

# GOVERNMENT RESPONSE TO THE LGBT INDEPENDENT REVIEW

# Foreword by the Defence Secretary and The Minister of State for Veterans' Affairs

We would like to thank everybody who responded to the LGBT Veterans Independent Review's call for evidence. This Independent Review allows us to hear the voices of those affected by the unjust, shameful and unfair historic policy regarding LGBT personnel in HM Armed Forces. For many affected, this is the first time they have shared the unacceptable behaviour they were subjected to, and we are committed to ensuring their bravery is a catalyst for further change.

In 1967 same-sex sexual acts between consenting adults were effectively decriminalised in England and Wales by the Sexual Offences Act 1967. Despite this, government policy that homosexuality was incompatible with life in HM Armed Forces was maintained. This resulted in those suspected of being LGBT facing discharge or being forced to leave, with some prosecuted under Service law. Following a successful challenge in the European Court of Human Rights in January 2000, government policy was amended enabling Personnel to Serve in HM Armed Forces regardless of their sexuality.

In January 2022, Defence and the Office for Veterans' Affairs (OVA) co-commissioned the LGBT Veterans Independent Review to better understand the impacts and implications of the pre-2000 Ban on LGBT personnel. The Review set out to explore the nature of dismissal and other departures from the Armed Forces under the Ban; the impact the past experiences in the Armed Forces had on the subsequent lives of LGBT veterans; and the impact of the Ban on others in the Armed Forces community who may have been affected, such as those who were incorrectly perceived to be homosexual.

Led by chair, The Rt Hon. Lord Etherton KC, the Review team held a Call for Evidence, they received over 1,100 testimonies which informed the production of the report and recommendations. In order to obtain a full and rounded view of the impact of the Ban, the Call for Evidence did not focus solely on LGBT veterans that served under it, but also requested evidence from non-LGBT personnel who served at the time and witnessed the implementation of the Ban, as well as families, friends or representatives of LGBT personnel who served under the Ban, academics who work in this area, and organisations and other third parties (such as charitable organisations) who were able to give relevant evidence.

The report paints a shocking and shameful picture of Defence. The testimonies describe a toxic culture driven by institutional homophobia which is difficult to imagine from the vantage point of today's Defence.

The report found that the policy itself was wrong, and the delivery invasive and intrusive. It found that bullying, abusive investigation and premature exit from Service all had long-lasting impacts on those affected. Furthermore, the report shows that affected veterans were left feeling that their

Service was not recognised; that they are not a part of the veteran community and that they were not eligible for the support provided to other veterans.

As the Prime Minister said in Parliament back in July, the Ban on LGBT people serving in our military between 1967 and 2000 was an appalling failure of the British state. We are as ashamed of that part of our veterans' history as we are proud of the work which will finally right this historic wrong.

We would also like to commend The Rt Hon. Lord Etherton and his team for their work on this remarkable report, it captures the harrowing and deeply unfair experiences that many veterans endured, while coming up with a series of ambitious and meaningful recommendations that will have a positive impact for our LGBT veterans.

We would like to thank everybody who responded to the Review's call for evidence. Having spoken to many of those affected and heard your stories, we know it would have been a difficult, perhaps even a painful task, yet it is because of the courage you have shown for many years that this Government is now taking decisive action to redress the hurt you have endured.

We want this country to be the very best place to be a veteran and we know just how seriously the Government is taking this issue today. That is why we commit here, on behalf of government, to act in response to the recommendations from the review. Through collaboration with other government departments, we will ensure the intent of each recommendation is met and the needs of the affected cohort are considered. We intend to implement the majority of recommendations within 12 months of publication of this response, and we commit to reporting on our progress in 12 months.

Our response to the Independent Review is another example of how we are supporting all those who served this country, and we hope that all those affected will be able to feel proud parts of the veteran community.



GRANT SHAPPS MP



JOHNNY MERCER MP
MINISTER FOR VETERANS' AFFAIRS

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# Delivery of all recommendations

The report makes 49 recommendations for the Government, providing guidance to the Government on how it can meet its commitment in the Veterans Strategy, to ensure the service and experience of every veteran is understood and valued, in relation to the LGBT veteran community. The Government has accepted the intent behind all such recommendations and work is already underway on the implementation of them.

Detail on when the Government intends to complete each recommendation and individual responses to each recommendation can be found below, and greater detail on eligibility and the application process for non-financial restorative measures can be found on the LGBT Veterans: Support and next steps GOV.UK webpage

#### **Previously completed:**

On 19<sup>th</sup> July 2023, alongside publication of the Independent Review, the Government were pleased to confirm the completion of six of the recommendations, through work undertaken prior to completion of the Independent Review:

- awarding the Armed Forces Veterans' Badge (recommendation 4)
- restoration of Medals handed back on discharge or dismissal (recommendation 5)
- awarding of Medals withheld during and following investigation and discharge (recommendation 6)
- LGBT veterans marching at Pride (recommendation 24)
- bringing into force the extension to the Disregard and Pardon Scheme (recommendation 25)
- establishing a legacy website to host the review and other related material (recommendation 48)

Additionally, the Government were able to complete a further two recommendations alongside the initial response:

- Delivery of an apology in the UK parliament by the Prime Minister (recommendation 1)
- inviting affected veterans to seek clarification of pension rights (recommendation 16)

Information on all the above can be found on the LGBT Veterans: Support and next steps GOV.UK webpage.

#### Completed today:

Now, as the Government's response is published, we are happy to complete a further 16 recommendations, eight of which are restorative measures for those affected that will be delivered through the completion of an Application and Registration of Interest form on the LGBT Veterans: Support and next steps GOV.UK page:

- individual letters of apology from the relevant Service chief (recommendation 2)
- the return of berets (recommendation 7)
- publishing former officers' service details in the Gazette in place of Service Retired Lists (recommendation 8)
- permitting application by next of kin in the case of deceased veterans for appropriate restorative measures (recommendation 12)
- written reproduction of the PM's apology (recommendation 14)
- the option of receiving restorative measures in a Service ceremony (recommendation 15)
- issuing replacement discharge papers where a dismissal or administrative discharge has been disregarded or qualified (recommendation 27)
- a process for those who did not provide evidence to the Review but now wish to share their experiences to do so and have it form part of the historical record of the Ban (recommendation 49)

A further three recommendations are being delivered, with information or access to these available on the Veterans: Support and next steps GOV.UK page:

- launching an application process for restorative measures and maintaining it for 24 months (recommendation 11)
- programmes to encourage LGBT veterans to attend Service events (recommendation 21)
- further publication of the services offered by the Veterans' Welfare Service (recommendation 43)

The final five being completed on publication of this response are:

- implementing a plan of action to encourage those affected to apply for restoration and restitution (recommendation 13)
- implementing a plan of action to encourage those affected to make a timely claim for any benefit to which they are intitled as a result of this review (recommendation 47)
- suggesting to appropriate museums a permanent exhibition devoted to the Service of LGBT Personnel and veterans (recommendation 20) the continuation of funding and further work to align Service LGBT Networks (recommendation 23)
- Op Courage focus on non-combat mental health issues resulting from Service (recommendation 39)

#### To be completed in 2024:

The Government intends to complete a further 12 recommendations by the end of 2024, four of which are restorative measures that can be applied for in advance through the completion of a registration of interest form on the LGBT Veterans: Support and next steps GOV.UK page:

- The restoration of rank where there was a demotion in consequence of a discharge or dismissal pursuant to the Ban (recommendation 3)
- The design and granting of an LGBT Service ribbon as an alternative to a special veterans' badge (recommendation 10)
- Programmes to encourage contact between LGBT veterans and Service LGBT Networks (recommendation 22)
- A process by which to qualify a past administrative discharge for same-sex sexual acts or gay, lesbian or bisexual orientation (recommendation 26)

The Government also intends to complete the two recommendations around a financial award in 2024. An initial update on the financial award is on page 9 and further updates on eligibility and the application process will be added to the LGBT Veterans: Support and next steps GOV.UK page when available:

- An appropriate financial award should be made to affected veterans notwithstanding the expiry of litigation time limits. The Government's overall exposure should be capped at £50 million (recommendation 28)
- There should be a time limit for making a claim for a financial award of 24 months from the time the Government publicises the financial award arrangements (recommendation 29)

Six further recommendations are expected to be completed in 2024:

- Issuing of the HM Armed Forces Veterans' Card (recommendation 9)
- The training programme which is part of the NHS England/RCGP accreditation scheme for "veteran friendly" GP practices should be LGBT inclusive and include an awareness of the Ban (recommendation 30)
- Consideration should be given to promoting the LGBT Foundation's "Pride in Practice" scheme or FWP's "Pride in Veterans' Standard" or something similar for primary care providers (recommendation 32)
- NHS England or Integrated Care Boards should consider whether to commission the above (recommendation 33)
- Accreditation to the Veterans' Covenant Healthcare Alliance (VHCA) should include demonstration of being LGBT inclusive and an awareness of the Ban (recommendation 34)
- Due note and weight should be given to the severity and long-term consequences of the Ban on female veterans (recommendation 44)
- Considering the recommendations in the research studies and reports mentioned in the body of the report and deciding what action to take in response to them (recommendation 45)

#### To be completed in 2025:

The three recommendations focused on a memorial at the National Memorial Arboretum are expected to be completed by the end of 2025, with updates being made available on the OVA's GOV.UK page:

- There should be a public memorial at the National Memorial Arboretum to all LGBT people
  who have served and continue to serve in the military, possibly including a specific
  reference to those who suffered the consequences of the Ban on serving homosexuals
  prior to January 2000 (recommendation 17)
- The design of the memorial should be a work of collaboration by appropriate organisations, but certainly including one or more of those which have the support and respect of those affected (recommendation 18)
- The government should pay for such a memorial as the Ban, which caused the considerable suffering of affected veterans, was MoD policy (recommendation 19)

#### **Ongoing recommendations:**

Eight of the recommendations are for the NHS, mainly focused on accreditation and training to ensure awareness of the experiences had by those impacted by the Ban and the impacts this may have had. These are ongoing, and the Government is committed to providing an update to all outstanding recommendations in 12 months' time.

- NHS England, Integrated Care Boards and the RCGP should explore ways to encourage more practices to become "veteran friendly" accredited (recommendation 31)
- All reasonably practicable steps should be taken to achieve 100% of NHS Trusts being VHCA "veteran-aware" accredited (recommendation 35)
- Expansion of the VHCA accreditation scheme to include care homes and hospices should be encouraged (recommendation 36)
- Consideration should be given to running the NHS Rainbow Badge scheme alongside the VHCA (recommendation 37)
- Addiction treatment centres providing services in the community need to be aware that, in the case of LGBT veterans, addiction may be a manifestation of a particular service history (recommendation 38)
- Where there is commissioning of non-NHS organisations to deliver NHS services for Op Courage, it should be ensured that the non-NHS body has the same range and standard of training as the NHS (recommendation 40)
- Regular training and assessments of those providing care in the NHS, ideally developed and funded by the NHS, should be imposed to identify, root out and educate to prevent any homophobia or prejudice (recommendation 41)
- Consideration should be given by NHS England to commissioning an appropriate etraining module to be available, not just for Op Courage services, but for all NHS services that provide care to military veterans (recommendation 42)

#### Recommendations with multiple aspects:

The remaining recommendation, recommendation 46, focuses on further areas of research and the way future research into the Armed Forces should be conducted and is split into four points:

- Analysis could be undertaken of the responses to the Call for Evidence in order to understand what might be relevant to LBGT people who are serving in the Armed Forces today so that that the lessons from what happened before are learned (recommendation 46.1) – This is expected to be completed in 2024.
- A good-sized quantitative study of LGBT veterans could be undertaken to understand how their experiences differ from LGBT people who have never served (recommendation 46.2) - This is ongoing as the Government seeks to further understand the intent behind this recommendation.
- It would be helpful to ensure that future studies of the Armed Forces consider whether to enquire whether a person's orientation is LGBT so that it can be understood how LGBT people within the Armed Forces are faring compared to those who are not LGBT and to ensure that there are a sufficient number of LGBT personnel to draw conclusions (recommendation 46.3) – This is complete.
- It might be useful to assess in due course what has been the impact of this Review on LGBT veterans, and to consider, in the light of that assessment, whether lessons can be learned for future review processes (recommendation 46.4) - This is expected to be completed in 2024.

#### The Financial Award

The Government has accepted the recommendations for a financial award for those impacted by the Ban and acknowledges the importance of timeliness whilst being acutely aware of the considerations that must be made to ensure a fair outcome. Experts across government are working at pace to develop a financial award scheme, acknowledging that the process is intricate and must be followed correctly. As there are no reliable statistics available with which to determine the size of the affected cohort, and such broad ways in which personnel were impacted, the scheme is exceptionally complicated to design. Although the scheme is in early stages of development, the Government encourages those impacted by the Ban to indicate their interest in applying for a financial award when completing the Application and Registration Form for nonfinancial restorative measures on the LGBT Veterans: support and next steps GOV.UK page. Such indications of interest will enable the Government to learn more about the affected community and thereby design the most appropriate scheme possible. The Government will add information on eligibility and how to apply for a financial award to the LGBT Veterans: support and next steps GOV.UK page when it is available.

# Recommendations to be delivered differently

When establishing appropriate alternatives for these recommendations, the Government carefully considered the intent behind them, considered a range of options, and engaged with members of the affected community to listen to their views and develop the approaches together. The Government recognises that the affected cohort is diverse and may have differing views on the most suitable solutions to these recommendations and were therefore guided by the voices of a diverse group of LGBT veterans in the response to these recommendations. The recommendations that will be delivered differently are:

- Recommendation 8 Where officers were struck from Service Retired Lists merely for being LGBT, they should be reinstated. Since Service Retired Lists are no longer published, the Government will publish the details that would have been included in the Service Retired List in the official public record, via the Gazette. Affected former officers, and persons of sufficient interest in the case of deceased officers, can apply through the registration of interest forms on the LGBT Veterans: support and next steps GOV.UK page.
- Recommendation 10 There should be designed and granted as soon as possible a special veterans' badge for all those who served at the time of the Ban. There is currently only one veterans' badge for all veterans and the Government does not think it appropriate to segregate this cohort of veterans by creating an additional badge. Engagement with the LGBT veteran community made clear that opinion on the appropriateness of a new veterans' badge is divided within the community, but a shared request was that of a wearable item. Based on this, the Government has agreed to create an 'LGBT Service Ribbon' as an alternative for those who served at the time of the Ban. The Government will continue engagement with LGBT veterans to support its design and will update the LGBT Veterans: support and next steps GOV.UK page once made available.

### Additional Actions

Significant steps have already been taken to implement many of the Review's recommendations but there is much still to do.

The Government acknowledges that some key themes in the body of the report were not addressed in the recommendations, specifically around Defence Medical Services (DMS) and the Armed Forces Chaplaincy. Though the experiences in the report do not reflect the practices of today's DMS nor Chaplaincy, we have worked with them to proactively reflect upon the policies and practises in place today and how effectively they protect current and future personnel from the kinds of mistreatment detailed in the report.

The DMS deeply regret the past treatment of LGBT personnel by some members of the military medical community and recognises that the historic medical interventions described in the report were inappropriate, unacceptable, and wrong. DMS now has a well-established zero-tolerance approach to unacceptable behaviours and, as well as following Defence policy, has set out the expected behaviours of all their people in a Leadership, Culture and Behaviour charter. The Defence Medical Academy provides training on ethics and Diversity and Inclusion (D&I) in most courses it delivers, and all students and staff undertake D&I as part of their mandated training. The DMS follows policy on safeguarding to ensure individuals who appear vulnerable, or at risk, are appropriately managed and supported; and DMS staff are bound to manage information following the Caldicott principles and receive training to the appropriate level. As a result of the publication of this review, Medical Facilities across Defence will be reminded of the requirement to consider the specific health needs of serving LGBT personnel and encouraged to apply for Pride in Practice certification, a certification that has recently been awarded to Defence's largest medical centre.

The Chaplaincy acknowledges with shame and deep regret that the disclosure of conversations relating to personnel's sexuality by some Chaplains between 1967 and 2000 contributed to the grievous mistreatment and hurt felt by LGBT personnel. Such blatant disregard of the best interests of an individual, when they were asking for help and support, and the failure to protect their confidences would not be tolerated today. The training of new entry chaplains as they transition from civilian practice and ministry into the Armed Forces has been combined at the Armed Forces Chaplaincy Centre, to enable tri-Service delivery and consistency in pastoral care. The new entry course is regularly reviewed, with a major review currently underway to ensure that it is fit for the purpose of serving the modern military. Part of this review is addressing different cultural issues that have emerged as the breadth of pastoral care available has increased, encompassing a greater diversity and number of denominations, religions and beliefs. Confidentiality remains integral to pastoral care, with Chaplaincy acutely aware of the importance in balancing pastoral and ethical concerns when maintaining absolute confidentiality, particularly if personnel may be at risk. Chaplains receive training in dealing with such scenarios when they join the Armed Forces, re-iterating the obligation to maintain professional confidentiality and the inviolability of the Seal of the Confessional entailing no reporting whatsoever to a third party, while always working in the best interests of the individual who has sought counsel. There are times when getting additional support is the right thing to do, and chaplains receive guidance and training on this too, for example, medical and mental health referrals are always best achieved with the fully informed consent of the individual concerned. Chaplains are not at liberty to make disclosures to a third party without seeking confidential advice first from their superiors. An internal review was recently conducted on the Chaplaincy's Tri-Service confidentiality protocols and, while the legal issues are complex, there is a clear intent to always provide support, advice and assistance in a way that is both ethical and safe. The Army Chaplains recently introduced professional supervision for their chaplains, to hold chaplains to account for the quality and effectiveness of their professional practice, the Royal Navy and RAF are now using that experience to help inform and develop reflective supervision for their own cadres of chaplains.

# Long-term impacts

Since 2000, the Government has made great strides to remove barriers and deliver initiatives that improve the experience for LGBT personnel. These initiatives include providing guidance for parents of LGBT children, delivering LGBT allies training and the provision of PrEP (Pre-exposure prophylaxis). The Government is proud of all our LGBT military and civilian personnel and the significant contributions they make to ensure our security, support our national interests, and safeguard our prosperity.

Although today's Defence has come a long way since 2000, it is vital that we take the time to acknowledge the injustices suffered in the past, understand how they came to be and take steps to ensure they can never happen again.

The testimonies drawn upon in the report show that for those who suffered under the Ban, the pain did not end when their Service did. Instead, some veterans were left with a lifetime of shame and lack of self-esteem; issues with mental health; difficulty finding and maintaining employment; financial difficulties and homelessness; difficulty forming long-term relationships due to shame and trust issues; loss of family relationships and sometimes, alcohol and/or drug dependency. The stress caused by the policy means that we have sadly lost a number of affected veterans to suicide, and others have contemplated or attempted suicide.

The Government hopes that its response to the Review and recommendations, and the acknowledgement of the unacceptable treatment experienced by those affected by the historic policy, will provide a sense of closure, and enable those affected to feel a part of the valued Armed Forces & veteran community. We thank all those affected for their Service to our country and commend those who bravely spoke about the delivery of the policy and its impacts, during this Review and prior to the lifting of the Ban.

The Government is committed to supporting this group of valued veterans and encourages them to access support and register their interest for restorative measures on the LGBT Veterans: Support and next steps GOV.UK page.

Reco	Recommendations and Responses Table		
#	Timing	Recommendation	Response
		Apology	
1	Complete	The Prime Minister should deliver an apology in the UK Parliament on behalf of the nation to all those LGBT service personnel who served under and suffered from the Ban (whether or not they were dismissed or discharged). The apology delivered in the House of Commons should be repeated in the House of Lords	The Government accepts this recommendation. The Prime Minister delivered an apology on behalf of the nation in the House of Commons during Prime Minister's questions on 19th July 2023. This was followed by a full statement in the House by the Defence Secretary, which was then repeated in the House of Lords.
2	Immediate	There should also be individual letters of apology from the head of each of the Services to LGBT veterans who served under and suffered from the Ban and who apply for restitution.	The Government accepts this recommendation. Service Chiefs are keen to express their regret for the historical treatment of LGBT Personnel and those perceived to be so and the Government encourages all those affected by the Ban, and persons of sufficient interest (including next of kin) in the case of deceased affected veterans, to register their interest in receiving a letter of apology by completing the form on the <i>LGBT Veterans: support and next steps</i> GOV.UK page.
		Restoration of status and medals and grant of r	
3	Early 2024	Commission and rank should be retrospectively restored to what it was immediately before dismissal or discharge where there was a demotion in consequence of dismissal or discharge pursuant to the Ban.	The Government accepts this recommendation and is creating a process for the restoration of commission and/or rank where there was a demotion in consequence of dismissal or discharge pursuant to the Ban and expects to be able to begin delivery of this recommendation from early 2024. In cases where demotions were the result of a conviction for same-sex sexual activity, all relevant convictions will first need to be Disregarded. Information on applying to the Home Offices Disregard Scheme can be found on the <i>LGBT Veterans: support and next steps</i> GOV.UK page. Those demoted in consequence of dismissal or discharge purely based on sexuality, and persons of sufficient interest (including next of kin) in the

			case of deceased affected veterans, are encouraged to register their interest in this measure by completing the form on the <i>LGBT Veterans:</i> support and next steps GOV.UK page. Defence expects to begin actioning registrations of interest received in early 2024.
4	Complete	The Armed Forces Veterans' Badge should be given.	The Government accepts this recommendation.  All veterans who served for at least one day are eligible, regardless of the circumstances for leaving, as are next of kin that are in receipt of a War Widow's or Widower's Pension or the Survivor's Guaranteed Income Payment. The Government encourages all veterans impacted by the Ban, and eligible next of kin, to apply for a Veterans' Badge through the GOV.UK page.
5	Complete	Medals that were required to be handed back on dismissal or discharge should be restored.	The Government accepts these recommendations.  Veterans who had medals withheld or withdrawn on the
6	Complete	Campaign and other medals to which an LGBT service person was entitled but which were withheld during and following investigation and discharge should be awarded.	basis of their sexuality, or perceived sexuality, can apply to have them restored. It is a requirement that anyone with a conviction must first have obtained a disregard from the Home Office. Next of kin are able to apply for the restoration of medals in the case of a deceased veteran where there are no related convictions.  We invite any personnel who were dismissed or discharged from service due to their sexuality, to apply to have their forfeited medals restored once any related convictions have been Disregarded.  Information on applying for a Disregard and for the restoration of medals can be found on the new <i>LGBT Veterans: support and next steps</i> GOV.UK page.
7	Immediate	The wearing of uniforms (especially berets) by LGBT Veterans and the use of military ranks should (where otherwise permitted to veterans) be formally reinstated. Where berets were taken away, they should be replaced.	The Government accepts this recommendation. Veterans impacted by the Ban have the same limited rights to wear uniform and use retired commissioned rank as any other veteran, when authorised. Any historic orders or correspondence to the contrary should be disregarded.

			The Government is ready to deliver the replacement of berets and encourages veterans affected by the Ban, and persons of sufficient interest (including next of kin) in the case of deceased affected veterans, to register their interest by completing the form on the <i>LGBT Veterans:</i> support and next steps GOV.UK page.
8	Immediate	Where officers were struck from Service Retired Lists merely for being LGBT, they should be reinstated.	The Government accepts the principle behind this recommendation, however, will need to deliver it in a slightly different way as Service Retired Lists are no longer produced or published as they were during the Ban.  To keep true to the intent of this recommendation, the Government will publish the names of eligible former officers, where this is requested, in The Gazette, as official public record. Any former officer that was affected by the Ban and would like to have their name returned to the official public record should register their interest by completing the form on the <i>LGBT Veterans: support and next steps</i> GOV.UK page.
9	2024	Veterans dismissed or discharged because of the Ban should be issued with a Veteran's ID card. They should also have all the benefits to which veterans are expressly entitled under the Armed Forces Covenant, such as appropriate education and training, to which they would have been entitled if they had not been dismissed or discharged.	The Government accepts this recommendation. The HM Armed Forces Veterans' Card was initially launched in 2019 and was made available to anyone who left Service from December 2018 onward. The Government is working on expanding the application process for the Veterans Card to those that left Service prior to 2018. The expansion is expected to begin in 2024; the <i>LGBT Veterans: support and next steps</i> GOV.UK page will be kept updated with information on the expansion.  Veterans affected by the Ban have the same rights to benefits under the Armed Forces Covenant as all other veterans. Affected veterans are encouraged to access

			such benefits through the <i>LGBT Veterans:</i> support and next steps GOV.UK page
		Veteran's badge for those who suffe	
10	2024	There should be designed and granted as soon as possible a special veterans' badge for all those who served at the time of the Ban.	The Government accepts the principle behind this recommendation.  There is currently only one veterans' badge for all veterans and the Government does not think it appropriate to segregate this cohort of veterans by creating an additional badge. Engagement with the LGBT veteran community made clear that opinion on the appropriateness of a new veterans' badge is divided within the community, but a shared request was that of a wearable item. Based on this, the Government has agreed to create an 'LGBT Service Ribbon' as an alternative for those who served at the time of the Ban. The Government will continue engagement with LGBT veterans to support its design and will update the <i>LGBT Veterans: support and next steps</i> GOV.UK page once made available.
		Procedure for making the restitution and res	storation described above
11	Immediate	If and insofar as the above recommendations for non-financial restitution are accepted by the Government, any veteran seeking an individual apology or other restitution should apply to the MoD, and any such application should be made within 24 months of the government publishing its acceptance of the recommendations and communicating the method of application.	The Government accepts this recommendation and has, today, launched an Application and Registration of Interest form for those directly impacted by the Ban (veterans and those still serving) on the <i>LGBT Veterans: support and next steps</i> GOV.UK page. The form enables anyone impacted by the Ban to register their interest for all non-financial restitution recommended by the Independent Review. The Government is committed to accepting registrations for a minimum of 24 months.
12	Immediate	In the case of a deceased veteran, application should be permitted to be made by the veteran's next of kin in line with existing MOD policy.	The Government accepts this recommendation and, alongside the Application and Registration of Interest form for those directly impacted by the Ban, has launched an Application and Registration of Interest form for Persons of Sufficient Interest. Of the nine recommendations the

13	Immediate	The MoD, working with appropriate partners,	Independent Review requested be made available to next of kin, three have existing processes with pre-determined next of kin eligibility; five have been made available to Persons of Sufficient Interest; and only one, the Veterans' Card, could not be made available to next of kin since the card is specifically aimed at veterans themselves. In addition, the Government has made the qualification of administrative discharges based on sexuality (recommendation 26) available to Persons of Sufficient Interest, as per the suggestion in the body of the report. Furthermore, the Government is extending the option of having restorative measures awarded at a Service ceremony (recommendation 15); replacement discharge papers (recommendation 27) and the opportunity to provide testimony for the official record (recommendation 49) to Persons of Sufficient Interest. For the purposes of these restorative measures, the Government has provided a broad set of definitions for a Person of Sufficient Interest, details can be found on the LGBT Veterans: Support and next steps GOV.UK page. This broader definition is intended to assist in ensuring that those whom the veteran would have nominated as next of kin can be seen as so.  The Government accepts this recommendation and has
13	mmediate	should develop and implement a plan of action to encourage affected veterans (or, in the case of deceased veteran, their next of kin) to apply for restoration and restitution (including individual letters of apology) as outlined above.	worked collaboratively to engage with networks, the media and third sector parties to implement a comprehensive action plan to reach all those affected by the Ban and encourage them to register their interest via the forms on the <i>LGBT Veterans: support and next steps</i> GOV.UK page.
14	Immediate	Restoration and restitution should be accompanied by a written reproduction of the Prime Minister's apology in Parliament and by a letter of apology from the relevant Service chief	The Government accepts this recommendation and encourages all those affected by the Ban, and Persons of Sufficient Interest (including next of kin) in the case of deceased affected veterans, to register their interest in

15	Immediate	Each Service should arrange for one or more ceremonies for restoration and restitution to be made or acknowledged unless the veteran expresses a wish for such restoration and restitution to be conducted privately.	receiving a copy of the Prime Minister's apology and/or letter of apology from the relevant Service Chief by completing the form on the <i>LGBT Veterans: support and next steps</i> GOV.UK page.  The Government accepts this recommendation and encourages veterans affected by the Ban between 1967 and 2000 to indicate how they would like to receive restoration and restitution items, either at a Service ceremony/event or via post, by completing the form on the <i>LGBT Veterans: support and next steps</i> GOV.UK page.
		Clarification of pension	rights
16	Complete	The MoD should use the Review and the publication of this Report as an opportunity to invite LGBT veterans who were dismissed or discharged pursuant to the Ban to seek clarification as to their entitlement to a Service pension where the veteran has not received any pension but believes they were entitled to one.	The Government encourages those affected by the Ban to seek clarification of their pension rights on the 'All About Pensions' page on GOV.UK. A link can be found on the LGBT Veterans: support and next steps GOV.UK page.
		Memorialisation	
17	2025	There should be a public memorial at the National Memorial Arboretum to all LGBT people who have served and continue to serve in the military, possibly including a specific reference to those who suffered the consequences of the Ban on serving homosexuals prior to January 2000. The unveiling or dedication should be at a ceremony to which are invited, among others, all LGBT veterans who served under, and suffered from, the Ban.	The Government accepts this recommendation, which the OVA is leading, working with Defence, National Memorial Arboretum, Royal British Legion and Department for Digital, Culture, Media and Sport. Further information on the development of this recommendation will be added to the OVA's GOV.UK page and the LGBT Veterans: support and next steps GOV.UK page when appropriate.
18	2025	The design of the memorial should be a work of collaboration by appropriate organisations, but certainly including one or more of those which have the support and respect of veterans who served	The Government accepts this recommendation and is currently considering the best way to deliver the design of the memorial. Further information on this will be added to the LGBT Veterans: support and next steps GOV.UK page when appropriate.

		under, and suffered from, the Ban and are the subject of this Review.	
19	2025	The Government should pay for such a memorial as the Ban, which caused the considerable suffering of affected veterans, was MoD policy.	The Government accepts this recommendation and will fund this memorial; more information will be shared on OVA's GOV.UK page as it progresses.
20	Complete	The MoD and the OVA should on their own or with others, including those organisations who have the support and respect of veterans who served under, and suffered from, the Ban and are the subject of this Review, suggest to one or more appropriate museums, such as the Imperial War Museum and the Queer Museum, that they should have a permanent exhibition devoted to the service of LGBT personnel in the UK's Armed Forces, with a particular emphasis on the Ban on homosexuals and those perceived to be homosexuals.	The Government accepts this recommendation and has undertaken engagement.
		Engagement with Military	Services
21	Immediate	Effective outreach programmes and other programmes of positive action should be formulated and implemented to encourage LGBT veterans who served under, and suffered from, the Ban to attend Service events, whether they be on a national scale, such as Armed Forces Day, Air Force Day and RAF anniversary and milestone events, or more localised, such as Army Regimental events, Naval ship association events, and RAF events at base stations.	The Government accepts this recommendation. Information on Service events can be found through various channels which LGBT veterans have access to and are encouraged to attend. Details of these can be found on the new <i>LGBT Veterans: support and next steps</i> GOV.UK page.
22	Summer 2024	Effective programmes should be devised by the individual Services, working with other organisations they consider appropriate, to encourage contact between the veterans who	The Government accepts this recommendation. Service LGBT Networks are proactively reaching out to LGBT veterans through charities and social media to include them in events and conferences where appropriate. Defence is working with Service LGBT Networks to

		served under, and suffered from, the Ban and current Services' LGBT networks.	identify ways in which the connections between the networks and LGBT veterans can be strengthened, creating space for serving personnel to listen and learn, as well as enabling veterans to stay connected to their Services, whilst recognising that the networks are run by volunteers. One such opportunity is the development of alumni portals for the single Services which aim to connect serving and former personnel; Defence is committed to working with LGBT networks to establish how they can feed into the portals and ensure the inclusion of LGBT personnel and veterans.  More information can be found on the <i>LGBT Veterans:</i> support and next steps GOV.UK page.
23	Immediate	Funding of Service LGBT networks by the MoD should continue, with further efforts made, supported by the Central Diversity and Inclusion Team and Network Coordinators, to encourage engagement of the LGBT networks at the strategic, operational and tactical level and to develop mutual relationships, connect the MoD with society and break down barriers.	The Government accepts this recommendation in principle. Service LGBT networks are funded by single Services, not by Defence, but there are no current plans for the Services to amend the funding of Service LGBT networks. In addition, a 'Staff Network Policy' is being designed, by Central Diversity and Inclusion teams, with implementation due early 2024, to better support Civil Service networks and ensure network alignment in support of the Defence's Diversity & Inclusion Strategy. It will also look to provide a forum structure to increase cross-operation of networks, both Service and Civilian, and encourage engagement of networks and the development of mutual relationships; this will include LGBT networks. Notwithstanding, these proposals do not prejudge the wider review by the Government into EDI spending and activity across the Civil Service, which will report in due course.
24	Complete	Arrangements should be made or enhanced for LGBT veterans, including those who served under, and suffered from, the Ban, to march at Pride	The Government accepts this recommendation and was proud to have LGBT veterans join the Minister for Defence People, Veterans and Service Families, other veterans

		events with other veterans and with current LGBT service personnel.	and Serving personnel from all three Services and Defence Civil Servants to march at London Pride on 1st July 2023. The Government intends to maintain the involvement of LGBT veterans in our Pride celebrations.
		Disregards, pardons and altera	tion of records
25	Complete	Sections 194 and 195 in Part 12 of the Police, Crime, Sentencing and Courts Act 2022 should be brought into force as a matter of urgency.	The Government accepts this recommendation and is pleased to confirm that the extension to the Home Office's Disregard and Pardons scheme launched in June 2023. The scheme enables anyone convicted or cautioned for consensual same-sex sexual activity under the repealed laws, to apply to have them 'disregarded' – meaning it would be removed from their criminal records and not required to be disclosed.  Affected Veterans are invited to confirm their eligibility and apply for a Disregard on GOV.UK. Details can be found on the new <i>LGBT Veterans: support and next steps</i> GOV.UK page.
26	Early 2024	If the King's Regulations can be used to nullify or qualify a past administrative discharge for same sex sexual acts or gay, lesbian or bisexual orientation, the relevant discharge papers should be endorsed with a statement that the discharge "was pursuant to a policy subsequently held by the European Court of Human Rights to be unlawful"	The Government accepts this recommendation and is creating a process for the qualification of past administrative discharges where the discharge was based purely on sexuality. The Government expects to be able to begin delivery of this recommendation from early 2024. Those affected are encouraged to register their interest in this measure by completing the form on the <i>LGBT Veterans:</i> support and next steps GOV.UK page. Once the process is ready, the Government will action all registrations of interest received.
27	Immediate	Where a dismissal or discharge is disregarded, pardoned or qualified as unlawful, any red book or its equivalent, with corner cut, should be replaced with new appropriately worded discharge papers	The Government accepts this recommendation and has established a method for the issuing of replacement discharge papers, whereby a Service Leavers Certificate will be provided. The Government will extend this

		given to the veteran.	recommendation to all veterans affected by the Ban for whom replacement discharge papers are appropriate and will begin delivery immediately. Where application is also made for the qualification of administrative discharge or the restoration of rank, these actions will need to be completed prior to the issuing of a Service Leavers' Certificate.  Those affected are encouraged to register their interest in this measure by completing the form on the <i>LGBT Veterans:</i> support and next steps GOV.UK page.
		Financial Award	
28	Winter 2024	An appropriate financial award should be made to affected veterans notwithstanding the expiry of litigation time limits. The government's overall exposure should be capped at £50 million.	The Government accepts this recommendation. Experts across government are working at pace to establish an appropriate scheme by which to deliver a financial award, acknowledging that the process is intricate and must be followed correctly. The Government encourages those impacted to indicate their interest in applying for a financial award when completing the Application and Registration of Interest form for non-financial restorative measures on the <i>LGBT Veterans: support and next steps</i> GOV.UK. Such indications of interest will enable the Government to learn more about the affected community and thereby design the most suitable scheme possible.
29	Winter 2024	There should be a time limit for making a claim for a financial award of 24 months from the time the Government publicises the financial award arrangements	The Government accepts this recommendation and encourages those affected by the Ban to indicate their interest in applying for a financial award on the form on the <i>LGBT Veterans:</i> support and next steps GOV.UK page. The page will be kept updated with information on when the application process is expected to launch. Once the financial award scheme has been launched, applications will be accepted for 24 months.
		Mental Health and Physic	cal Welfare
		The NHS	

30	September 2024	The training programme which is part of the NHS England/RCGP accreditation scheme for "veteran friendly" GP practices should be LGBT inclusive and include an awareness of the Ban and its impact on the mental health and other aspects of life of those who suffered under it.	NHS England will work with the Royal College of General Practitioners to review the current training programme. Working with the Royal College and using insights gained from the work of the Inclusion at Work Panel, current training will be updated to include an awareness of the Ban and the impact of this on mental health and other aspects of life of those who suffered under it.  NHS England will work with the Royal College of General Practitioners to update the training programme during 2024 for implementation from September 2024.
31	Ongoing	NHS England, Integrated Care Boards and the RCGP should explore ways to encourage more practices to become "veteran friendly" accredited.	NHS England accepts this recommendation.  NHS England continues to work with the RCGP and ICBs to encourage more practices to participate in this voluntary scheme and become veteran friendly accredited. Over 75% of Primary Care Networks have at least one GP practice accredited as veteran friendly. Primary Care Networks build on existing primary care services enabling greater provision of proactive, personalised, coordinated and more integrated health and social care for people close to home. Primary care networks typically serve natural communities of between 30,000 to 50,000 people, they are small enough to provide the personal care valued by both people and GPs, but large enough to have impact and economies of scale through better collaboration between GP practices and others in the local health and social care system.
32	March 2024	Consideration should be given to promoting the LGBT Foundation's "Pride in Practice" LGBT scheme or FWP's "Pride in Veterans' Standard" or something similar for primary care providers, to be	NHS England accepts the principle behind this recommendation.

		run in conjunction with the RCGP's accreditation scheme.	NHS England will review the LGBT foundations 'Pride in Practice' LGBT scheme and FWP 'Pride in Veterans' standard against the existing NHS England action plan and associated materials to support people who are LGBT across the NHS. This review will then inform any adoption of any new standards to compliment and strengthen existing work in place through the NHS England action plan, rather than potentially duplicating standards which may create confusion and dilute important messages to support people who areLGBT. NHS England will complete the review and make a final recommendation by end March 2024.
33	March 2024	NHS England or Integrated Care Boards should consider whether to commission them.	This recommendation is dependent on the outcome of the recommendation 32, which is due by end March 2024. Regardless of the outcome of recommendation 32, all ICBs are required to demonstrate they give due regard to people who are LGBT in the commissioning and provision of all NHS services, as part of the Public Sector Equality Duty.
34	March 2024	Accreditation to the Veterans' Covenant Healthcare Alliance (VHCA) should include demonstration of being LGBT inclusive and an awareness of the Ban and its impact on the mental health and other aspects of life of those who suffered under it.	NHS England accepts this recommendation. One of the priorities in the NHS England LGBT Action plan is to improve healthcare professionals' awareness and understanding of people who are LGBT, across all professions, to improve experience for LGBT patients is in place and continues to evolve. NHS England will work with the Veterans' Covenant Healthcare Alliance (VCHA) to review VCHA arrangements to ensure that this is included in the programme if not already in place for VCHA accredited organisations. Arrangements will be reviewed by end March 2024.

35	Ongoing	All reasonably practicable steps should be taken to achieve 100% of NHS Trusts being VHCA "veteran-aware" accredited.	NHS England accepts this recommendation.  NHS England and the VCHA continue to work together to encourage NHS Trusts and Foundation Trusts to become accredited as 'veteran aware'; the scheme is voluntary, however 75% of NHS Trusts and Foundation Trusts are now accredited as 'veteran aware'.
36	Ongoing	Expansion of the VHCA accreditation scheme to include care homes and hospices should be encouraged.	NHS England accepts in principle this recommendation, as care homes services are not the responsibility of NHS England; this sits with local authorities.  NHS England will work with the VCHA to support the principle of the recommendation that the scope of the voluntary 'veteran aware' accreditation scheme is expanded to include hospices and care homes.
37	Ongoing	Consideration should be given to running the NHS Rainbow Badge scheme alongside the VHCA.	Defence, the OVA and the Department of Health and Social Care (DHSC) will consider this recommendation and other options to capture the intent behind it.
38	Ongoing	Addiction treatment centres providing services in the community need to be aware that, in the case of LGBT veterans, addiction may be a manifestation of a particular service history as that may have consequences for the most appropriate treatment.	NHS England accepts the recommendation for the services that are directly commissioned by NHS England, noting that addiction treatment services are commissioned by Local Authorities.  As part of the NHS England LGBT Action plan and the commissioning of addiction services for Veterans via the OP Courage service, education and training to improve healthcare professionals' awareness and understanding of people who are LGBT, across all professions, to improve experience for LGBT patients is in place and continues to evolve.
39	Complete	There should be a greater focus in Op Courage on non-combat mental health issues arising from what took place during military service	NHS England accepts this recommendation; this is already in place. The primary focus of Op Courage is to provide trauma focussed therapeutic interventions to meet the needs veterans. Assessments undertaken within Op Courage are

			person-centred to allow clinicians to develop a treatment plan for the veteran that meets their biopsychosocial needs, this would include supporting veterans with non- combat related mental issues arising from their time in military service.
40	Ongoing	Where there is commissioning of non-NHS organisations to deliver NHS services for Op Courage, it should be ensured that the non-NHS body has the same range and standard of training as the NHS	NHS England accepts the principle behind this recommendation.  Training and education to non-NHS organisations who are directly commissioned by NHS England via a sub-contract of Op Courage to provide support to mainstream NHS services is in place and managed by Op Courage through their contracts and their Provider Collaborative arrangements. NHS England would expect that any training for non-NHS organisations is of a similar standard to that provided to the NHS. Where non-NHS services are commissioned by NHS organisations, it will be possible to stipulate training requirements to ensure consistency in training.
41	Ongoing	Regular training and assessments of those providing care in the NHS, ideally developed and funded by the NHS, should be imposed to identify, root out and educate to prevent any homophobia or prejudice.	NHS England accepts this recommendation. One of the priorities of the NHS England LGBT Action plan is to develop and share best practice education and training to improve healthcare professionals' awareness and understanding of people who are LGBT, across all professions, to improve experience for LGBT patients is in place and continues to evolve. In addition, all Integrated Care Boards are required to demonstrate they give due regard to people who are LGBT in the commissioning and provision of all NHS services.
42	Ongoing	Consideration should be given by NHS England to commissioning an appropriate e-training module to be available, not just for Op Courage services, but	NHS England accepts this recommendation. One of the priorities of the NHS England LGBT Action plan is to

43	Complete	The MoD should take steps to publicise more widely the services VWS can provide to those who served and suffered under the Ban and to provide reassurance that, notwithstanding VWS is an MoD	develop and share best practice education and training to improve healthcare professionals' awareness and understanding of people who are LGBT, across all professions, to improve experience for LGBT patients is in place and continues to evolve. In addition, all ICBs are required to demonstrate they give due regard to people who are LGBT in the commissioning and provision of all NHS services. NHS England will link to relevant national programmes to ensure translation to services directly commissioned for the Armed Forces community.  The Government accepts this recommendation. Information on the services provided by the Veterans: Welfare Scheme can be found on the LGBT Veterans: support and next steps GOV.UK page and is also included
		service, it is sensitive to the life history of this particular group of veterans and sympathetic to the adverse life consequences they have suffered as a result of the Ban.	in the current Service Leavers Pack. The Veterans Welfare Scheme is staffed by hardworking professionals who are aware of, and sensitive to, the needs of the
			community they serve.
		Female Veterans who served under and	
44	2024	Due note and weight should be given to the severity and long-term consequences of the Ban on female veterans and to their particular difficulties in accessing support, welfare and other services, whether in the public sector or the private sector, and to the need, in particular, for female only health services.	The Government accepts this recommendation. Building on the Women's Health Strategy for England, the Government commissioned research into the accessibility of services available to women veterans, the experiences of women in interacting with existing support, and the legacy of the Ban. The research is due to report back this autumn, with recommendations being used in the development of a Women Veterans' Strategy, which will be published in 2024.
			In addition, the OVA have published a consultation to seek views from veterans (including women, disabled and LGBT) and other stakeholders on the experience of

			veterans, their identity and any disadvantages they may have faced, including access to support, welfare and other services. It will allow government to gather the necessary evidence to assess any disadvantage and evaluate existing policies. If you wish to get involved, further information can be found on OVA's GOV.UK page.  The Government are also funding a PhD which will
			consider the impact of the Review, including the different experiences between sexes. Papers will begin to be published in 2024.
		Research	
45	January 2024	Insofar as it has not already done so, the Government should take note of the recommendations in the research studies and reports of Robert Gordon University, Northumbria University, Forward Assist and the University of Surrey mentioned in the body of this report and decide what action to take in response to them.	The Government accepts this recommendation. The findings of some reports mentioned in this recommendation were referred to in the LGBT Veterans Independent Review. The Government will consider the recommendations from these reports and act where appropriate.
46	<ol> <li>2024</li> <li>Ongoing</li> <li>Complete</li> <li>2024</li> </ol>	In addition, the following further areas of research and the way future research into the Armed Forces should be conducted merit consideration. The UK Armed Forces Veterans' Census 2021 in England and Wales, which is to be warmly welcomed, may provide relevant data.  1. Analysis could be undertaken of the responses to the Call for Evidence in order to understand what might be relevant to LGBT people who are serving in the Armed Forces today so that that the lessons from what happened before are learned. Put in a different way, this	[R46(1)] The LGBT Veterans Independent Review undertook analysis on the Call for Evidence testimonies. This Analysis Report can be found on the Review's website (a link can be found on the <i>LGBT Veterans: support and next steps</i> GOV.UK page).  The Government are committed to further research and actively engaging with research into health and wellbeing of LGBT personnel and veterans. In addition, the Government are directly funding PhD research, which is building on evidence gathered in the review, including research into current serving LGBT personnel.

report describes the type of abusive treatment and bigotry endured by Service personnel who were or were perceived to be LGBT at the time of the Ban. The MoD and the individual Services should assess in a detailed study whether such treatment and bigotry, in all its different forms, still exist and, if so, what is to be done about that.

- 2. A good-sized quantitative study of LGBT veterans could be undertaken to understand how their experiences differ from LGBT people who have never served. This would require looking at what measures and approaches major studies of LGBT people have used and using a similar approach with LGBT veterans.
- 3. It would be helpful to ensure that future studies of the Armed Forces consider whether to enquire whether a person's orientation is LGBT so that it can be understood how LGBT people within the Armed Forces are faring compared to those who are not LGBT and to ensure that there are a sufficient number of LGBT personnel to draw conclusions.
- 4. It might be useful to assess in due course what has been the impact of this Review on LGBT veterans, and to

[R46(2)] The Government will consider taking forward a quantitative study, but further information will be required on the intention of this recommendation.

[R46(3)] Questions relating to sexual orientation or gender identity are not asked during the initial recruiting process. If information does become apparent through the process (through good relations between recruiter and candidate for example), it is not recorded. When a recruit is successful in joining, they are given a JPA account where they can, if they wish, record their sexual orientation, resulting in Defence being dependent on personnel declaring their sexual orientation in order to truly reflect LGBT personnel in our Armed Forces.

There are no plans for this to be made compulsory, as monitoring sexual orientation/gender identity is not obligatory for employers and employees are not obliged to provide information about their sexual orientation by law. However, the Government will consider whether to enquire about a person's sexual orientation in future studies into the Armed Forces.

[R46(4)] The Government are committed to further research and are content for this to consider the impact of the Review, with the Government funding a PhD which will consider the impact of the Review, including the different experiences between genders. Papers will begin to be published in 2024.

		consider, in the light of that assessment, whether lessons can be learned for future review processes.  Following publication of the	is Report
47	Immediate	Once this Report and the Government's response are published, the MoD and the OVA should use all reasonable means to encourage LGBT veterans who are the subject of this Report to make a timely claim for any benefit to which they are entitled as a result of the Review.	The Government accepts this recommendation and has worked collaboratively to engage with networks, the media and third sector parties to implement a comprehensive action plan to reach the affected cohort and encourage them to register their interest via the forms on the <i>LGBT Veterans:</i> support and next steps GOV.UK page.
48	Complete	There should be established a website which hosts this Report, the Government's response, information gathered by the Review, including statements provided in response to the Call for Evidence and any other related material.	The Government accept this recommendation. The website is now live, and a link can be found on the <i>LGBT Veterans:</i> support and next steps GOV.UK page.
49	Immediate	The Government should consider whether LGBT veterans who served under the Ban but who, for whatever reason did not respond to the Call for Evidence, and now wish to tell their story, should be able to do so as part of a historical record of LGBT veterans' experiences.	The Government accepts this recommendation.  Details of how those affected can submit their testimony for archiving at the National Archives, alongside those submitted to the Independent Review, as part of the historical record can be found on the <i>LGBT Veterans:</i> support and next steps GOV.UK page record.