

# LGBT Independent Review: Information for stakeholders and veterans

Office for Veterans' Affairs / Ministry of Defence

July 2023

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## Introduction

On 19 July 2023, the Prime Minister apologised on behalf of the British state for the historic treatment of LGBT personnel, following the publication of an independent review into the military's pre-2000 ban on homosexuality in the Armed Forces.

The review can be read in full at: [LGBT Veterans Independent Review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/lgbt-veterans-independent-review) and support can be found at [LGBT veterans: support and next steps - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/lgbt-veterans-support-and-next-steps)

The Office for Veterans Affairs (OVA) and The Ministry of Defence (MOD) jointly commissioned the review to better understand the impacts and implications of the policy that homosexuality was incompatible with life in HM Armed Forces between 1967 and 2000.

The Review is independent of the Government and the Armed Forces. In delivering a focused, independent, and robust Review we aimed to give those affected by the pre-2000 ban the opportunity to give their testimony, so recommendations on how to address the historic hurt experienced by LGBT personnel could be made.

Within the review are 49 recommendations, these include the restoration of medals that were required to be handed back on dismissal or discharge, the awarding of campaign and other medals that were withheld, the clarification of pension rights and the presentation of the Veterans Badge.

We expect the Review to have a strong personal impact on both LGBT veterans and the wider community, including those who were involved in enforcing the historic ban. You may receive increased contact from individuals who are seeking support, and we encourage you to communicate with your networks and service users to signpost available support.

This information pack is intended to help inform communications with your communities.

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## Press notice

[Government apologises to veterans for egregious historic LGBT policy in the Armed Forces - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/government-apologises-to-veterans-for-egregious-historic-lgbt-policy-in-the-armed-forces)

Wednesday 19 July 2023

### **Government apologises to veterans for egregious historic LGBT policy in the Armed Forces**

- The PM and Defence Secretary apologise to LGBT personnel and veterans impacted by the historic ban.
- Comes as the Lord Etherton Review is published, with Government committing to responding in full in the autumn.
- Pre-2000 policy acknowledged as completely unacceptable and highly regrettable

The government has today apologised for the treatment of LGBT veterans, following the publication of an independent review into the military's pre-2000 ban on LGBT personnel.

The review, published in Parliament today, follows a formal apology by the Government, delivered by the Prime Minister and Defence Secretary. The independent review, chaired by Lord Etherton and co-commissioned by the Ministry of Defence and the Office for Veterans Affairs, examined the experiences of personnel between 1967-2000 who were impacted by the ban on homosexuality in the Armed Forces.

The Government has previously said that the treatment of LGBT personnel and veterans in the Armed Forces prior to the year 2000 was completely unacceptable and highly regrettable. Lord Etherton's report found that investigations in an individual's sexuality were intrusive, invasive, and for some caused long-lasting and severe impacts to the lives of veterans and their families. The review highlights the Government's unwavering commitment to understanding how best to support its veteran and LGBT community and acknowledges that it fully accepts that their treatment prior to 2000 was not acceptable. In recognition of this the Prime Minister and Defence Secretary have formally apologised in the House of Commons today to all those who were affected and mistreated in the enactment of the ban.

The scope of the review focused on three main areas, with the primary one being the effect the historic policy may have had on those impacted by the ban, including the consequences for their future lives. It also looked at the accessibility of veterans' services for LGBT people and how to ensure that LGBT veterans are recognised and fully accepted as members of the armed forces.

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Prime Minister Rishi Sunak said:

“The ban on LGBT people serving in our military until the year 2000 was an appalling failure of the British state – decades behind the law of this land.

“As today’s report makes clear, in that period many endured the most horrific sexual abuse and violence, homophobic bullying and harassment while bravely serving this country.

“Today, on behalf of the British state, I apologise, and I hope all those affected will be able to feel part of the proud veteran community that has done so much to keep our country safe.”

Ben Wallace, Secretary of State for Defence said:

“I am pleased that this review has shone a much needed light on a shameful and unacceptable historical chapter in our Armed Forces history. It is heart breaking that the very tolerance and values that we expected our soldiers, sailors and aviators to fight for, were denied to many of them.

“I am pleased we now have the opportunity to right those historic wrongs so that LGBT Veterans can once again take pride in their service.”

Within the review are 49 recommendations, these include the restoration of medals that were required to be handed back on dismissal or discharge, the awarding of campaign and other medals that were withheld, the clarification of pension rights and the presentation of the Veterans Badge.

The Government has accepted the recommendations in principle whilst acknowledging that some may be delivered by different means. It is committed to working with LGBT Veterans to ensure that all restorative measures delivered are appropriate.

Minister for Veterans' Affairs Johnny Mercer said:

“This is a historic moment where we can reflect on the wrongs of the past but also recognise the extraordinary service of LGBT veterans who have bravely served this country.

“The apology today is an important part of addressing the historic hurt that many LGBT veterans feel.

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"We're also looking to the future as we learn from the past, including stepping up support services for veterans affected by the issues raised in this review."

Dr Andrew Murrison, Minister for Defence, People, Veterans and Service Families said:

"What happened was wrong. I want to thank people who testified for their courage in coming forward with evidence.

"Our job now is to study the review's recommendations and say what we will do in response."

Since 2000, the Government has made great strides to remove barriers and deliver initiatives that improve the experience for LGBT personnel. These initiatives include a guide for parents of LGBT children, delivering LGBT allies training and the provision of PrEP (Pre-exposure prophylaxis).

And in establishing the Office for Veterans' Affairs, the government has done more than ever before to ensure all veterans have the support they need when they leave the Armed Forces.

The review is an important part of the Government's Veterans Strategy Action Plan, where we committed to learning and addressing with compassion the historic hurt or disadvantage that sections of the veteran community have experienced.

The Government has also recently launched the extension of the Home Office's disregard and pardons scheme to ensure that all those who were convicted of same-sex sexual offences can have their convictions wiped.

To support those affected by today's announcement and the historic ban the Office for Veterans' Affairs is awarding £250,000 to LGBT organisations to provide support services for impacted veterans. This is in addition to the £45,000 funding provided to organisations last year to help them gather evidence for the review.

Craig Jones MBE, Executive Chair, and Caroline Paige, Chief Executive of Fighting With Pride, said:

"Finally the voices of those who have lived for decades in the shadow of this abhorrent policy have been heard and their truth told. Today's apology from the Prime Minister recognises the suffering of veterans who met the challenges of service life but faced many cruel treatments from those in whom they placed their trust.

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“Lord Etherton's report is a visceral account of the damage done and the opportunity for this Government to put in place substantial reparations. We must wash away the shame felt by these veterans and bring a just and honourable end to this unjust and dishonourable war.”

**For further information please see the following:**

[LGBT Veterans Independent Review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/lgbt-veterans-independent-review)

[LGBT veterans: support and next steps - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/lgbt-veterans-support-and-next-steps)

– ENDS –

## **Frequently asked questions: LGBT Veterans and the Independent review**

### **What support is available to LGBT veterans?**

The government takes the wellbeing of those who have served seriously and encourages anyone who is struggling to come forward for help. Veterans impacted by the ban are encouraged to visit the LGBT veterans: support and next steps page GOV.UK page for details on support services available.

<https://www.gov.uk/government/collections/lgbt-veterans-support-and-next-steps>

To support those affected by the review publication and the historic ban the Office for Veterans' Affairs is awarding up to £250,000 to increase support services for impacted veterans. The organisations and charities chosen by the Armed Forces Covenant Fund Trust, on behalf of the OVA, to receive this funding are: Fighting With Pride, Forward Assist, SSAFA, LGBT Foundation, Sporting Force, Adferiad Recovery Veterans Services, Veterans Outreach support, Bridge for Heroes, NHS Lothian, Defence Medical Welfare Service, Broughton House, Tanvally and Anaghlonge Project, Invictus Games.

### **What is the LGBT Independent Review by Lord Etherton?**

The Ministry of Defence (MoD) and the Office of Veterans Affairs (OVA) jointly commissioned an independent review to better understand the experiences and impact of LGBT Veterans who served in the Armed Forces between 1967 and 2000, when homosexuality was deemed incompatible with life in HM Armed Forces.

The Government acknowledges the historic policy prohibiting homosexuality in the Armed Forces was regrettable, wrong and completely unacceptable. The review underlines the Government's unwavering commitment to understanding how best to support its Veteran and LGBT+ community.

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## **What did the review consider?**

The Review looks at three main areas:

1. The effect the historic policy may have had on LGBT veterans, or perceived to be LGBT, including the consequences for their future lives.
2. The accessibility of veterans' services for LGBT people.
3. How to ensure that LGBT veterans are recognised and fully accepted as members of the armed forces.

## **How many LGBT personnel were impacted by the policy?**

We are unable to estimate how many people were affected by the historic policy, due to the varying ways in which Personnel were impacted; with some being dismissed or discharged, others leaving by choice due to the culture and others continuing to serve. The Government encourages anyone that was impacted by the historic policy to explore the support, services, and restorative measures available to Veterans, by visiting the LGBT veterans: support and next steps page on GOV.UK.

## **Why has it taken the government so long to address the impact of the ban?**

The Government has been committed to appropriately addressing the impact of the unacceptable historic policy and listening to Veterans and improving our services to them, in particular those who were impacted by historic LGBT policies. The LGBT Independent Review and restorative actions underlines the Government's unwavering commitment to understanding how best to support its veteran LGBT+ community and ensuring they feel welcome.

The Government encourages anyone that was impacted by the historic policy to explore the support, services, and restorative measures available to Veterans, by visiting the LGBT veterans: support and next steps page on GOV.UK.

Defence has also made great strides since 2000, removing barriers and delivering initiatives that improve the experience of our LGBT personnel, all of which have been guided by our LGBT staff networks.

Defence has implemented various inclusive policies, including a guide for parents of LGBT children, several thriving LGBT staff networks and a proud LGBT community who regularly parades in Pride marches.

## **Will the Government implement all the recommendations?**

The Review was published on 19 July 2023 and can be found on GOV.UK.

<https://www.gov.uk/government/publications/lgbt-veterans-independent-review>

The Government has accepted in principle the vast majority of the report's recommendations. And whilst we agree with the intent behind them, there are a number we will deliver in a slightly different way to that described in the report. We will set out these differences when we publish the Government's full response to the review.

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The Government will now work through the recommendations in consultation with our LGBT veterans, LGBT networks and charities to ensure that our response is comprehensive, and any outcomes have an enduring impact for veterans. The response will be published in due course.

The LGBT veterans: support and next steps page on GOV.UK contains information on the support, services and restorative measures already available to LGBT veterans.

<https://www.gov.uk/government/collections/lgbt-veterans-support-and-next-steps>

## **Has the Government apologised for the historic policy and treatment of LGBT personnel?**

Government acknowledges the historic policy prohibiting homosexuality in the Armed Forces was regrettable, wrong and completely unacceptable. The Government issued a formal apology to all those who were affected and mistreated in the enactment of the ban, firstly from the Prime Minister in the House of Commons and followed by a statement from the Defence Secretary.

## **What will Defence do about potential criminal behaviour reported in the testimonies?**

Defence is aware that some testimonies contain allegations of potential criminal behaviour toward LGBT personnel while serving under the ban. Defence condemns any criminal behaviour in the

Armed Forces and fully supports any veteran that wishes to report a crime. Crimes should be reported to the veteran's local Civilian Police Force.

## **I served in the Armed Forces, am I eligible for any services or support?**

The Government encourages anyone that was impacted by the historic policy to explore the support, services and restorative measures available to Veterans, by visiting the LGBT veterans: support and next steps page on gov.uk. <https://www.gov.uk/government/collections/lgbt-veterans-support-and-next-steps>

## **Can LGBT Veterans have historical convictions for same-sex offences Disregarded?**

OVA and Defence supports the extension to the Home Office's Disregard and Pardon scheme. Enabling anyone convicted or cautioned for consensual same-sex sexual activity under the repealed laws, to apply to have them 'disregarded' – meaning it would be wiped from their criminal records and not required to be disclosed.

The extended Scheme covers any repealed service offence under which service personnel were convicted or cautioned for having engaged in sexual activity with persons of the same sex.

Affected Veterans are invited to confirm their eligibility and apply for a Disregard by completing the Home Office's application form and sending it to Disregards Case working Team by email or post.

## **Can LGBT veterans who forfeited their medals have these restored?**

Yes. An announcement on 16 February 2021 invited any former Service Personnel who had forfeited medals as a result of disciplinary action pre-2000 related to their sexuality to apply to have them restored. It remains a requirement that anyone with a conviction must first have obtained a disregard from the Home Office.

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We invite any personnel who were discharged from service due to their sexuality, to apply to have their forfeited medals restored once any related convictions have been Disregarded.

## **How do I apply to have my medals restored?**

Medals removed through a conviction for same-sex sexual activity can only be restored following a successful Disregard application to the Home Office. We invite any personnel who were discharged from service due to their sexuality, to apply to have their forfeited medals restored once any related convictions have been Disregarded, by visiting: <https://www.gov.uk/guidance/military-awards-commemorations>

## **I served in the armed forces, am I entitled to a pension?**

Pensions depend on each individual's circumstances and the pension scheme rules in place at the time of their Service. If you think you may be eligible, please read detailed breakdowns of all the schemes, legislation, or use the pension calculator by visiting Armed forces pensions - GOV.UK. [Armed forces pensions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/armed-forces-pensions)

## **Will veterans discharged from Service due to their sexuality have their pension rights restored?**

The MOD has not removed the pension rights of personnel who were discharged on the grounds of sexual orientation. All members of the Armed Forces discharged after at least 2 years' service are entitled to a deferred pension for their service in the Armed Forces.

Veterans are encouraged to seek clarification of their pension rights via the Armed forces pensions - GOV.UK ([www.gov.uk](https://www.gov.uk)). [Armed forces pensions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/armed-forces-pensions)

## **Is the Government going to offer compensation to LGBT veterans for the way they were treated?**

Defence is working on how to implement the recommendation of a financial award, noting that such schemes take time to establish. Further detail will be included in the implementation plan, which will be published in due course.

## **What measure has Defence taken to ensure that historical treatment of LGBT veterans does not happen again?**

The Armed Forces is very conscious of its past and is committed to ensuring the LGBT community feel valued and supported by staff networks and supportive policies such as zero tolerance for unacceptable behaviour and the provision of PrEP to remove barriers to Serving. The treatment of LGBT personnel pre 2000 was wholly unacceptable.

## **What has Defence done to improve the experiences of LGBT personnel?**

Defence has made great strides since 2000, removing barriers and delivering initiatives to improve the experience such as zero tolerance to unacceptable behaviour, same-sex marriages in military chapels, a guide for parents of LGBT children, several thriving LGBT staff networks to name a few, all of which improve the experience of our LGBT Personnel.

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Defence also published and remains dedicated to achieving the aims laid out in its Diversity and Inclusion strategy: A Force for Inclusion 2018 – 2030.

Visit the LGBT Veterans: Support and next steps page for further information or channels for support and advice. <https://www.gov.uk/government/collections/lgbt-veterans-support-and-next-steps>

## Defence Secretary oral statement

### Final Oral Statement

19/07/2023

### **The independent review into the impact the historic ban on LGBT military personnel had on veterans.**

Defence Secretary:

With permission Mr Speaker I wish to expand on the apology delivered by the Prime Minister this afternoon for the unacceptable hurt caused to LGBT members of our nation's armed forces by the 1967 to 2000 ban on homosexuality. It was not acceptable. It was not what the brave men and women affected deserved and for that on behalf of the Government and the Armed Forces, I am deeply sorry.

Mr Speaker, for hundreds of years joining the British Armed Forces has been a career choice full of opportunity, adventure and self-improvement. One of the most fulfilling and stimulating occupations a young person can choose, but it is also one of self-sacrifice and bravery. This morning we have published the Independent Review into the service and experience of LGBT veterans who served prior to 2000. It makes a miserable and distressing reading. And it is only right that this house takes the time to acknowledge and reflect on those veterans who have shared their experiences with the review.

Mr Speaker, I myself along with a number of colleagues in this house, served in our Armed Forces at the time of the ban when it was in place. I can't imagine what it must be like to join the Armed Forces, buoyed up by the great spirit of service, only to discover to your horror that many believe you didn't fit. I cannot imagine what it must have felt like to have been hounded out of a job you love, simply on account of your sexuality. Nor can I imagine what it must have been like to lose your livelihood, your family, your home, simply because of a person you choose to love. Yet this was the experience of many sailors, soldiers and aviators over decades. And it happened here, this country literally about 20 years ago. The report published today brings this experience to life for us and spotlights the hurt felt by those affected, and for that I am truly grateful.

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The ban was introduced in 1967, unbelievably, after the Sexual Offences Act had decriminalised same sex sexual acts in private between consenting adults. To add to the injustice, when the ban ended at the beginning of the millennium, the stories of those who suffered were forgotten and their records buried. Additionally, in 2010 and 11, in line with government policy agreed by the Association of Chief Police Officers, the MOD enacted a policy to destroy legacy police investigation records concerning decriminalised sexual offences so that historical decriminalised convictions could not show up on criminal record checks of service personnel. I want to assure veterans that this was not a cover up and does not mean that our wider service records have been destroyed.

Mr. Speaker I want to place on record my thanks and gratitude to Lord Etherton and his team for compiling this comprehensive report. It was commissioned in January 2022, and since 1128 people have responded with their experiences, many in substantial detail. I want to pay particular tribute to all those who came forward. They have shown tremendous courage in chronicling traumatic experience, which for many has been causing grief and grandeur shame for decades. I also want to place on record my admiration and thanks to Fighting with Pride, especially Craig and Caroline, who for so long, have held the baton.

The testimonies make truly harrowing reading. They paint a shocking and shameful picture of a defence that is hard to comprehend. The enforcement of the ban became something of a witch hunt. The testimonies details investigations, invasive searches and examinations, degrading tests, brutal bullying, and in some cases sexual abuse. One doctor who joined in 1984 describes how he had to perform a test for which there was no medical clinical basis. Some who thought they could confide in their chaplains were stunned to find their details were passed to their superiors. For those affected the hardships impacted on every aspect of their lives. Reputations were demeaned and defamed. Commissions were surrendered and officers demoted by multiple ranks. Veterans who served with distinction and awarded medals for famous campaigns, from the Falklands to the Gulf were stripped of their medals.

Mr Speaker, we cannot turn back the clock, but we can make amends and take action. This report makes 49 recommendations. My department alongside the Office for Veterans Affairs, Department of Health and Social Care, and others across government in partnership with devolved administration's and the charity sector, all have a role in delivering this report's recommendations. I know that many in the LGBT veteran community have been eagerly awaiting the publication of this report, and rightly so. They've been waiting for decades to be heard. But I'm pleased to say that since we received this report at the end of May, the government has been busy working through the recommendations across multiple departments to ensure that we can come to the house today, accepting in principle, the vast majority of the report's

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recommendations. Whilst we agree with the intent behind them, there are a number we may deliver in different ways to how they are described in the report.

We will set out these differences when we publish the government's full response to the review after the summer recess, but I can assure this house that will be the time that we can not only deliver restitution and redress to the LGBT veteran community, but it will also be a time where we can make sure this house properly debates not only the report, but also the government's response to it and its recommendations. This Mr Speaker of course, is a statement today, and while I welcome all colleagues' challenges and requests on it, I decided specifically that the debate for the house should come to also give the chance to debate the government's recommendations. I think that is the right thing to do. And while that may take the summer, I think that is just important that both the opposition and ourselves and our colleagues can hold me to account or my successor.

In fact, already, we have however, delivered six of the recommendations today. We had the first recommendation of all delivered by the Prime Minister this morning at the despatch box. And importantly, we also set up a digital front door, which has gone live today at midday to offer information on veteran services support and restorative measures to those affected by the ban. I would encourage the LGBT veterans to visit it to see what support is available to them now and to stay informed as to delivery of these recommendations as they are rolled out. I'm happy to be drawn on further details and recommendations during today's questions. But as I said, I would think the house should have the proper time to debate and scrutinise those.

I'm glad that today's MOD is a very different place today from the defence in the late 60s and 90s. Our LGBT colleagues are an integral and an undifferentiated part of the Defence family, making a fantastic difference all over the world. At the start of this month, our Minister for personnel and veterans met LGBT members of our Armed Forces and veterans before they marched to London pride. It is an occasion that has become a celebrated part of our military calendar. Today's MOD policies are geared towards LGBT issues. There is training for LGBT allies and thriving LGBT staff networks. There is no place for prejudice in the modern Armed Forces. Though of course, things are by no means perfect. Which is why we continue to improve on our zero tolerance policies towards discrimination.

However, we should not forget that we could not reach this point were it not for some incredibly brave people. I would like to pay tribute to those who have campaigned for justice over the decades. As I said, Fighting with Pride, Rank Outsiders and the Armed Forces Legal Action Group. Culture change takes time, particularly in large organisations like our Armed Forces. But it can only really begin when individuals are prepared to stand up and be counted.

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Mr Speaker, this government has shown it cares about writing historical wrongs, which is why we brought forward this review and once we have taken the time needed to fully work out how we deliver, recompense to this community, we look forward to the government being back at the despatch box to outline those details later. In his previous report, Lord Etherton notes, survivors have waited for at least 23 years for acknowledgment of what they have suffered and for justice and restitution. So today is about that acknowledgement. It's about recognising the saddening personal accounts and the deep traumatic hurt that the historic ban has caused. It is about acknowledging the adversity they overcame. It is about celebrating the spirit of service they displayed and it's about taking the time to acknowledge their importance within our defence family - serving or veterans.

I was struck by one particular quote in the report from a veteran, who said, I don't feel like I'm a veteran. I've never asked for help. I don't feel like my service was recognised. Today we want to say to all those ex soldiers, sailors and aviators, many now in their retirement, you are one of us, you belong in our community and in choosing to put yourself in harm's way for the good of your colleagues, your community in your country, you have proven yourself the best of us. I say again to the veterans community, I'm deeply sorry for what happened to you. The very tolerance and values of Western democracy that we expect you to fight for, we denied to you. It was profoundly wrong. I'm determined as Defence Secretary, and as a veteran, to do all I can do today to right those historic wrongs, so that you can once again take pride in your service, and inspire future generations to follow in your footsteps.