving/receiving First Aid?

23. Can you see any way in which allowing Gays in the Services might improve operational effectiveness eg less worry about being outed, less risk of blackmail?

25. Do you believe that allowing homosexuals into the Armed Forces would raise/lower their esteem in the eyes of the public.

26. If you had one minute in front of Parliament or the courts what would you most like to say to them about this subject?

27. Have we missed anything out of this discussion?

FOR ONE TO ONE INTERVIEWERS

28. As a result of what we have discussed here and other things you may have heard today have your views of homosexuality in the Armed Forces changed so that you would fill in your questionnaire differently now?

[Interviewer to mark 1-5, 1 being a move to a very pro; 5 to a very anti position; 3 = no change.]

APPENDIX 5
TO ANNEX G

PRELIMINARY RESULTS FROM THE SINGLE SERVICE POSTAL SURVEYS

**ARMY [ROYAL NAVY/ROYAL MARINES, ROYAL AIR FORCE] HOMOSEXUAL
ATTITUDE QUESTIONNAIRE**

PERCENTAGE RESPONSES FOR EACH SERVICE

Total sample sizes:

RN = 1809 - 1677 male, 125 female (7 not recorded)
Army = 3022 - 2810 male, 208 female (2 not recorded)
RAF = 2806 - 2567 male, 234 female (5 not recorded)

1. Date.

2. Where are you serving? [RN]
1. UK(excl. Northern Ireland) [1. Sea]
2. Northern Ireland [2. Shore]
3. Germany [3. UK]
4. Other

3. What is your substantive rank?

	RN	Army	RAF
OF6 Brig	0	0	0
OF5 Col	1	0	1
OF4 Lt Col	4	2	2
OF3 Maj	7	6	6
OF2 Capt	9	5	9
OF1 Lt/2nd Lt	1	2	1
OR9 WO1	3	2	3
OR8 WO2	--	6	--
OR7 SSgt	15	7	8
OR6 Sgt	15	13	15
OR4 Cpl	21	17	25
OR3 LCpl	--	14	--
OR2 Pte class1-3	21	21	27
OR1 Pte class4	2	0	0

4. What is your Arm/Service?

5. Are you

	RN	Army	RAF
1. Male?	93	93	91
2. Female?	7	7	8

6. Where did you grow up?

1. Scotland	4. Ireland (N orS)
2. England	5. Outside the UK
3. Wales	6. Other/Various

7. Did you grow up in

- | | |
|-----------------|-----------------|
| 1. A Large City | 2. A Small Town |
| 2. Small City | 3. A Village |
| 3. A Large Town | 6. Other |

8. How old are you?

9. How many years have you served as an adult?

10. What is your marital status?

- | | |
|------------------------------|-------------|
| 1. Married | 4. Divorced |
| 2. Separated | 5. Widowed |
| 3. Single
(never married) | |

11. Where do you usually live during the working week?

- | | Myself | My Dependents |
|--------------------|--------|---------------|
| 1. Barracks | | |
| 2. Mess | | |
| 3. Married Quarter | | |
| 4. Hiring | | |
| 5. Own House | | |
| 6. Other | | |
| 7. Not applicable | | |

12. Where do you usually live at weekends/when off duty?

- | | Myself | My Dependents |
|--------------------|--------|---------------|
| 1. Barracks | | |
| 2. Mess | | |
| 3. Married Quarter | | |
| 4. Hiring | | |
| 5. Own House | | |
| 6. Other | | |
| 7. Not applicable | | |

13. The following statements relate to the issue of Sexuality in British society in general (excluding the Armed Forces)
Please indicate your level of agreement with each statement:

A=Strongly agree/Agree N=Neutral D=Disagree/Strongly disagree

	Agree	Disagree	
	A	N	D
28. Homosexuality is acceptable in civilian life.	RN 38 Army 33 RAF 34	32 30 32	30 37 30
29. What two consenting adults do in private is their business.	RN 71 Army 69 RAF 72	20 19 18	9 12 9

		A	N	D
30.	All homosexuals are perverted.	RN 35 Army32 RAF 23	30 26 29	45 42 48
31.	Sexual behaviour is a matter for the individual.	RN 74 Army71 RAF 74	17 16 16	9 12 10
32.	You should tell your sexual partner if you are HIV positive.	RN 98 Army99 RAF 99	1 0 1	0 1 0
33.	Male and Female homosexuals have made a significant contribution to British society.	RN 14 Army15 RAF 16	43 37 43	44 48 41
34.	Having unprotected sex with casual partners is alright.	RN 5 Army 7 RAF 3	11 12 8	85 81 88
35.	Society should legally recognise stable relationships with partners of either sex.	RN 20 Army21 RAF 22	33 29 32	47 50 47
36.	Everyone, homosexual and heterosexual should be free to have sex if both partners are willing and over the age of consent.	RN 58 Army54 RAF 61	24 21 21	17 25 18
37.	I find male homosexuality and female homosexuality equally offensive	RN 34 Army23 RAF 34	32 25 32	34 36 35
38.	It is alright to have sex with a person who is married to someone else.	RN 16 Army16 RAF 9	27 18 21	57 67 69
39.	The fact that someone is homosexual would not affect my opinion of them as an individual.	RN 36 Army34 RAF 38	21 17 20	43 49 42
14.	The following statements reflect current Army [Royal Navy/RAF] policy on Homosexuality.			
40.	Homosexuality, male or female is incompatible with service in the Army.	RN 90 Army88 RAF 83	3 4 7	6 8 10
41.	Homosexual behaviour can cause offence, polarise relationships, and lead to ill-discipline.	RN 94 Army92 RAF 88	3 4 6	3 4 7

	A	N	D
42. Allowing homosexuals to serve would damage morale and unit effectiveness.	RN 91 Army89 RAF 81	4 5 9	5 6 9
15. The following general statements relate to the possibility of allowing declared homosexuals to serve in the Army [Royal Navy/Royal Marines/RAF].			
43. Declared homosexuals should not be allowed to serve in the Army [RN/RM/RAF].	RN 88 Army87 RAF 79	5 5 9	7 8 12
44. Declared homosexuals should be allowed to serve, but homosexual behaviour should not be permitted in barracks or on duty.	RN 16 Army19 RAF 23	5 4 8	79 77 69
45. A person's sexual orientation is of no concern to the Army [RN/RM/RAF].	RN 10 Army12 RAF 16	7 6 11	82 82 74
46. Permitting declared homosexuals to serve would make the Army [RN/RM/RAF] less attractive to recruits.	RN 77 Army80 RAF 66	14 10 18	8 10 16
47. Personnel should be willing to share communal living facilities with declared homosexuals.	RN 5 Army 6 RAF 8	6 6 9	88 88 83
48. Declared homosexual Officers would not command the respect of soldiers [sailors/marines/airmen/airwomen].	RN 87 Army89 RAF 81	7 5 8	6 6 11
49. Declared homosexuals should be allowed to serve, but outward displays of their orientation should not be permitted.	RN 12 Army15 RAF 20	6 6 10	81 78 70
50. Allowing declared homosexuals to serve would not damage the Army's [Navy's/RAF's] reputation.	RN 13 Army14 RAF 16	6 6 11	80 81 72
51. Declared homosexuals should be permitted to serve without restriction.	RN 4 Army 6 RAF 8	3 4 7	92 90 85
52. Declared homosexual NCOs [Senior Ratings] would not command the respect of soldiers [sailors/marines/airmen/airwomen].	RN 85 Army87 RAF 80	6 4 8	8 8 12

		A	N	D
53.	The ban on homosexuals in the Army [RN/RM/RAF] is based on prejudice rather than on its impact on operational effectiveness.	RN 14 Army16 RAF 20	9 9 12	77 76 67
54.	Declared homosexuals should be allowed to serve, but their employment should be limited.	RN 14 Army16 RAF 20	9 9 12	77 76 67
55.	Allowing declared homosexuals into the Army [RN/RM/RAF] would increase bullying and assaults.	RN 84 Army88 RAF 80	11 7 13	5 5 6
56.	Homosexual behaviour by personnel away from barracks and off-duty would not affect trust and cohesion in a unit.	RN 13 Army15 RAF 14	16 13 17	71 72 69
57.	Declared homosexuals who do not practice homosexual behaviour should be permitted to serve.	RN 10 Army12 RAF 15	11 11 17	79 77 68
58.	Declared homosexuals would not be accepted in barrack-rooms or messes.	RN 87 Army86 RAF 81	7 7 10	6 7 8
59.	Other countries have declared homosexuals in their Armies [Navies/Air Forces], therefore there is no reason why the British Army [Royal Navy/RAF] should not follow their example.	RN 8 Army 9 RAF 14	7 6 10	86 86 76
60.	Homosexuals do not make good team members.	RN 32 Army37 RAF 25	45 42 43	24 22 27
61.	Personnel who declare themselves homosexual should be retained to prevent the loss of expensively trained well-qualified personnel.	RN 10 Army14 RAF 15	12 13 17	78 72 68
62.	If declared homosexuals were allowed to serve, there should be no objection to setting up 'Gay Support Groups' or similar organisations within units.	RN 6 Army 6 RAF 9	8 7 10	86 86 81

	A	N	D
63. If declared homosexuals were allowed to serve, homosexual couples should be eligible for equivalent accommodation and allowances to heterosexual couples.	RN 8 Army 6 RAF 8	10 6 9	82 88 82
64. Declared homosexuals in the Army [RN/RM/RAF] would cause a breakdown in trust within a unit.	RN 81 Army 82 RAF 70	10 8 16	8 10 14
16. The ban on homosexuals serving in the Army should be lifted:			
1. Now	RN 3 Army 4 RAF 7		
2. Within the next 5 years	8	6	8
3. After the next 5 years	4	4	6
4. Never.	86	86	77
17. The following statements deal with personal and practical issues which may be relevant to everyday working life in an Army [Navy/Air Force] which included declared homosexuals.			
66. I would not want to serve in an Army [Navy/RAF] which included declared homosexuals.	RN 77 Army 76 RAF 60	12 11 20	11 13 20
68. I would object to sharing living facilities with declared homosexuals.	RN 88 Army 87 RAF 82	6 4 8	6 9 10
69. I would be happy to give first aid to someone I knew was homosexual.	RN 28 Army 33 RAF 32	20 18 20	51 49 47
70. I could not accept a declared homosexual in my section/vehicle crew [part of ship/workplace/flight/squadron].	RN 65 Army 71 RAF 50	19 14 27	15 15 23
71. I feel I could rely on someone who I knew to be homosexual in a dangerous situation.	RN 26 Army 24 RAF 29	41 37 41	32 39 30
72. I would be very worried if I knew that my immediate superior was homosexual.	RN 72 Army 75 RAF 62	16 11 19	12 13 19
73. I believe that declared homosexuals would find life very difficult in the Army [RN/RM/RAF].	RN 95 Army 95 RAF 91	3 3 6	2 2 3

ANNEX H

FOREIGN MILITARY EXPERIENCE

1. The military experiences of homosexuality in the armed forces of overseas countries are detailed at Appendices 1-7.

Appendix:

1. The Australian Experience.
2. The French Experience.
3. The German Experience.
4. The Netherlands Experience.
5. The Canadian Experience.
6. The United States Experience.
7. The Israeli Military Experience

APPENDIX 1 TO
ANNEX H

THE AUSTRALIAN MILITARY EXPERIENCE

1. A team was well received in Australia and afforded opportunities to discuss policy with representatives of single-Service personnel departments at Australian Defence Force (ADF) Headquarters before travelling to discuss implementation in practice with a group drawn from the Royal Australian Air Force (RAAF), the Australian Army and The Royal Australian Navy (RAN). Additionally, the team met with Dr Hugh SMITH Head of Politics at the ADF Academy Canberra and the HPAT psychologist visited Service psychologists in Canberra.

2. Homosexuality is not dealt with as an individual issue but is considered as an integral part of the ADF code of Unacceptable Sexual Behaviour within the overall spirit of "Good Working Relations" which appears as the cornerstone of personnel policy. The Code of Unacceptable Sexual Behaviour (Enclosure 1 to this Appendix) governs relationships in all forms. The standards applied mirror those of society and thus de-facto heterosexual relationships are permitted (subject to burden of proof) while de-facto homosexual relationships are not recognised as entitlement to benefit etc. It is admitted that few homosexuals have declared their orientation and bullying and intimidation have not been a problem.

Background

3. The ADF is organised and managed along traditional western lines. Until 1990 homosexuality was considered cause for dismissal from the service. Following complaint to the Human Rights and Equal Opportunities Commission (HEROC) in

December 1990 the ADF was invited to provide a rationale for its policy having regard to Australia's international human rights obligations. The outcome of these deliberations was a Cabinet decision that the ADF should introduce a non-discriminatory policy on Unacceptable Sexual Behaviour. Such a policy was formally introduced on 22 June 1992 with the removal of homosexuality as a military offence occurring the following day.

4. The removal of the ban on homosexuality in the ADF reflected a parallel liberalisation of society's attitude. In 1984 the state of New South Wales eased its legal ban and this has been successively followed by all other states with the exception of Tasmania which still legislates against homosexuality. The age of homosexual consent varies from state to state.

5. During the 18 months of negotiations leading to a lifting of the ban the Armed Forces debated the issue with the Minister for Defence and a majority of senior officers, including a number at Joint Chiefs level, declared themselves firmly against any change and generally believed that any such relaxation would be unacceptable. The ground swell of service opinion, particularly at SNCO level, was equally convinced that the status quo should be maintained. Younger recruits were believed to be equally split on the issue.

Current Policy

6. The lifting of the ban on homosexual service and the implementation of the code of Unacceptable Sexual Behaviour coincided with a number of other events (particularly the notorious HMAS SWAN incident, which involved allegations of widespread sexual harassment of female personnel) which led to considerable public demand that the ADF should put its house

in order. This provided the impetus to senior management to introduce a concerted education programme towards a successful implementation of the Code and the promotion of "Good Working Relations" at all levels.

7. The Code recognises that sexual relations are a part of adult life and are predominantly a private matter for each individual. Nevertheless the ADF is concerned with the sexual behaviour of its members where it is inconsistent with the inherent requirements of the ADF, or where it is unlawful. Thus the Code is designed to ensure behaviour that maximises the operational efficiency of the ADF, in that it requires group cohesion, respect for command relationships, willing acceptance of individual and collective discipline and maintenance of morale. The term "Unacceptable Sexual Behaviour" is not defined and thus left to a wide variety of command interpretation. This lack of prescriptive definition of unacceptable behaviour is in line with the Australian Sex Discrimination Act's emphasis on what is reasonable in the circumstances and the recipient's response to such behaviour.

8. Detailed procedures for the administration of contravention of the Code are included in this Assessment. The policy requires a complicated conciliatory process from the Commanding Officer, through the chain of command to the Defence Force Ombudsman and thence to HEROC. A network of support organisations has been introduced. Measures include a Toll Free harassment help line and the establishment of Discrimination Contact Officers at Unit level. The military system also recognises an ADF homosexual support group - "G Force", and has consistently shown a willingness to work with its members towards common policy goals.

Implementation in Practice

9. Impressions of the policy varied. During discussions with single Service policy staffs all stated that following an initial outcry, homosexuality had become a non-issue. The ADF no longer discriminates on any grounds and any form of discrimination was treated extremely seriously. The difficulties of integrating open homosexuals were described as "*just another legitimate management problem*". At unit level however opinions varied. Male members of a random volunteer group drawn from RAAF personnel and members of an Air Mobile Brigade based at RAAF Townsville were (with the exception of one member who did not realise homosexuals were now allowed to serve) very largely against the new policy and believed that, in a combat situation, the presence of open homosexuals would have a degrading effect on Operational Effectiveness. Their arguments were identical to those voiced by many of their UK counterparts. (A very senior RAAF NCO had, in discussion at Canberra, also endorsed the logic behind the UK behavioural model which set out concerns about the impact of open homosexuality in a military setting). (Figure 1)

10. By contrast a large, but non volunteer group of Army Logistics personnel from Laverack Barracks, while not necessarily liking or supporting homosexuals on a personal level and being very concerned about anything which might give them special treatment, were unanimously in favour of a policy that governed action and not orientation. A RAN group in Sydney, in a well considered and founded discussion, equally emphasised the pre-eminence of the virtues of equality and non-discrimination, emphasising a considerable cultural and military difference between British and Australian attitudes.

11. HIV was not regarded as a significant issue and other blood disorders such as Hepatitis C were regarded as far more important. The ADF routinely tests for HIV on enlistment, before deployment abroad, on return from overseas and on mobilisation of Reserves. Wider testing of homosexuals is thus not required. HIV cases are always treated as Medical-in-Confidence and "positive" personnel may be medically discharged; those found to be "positive" on recruitment are always discharged.

12. During discussions with the founder and president of G Force it was revealed that only 30 men, (split mainly RAN/RAAF with only one soldier (Lt Col)) and three women (all RAAF) have declared their homosexuality even to the extent of giving their names in confidence to his organisation. A further 15 personnel are believed to be in touch with G Force but have not been prepared to reveal their identities. It is not clear whether this amounts to "coming out". The reasons for this continuing reticence appear to be fear of comrades reaction and informal sanctions, and anxiety about the effect on their careers. The most senior ranks on G Forces' books are a RAN Commander and a former Army Lieutenant Colonel. All are said to be happy to work within the restrictions demanded by the Code but also are keen to push for further entitlements and acceptance. The effect on the system has yet to be challenged but the present situation may be unstable, as Gay Rights have sufficient political visibility to allow for a renewed pressure on the military establishment. Such a move may well come with the controversial participation of G Force members in the Sydney Gay Mardi Gras in March 1996. The issue of service entitlements for homosexual partners may also become vexatious though the ADF is likely to follow general public sector guidelines on this.

13. Although Unacceptable Sexual Behaviour applies equally

across the sexes there is, in practice, no uniform definition of the term and the onus is placed on the affected individual to judge the acceptability or otherwise of a situation. While in theory no heterosexual expression or contact should take place, most regard such contact as acceptable and therefore make no attempt to complain about or prevent it. Those who have admitted their homosexual orientation have so far been content not to demand equal rights to expression and in practice work within a heterosexual culture but, as G Force admits, there is an aspiration to challenge this. There has been at least one claim and counter claim of harassment over sexual orientation but no one has yet been prepared to make a major challenge to in-Service mores. Homosexuality is certainly still not universally accepted as an ADF norm and the G Force view is that a major change will be required in Service culture before it is.

Conclusions

14. At first sight the Australian system represents a logical symmetrical ideal for non-discrimination. But the norms that apply to Australian society and the ADF could not necessarily be translated directly into a UK context. The ADF totals only some 57,904 personnel in 1994. With the exception of limited peace keeping operations in Somalia (Battalion Group), Rwanda (re-inforced Company) and Cambodia, and the participation of two Destroyers and a Tanker in Operation Desert Storm, the ADF it has not been employed overseas since the early 1970s. Australia enjoys a multi ethnic, multi cultural society with a considerable willingness, in the metropolitan areas at least, to accept sexual behaviour which, in the UK, is still regarded with a considerable degree of suspicion. The ADF mirrors Australian society in most respects in a way that the UK Armed Forces do not. Indeed many members of the military regard themselves as the forerunners of change. Overall the ADF has placed an

emphasis on conciliation arrangements and the integration of minorities which seems to have absorbed very considerable management time and attention.

15. In Australia tolerance of the unusual is without doubt greater in all its forms and yet homosexuality is still not universally accepted. The Defence Instruction 'Unacceptable Sexual Behaviour by Members of the ADF' was intended only to control behaviour. It was not designed to change attitudes and feelings. The changing of attitudes is a separate issue, as cultural change takes a considerable time. In addition, members are at liberty to have their own beliefs; it is behaviour which the ADF seeks to moderate. It is the very strong feeling on both sides of the issue in the UK would render such a system potentially open to constant challenge from homosexuals and heterosexual Service people who might feel aggrieved by each other.

16. As both policy makers and G Force told the Team, the experiment has been running far too short a time to determine the final impact on the ADF. Certainly it is not an example of significant numbers of open homosexuals being accepted with the military system, still less one that has been effectively tested under operational conditions. As with Gallipoli in 1915 it would be unwise for any British observer to assume that the looser and deliberately more relaxed Australian approach cannot work for them, but equally unjustified to assume that it could be effectively transferred to UK with its very different military and social conditions.

ENCLOSURE 1
TO APPENDIX 1
TO ANNEX H

**UNACCEPTABLE SEXUAL BEHAVIOUR BY MEMBERS OF THE AUSTRALIAN
DEFENCE FORCE**

INTRODUCTION

1. Sexual relations are a part of adult life and are predominantly a private matter for each individual. Nevertheless, the Australian Defence Force (ADF) is concerned with the sexual behaviour of its members where it is inconsistent with the inherent requirements of the ADF, or where it is unlawful.

AIM

2. The aim of this instruction is to state ADF policy on unacceptable sexual behaviour by ADF members and to provide guidelines for dealing with such behaviour.

AUSTRALIAN DEFENCE FORCE POLICY

3. Service in the ADF is concerned ultimately with maximising operational effectiveness. This goal requires the development of group cohesion, respect for command relationships, the willing acceptance of individual and collective discipline and the maintenance of morale. Accordingly, Service members must refrain from behaviour which:

- a. undermines a member's ability to contribute to the mutual dependence and collective discipline of the group;

b. is contrary to, or inconsistent with, the standards of professional and personal conduct required to achieve such operational effectiveness; or

c. is unlawful under civil, criminal or military law.

4. The ADF is concerned with the sexual behaviour of members in terms of this obligation. Sexual behaviour which is inconsistent with this obligation is termed unacceptable sexual behaviour, that is any sexual behaviour, activity or attitude that places operational efficiency or effectiveness at risk.

5. The leadership of the ADF neither condones nor accepts unacceptable sexual behaviour. Incidents will normally warrant disciplinary and/or administrative action, where such behaviour:

a. is prejudicial, or is likely to be prejudicial to group cohesion or command relationships by affecting the health or safety of the individual or the group;

b. takes advantage or threatens the person or personal integrity of subordinate or underage persons;

c. brings or is likely to bring discredit on the ADF; or

d. is unlawful under civil, criminal or military law.

6. Unacceptable sexual behaviour aside, it must be accepted that, in certain circumstances in the ADF environment, any sexually-related behaviour may be contrary to the inherent requirements of the ADF. The ADF environment includes a ship, vehicle or aircraft, any Defence establishment or any other situation in

which a member is deployed to perform military duty. Prohibition of specific types of behaviour may be promulgated by a general order as defined in the Defence Force Discipline Act(DFDA).

7. Sexual relations and displays of affection and private intimacy between students and staff, and between all students regardless of their training status, are prohibited in all Joint Service and Single Service initial training establishments. This prohibition extends within the precincts of the institution and during any absence from the institution on duty.

CATEGORIES OF UNACCEPTABLE SEXUAL BEHAVIOUR -

8. Unacceptable sexual behaviour includes sexual harassment, sexual offences and other unacceptable sexual behaviours. These terms are described in the following paragraphs.

Sexual Harassment

9. Sexual harassment is defined in the Sex Discrimination Act as:

"28A (1) a person sexually harasses another person (the "person harassed" if:

(a) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or

(b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed; in circumstances in which a reasonable person, having regard to all the

circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

"Conduct of a sexual nature" includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

28B (1) It is unlawful for a person to sexually harass:

(a) an employee of the person; or

(b) a person who is seeking to become an employee of the person.

(2) It is unlawful for an employee to sexually harass a fellow employee or a person who is seeking employment with the same employer.

(3) It is unlawful for a person to sexually harass:

(a) a commission agent or contract worker of the person; or

(b) a person who is seeking to become a commission agent or contract worker of the person.

(4) It is unlawful for a commission agent or contract worker to sexually harass a fellow commission agent or fellow contract worker.

(5) It is unlawful for a partner in a partnership to sexually harass another partner, or a person who

is seeking to become a partner, in the same partnership.

(6) It is unlawful for a workplace participant to sexually harass another workplace participant at a place that is a workplace of both of those persons."

10. In simple terms, sexual harassment is unwelcome sexual attention. It is unlawful where it is directed against fellow employees, persons seeking employment, and fellow workplace participants even if not employed by the Commonwealth.

11. Sexual harassment is not limited to specific acts directed to particular people. 'Non-directed' acts, such as the display of printed materials which could give offence, may constitute harassment. Behaviour which may be acceptable in other contexts, eg between friends in a social context, can be inappropriate in the work environment. Some examples of sexual harassment in the workplace are:

- a. directly offensive verbal comments or innuendo of a sexual nature;
- b. sexually offensive jokes;
- c. repeated comments about a person's alleged sexual activities or private life;
- d. derogatory comments regarding a person's sexual orientation;
- e. offensive gestures;

f. derogatory comments to a colleague regarding their sexual appeal;

g. physical contact such as patting, pinching, touching or putting an arm around another person;

h. provocative posters, calendars or like material with a sexual connotation;

i. an unwelcome sexual advance;

j. an unwelcome request for sexual favours;

k. unwelcome conduct of a sexual nature, including oral or written statements, which a reasonable person would anticipate would offend, humiliate or intimidate the person harassed; or

l. course badges, in-house publications informal and formal) and training materials with a sexual connotation.

12. It should be clearly understood that the conduct giving rise to sexual harassment may constitute a civil, criminal and/or disciplinary offence.

12. It should be clearly understood that the conduct giving rise to sexual harassment may constitute a civil, criminal and/or disciplinary offence.

Sexual Offences

13. Sexual offences include, but are not limited to, sexual assault, indecent assault and acts of indecency. Such offences will normally require a formal Service investigation or be subject to investigation by civil authorities. Guidance is provided in DI(G) PERS 45-1 - Jurisdiction under

the Defence Force Disciplinary Act - Guidance for Military Commanders.

Other Unacceptable Sexual Behaviour

14. Other unacceptable sexual behaviour, including behaviour between members of the same gender, cannot be closely defined. Ultimately, it will be a matter of judgment that certain sexual behaviour, which is not unlawful, nevertheless places operational efficiency and effectiveness at risk. Some examples are:

a. a sexual relationship between a superior and a subordinate which compromises unit cohesion and undermines the superior's authority;

b. public display or advocacy of a particular sexual preference, be it heterosexual or homosexual, causing a breakdown in group cohesion or loss of professional respect; and

c. sexual relationships and activities conducted openly in the communal environment of a mess or barrack block, or encouraging younger members to accept participation in such activities as a requirement of communal living.

15. Unacceptable sexual behaviour can also include gender harassment which stereotypes a person according to gender or sexual preference, rather than judging on individual merits. It includes openly discussing views in which the other sex is portrayed as inferior or subordinate, or using gender based or sexist derogatory terms. Some examples of such behaviour are:

- a. blaming women for pregnancy,
- b. derogatory references to male and female physiological functions,
- c. derogatory language about men and women who do not fit the male or female stereotype, and
- d. unjustified inequitable treatment of males and females.

MANAGEMENT OF UNACCEPTABLE SEXUAL BEHAVIOUR

16. The most effective way to prevent the continuation of sexual harassment is through the informal approach and for the person offended to state clearly to the harasser that the behaviour is offensive and to demand that it ceases immediately. It is recognised, however, that this may not always be possible. All parties concerned are to be assured that, should a complaint proceed to a formal internal complaint, the allegation will be investigated thoroughly and with sensitivity.

AVENUES OF COMPLAINT

17. Where a member wishes to make a complaint, a number of avenues are available. Use of the chain or command is likely to be the most effective as there is an unequivocal responsibility on the superior to provide advice, seek assistance or act on a complaint.

Chain of Command

18. A member who wishes to complain about unacceptable

sexual behaviour should do so to a superior officer in the member's chain of command, although there is a right to use other avenues as detailed in paragraphs 19 and 20. Additionally, an application for redress of grievance may be lodged with the member's Commanding Officer in accordance with DI(G) PERS 34-1 - Redress of Grievance - Tri-Service Procedures. This avenue of complaint places a legal onus on the Commanding Officer to have the matter investigated swiftly and, if substantiated, for the grievance to be redressed. Commanding Officers are to exercise the utmost vigilance to ensure that a complainant or witness is not victimised, penalised or prejudiced as a result of making a complaint.

Defence Force Ombudsman

19. In some circumstances a member may have grounds for not wishing to complain to any authority within the chain of command or to Service personnel. The Defence Force Ombudsman (DFO) may accept the complaint for investigation if satisfied special circumstances exist. DI(G) PERS 34-3 - Inquiries and Investigations by the Defence Force Ombudsman Affecting the Department of Defence and the Australian Defence Force details guidelines and procedures to be followed when a complaint is made against the ADF through the DFO.

Human Rights and Equal Opportunity Commission

20. Members also have the right to refer the matter to the Human Rights and Equal Opportunity Commission (HREOC), although this avenue may not satisfy the immediate requirement of stopping the harassment or discriminatory practice, and acting against the offender in a timely manner. The HREOC Act requires that the

complaint be in writing. DI(G) PERS 34-2 - Complaints of Discrimination and Harassment through the Human Rights and Equal Opportunity Commission describes the guidelines and procedures to be followed when a complaint is made against the ADF through HREOC.

Concurrent Complaints

21. When a complaint is lodged concurrently through more than one avenue, the ADF will suspend action on all but one statement of complaint in order to facilitate speedy resolution of the matter and consistency in the advice provided. This will be done in consultation with relevant external agencies and the complainant.

ADVICE AND SUPPORT MECHANISMS

22. Where a member wishes to seek confidential advice or support with regard to unacceptable sexual behaviour a number of options are available.

Toll Free Telephone Numbers

23. Sexual Harassment toll free numbers are in place within each of the Services for members seeking confidential support external to the chain of command. These numbers are:

a. Navy (Operation Lifeguard) 008 644 247

b. Army Harassment Helpline
1800 803 831

008 803 831

c. Air Force Discrimination/
Harassment Helpline
1800 626 254

Discrimination Contact Officers

24. The Services are to establish Discrimination Contact Officer appointments within units to provide impartial advice and personal assistance to individuals in relation to all forms of discrimination and harassment. The Defence organisation has a network of Sexual Harassment Contact Officers. Such officers are already operating in many integrated Service units and are available to provide support and advice to both Service and civilian employees suffering from sexual harassment. Each Service and the Department is responsible for maintaining a current list of Sexual Harassment/Discrimination Contact Officers and this list is to be promulgated at regular intervals through unit routine orders or Departmental staff bulletins.

Military Support Personnel

25. As a complaint can be sensitive and potentially embarrassing, particularly if it involves someone more senior to the complainant, members, including the alleged offender, should be encouraged to seek advice from any legal officer, chaplain, health service officer or other support person they may choose, noting that there is an obligation on those personnel to then assist in having the matter dealt with through the correct channels.

26. The alleged offender is to be encouraged to seek legal advice and any other support and guidance which they may need.

ADMINISTRATIVE AND DISCIPLINARY ACTION

27. Wherever possible complaints of sexual harassment can, and should, be resolved by the people involved or by intervention of immediate supervisors. Inevitably the issue will require tact and sensitivity and, in some cases, mediation. The optimum outcome is for both parties to be able to return effectively to the workplace without recourse to formal administrative action or disciplinary action. Incidents involving sexual offences are to be reported to superior authorities.

Formal Administrative Action

28. When a member's sexual behaviour is unacceptable, and it is not an offence under either military or civil law, consideration is to be given to taking formal administrative action. Such unacceptable behaviour is not subject to rigid definition and the administrative action taken may vary in nature, significance and impact according to the offender's rank, appointment or duties.

29. Formal administrative action includes:

- a. counselling;
- b. adverse report;
- c. administrative censure;
- d. warning for discharge;
- e. recommendations affecting posting, promotion or employment; and
- f. involuntary separation from the Service.

Offences Under the Defence Force Discipline Act

30. Activities of a sexual nature which might attract Service disciplinary action include unwelcome sexual behaviour, sexual harassment, obscene behaviour, use of sexist language, disobedience of an order regarding the elimination of discriminatory practices and conduct which encourages divisions or disrespect between personnel, in appropriate cases, conduct in the nature of assault, insulting or provocative words, or prejudicial behaviour might also give rise to DFDA offences and attract disciplinary action. Annex A provides examples of some specific Service offences which may be relevant. Advice should be sought from appropriate military and legal sources, especially in the drafting of charges under DFDA. The jurisdictional guidelines for handling such offences are detailed in D1(G)PERS 45-1 - Jurisdiction under DFDA - Guidance for Military Commanders.

Offences under Civil or Criminal Law

31. Sexual harassment is unlawful and may lead to action under the Sex Discrimination Act, whereas sexual assault is a criminal offence. All allegations of sexual assault within Australia are to be reported immediately to civil police unless the complainant specifically requires that the incident not be so reported. Such reporting will enable appropriate counselling and medical/forensic tests to be conducted through the expert resources available to the civil authorities. A complainant is to be assisted in reporting the matter to the civil police without delay and in being offered professional counselling.

False or Misleading information

32. The giving of false or misleading information by any member who knows that the information is false or misleading during a Service investigation into unacceptable sexual behaviour may be subject to administrative action or action taken under the DFDA. A Commanding Officer or other officer appointed to investigate an allegation of unacceptable sexual behaviour who believes or is satisfied that false or misleading information has been deliberately given should seek legal advice as to the appropriate course of action to be taken.

33. Any ADF member has the right at any time to pursue a complaint of sexual discrimination or harassment through the HREOC. All persons involved in a complaint before the HREOC are required to be honest and accurate in their evidence. A person who furnishes information or makes a statement knowing that the information or statement is false or misleading may be subject to a penalty under the HREOC Act s.25 and the Sex Discrimination Act s.93. The Sex Discrimination Act also provides for the Commission to dismiss a complaint that it considers to be frivolous, vexatious, misconceived or lacking in substance.

REPORTING OF INCIDENTS

34. All Service units and establishments, including Joint Service units and overseas posts are to implement procedures to ensure that adequate records of both administrative and legal action resulting from incidents involving unacceptable sexual behaviour are raised and maintained.

35. A monthly return is to be submitted by Service Offices, ADFA and overseas posts to HQADF (DGSPP) detailing sexual harassment incidents and/or sexual offences reported in the

preceding month. The return, in the format at Annex B, is to reach HQADF by the tenth working day of the following month. Nil returns are required, all other Joint Service units are to report to HQADF when an incident occurs.

RESPONSIBILITIES REGARDING UNACCEPTABLE SEXUAL BEHAVIOUR

36. To reflect Government policy that the ADF provides a work environment free from sexual harassment, it is the responsibility of every member to ensure that complaints of unacceptable sexual behaviour involving ADF members are reported promptly for investigation and resolution. Managers are to ensure that a member lodging a legitimate complaint will not be subjected to retribution.

Responsibilities of Commanders and Senior Managers

37. Commanders and senior managers within the ADF are required to take all measures to eliminate all workplace harassment on the grounds of good management practice, in addition, under the Sex Discrimination Act s. 106, vicarious liability of unlawful acts by a member pertains to the employer, unless the employer can establish that all reasonable steps have been taken to prevent the member from performing the unlawful act. Thus, an employer who fails to take reasonable precautions to prevent workplace harassment from occurring, or who fails to deal promptly and effectively with any complaint of harassment, may be in breach of an employer's duty of care to employees. Commanders and senior managers also have a duty to ensure that a complainant or witness is not in any way victimised, penalised or prejudiced as a result of making a complaint or giving evidence.

Responsibilities of Commanding Officers and Designated Commanding Officers

38. Commanding officers and designated commanding officers for disciplinary purposes, are to ensure that all members in their unit are aware of the policy contained in the instruction together with unit sources of advice, counselling and information regarding management of complaint procedures. Guidelines for Commanding Officers and Designated Commanding Officers are at Annex C. Specific Navy implementing instruction are at Annex D.

39. It is the responsibility of all commanding officers and designated commanding officers to:

- a. foster integration, and take all possible action to prevent of eliminate prejudice, unjustified discrimination and sexual harassment:
- b. maintain an environment where victims and witnesses of unacceptable sexual behaviour are confident they will receive support from their superiors:
- c. respond promptly, seriously and with sensitivity to allegations of unacceptable sexual behaviour: and
- d. ensure there is no recurrence of unacceptable sexual behaviour or victimisation of either party.

Responsibilities to Non-Military Commonwealth Employees

40. Sexual harassment has the capacity to erode the mutual respect between military and civilian members. Supervisors at every level are responsible for ensuring that areas under their control are free from sexual harassment and other

offensive behaviour. The requirements of this instruction apply also within the integrated work environments of Defence establishments involving Service members and Department of Defence civilian employees and contractors. Guidelines for non-military Commonwealth employees are detailed in Departmental Personnel instructions.

Resolution of Complaints Alleging Sexual Harassment

41. Any measures aimed at resolution must include any firm steps necessary to ensure there is no recurrence of sexual harassment or victimisation of any party. This may require consideration of posting action or involuntary separation from the Service as a result of formal administrative action. All supervisors must be alert to the possibility of members who may be repeat offenders. While a complaint may be resolved at unit level, it is possible that a member may develop a history of unacceptable sexual behaviour over a series of postings.

TRAINING AND EDUCATION

42. All ranks are to be given training in the ADF policy on unacceptable sexual behaviour under Service Arrangements. As a minimum appropriate formal training is to be at:

- a. all initial entry courses,
- b. non-specialist promotion courses,
- c. command courses,
- d. Services staff college, and
- e. courses for Discrimination Contact Officers.

43. The Services are to develop training and educational

guidance material for use by commands. All commanding officers are responsible for implementing programs appropriate to unit requirements.

CONCLUSION

44. ADF members are expected to act in accordance with the general standards of community decency. The ADF is concerned with the sexual behaviour of its members only where it is inconsistent with the requirements of the ADF or where it is unlawful, it is, however, recognised that individual perceptions will differ and there may be a fine line requiring the exercise of common sense, maturity and clear judgement. Such matters should be resolved between the individuals involved, or through a process of conflict resolution whenever possible. Other unacceptable behaviour of a more serious nature will result in military administrative or disciplinary action or changes under criminal law.

45. The ADF is firmly committed to zero tolerance of unacceptable sexual behaviour.

*Annexes: A. Services Offences - Unacceptable Sexual Behaviour

B. Format And Guidance Notes for Reporting Sexual Harassment and Sexual Offences

C. Guidelines for Commanding Officers and Designated Officers

D. Navy Guidance and implementation instruction

*Annexes A-C not included in this document.

**ANNEX TO
ENCLOSURE 1**

NAVY GUIDANCE AND IMPLEMENTATION INSTRUCTION

1. This Annex provides amplifying guidance and implementation instructions for Navy Commanding Officers on Unacceptable Sexual Behaviour.

Proscribed Fraternisation

2. Paragraph 6 of this instruction allows the prohibition of particular sexual behaviour where it is considered to be contrary to the inherent requirements of ADF service. The Chief of Naval Staff has prohibited fraternisation in HMA ships and in any workplace onboard HMA establishments.

3. For the purposes of this instruction proscribed fraternisation includes:

- a. voluntary sexual behaviour between members, including sexual behaviour not amounting to intercourse.
- b. a close and exclusive emotional relationship involving public displays of affection or private intimacy: and
- c. a relationship which involves, or gives the appearance of involving, partiality, preferential treatment or improper use of rank.

4. In effect, a 'no touching rule' applies in HMA Ships and in any workplace onboard HMA establishments. To clarify this rule, 'touching' covers any physical contact or conduct with or in relation to another person with the purpose of mutual

sexual arousal and also includes public displays of affection and private intimacy.

5. While this prohibition does not cover various other public areas in establishments, members should nonetheless use common sense in their behaviour in these areas to ensure that their behaviour is not seen as offensive or embarrassing to other members or bring discredit to the RAN or otherwise impair operational effectiveness.

6. Experience has shown that such relationships can sometimes result in erosion of command relationships and group cohesion and cause embarrassment of resentment among colleagues and workmates. Sometimes, where one member in the relationship is considerably junior in rank to the other, unfairness can result for the junior member. Also the impartiality and professionalism of the senior member may be questioned by colleagues. Such relationships, particularly those where the two members are in the same chain of command, are unwise for these reasons and should be discouraged. While it is not intended to lay down any rules for such situations members should be aware that in the Navy, as in most hierarchical organisations, common sense and discretion in such cases must be applied.

Other Sexual Behaviour Potentially Adverse to Operational Effectiveness

7. In addition to the prohibitions set out above it will sometimes be necessary for additional prohibitions of any or particular sexual behaviour to be issued by commanders. Any prohibition under this paragraph should any be issued in accordance with the guidance in paragraph 6 of this instruction.

ACTION TO BE TAKEN IN CASES OF UNACCEPTABLE SEXUAL BEHAVIOUR

Reporting

8. In any case of unacceptable sexual behaviour, where the behaviour has been established in accordance with Annex C. paragraphs 10 to 12, and formal counselling and warning action is considered appropriate, a record of this action in the format at Appendix 1 to this Annex is to be retained on the members personal file and a copy forwarded to the relevant Administrative Authority and Navy Office (Attention: DNPS).

9. In cases where no formal administrative or disciplinary action is taken, the incident is to be reported using the format at Appendix 2 to this Annex.

Disciplinary Penalties

10. In any instance of unacceptable sexual behaviour where disciplinary action is taken guidance in relation to penalty should be taken from the 'Guide to Summary Punishment', having regard to the particular offence.

11. Offences which comprise inappropriate language, gestures or proscribed fraternisation will constitute an offence of prejudicial behaviour under section 60 of the DFDA. Disciplinary offences which reflect a lack of personal leadership qualities, or a lack of responsibility should not be dealt with as minor offences. Where the offence is not considered minor, the appropriateness of sentence is a matter for the Trying Officer, observing the maximum sentence available for the particular offence, and the Trying Officer's powers of punishment.

Administrative Action

12. Administrative action for sailors includes discharge RNN, reversion in rank, Flag Officer's censure, a formally recorded and reported counselling/warning, or an informal unrecorded counselling, in the case of officers, administrative action includes termination of appointment. Flag Officer's censure, a formally recorded and reported counselling/warning, or an informal unrecorded counselling.

13. Behaviour which discloses a disciplinary offence, but does not reflect a lack of personal leadership qualities, or a severe lack of responsibility, should usually be dealt with by a combination of disciplinary action and a formally recorded and reported counselling/warning. Proscribed fraternisation will normally be dealt with in this manner.

14. Behaviour which does not disclose a disciplinary offence, but reflects an error of judgement or awareness by the offender, should normally be dealt with by an unrecorded counselling/warning and by apology to the complainant, instances of inappropriate language or gestures might fall into this category.

Resolution Process

15. An important aspect in the resolution of an allegation of any unacceptable sexual behaviour is that the complainant be advised of the outcome of the investigation and provided with any necessary counselling. Often the complainant will also be seeking an apology from the offender. Regardless of whether or not disciplinary or administrative action has been taken against the offender, an apology can be an important aspect of resolution of the complaint. While not all offenders will be willing to apologise to the complainant for the

unacceptable behaviour, this option should not be excluded.

16. Whenever an allegation of any unacceptable sexual behaviour has required the intervention of a third party to resolve, or is sufficiently serious to warrant either disciplinary action or a formally recorded and reported counselling/warning, the complainant is to be advised by the Commanding Officer of the outcome of the matter. A record of this advice is to be completed in the format at Appendix 3 to this Annex and retained on the individual's personal file and forwarded to Navy Office (Attention: DNPS).

- *Appendixes:**
1. Part A - Record of Formal Counselling/
Warning for any Unacceptable Sexual
Behaviour
Part B - Other Action in Relation to
Offender
 2. Report of Unacceptable Sexual Behaviour
incident where Formal Service
Administrative or Disciplinary Action has
not been reported separately.
 3. Notification of Outcome of any
Unacceptable Sexual Behaviour Complaint.

* Not included in this document.

APPENDIX 2 TO

ANNEX H

THE FRENCH MILITARY EXPERIENCE

1. A team of three HPAT members was well received in France and given opportunities to discuss policy with representatives of the French Army Human Resources Study Centre in Paris and with Professor Bernard BOENE at the French Army Academy at St Cyr. It was unfortunate that the team was not able to discuss issues with representatives of the French Navy and Air Force as personnel policy tends to be dealt with at the single service level.

2. Collective opinion was that homosexuality does not present any problem to the French Armed Forces.

Background

3. Homosexuality was reported not to be a major issue with command, soldiers, press or politicians. It is not, and has never, at least since the Code Napoleon (the basis of the current French legal system) been illegal. Discrimination against homosexuals is. Nonetheless there is an obvious degree of concern lest homosexuality does become a problem and thus upset the very "macho" image of the French Army. Of 16,000 disciplinary cases dealt with last year less than 10 involved homosexuality, and each of those only became an issue through some sort of anti-social behaviour. Lesbianism is not considered a significant problem in either the military or within French society and there are in any case relatively few female personnel in the French Forces. Like everywhere else homosexuality tends to be handled confidentially and thus there is a lack of data for study.

The only attempt to examine the subject (in 1981) was rejected by the Defence Ministry on the basis that there were no problems and no legal basis for discrimination. There is no significant active homosexual support lobby either within or outside the Armed Forces.

4. The French Armed Forces still operate on a conscript basis with recruits required to complete 10 months service in either the military or other social directed activities. A debate is raging as to the potential to transform the forces into a purely professional Army.

Current Situation

5. Homosexuality is not considered a crime or illness but a behavioural problem dealt with the doctors. All professionals and 40% of conscripts are seen by psychologists on volunteering to serve and, although homosexuality is not a reason to refuse entry, recruits and the military hierarchy are given 3 months to see if the recruits can adapt to a military life style. The inability to suppress homosexual behaviour or expression would constitute an inability to conform and therefore the individual concerned would be open to non-acceptance at the recruiting stage or discharge later in his/her service. If one is turned down for national service on the grounds of homosexuality, there is no requirement to serve elsewhere though homosexuality in itself is not grounds for non enlistment.

6. Once accepted into the Armed Forces, personnel are required to behave in a manner which is commensurate with their position. If they do not do so, it becomes an administrative issue and is dealt with by the Commanding Officer in liaison with his medical services. In practice, this will always result in posting away from a combat unit, usually to a small establishment where they will be able to

work alone in administrative type duties. Any member of the Armed Forces who is declared or discovered to be homosexual will not be employed in a position of authority nor in education or training where they may be required to exercise influence over another. Promotion is still officially possible though, in practice, difficult to achieve.

7. The key to the practical implementation of the policy is avoidance of scandalous behaviour and so long as behaviour is not scandalous it is not a problem. In effect this means that no form of homosexual activity should take place; nor pin-ups or reading material used which could be considered scandalous or offensive by anyone.

8. Although the Team was not afforded the opportunity to discuss the issues with French Service personnel at Unit level, the consensus of opinion of those interviewed was that the culture of the French military would not tolerate any degree of open homosexual behaviour. The open homosexual would suffer severe informal discrimination. However, because of a generally more tolerant attitude in society, this discrimination (except possibly in a few combat units) would not lead to physical threat. It was equally accepted in our discussions that any degree of open homosexuality would have a marked impact on Operational Effectiveness.

Conclusions

9. The French situation is not as clear as claimed in earlier documentation. It is best described by the French themselves as an "pragmatic arrangement". French society requires an officially open attitude to homosexuals and legislates formally against discrimination but open homosexuality would effectively result in exclusion from significant sections of the Armed Forces. The stigma attached to the homosexual act and the fear of consequences, mean few if any homosexuals are prepared to admit their orientation and none seem disposed to launch legal challenges to the system. The French military seem satisfied that their system works, but would see it as a sensible adaptation to French circumstances and not necessarily for export.

10. As a study for the French Army's Department of Personnel Policy Research states:

"In reality, the system is regulated by an implicit compromise based on the mutual observance of unformulated rules. In plain terms, as long as there are no problems between the institution and homosexuals, each one respects the status quo. But it is also regulated by a certain tolerance by the institution. This is manifested by homosexuality being taken into account in connection with postings and jobs. Moreover, the institution and the homosexual are relatively protected; for the institution by the possibility of making homosexuality a medical matter if it is manifested on a pathological level while also retaining the possibility of taking disciplinary action if the offence falls within the reasons quoted above; for individuals by the security conferred on them by the law defining the military status, and which safeguards them

from any systematic exclusion. Finally, and this perhaps characterises France at the present day, there are no organised pressure groups or groups of individuals calling for changes to the system in place which seems for the moment to be satisfactory."

APPENDIX 3 TO
ANNEX H

THE GERMAN MILITARY EXPERIENCE

1. A team of HPAT members was well received in Germany with opportunities to discuss policy with Central Staff Personnel Policy teams at Ministry of Defence in Bonn and with representatives of the German Navy at the Maritime School at Bremerhaven.

2. The issue of homosexuality in the Armed Forces is not clear cut or simple. Officially, open homosexuality is just another way of expressing one's sexuality and one cannot be dismissed from the Armed Forces unless it is for a military offence. In practice it is only possible to serve as a known homosexual in a limited capacity. Homosexual lobby groups do exist outside the Armed Forces but they have not attempted to influence Service policy.

Background

3. Until the 1870s attitudes tended to be more liberal in the Catholic South and rather restrictive in the Protestant North. After the 1871 unification, Section 175 of the Penal Code made sodomy an offence and thus outlawed most male homosexuality. The Code remained in force post-war. The legal reform of 1969 reworded Section 175 to make homosexual acts over the age of 18 legal. Early in 1995, the Section in its entirety was deleted from the Criminal Code so that legal age for sex (either homosexual or heterosexual) is now 14. The civilian legal code is effectively mirrored by military law. It is considered that the precedent set by the case against the UK in Europe will be important for Germany.

4. National Armed Forces consist of a largely conscript Army engaged for 12 (now reducing to 10) months service. Conscripts also have the option of Social Service which is taken up by about 20-30%. A further significant proportion are excluded on grounds of marriage and disability etc. Homosexuals, especially in view of historical factors, seem unlikely to want to make special efforts to get into the military. The German public, for its part, appears also to accept and expect restrictions on homosexuals within the Armed Forces and there is no political pressure to change the policies applied by the military authorities. The conditions of Service life also limit difficulties as the German Armed Forces have been largely politically prevented from operational deployments abroad. After the age of 25 Service people are encouraged to live out, and no married quarters or accommodation is provided. The companies of most sea going ships live in Barrack accommodation when alongside. Women's Service is very limited, and constantly within this, lesbianism has not been identified as a problem within the Armed Forces.

Current Situation

5. Homosexuality is regarded as incompatible with Service life in positions involving command, leadership, education or training, and therefore the policy differentiates between volunteer regular Service officers and NCOs and conscripts. The German military authorities doubt whether homosexuals in leadership roles will be respected by their subordinates. Potential volunteers who are known to be homosexual will not be accepted. Officers during their first four years of service (that is while untrained) may be discharged as unsuitable, although the cause of discharge will not be listed as homosexuality. No investigations are conducted exclusively to determine if someone is a homosexual. There is an ultimate right of appeal to Parliament though, more

generally, an appeal will be heard by the Federal Administrative Court (Military Affairs Division) (Munich) which, to date, has accepted that homosexual men could not remain in a command role and thus should be discharged. The Court has shown particular disapproval of relationships across the rank boundary and of sexual acts, which might influence behaviour, and has thus generally found for the military establishment. If an officer is discovered to be homosexual after his initial four years service, his career prospects are not bright, although he will not be discharged unless any illegal act is involved. It is considered prudent to remove them from all command, leadership, education and training roles. Homosexual officers may continue to serve in an administrative support role but will probably not be promoted, as they will not have completed the wide variety of appointments which would normally be a pre-requisite for advancement. This is equally true for career Senior NCOs.

6. For conscripts the situation is different. Homosexuals are allowed to serve but will be kept in support jobs or ashore. Off-duty activities are seen as being the individual's own concern so long as they do not constitute a crime or affect the morale of his unit. Discharge will only be considered in the most extreme of cases. However, the homosexual is given the option to leave the Service should bullying occur. Sympathetic psychiatric attention might well be given leading to an assessment that the individual's personality was not suited to military service.

7. In summary, the system is charged to consider the honour and dignity of all concerned. Homosexuality is thus considered to be in potential violation of that trust or the trust of subordinates. The Forces reflect society's attitudes but also have an obligation to the rights of the individual - things that are private should be kept private.

Conclusion

8. The official position that the German Armed Forces do not discriminate against homosexuals is in strict terms legally correct. Nevertheless, from a homosexual individual's point of view, the limitations placed on his or her career prospects might very well appear to be significant and discriminatory. Known homosexuals are not accepted for full careers, either as officers or NCOs. Those who, while serving, are revealed to be homosexual would be sidelined to a position from which they are unlikely to be promoted. Until now, there has been a consensus around this administrative position which has not been challenged successfully in the courts. Such a position could not be maintained in UK, because the popular consensus does not exist.

APPENDIX 4 TO
ANNEX H

THE NETHERLANDS MILITARY EXPERIENCE

1. A team was well received in the Netherlands with opportunities to discuss policy with the Director of Personnel Armed Forces, single-Service Personnel Policy representatives, the Foundation for Homosexuality and the Armed Forces and homosexual Service personnel. They also travelled to Den Helder to visit a frigate and discuss homosexuality issues at the Command and grass roots levels.

2. The Netherlands has perhaps the most liberal reputation over sexual conduct of any country visited. In the last 2 years the Armed Forces, which are well regarded within NATO and play a world wide role in Peace Keeping activities, have ceased conscription and adopted a wholly professional manning structure. Homosexuality is generally more widely accepted in Dutch society than in the UK, and the Netherlands Armed Forces are one of very few national institutions to recognise equal opportunities for the homosexual community. No policy of positive discrimination or quota system exists.

Background

3. The Dutch Armed Forces Constitution removed a total ban on homosexuality and adopted a uniformly non-discriminatory policy in 1974. In 1987 the Foundation for Homosexuality and the Armed Forces was formed as a private group to act as watchdog and advisory body to homosexuals. In 1988 an official advisory and coordination committee was formed and

an Armed Forces representative group was tasked by the MOD to attempt to identify whether there was a problem with homosexuality in the Armed Forces. During the course of investigation it was discovered that service personnel in the Netherlands were as reluctant as their contemporaries elsewhere to admit their sexuality, and following an advertisement in the Armed Forces Journal in the autumn of 1988 the group was presented with only three people who were willing to speak to them openly. After eight months endeavour only seven people had been persuaded to discuss problems associated with their sexuality.

4. In 1990 Government concerns led to a Royal Netherlands Navy (RNLN) survey on Homosexuality which resulted in the Netherlands Institute for Social and Sexual Studies (NISSO) conducting an impartial investigation in 1992 and ultimately recommending the implementation of a policy based on education, information and assistance. According to the Foundation for Homosexuality and the Armed Forces the "shocking" results of the 1992 NISSO study were:

"a. Almost 2/3 of the armed forces personnel turn away from gay and lesbian colleagues.

b. 80% exclude them from current social intercourse and comradeship.

c. 80% declared they would not support gays and lesbians whenever, through no fault, they get into trouble because of their sexuality.

d. 70% are not prepared to invest in any policy that aims to improve the situation of gays and lesbians in the forces

e. 68% of the examined report acts of verbal and psychological aggression; in 14% of cases homosexuality played a major role. In these cases 62% of the examined stated not to take any action at all; 25% stated to have actually taken part in this aggression. Only 13% declared to try to protect the victim.

f. 58% of career officers and NCO's pronounce regularly that homosexuality is not accepted or that masculinity is preferred.

g. These figures count for the armed forces as a whole. There is no significant difference in attitude between officers, NCOs, and troops nor is there between Army, Air Force and MP.

h. Gays and lesbians belong to the most loyal and highest motivated personnel in the armed forces."

Current Situation

5. The Netherlands authorities believe their policy on sexual harassment offers more than simply dealing with the small percentage of personnel who are homosexual. Parallels were readily drawn with the integration of females and other minority groups into the Armed Forces. The success of the policy was said to be as a result of total non-discrimination rather than dealing with the discrimination associated with individual groups. Active discrimination against homosexual males had been more prevalent than that against homosexual females. It was admitted that the pioneers of the homosexual cause who were the first to "come out" suffered the prejudices and abuse that were expected but were, in their own words, greatly rewarded by the sense of personal relief they felt following the admission of their homosexuality. It was emphasised that the relative success of the Netherlands

policy was only possible because of the public commitment shown by the political and senior military leadership at an early stage in the transformation. This commitment involved debates on radio and television and appearances in a variety of magazine articles.

6. Inevitably before the policy change considerable concern had been expressed over the effect any relaxation of restrictions would have on morale and unit cohesion. These concerns, it was stated, were proved unfounded, and homosexuality had become a non issue with no degradation in operational capability. This may well be connected with the fact that numbers of openly homosexual personnel were very small (though not precisely known) and were concentrated among officers and senior NCOs.

7. Nonetheless it was generally admitted that, even after such a long period (20 years), Dutch society's tolerance of homosexuals is far from full acceptance, a fact fully reflected within the Netherlands Armed Forces. Homosexuals are still not regarded as "normal" by their peer group and fear ostracism and resentment. "Coming Out" has become easier as the number of homosexuals in positions ranking as high as Commander has increased but it will be many years before this situation develops to one in which homosexuals are more comfortable with the levels of acceptance. There remains a conflict of opinion as to whether it was possible to change attitude and beliefs towards homosexuals. It is clear that the tolerance towards homosexuals is slowly increasing, mainly amongst the younger officers and NCOs. This increased tolerance is probably due to gradual change in the attitudes of Dutch society. The effectiveness of the current military programme of education in tolerance towards minority groups will be evaluated in 1996, and a formal evaluation of the Dutch policy on homosexuality is planned for 1997. However, in a recent survey of Service

personnel who had just completed a course of tolerance training indicated there had been little change in their basic attitude towards homosexuals though some admitted effect on behaviour. As the Forces become increasingly professional (totally so by 1996) in makeup it is anticipated that the number of homosexuals joining will decrease as diminishing numbers of conscripts are replaced by volunteers. Considerable effort has been put into an education process towards reducing the prejudices which are levelled against minority groups. All medical officers, welfare workers, military psychologists and spiritual welfare officers are given training to assist homosexuals with problems which arise from their sexuality.

8. At the RNLN base in Den Helder a number of Commanding Officers gave the team their views on homosexuality. Most considered that homosexuality in the Armed Forces was a non-issue. They regarded any kind of sexual relations on board ship as disruptive and believed that what might happen away from the ship was of no concern to them. Collectively they knew of only a very few cases where homosexual couples could be identified or indeed chose to be identified. The RNLN operates a policy with only two simple rules; no touching, and no visiting each others sleeping areas. These rules apparently result in a self-regulating community and any inappropriate conduct, either heterosexual or homosexual, is reported by the crew members with action being taken to persuade the couple from further indiscretions. If the problem persists both participants are subject to disciplinary action and may be relocated.

Conclusions

9. While the Netherlands is upheld as an example of a nation where homosexuality is uniformly tolerated, experience

proves this not to be the case. In the services, after over 20 years of a non-discriminatory policy, homosexuals are generally tolerated but not widely accepted. Few have publicly admitted their orientation, and it is unclear when, if ever, military homosexuals will feel as free to express and discuss their preferences as their heterosexual colleagues might. Advice from the policy arms of the Netherlands MOD is that gradual implementation of a change in homosexual policy should be simultaneously supported by an education programme, preferably linked to ongoing tolerance training. However the Dutch experience also shows that such attitude change is itself a very uncertain and lengthy outcome.

APPENDIX 5 TO
ANNEX H

THE CANADIAN MILITARY EXPERIENCE

1. A team of HPAT members was very well received in Canada with opportunities to discuss policy with the Senior Policy Analyst to the Director of Personnel Policy Canadian Armed Forces and his staff. Implementation of policy was subsequently discussed with serving groups of Senior Officers and Senior NCOs. The HPAT psychologist met separately with the Senior Policy Analyst to the Director of Personnel Policy Canadian Armed Forces (a retired officer and a psychologist) and a member of his staff (a service psychologist). She also visited the Canadian Forces Personnel Applied Research Unit to discuss relevant research findings with other service psychologists.

Background

2. Canada introduced a Charter of Rights and Freedoms in 1982 but until 1986 homosexuals continued to be dismissed from the Services on administrative grounds. Between 1986-1988 political pressure for greater civil liberties resulted in some relaxation of the policy to one under which homosexual orientation was acceptable, but any form of open homosexual behaviour resulted in dismissal. A Canadian Forces attitude survey on homosexual issues (Zuliani, 1986), showed that service personnel had negative attitudes towards homosexuals and were opposed to lifting the ban on homosexuals serving in the military, but attitudes of servicewomen were more tolerant than those of the servicemen. After 1986, homosexual acts were still grounds for barring an applicant from enrolment or effecting the release of a

serving member but homosexual orientation alone was not. After 1988, releases for homosexual acts were further differentiated; those due to conviction for a sexual offence and those which did not involve a conviction. In the latter case, release required the concurrence of the member; if the member did not agree to an administrative release, he/she was retained but under full career restriction. In 1989 females were integrated into almost every aspect of service life.

3. The ban on employment of homosexuals in the Canadian Armed Forces was finally revoked in 1992 and a behavioural policy for personal conduct was introduced. The behavioural code outlaws discrimination of any kind, and includes categories such as ethnic minorities, age, gender and orientation. The removal of the ban was widely opposed by a majority of the Armed Forces but was introduced by political decision. Even so, it was considered inappropriate to attempt to change deeply entrenched attitudes and values which were unlikely to alter substantially. Instead it was decided to concentrate purely on controlling behaviour. Education on health issues was found to be especially beneficial when used in conjunction with increased awareness of HIV and AIDS which was brought about by world wide developments. During discussion with Service personnel it was admitted that despite the initial fears associated with a change in policy, there has been no noticeable detrimental effect on any of the services.

4. Several cases of litigation have resulted from the change in policy with personnel previously dismissed claiming compensation. The highest single payment was \$300,000 with the remainder being paid on average \$40-50,000.

Current Situation

5. Despite the very considerable initial fear to the contrary, the Canadian policy is believed to be a success by the majority of those who work with it; indeed the pre 1988 system of investigation with its resultant disruptions is considered to have been far more of a problem than is the case today. (The 1986-8 ban on open homosexuality was run only for a short time and was subject to continuous adaptation. Its relative success cannot therefore be judged since it was in effect a transition to the present arrangement.) Much of the credit for this success appears attributable to the linking of the homosexual issue with the Charter of Rights and Freedoms, thus avoiding the impression of concentrated pressure from one particular interest group.

6. The management of harassment and behavioural policy is delegated to individual Commanding Officers who readily accept the task and consider it appropriate that they should do so. Homosexuals in the main remain covert and discreet; those who choose to behave in a more open manner cannot be guaranteed the reaction of their peers. As a result very few homosexuals have "come out". Any form of objectionable sexual behaviour by either sex is dealt with by the Command in order to conserve unit cohesion and morale. In any case of harassment the onus of proof lies with the accused. Where it does become necessary to investigate any form of sexual misconduct temporary restrictions will be placed on that person's promotion and deployment away from Canada, and they will generally not be moved. If at any stage it does become necessary to remove personnel who are guilty of sexual misconduct from the Armed Forces they are released for misconduct or because they are unsuitable for further service. It was stated that there had been no effect on Operational Effectiveness.

7. HIV and AIDS are reasonably well understood in the Canadian Armed Forces. There is an extensive education programme and all personnel involved in First Aid carry gloves. Any member of the Canadian military deploying overseas for more than 30 days is required to take an HIV test.

Conclusions

8. Although the Canadian policy would appear to work successfully there are a number of obvious differences from the UK situation. Canada has a legal system based upon a written constitution and a Bill of Rights. Within society as a whole there is a far greater awareness of human rights and minority issues and the Armed Forces deliberately reflect this trend in a way which is not the case in the UK. The Canadian military organisation, although widely respected within NATO, does not necessarily operate on similar lines to that of the UK. Participation in operations world wide is not as intense and Armed Forces have not been tested in combat for many years. Observance of rank is less formal than in UK and, once again, much has been done towards the assured acceptance of other minorities.

APPENDIX 6 TO

ANNEX H

THE UNITED STATES MILITARY EXPERIENCE

1. A team of HPAT members visited the United States. Opportunities were provided to discuss policy at the Pentagon with the Department of the Assistant Secretary of Defence (Force Policy Management), and with representatives from the personnel areas of each of the four Services involved in implementing this policy single service Personnel Policy departments. Subsequently the team met with representatives of the United States Army, Marine Corps and Navy. The Marine Corps and the United States Navy (USN) were extremely open and responsive to questioning, but the Army representatives in the Pentagon seemed more reluctant to discuss the rationale behind the policy and its detailed implications for their Service.

Background

2. Until 1991 there was, from the Armed Services point of view, little pressure for change from the existing ban on both homosexual orientation or activities with the US Military. Sodomy, as defined by the US military code includes oral/genital in addition to anal sex, and remains illegal under US military law and in several American states. During the 1992 Presidential election campaign, Mr Clinton declared an intention to remove the ban on homosexuals serving in the Armed Forces. Such intentions were immediately condemned by the military. There followed protracted and heated debate, Congressional visits to military establishments and detailed evidence presented by the military. The following quote was given by the Chairman of the Joint Chiefs of Staff, General Colin Powell:

"Unlike race or gender, sexuality is not a benign trait. It is manifested by behaviour. While it would be decidedly biased to assume certain behaviours based on gender or membership in a particular racial group, the same is not true for sexuality. We have successfully mixed rich and poor, black and white, male and female, but open homosexuality in units is not just the acceptance of benign characteristics such as colour or gender or background. It involves matters of privacy and human sexuality that, in our judgment, if allowed to exist openly in the military, would affect the cohesion and well-being of the force. It asks us to deal with fundamental issues that the society at large has not yet been able to deal with."

The Commander of Operation Desert Storm, General Schwartzkopf stated:

"In my years of military service, I have experienced the fact that the introduction of an open homosexual into a small unit immediately polarizes that unit and destroys the very bonding that is so important for the unit's survival in time of war..."

In every case I am familiar with, and there are many, whenever it became known in a unit that someone was openly homosexual, polarization occurred, violence sometimes followed, morale broke down, and unit effectiveness suffered."

3. It was eventually decided, on the balance of probabilities, that open homosexuality was incompatible with service life, but a new policy widely known as 'Don't Ask Don't Tell' was introduced. It was not clear to the Team how far the military as a whole at all levels had been consulted on options in a similar manner to HPAT's Surveys,

Questionnaires and Discussion Groups and Interviews. Nor was it apparent that such data, if systematically gathered, had been openly published like the HPAT Assessment in UK. There was, however, most careful preparation before the implementation of the new US policy in February 1994. Directives, instructions and manuals were amended and training plans were worked out in advance.

Training

4. Commanders, leaders, legal and personnel administrators, recruiting and accession personnel, and educators of all Services underwent a training programme to cover all changes of practice and procedures with regard to the policy change. Guidance was given to all Services on policy implementation. The effectiveness of the training and implementation procedures were in the process of informal reviews by the Services in mid to late 1995 and have subsequently shown all for Services to be fully compliant. After the initial training on the policy management of Don't Ask Don't Tell there is, apparently, no subsequent specific training on homosexuality as a discrete subject but it is combined with subjects such as racial and sexual harassment in General Military Training.

The Current Policy

5. While the previous policy had barred entry to homosexuals and homosexuality in any form had been grounds for discharge, the revised policy now focuses on propensity to engage in homosexual acts rather than on sexual orientation. The policy has a number of components. The first is "Don't Ask", whereby members of the Armed Forces and potential recruits, whilst being made aware of the Policy, are not asked to reveal their sexual orientation. The second is 'Don't Tell', whereby they are cautioned that they

should not voluntarily admit to homosexuality, since an open admission of such sexual orientation would be regarded as a propensity to engage in such homosexual acts. Similarly, they must not physically demonstrate such a propensity. For example, bodily contact between Service members of the same sex, that a reasonable person would understand to demonstrate a propensity or intent to engage in homosexual acts, would be sufficient to initiate discharge proceedings. Hand-holding or kissing would be sufficient evidence, but association with known homosexuals, possessing or reading homosexual publications, visiting gay bars, or marching in a gay rights parade in civilian clothes would not, of themselves, constitute credible information that would provide a basis for initiation of an investigation, or subsequently, evidence for an administrative discharge.

6. Finally, the policy forbids "witch-hunts" against homosexuals (an approach to implementation which the Team gathered has in some contexts been informally termed "*Don't Pursue*"). No investigations or enquiries may be conducted solely to determine a Service person's sexual orientation. Commanders will initiate enquiries only when there is credible evidence or information that a basis for discharge exists. A simple unsupported statement or allegation by another member of the Service, on its own, is not grounds for an investigation to be initiated or progressed. (But, for example, hand holding, off duty and in discreet surroundings if observed and reported by a reliable officer would be grounds for such an investigation). It is important to note that no distinction is made between "*on-base*" and "*off-base*" conduct; from the time a member of the Service joins until discharge his duty and commitment to the unit is a 24 hour a day, seven days a week obligation. Military personnel are required to comply with both the Uniform Code of Military Justice, which is Federal Law, and with military regulations at all times and in all places.

7. Although not linked to the current policy, members of the United States Armed Forces are required to take an AIDS test on a regular basis (timing and detailed arrangements apparently vary between the Services). All potential recruits are tested during pre-entry medicals; any found HIV positive are refused entry as medically unfit. All personnel are tested immediately prior to deployment overseas.

The Practicalities of the Current Situation

8. The Team found that, in practice, there appears very little change in the situation for practising homosexuals in the military. Once an individual has demonstrated or revealed their sexual orientation, either by verbal admission or by implied conduct, they must immediately attempt to rebut the assumption that they would be likely to engage in homosexual activity, or accept discharge. In consequence, only celibate homosexuals are formally allowed to serve. The rationale for this is that known practising homosexuals would adversely effect group cohesion. Only seven United States military personnel have been successful in rebutting the discharge procedure. The Team formed the impression that a declaration of homosexuality is not seen as a popular option for Servicemen and women, as they are then neither accepted by their heterosexual military colleagues nor, if they succeed in proving their celibacy, by the homosexual community at large. These pressures must be seen against the huge diversity of background, education, religion and moral beliefs of those who enter the United States Armed Forces, which is in itself clearly a challenge for unit cohesion. In order to minimise these potential problems, all recruits into the Armed Forces are required to follow a strict code of behaviour and conduct. Personal values are put aside and replaced with Service values. The epitome of this is the phrase "Once a marine, always a marine".

9. Commanding Officers have the discretion to deal with all cases at unit level, but can seek advice from the Staff Judge Advocates (SJA). SJAs are established throughout the United States Armed Forces in order to provide legal advice to all units. Such a procedure is of considerable assistance in ensuring standardisation between the Services. If an individual admits to being homosexual, administrative procedures are begun and an "honourable discharge" will take place. (This is necessarily true only for discharges resulting from an admission, statement or a homosexual act other than those classed as Sodomy; evidence of Sodomy may still result in a dishonourable discharge). Homosexual discharge can take up to 1 year for officers and 2-3 months for enlisted personnel. If an individual seeks to rebut the presumption that his/her verbal statement of homosexual orientation is an admission that he/she would or would have a propensity to engage in homosexual acts, then an administrative hearing (convened by the Commanding Officer) would be initiated, normally within 4 weeks. This hearing seeks either to confirm the individual's propensity to engage in such conduct or to establish the veracity of the rebuttal. If the rebuttal is not accepted, the individual can appeal through the chain of command and has the option of taking his/her challenge to a civilian court to appeal against the discharge. If at any stage of the investigation, the evidence is proved false, then all records of action are deleted from an individual's file.

10. There was a natural reluctance amongst the officers the Team met to venture personal opinions of their policy rather than to clarify individual facts or points of detail. The overwhelming majority appeared to be content with it, both in principle and practice. The considerable onus placed on Commanding Officers to define "credible evidence" had not apparently proved to be a problem.

Conclusion

11. In the Team's view, the US system might at first sight, appear (and has been unfavourably described in the media) to be a compromise fully pleasing neither to the military establishment, which remains publicly opposed to homosexuality, nor to the outside homosexual community. But the military authorities evidently believe that the compromise it represents works and is acceptable. The Commanding Officer of a large United States Army base, who had comparatively liberal views, commented to the Team, "It is a policy you can live with, but not like". In judging its effectiveness, it is necessary to recall that it evolved in response to specific aspects of the US situation, where for example, sodomy remains illegal in both the Military Code and a significant proportion of States. Although the litigious nature of US society has led to challenge in the US Courts on the grounds of "Freedom of Expression", the United States Military remain confident that their position is relatively strong. They expect a number of appeals, which are currently moving slowly through the United States legal system, to be finally quashed by the Supreme Court. In their view, the new United States Forces policy on homosexuality represents a sensible compromise which satisfies both President Clinton's election pledge and the firm views of the United States military, which also command considerable political support.

APPENDIX 7 TO
ANNEX H

THE ISRAELI MILITARY EXPERIENCE

1. HPAT sought, but Israel declined to accept, a visit, so the Team invited a prominent Israeli academic, Dr Reuven Gal of the Israeli Institute for Military Studies, to London. A former serving officer with combat experience in the 1967 war, Dr Gal is an internationally recognised military psychologist and an expert in his field who has published work on the subject of homosexuality in the Israeli Defence Force (IDF). The following text is based upon discussions with Dr Gal and research material provided by him.

Background

2. Israel is a small, young state of 5.3 million people with a fierce national identity. Its society is diverse and multi-ethnic with immigrants from all over the world. Some 90% of young Jewish men are conscripted into military service at the age of 18 for a three year period, and approximately 60% of women are conscripted for a two year period. National service is regarded as an important nation building institution and a core aspect of Israeli society. Establishing a military record is an important prerequisite for a young man or woman and builds networks and friendships which count considerably in later civilian life. Exclusion on any grounds has considerable social stigma and young people with medical or psychological problems often try to hide their difficulties in order to serve. All male personnel join on equal terms, though women are still restricted to traditional clerical and support roles. The result is a military force which reflects the diversity of Israeli society and in which there are many sub groups.

Whilst on military service the Israeli conscript still spends a minimum period away from his home and even those serving in remote bases will usually travel at weekends to be with family and friends.

3. The rights of homosexuals were fully recognised in Israel with the decriminalisation of sodomy in 1988. In 1992 the Israeli Parliament amended its labour laws to prohibit discrimination against homosexuals in the workplace. Within the military, homosexuality has never been specifically banned, though under 1983 military regulations the IDF manpower division did apply restrictions on the placement of homosexuals which barred them from service in sensitive positions. Homosexuals could not serve in a unit requiring a Top Secret Clearance and where troops were expected to perform under high stress, or in bases where soldiers were required to endure prolonged periods of seclusion. Although recruits were not asked whether they were homosexual some were excluded where psychological assessments revealed personality disturbances relating to homosexuality.

4. On 10 June 1993 Israel adopted a revised policy under which no restrictions were to be placed on the recruitment, assignment, or promotion of homosexual soldiers. The origins of the change appear to have been a generally growing emphasis on civil rights in Israel Knesset (Parliament) Subcommittee hearings in February 1993 to review homosexual rights, and a knowledge of the parallel move towards limited acceptance of homosexuality in the US Armed Forces.

Current Situation

5. Evidence suggests that both before and after the 1993 liberalisation of policy few Israeli homosexuals have been prepared to declare themselves openly. Nonetheless in those few cases where homosexuals have judged it prudent to reveal

themselves they appear to have been almost universally accepted. Before 1993, and despite official restrictions to the contrary, it seems that officers commanding homosexuals would often disregard a man's orientation if he was good at his job; equally in a close combat unit those who had established themselves as an integral part of a team tended to be accepted and even protected by that team when their orientation was recognised. Homosexuality in general, however, remains viewed as abnormal, deviant and dangerous by much of Israeli Society, though it is not a high profile political issue. Consequently many IDF men and women, especially those in the Permanent (career) Corps are thought to refrain from revealing their sexuality. A detailed report in the US Army Times of January 1993 gave an example of an Israeli Naval Officer who has not been prepared to admit his orientation for fear of the reaction of the crew of the patrol boat he commanded.

6. For a short term conscript to reveal his sexuality might not pose a problem for him providing he is an established and accepted team member, and, perhaps in consequence, military authorities in Israel consider the inclusion of homosexuals to have thrown up few problems. No specific educational or training programmes on homosexuality are provided by the IDF.

Comparisons

7. Dr Gal agreed that there were a number of difficulties in drawing comparisons with the United Kingdom. The IDF is both diverse in composition and closely integrated with Israeli Society while, owing to the size of the country, very few of its members are separated from home for long periods. Israeli military personnel generally remain in one unit throughout their training and reserve careers. Having gained acceptance from immediate comrades and then revealing their orientation they are unlikely to face posting into a new unit

where knowledge of their sexual identity would precede them. If problems did occur after revealing themselves in combat units where cohesion is vital, homosexual personnel could be moved into support roles which in the UK are likely to have been civilianised. Finally, depriving homosexuals of a chance to build a creditable career within such a central and universal Israeli institution would be seen as unacceptably unfair in its social consequences.

el_IME_01 26/1

ANNEX I

A POSSIBLE CODE FOR A 'NO OPEN HOMOSEXUALITY POLICY

1. After a prolonged internal Assessment and examination of foreign military experience the MOD has confirmed the practical incompatibility of open or strongly suspected homosexuality with Service life.

2. It is therefore the responsibility of all members of the Armed Services to avoid conveying the impression to those in their unit or any other part of the Services that they are homosexual either by orientation or activity.

3. Due to varying social behaviour in different parts of the UK and abroad and to constantly changing patterns of dress and expression it is not possible to set out precise guidelines or prohibitions. This does not provide an excuse for failure to comply with the obvious spirit of the regulations.

4. The requirements for all concerned parties are that:

a. Service personnel will conduct themselves in their professional and private lives in a manner which prevents accusations or suspicions of homosexuality which a reasonable person could find convincing, becoming a factor in their current or future posting.

b. Where a widely held general impression of homosexuality has created by an individual's failure to conform with this behaviour code he/she will be subject - after appropriate warnings (based on existing form at Annex C) where possible - to administrative discharge at

the Commanding Officers discretion. Where the Behaviour Code has been found to have been followed, transfer to another unit may be arranged but this will be dependent on the availability of such alternative postings and cannot be guaranteed. In such cases there may be no practical alternative to discharge;

c. Accusations of outside behaviour will not normally be investigated or taken further unless criminal activity is suspected or the individuals reputation within his unit has been significantly affected;

d. The individual will have the right to rebut accusations under the Behaviour Code;

e. Because of their potentially grave consequences malicious rumours about other personnel will not be tolerated but it is the Commanding Officers' responsibility to ensure that all well founded statements relating to abuse of the behaviour code are followed up and their confidence respected;

f. All information relating to accusations of open homosexual behaviour or expression is to be handled in the strictest confidence at an appropriately senior level;

g. All Service members are reminded of the existence of their Service's Code of Behaviour on Sexual Harassment which is intended to prevent offensive sexual behaviour of any kind and on any grounds;

h. All personnel will be treated with dignity and respect. Abuse of any sort on grounds of sex, race, or suspected sexual orientation are forbidden;

j. All cases involving the possibility of administrative discharge (or transfer) are to be referred to the appropriate single Service personnel branches.