



Ministry  
of Defence

# Restoration of rank and/or commission for Veterans of the Ban

Public policy for the restoration of rank and/or commission for those demoted in consequence of dismissal or discharge pursuant to the policy that homosexuality was incompatible with life in the Armed Forces between 1967 and 2000.

27 February 2026

Version 2

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**Publication**

This is version 2.0 of the guidance which was published on 27 February 2026. This document will be kept up to date. Amendments to subsequent versions will be made in the table below

Version	Date	Title	Summary of change
1.0	12 Dec 2024	Initial issue of document	N/A
2.0	27 Feb 2026	Purpose of the policy	Added lines to clarify the purpose of the policy, legal advice & appeal process.

## Background

Defence and the Office for Veterans' Affairs jointly commissioned an independent review to better understand the experiences, impacts and implications of the policy prohibiting homosexuality in HM Armed Forces between 1967 and 2000.

One of the recommendations made by the Independent Review was that 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 purpose of this policy

1. This policy sets out the eligibility criteria and process to be followed in seeking to right the historic wrong of Service Personnel being demoted in rank in consequence of dismissal or discharge for same-sex sexual activity; actual or perceived sexual orientation; or gender identity.
2. The restoration of rank and/or commission is derived from Recommendation 3 of Lord Etherton's Independent Review.
3. Applicants who meet the eligibility criteria under this policy may have their commission or rank restored to what it was immediately before dismissal or discharge where they were demoted as a consequence of discharge or dismissal pursuant to the Ban. The restoration of Rank and commission aims to restore veterans' pride in their Service, and recognises the achievements made during their Service.
4. This policy will only apply to those that were dismissed or discharged as a direct result of the historic policy that homosexuality was incompatible with life in HM Armed Forces between 27 July 1967 and 12 January 2000.

# The criteria for the application of this policy

5. A person may apply for restoration of rank and/or commission if the following qualifying criteria are met:
  - a. The demotion of rank or termination of commission was a consequence of administrative discharge or dismissal on the ground of:
    - I. sexual orientation, or
    - II. gender identity.
  - b. The demotion took place between 27 July 1967 and 12 January 2000.
  - c. The demotion took place immediately prior to discharge or dismissal.
  - d. Any connected conviction or administrative discharge has been Disregarded under the Home Office Disregard and Pardon Scheme ([Apply to remove a conviction for gay sex offences on GOV.UK](#)) or qualified under restorative measures being provided by Defence ([LGBT veterans: Apply for restorative measures on GOV.UK](#)).
  - e. There is no evidence of other misconduct which may have warranted demotion, i.e., it is based solely on perceived sexual orientation or gender identity.

# Application and Registration of Interest Form

6. To submit an application, the applicant must complete the relevant 'Application and Registration of Interest' form on the [LGBT Veterans: support and next steps](#) on GOV.UK page.
7. To complete the form, the applicant must provide:
  - a. the name, address, and date of birth of the affected veteran.
  - b. the name of the affected veteran at the time of discharge (if different), the veteran's Service number and Service dates.
8. An application can be made by a Person of Sufficient Interest, if the person demoted has died. A person with sufficient interest for the purpose of this policy is deemed to be:
  - a. The Personal Representative of the deceased's estate.
    - This will be the Executor named on the Grant of Probate/Confirmation (only in Scotland) where the deceased had a will.
    - This will be the Personal Representative named on the Letters of Administration where the deceased had no will.
  - b. A person who is entitled to personal property under the proved will of the deceased.
  - c. Official Next of Kin of the Deceased.

This will be the first person from the following list who is still alive:

    - Surviving Spouse or Civil Partner
    - Children (or their descendants)
    - Parents, brothers or sisters (or their descendants)
    - Half siblings (or their descendants)
    - Grandparents
    - Uncles or aunts (or their descendants)
    - Half uncles or aunts (or their descendants)

d. A person who meets one of the following definitions:

- A person who was in a relationship or living with the person who has died as their long-term partner.
- Any person who was treated as a child of the deceased.
- Any person who immediately before the death of the deceased was being financially supported, either wholly or partly, by the deceased.

9. Appropriate supporting evidence will be required for the consideration of applications by persons with sufficient interest to confirm identity and relationship to veteran.

10. Where a person with sufficient interest is making the application on behalf of a deceased veteran, they must provide:

- The name and address of the person making the application.
- The relationship of the person making the application to the person who has died and required evidence to support this.
- The name, date of birth, Service dates and Service number of the person who has died.
- A copy of the death certificate for the person who has died.

## How will the policy be implemented?

11. The restoration of rank process will follow the below steps:

- a. Upon receipt of the relevant application form, records will be retrieved and examined to confirm that the individual meets the criteria set out in paragraph 5 above. If the reason for demotion is unclear, corroborative information may be sought from the applicant.
- b. The application will be reviewed by single-Service personnel staff who will make a recommendation to the Naval Secretary/Air Secretary/Military Secretary (or their delegates), as Decision Maker, on whether to approve or deny the application for Restorative Measures. The Decision Maker shall communicate their decision to the Service allocated LGBT Point of Contact who will confirm the outcome to the applicant, alongside the delivery of other restorative measures if appropriate.
- c. If the criteria are met, the decision will be communicated to the applicant, and rank will be restored on records held by the Ministry of Defence to that held immediately prior to demotion.

## Deliberation under this policy

12. Each request will be considered against the published criteria and a determination made on a case-by-case basis, taking into account the requirements laid out above.
13. For restoration to be considered under this policy, there must either be clear evidence that discharge/dismissal from the Service and demotion in rank was for a reason connected with sexual orientation or gender identity, or the absence of evidence of other misconduct/unsuitability that would have resulted in demotion and discharge/dismissal, and otherwise good conduct. This is likely to be evident from personnel and discipline records.
14. Applications will be considered on a reverse burden of proof basis. This means that the burden of proof will lie with Defence rather than the applicant to determine whether a fact or matter occurred. Unless Defence finds evidence to contradict the reported events or facts stated by the applicant, Defence will accept that the facts or experiences reported took place if on a balance of probabilities, they are more likely to have occurred than not.
15. The Single Service Point of Contact may seek legal advice where the outcome is unclear.

## Appeals and Review process

16. An applicant has the right to request an appeal against a restoration of rank and/or commission outcome.
17. **Appeal Criteria.** An applicant may request that their application for the restoration of rank and/or commission under this policy is reconsidered on one or more of the following grounds:
  - a. That there was a material error of fact within the original decision on the application.
  - b. That there was a material procedural error in the processing of the application.
  - c. That there is new evidence that was not considered as part of the original application, and it is likely that the outcome of the application would have been materially different if the new evidence had been available in making the decision on the application.
18. Appeals will only be accepted if they meet at least one of the appeal criteria set out above.
19. Applicants may request an appeal form by emailing the LGBT Restorative Measures Team (email: [LGBT-RestorativeAction@mod.gov.uk](mailto:LGBT-RestorativeAction@mod.gov.uk)). Applicants must submit an appeal request within three calendar months of the date of the restoration of rank and/or commission outcome letter. The three calendar month period may be extended if there are compassionate or personal reasons why the applicant did not or could not raise the Appeal Request within three calendar months. The reason should be supported by evidence.
20. If the Appeal Request does not meet the criteria for an appeal, the applicant will be informed by the Defence LGBT Restorative Action Team.
21. An applicant may submit up to two Appeal Requests. If an applicant is informed that their first Appeal Request does not meet the appeal criteria, they will have the option to submit a second Appeal Request. Applicants submitting a second Appeal Request will have a further 2 weeks from the date of the first appeal decision letter to do so and must submit the relevant forms to the Defence LGBT Restorative Action Team. If the second Appeal Request does not meet the criteria, this will conclude the application and appeal process for the restoration of rank and/or commission, and no further Appeal Requests will be permitted.
22. **If an appeal is accepted**, Defence will arrange an Appeal Board which consists of: at least one member of the Defence LGBT Restorative Action team; at least one member of the relevant Service, who was not involved in the original decision; at least one lawyer from the relevant Service and at least one Senior Civil Servant, who will act as Chair.

23. The Appeal Board will review any evidence available, including any new evidence provided by the applicant, and come to a decision. The Defence LGBT Restorative Action Team will inform the applicant of the outcome in writing.
24. If an Appeal Request meets the appeal criteria and proceeds to the Appeal Board for judgement, no further Appeal Requests relating to restoration of rank and/or commission may be submitted. An applicant cannot appeal against an Appeal Board judgement.
25. **Withdrawal of an Appeal Request.** An applicant may withdraw their Appeal Request in writing at any time. Withdrawal of the appeal will revert the application to the position it was in prior to the appeal, and the previously issued restoration of rank and/or commission will remain extant.