

DEOMI Review and Recommendations based on readily available foreign military experiences with the repeal of “Don’t Ask, Don’t Tell”

The Effects of including gay and lesbian soldiers in the British Armed Forces

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Background:

Until 1967, homosexual sex in Britain was considered a criminal offense. The 1967, the Sexual Offences Act legalized homosexual activity in private settings, but it still allowed the military to prosecute service members. In 1999, the public was polled, and 70% of Britons reported being in favor of inclusion of gays and lesbians in the military. It is estimated that as many as 150 soldiers departed the military each year due to the sexual orientation policy, but no official statistics were kept by the British services.

On January 12, 2000, Britain lifted its gay ban, allowing gay and lesbian soldiers to serve in the British Armed Forces. The ban existed because individuals felt homosexual behavior would cause offence and ultimately damage moral and unit effectiveness. The ban was lifted as a result of a ruling by the European Court of Human Rights.

Once the decision was announced, the Services established new policies for nondiscrimination, which included sexual harassment, sexual contact with subordinates, and overt displays of affection between service members.

Purpose:

In the development of the new policy, the Ministry of Defense emphasized the need for (1) compliance with the European Court of Human Rights (ECHR) ruling, (2) regulations that were non-discriminatory, (3) the preservation of operational effectiveness, (4) accordance with the general requirements of the military, and (5) protection of individual rights under the Human Rights Act.

Regardless of sexual orientation, inappropriate behaviors were prohibited: unwelcome physical or verbal sexual attention, over-familiarity with the spouses of other service personnel, displays of affection which might cause offense to others, taking sexual advantage of subordinates, and behavior which damages the marriage or personal relationship of other service personnel.

Commanders were instructed to emphasize to subordinates that this change was not a major issue, that a person's sexual orientation is to be considered a private matter, and that every service member has a right to personal privacy.

The Ministry of Defense conducted an internal assessment of the policy change and found that there had been no significant difficulties in the transition to the new policy. Given the results, it concluded that no further changes needed to be made in the regulations. The evaluation suggests that the success of the new policy was due in large part to the non-discriminatory nature of the Code of Social Conduct.

The removal of the ban caused less difficulty than anyone had expected. The reality of homosexual service and more accepting attitudes in general among the young were both raised as partial explanations for the relatively tranquil transition. Overall, there has been no indication of any discernible effects on recruiting, training completion, or resignation rates. There also have been no major problems of gay-bashing, harassment, or sexual misconduct associated with the new policy.

Reference:

Belkin, A., Evans, R.L. (2000). The Effects of including gay and lesbian soldiers in the British Armed Forces: Appraising the evidence. The Palm Center.