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23 SEP 1993

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MILITARY ETHOS

Your reference

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Our reference D/AG/4/5/1

Date 21 October 1993

THE DISCIPLINE AND STANDARDS PAPER

1. The Army's code of conduct has not reflected the recent change in accepted standards of personal behaviour in society at large. We have tended to rely upon those joining and serving in the Army having an innate understanding of what is acceptable and what is not. We have issued edicts on particular subjects, such as drugs, but without fully explaining the reasons for the high standards of conduct we demand. This has led to an increased questioning, and a lack of understanding, of the Army's requirements among the younger age-groups.

2. The aim of the Standards and Discipline Paper is to explain the requirement for high standards of personal conduct and respect for the law demanded of those in military service. The paper makes no distinction between the Regular or Territorial Army. All members of the Army must understand that the basis for these standards of conduct are the law and operational effectiveness. Individuals must understand how failure to meet these standards will effect efficiency and unit cohesion.

3. The strict code of conduct required in the Army is not the continuance of outdated Victorian moral standards or a desire to set an example for society. We operate within a close-knit community where team-work, cohesion and trust are paramount. Those who undermine this position by their behaviour are failing in their duty to the Service. While it is not possible to list all forms of behaviour that would have this effect, broad examples are given. The message is clear: that which is illegal or undermines operational efficiency is not tolerated.

4. It is important that this paper is brought to the attention of all ranks. Commanding officers should set aside time to explain personally these issues to their officers and senior NCOs in order that the message is understood. The paper will also form the basis for a rewrite of the disciplinary provisions of the Army General and Administrative Instructions, and be included, where appropriate, in Education for Promotion, Sandhurst, and the Junior Officer Training and Education Scheme. It is to be made clear

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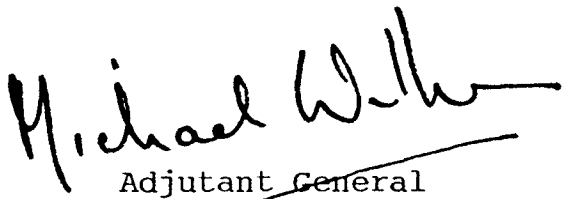
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MILITARY ETHOS

that standards and discipline are not just the responsibility of the Army Board and the senior officers of the chain of Command, but of everyone in a position of responsibility.


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THE MILITARY ETHOS

(THE MAINTENANCE OF STANDARDS)

INTRODUCTION

1. The British Army has long held a reputation for high standards, high morale and strict discipline that has stood the Service in good stead in both peace and war. The ending of conscription and the advent of the "professional" army, combined with prolonged service overseas, and, latterly, the physical separation from the civilian community due to ever increasing security measures, have tended to isolate the Army from society at large. This relative isolation has, however, meant that the Army has been able to maintain high moral and ethical standards largely unaffected by the changes in the patterns of behaviour in society in general. In more recent times, however, this divergence between the standards expected in the Service, and what many take as acceptable within civilian society, has led to an increased questioning and lack of understanding of the reasons for the military's strict code of conduct.

2. In these circumstances, it becomes yet more important to define and justify the standards which the Army deems it essential to maintain, so that those standards are recognised and understood both inside and outside the Service, and particularly by those seeking to join. The standards of behaviour required apply equally to both the Regular and the Territorial Army.

AIM

3. The aim of this paper is to explain the requirement for high standards of personal conduct and respect for the law demanded of those in military Service.

SCOPE

4. The paper will also provide examples of the standards required, explain the principles for reporting misconduct, and briefly set out some of the consequences of failing to maintain those standards.

TRENDS IN SOCIETY

5. Within society the formative influences in promoting positive attitudes towards authority have been in steady decline: religion, education and the family no longer always provide the framework of behaviour, social structure, and responsibility they have in the past. More liberal attitudes prevail, leading many parts of society to reject or reduce in importance those values which the Armed Forces seek to maintain and regard so highly: sense of duty, loyalty, self-discipline, self-sacrifice, respect and concern for others.

6. The rights of the individual are enshrined increasingly in legislation which has been enacted to eliminate discrimination on the grounds of race, colour, creed and gender. Similarly other minority groups have sought to legitimise what they believe to be their rights where these are perceived to be distinguished not by physical characteristics, place of birth, or creed, but by individual behaviour. The rights and freedoms of the individual tend to be promoted over the attitudes of society generally, and where individuals fail in their responsibilities to society there is an increasing propensity to attribute this to some broader social cause or failure of government. The increase in individual freedom now available to the citizen has in many cases led to decline in both individual and corporate responsibility. This in turn has led to an erosion in respect for the law, with increases, for example, in violent street crime, burglary, and drug misuse. The promotion of individual rights has contributed to an ambivalent attitude towards an individual's responsibilities to society.

7. The Army cannot remain wholly immune from the changes in the society it serves, and from which it recruits, but neither must it allow itself to follow trends which tend to undermine the traditional values essential to its unique responsibilities and operational role. The Army recognises that its adherence to its standards must be defended on pragmatic rather than emotional and traditional grounds. It also recognises that where reform is appropriate, this must be addressed as a matter of timely policy rather than a damage limitation exercise in the face of events. Society expects a high standard of behaviour from those in public positions, including the Army. When those standards are relaxed, the trust and confidence of society risk being lost.

THE SERVICE ENVIRONMENT

8. The terms and conditions of military service differ markedly from those of civilian life. The Service aims to foster group cohesion within a structured chain of command, which is such a decisive factor in battle; but by its very nature, such cohesion can be destroyed quickly where there is a loss of trust or confidence. The majority of the military community comprises 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 their colleagues causes offence. The effectiveness of the Army depends upon the efficient and contented service of these individuals, who make up the overwhelming majority. To allow any element to affect adversely the morale, cohesion, and hence the operational efficiency of any unit would be detrimental to its role.

THE OPERATIONAL IMPERATIVE

9. Society requires those serving in the Armed Forces to place the interests of the nation before self. It is the soldier's obligation to follow orders in the face of an enemy and to do his duty despite the risk of death or injury. It is that operational liability, with the possibility of self-sacrifice (accepted by every soldier on enlistment), that marks the Armed Services out as being essentially different from the rest of society. In order to meet these demands, the Army insists on a more exacting code of conduct.

10. A high standard of discipline is essential for operational effectiveness and the most effective discipline is that which is self-imposed. Self-discipline is the core of all discipline, and the foundation on which leadership, motivation, courage, morale and corporate discipline, are built. Without these qualities no Army could be deployed on operations with any degree of success.

11. The operational imperative of the Army stresses 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 upon mutual trust and respect, between members of the group, and between the group and its leaders, be it a section or brigade. This applies equally to low-intensity conflict where stress upon the individual can be considerable.

12. All ranks must have trust and confidence in their comrades, and in their superiors. Without this trust and confidence, sound personal relationships will not withstand the severe pressure imposed by the battlefield. In November 1944 Montgomery noted that high morale was based upon discipline, self-respect, and confidence of the soldier in his commanders.⁽¹⁾ The officer corps, in particular, is required to maintain the highest standards, in order that they may set an example and impose disciplinary measures when necessary. Anything less than total honesty and a high standard of personal behaviour would reflect a lack of integrity on the part of the individual, and may lose him the respect and trust of those he commands. In the military environment, leaders at all levels will, when necessary, expect their orders to be obeyed without question. Such obedience is only given by subordinates if they trust and respect their leaders.

THE LAW

13. On joining the Army, servicemen and women remain subject to the criminal law applicable to civilians. They also become subject to military law, which in a number of respects makes

¹"High Command in War" Montgomery, June 1945.

certain conduct a criminal offence, where in civilian life it would be lawful. The law thus imposes further obligations and demands on Service personnel.

14. Following a military or civil conviction for an offence, administrative action may be taken against an individual. Such action may also be taken for misconduct even if the individual has not been convicted of an offence. Administrative action may result, in the case of an officer, in being called upon to resign or retire, or, in the case of a soldier, in being discharged.

STANDARDS OF CONDUCT

GENERAL

15. It is incumbent upon all ranks to uphold the standards of conduct and respect for the law which are essential to military service. The behaviour of those in positions of authority must be exemplary, otherwise their usefulness, effectiveness and proper relationship with all ranks will be impaired.

16. The Queen's Commission. First and foremost an officer is a leader, required to uphold and enforce discipline fairly and without bias. Officers are expected to set an example, give advice and guidance to their juniors, and to show moral courage in dealing with incidents of indiscipline or misconduct. For these reasons an officer's personal conduct must be beyond reproach. Integrity is essential to leadership, in that it implies honesty, sincerity, reliability, unselfishness, moral courage and consistency of approach. If an officer's conduct calls into question his or her integrity, or brings the Army into disrepute, the trust and respect of those he or she is privileged to command is placed in jeopardy, and the right to hold the Queen's Commission may be forfeited.

ALCOHOL

17. Social Drinking. Team spirit, mutual respect and self confidence are forged through hard and demanding training, which in turn engenders unit cohesion. Team spirit is further developed by fostering a social identity within the unit. Social drinking is an accepted part of Service life. There is, however, a clear difference between socialising and drunken behaviour, and whilst the former is to be encouraged the latter will quickly destroy discipline and erode team spirit. Organised social functions must, therefore, always take place in a regulated and controlled environment. It is of concern that the average consumption of alcohol by Service personnel remains very high and is a major cause of impaired efficiency, disciplinary problems, accidents, and poor health. Moreover, alcohol remains the single highest contributory factor in violent crime in the Army. One of the most effective methods of preventing the abuse of alcohol is the moderate and responsible behaviour by officers and SNCOs in the unit. All in authority are expected to set an example and an instance of drunken behaviour, particularly in front of junior ranks, is viewed seriously as a matter calling into question an

individual's integrity.

18. Drunkenness. Drunkenness is in certain specific circumstances a military offence. The Army Act provides that a person is guilty of the offence if, owing to the influence of alcohol (or any drug), whether alone or in combination with any other circumstances, the individual is unfit to be entrusted with his duty, or any duty he may be reasonably expected to perform, behaves in a disorderly manner, or behaves in such a manner that may bring discredit onto the Services. It is not normally an accepted defence for a person charged with other offences to plead that he was drunk at the time. A conviction for drunkenness against an officer or NCO will call into question their fitness to retain their rank and responsibilities.

19. Driving Under Influence. Driving under the influence of alcohol is a serious criminal offence. It displays irresponsibility, and lack of judgement and self-control. A conviction for driving whilst under the influence of alcohol will almost certainly affect an individual's employment and career.

20. Alcohol Abuse. Alcoholics and heavy drinkers are an operational liability. Individuals who fail to cooperate or respond to rehabilitation are to be considered for discharge.

DRUG MISUSE

21. The misuse of controlled drugs is illegal. It undermines trust and mutual respect, impairs efficiency, judgement and reliability and is therefore detrimental to operational effectiveness. Drug misuse has an insidious effect and wherever it takes hold will undermine quickly a unit's discipline, morale and cohesion. Drug misuse will not be tolerated and the Army's sentencing policy for drug offences is based upon dismissal. To that effect the Army Board are committed to Compulsory Drug Testing. Drugs misuse, which includes pharmaceuticals, such as anabolic steroids, and solvents as well as controlled drugs, may result in administrative discharge (or a call to resign or retire in the case of an officer) even when charges are not preferred.

DISHONESTY

22. All forms of dishonesty involve deceit and lack of integrity which call into question whether an individual may continue to be trusted and relied upon. Acts of dishonesty cover a wide spectrum and include behaviour which raises doubts about an individual's character, as well as criminal offences, such as fraud and theft. An individual who, by his dishonest actions or behaviour shows that he cannot be trusted, has no place in the military community where mutual trust between all ranks is vital.

INDEBTEDNESS

23. Persistent indebtedness displays a lack of judgement and poor control over one's personal affairs. It can also lead to an individual becoming a security risk. The mismanagement of

personal financial affairs calls into question whether a leader is suitable to oversee the welfare of his subordinates. Failure to ensure that there are sufficient funds in an account to honour a cheque is one example of the type of personal mismanagement which will discredit an individual, and may bring the Army into disrepute. Such cases are viewed as particularly serious when involving an officer and may culminate in disciplinary action; a review of vetting status may also be required.

BULLYING AND INITIATION CEREMONIES

24. The responsibility for, and well-being of, subordinates rests with commanders at all times. Any abuse of, or disregard to, this responsibility amounts to neglect. Illegal punishments, unauthorized initiation ceremonies, and physical abuse are unacceptable; in particular, junior commanders are to be supervised closely in this respect.

25. Bullying. Operational effectiveness requires the Army to train to be physically strong and robust and, when needed, to display controlled aggression. However, the abuse of physical strength, or of a position of authority, to intimidate or victimise, will quickly lower morale and undermine confidence in the chain of command. It is the responsibility of commanders at all levels to protect individuals from both physical and mental intimidation and to report any instance of bullying promptly. Cases of bullying do great harm to the Service and to the units involved and bring the Army into disrepute.

26. Initiation Ceremonies. Initiation ceremonies involving assault, humiliation, intimidation, or the abuse of alcohol, are not to be tolerated.

RACIAL AND SEXUAL DISCRIMINATION AND HARASSMENT

27. All service personnel, irrespective of their racial origin or gender, have the right to live and work in an environment free from prejudice, humiliation, or intimidation. It is unacceptable that their performance, career development, and job satisfaction should be affected by behaviour on the part of others which draws attention to their racial origin or gender. This includes actions which in any way create feelings of offence, unease, or distress: for example by offensive jokes, or language or by abuse; graffiti; literature or posters; gestures or remarks. Discrimination, prejudice and harassment by an individual can amount to misconduct and a disciplinary offence.

28. Racial Discrimination. Racial discrimination will not be tolerated. As an employer, the Army has certain legal responsibilities under the Race Relations Act 1976, and may be liable for acts of discrimination by Service personnel.

29. Sexual Harassment. Sexual harassment is unacceptable behaviour. There can be no simple definition of sexual harassment but it may be described as unwelcome conduct of a sexual nature, or other conduct based on sex, which degrades the dignity of an

individual of the opposite sex. Sexual harassment can be persistent unwanted sexual attention which continues after the recipient makes it clear that he or she wants it to stop. A single incident, however, can also constitute sexual harassment if sufficiently serious. Sexual harassment is not a criminal offence in itself, though certain forms of sexual harassment can result in criminal charges: for example, indecent assault.

HOMOSEXUALITY

30. Homosexuality, male or female, is incompatible with military service because of the close physical conditions in which soldiers often have to live and work. Homosexual behaviour can cause offence, polarise relationships, induce violence, and as a consequence morale and unit effectiveness suffer. Anyone who admits to, displays the orientation of, or indulges in homosexuality will be required to resign or be discharged. Homosexual activity which is illegal under civil law or which has aggravating disciplinary features may also lead to prosecution.

SOCIAL MISCONDUCT

31. The Army operates within a close-knit organisation where team-work and cohesion are paramount. The Army, therefore, cannot countenance any conduct on the part of its members which adversely affects the integrity of its disciplined structure or of those within it, or which is inimical to the security of those who are part of the military community generally; in this context, certain sexual liaisons, or even in some circumstances non-sexual liaisons which nonetheless involve intimacy or excessive familiarity, can damage that integrity or security and can amount, in service terms, to misconduct by the military individual concerned.

32. Adultery. Adultery is likely to prejudice the position of an individual and may bring the Army into disrepute:

a. Adultery Within the Military Community. The most serious cases of social misconduct involve adultery within the military community. It is essential that military personnel are not worried about the integrity of their marriages at any time, but especially when deployed away from their home base. Equally the morale of families is dependent on the knowledge that whilst the unit is deployed away from its peacetime location any extra-marital relationships will be considered unacceptable.

b. Adultery Outside the Military Community. Married or single officers who enter into adulterous affairs outside the military community jeopardise their status as an officer should the circumstances of the affair become public, and if it brings either the officer or the Army into disrepute.

33. Other Sexual Relationships. The Army is based on a clearly defined hierarchical structure, with distinctions between the different ranks that are well understood and accepted, as is the particular division between officers and non-commissioned ranks. Sexual relationships which undermine this well-ordered structure cannot be tolerated. While there would be no objection to a consensual liaison between a junior non-commissioned officer and a private of opposite sexes, the same would not be true of a similar liaison between an officer and a non-commissioned rank. Such relationships diminish the authority and standing of the superior in the eyes of his subordinates resulting in a loss of credibility and trust. While marriage between an officer and a non-commissioned rank is not prohibited, such relationships will inevitably cause difficulties, as the couple will not be permitted to serve in the same unit, and are therefore to be discouraged.

SINGLE PARENTS

34. Retention in the Service of single parents is dependent upon their ability to continue to be operationally effective. There are proper and supportive arrangements for those married personnel who become single parents by change of circumstance, for example by bereavement or divorce. However, those who become single parents through circumstances within their control and who are unable to meet their operational liability will not be retained.

PRINCIPLES FOR REPORTING MISCONDUCT

35. A fundamental principle of administrative action is that it may not be sought as an alternative to appropriate and effective disciplinary action. Civilian prosecution and any conviction resulting from misconduct will be reported for any appropriate administrative action. Administrative action may also follow disciplinary action. It should be understood that administrative action is quite separate from being sentenced for an offence and the two should not be confused.

36. All incidents of misconduct which adversely affect the integrity of an officer are to be reported by the Commanding Officer to the next higher authority. Reports following civil convictions or formal police caution, which in the case of officers and Warrant Officers Class 1 may go to the Army Board, are also to be actioned. In those cases where the Commanding Officer does not wish to take any further action, or wishes to deal with the incident within the unit, he is to seek advice from the next level of command. Premature removal from post is not to be used as a substitute for disciplinary or administrative action.

FORMS OF ADMINISTRATIVE ACTION

37. General standards of conduct apply to all personnel, but those in the chain of command are expected to set a proper example. Each case will be judged on its merits and action taken will be graded in severity dependent upon the incident and its effect on the Army; the censure awarded will reflect with the level of command, experience and rank of the individual reported.

38. Officers. For minor incidents young officers may receive a warning from within their unit. More serious or repeated incidents may be reflected in the officer's confidential report. Experienced officers, or those whose cases are not dealt with by the Commanding Officer, may receive a verbal or recorded rebuke from their formation commander. Some matters may warrant a warning as to future conduct. The officer may also be liable for a move from the unit where the misconduct took place. The most serious cases are referred to the Army Board who are empowered to award a range of censures, including the Board's displeasure or severe displeasure, and at the top end calling upon an officer to resign or retire or ordering that he be removed from the Army. Formal warnings and awards of displeasure are recorded on the individual's confidential report book, and may have a detrimental effect on the officer's career.

39. Soldiers. Standards expected of senior non-commissioned officers are as high as those expected from junior officers. The degrees of censure, as for officers, will reflect the seriousness of the incident and the rank of the individual. Soldiers may be warned as to their conduct and placed on a 3 month warning under Chapter 9 of Queen's Regulations. The lowest form of administrative censure is a "Recorded Rebuke"; this is recorded for 2 years on a soldier's record. The next level of censure is an award of "Displeasure"; this is recorded for 4 years and prevents the individual being considered for promotion for one year from the date of the censure. Next is the award of "Severe Displeasure" which is recorded for 5 years and prevents the individual from being considered for 18 months. A soldier can also be reduced in rank administratively. In the most severe cases a soldier can be discharged.

CONCLUSIONS

40. While the Army cannot remain separate from society, it should not follow trends which tend to undermine the values essential to the operational roles of the Army (Paragraphs 4, 5, and 6).

41. Group cohesion is a decisive factor, but it can be destroyed quickly where there is a loss of trust or confidence. To allow any element to affect adversely the morale, cohesion, and operational efficiency of any unit would be detrimental (Paragraph 7).

42. It is the operational liability which marks out the Armed

Services as being essentially different from the rest of society. The operational imperative stresses the importance of group over self-interest. Leaders at all levels will expect their orders to be obeyed without question. Such obedience is only given by subordinates if they trust and respect their leaders (Paragraphs 8, 9, 10 and 11).

43. Servicemen and women are subject to both civil and military law. Thus the law imposes further obligations and demands on Service personnel. Failure to meet the standards set by the Army can result in administrative removal (Paragraphs 12 and 13).

44. If an officer's integrity is called into question, the right to hold the Queen's Commission may be forfeited (Paragraph 15).

45. Incidents of the abuse of alcohol or drugs; dishonesty; indebtedness; bullying; discrimination; harassment; homosexuality; or social misconduct as defined in this paper may result in disciplinary action and/or administrative censure (Paragraphs 16 to 33).

46. Personnel who by becoming a single parent are unable to meet their operational liability will not be retained (Paragraph 34).

47. Administrative action is not a substitute for disciplinary action. Administrative action may follow disciplinary dealing. Premature removal from post is not to be used instead of disciplinary or administrative action (Paragraphs 35 and 36).

48. Standards of conduct apply to all, but those in the chain of command are expected to set an example. Censure ranges from warning, to awards of displeasure, to resignation for officers and discharge for non-commissioned ranks (Paragraphs 37 to 39).

SUMMARY

49. Operational effectiveness requires sound discipline within the Army at all times. Discipline cannot be switched on for war and off for peace, and therefore the standards demanded of soldiers tend to be more strict than those of society as a whole. It is axiomatic therefore that all members of the Army must respect the law. For commanders, and those in positions of responsibility, where integrity is a vital ingredient of leadership, standards of conduct must be beyond reproach. Those who fail to meet these standards are failing in their duty to themselves, their superiors and their subordinates. In extreme cases this may prejudice the reputation of the Service. The standards of conduct set out above are those required to support our military ethos and maintain operational effectiveness.