

Section 2: Bans and Witch-Hunts, 1974–1992

In 1973, gay rights newsletter *CAMP Ink* published a story titled ‘so you want to be a WRAAF’. The article detailed the intimidating RAAF Police investigation and interview targeting a lesbian airwoman, compelling her to request her own discharge. Her case and another received mainstream media coverage later that year, prompting the Defence Minister, Lance Barnard, to call for a consistent, tri-services approach to homosexuality that would be ‘liberal, understanding, and designed to cause the least embarrassment in such situations whilst safeguarding the interests of the Service’.¹ This was to be the first explicit policy on homosexuality applicable across the three services.

In June 1974, Barnard approved the new framework for dealing with homosexuality, which drew heavily on precedents. It was the responsibility of the service police to investigate any case of suspected homosexuality, male or female. Only a minority of cases would be dealt with as disciplinary matters: those involving sexual assault, minors or a significant rank imbalance. All other cases would be dealt with administratively. Those found to be ‘confirmed homosexuals’ – again as opposed to cases of experimentation (rarely ever accepted, anyways) – could request their own honourable discharge, or else be dishonourably discharged ‘service no longer required’. Not surprisingly, the majority of gays, lesbians and bisexuals would choose the former.

The rules said that suspected homosexuals should be dealt with ‘sympathetically’ and ‘with discretion’. Oral histories and media reports suggest that this was rarely the case. LGB service members from the 1970s and 1980s recall surveillance outside their homes, secret searches, undercover police visiting gay and lesbian establishments, and being summoned on short notice to interviews. Service police asked questions about suspects’ sex lives, eliciting graphic details. The interviews could go on for hours or even

days until, in most cases, the suspects at last cracked and confessed to being homo/bisexual. Despite this, the police still wanted to know about their sexual practices and, most importantly, the names of LGB members of the forces. Service police would then extend the investigation net to target others in what became colloquially known as witch-hunts. Some of the more prominent witch-hunts were:

- At RAAF Base Point Cook in December 1981, leading to the discharge of five airmen. This case was reported in *Truth*.
- At the RAAF Academy in March 1982, uncovering a gay network connected to one cadet. Richard Gration's chapter on pXX explains this witch-hunt in more detail.
- Several ex-servicewomen recall a witch-hunt that began at the women's inter-services hockey tournament in 1987. One lesbian hit on a straight woman, setting off the witch-hunt across the three services.

Statistical data on homosexual investigations and discharges, collected within the ADF about the period 1987–1992, provides some insights into police practices. The RAAF had the most discharges at 45, compared with 27 for Navy and more than double the 22 for Army. This aligns with anecdotal suggestions that the RAAF Police were more aggressive in their pursuit of LGB members. Another revealing statistic is the gender breakdown: 55 per cent of Army investigations were of women, suggesting that the Army Special Investigations Branch (SIB) was disproportionately targeting women. The proportion of female investigations was much lower in the Navy at only 18.5 per cent (a gender breakdown is not available for Air Force). The number of officers discharged was only three in the RAAF and two in the Army (not available for Navy). Oral histories suggest that these numbers are probably under-counting, but they do reflect a wider trend: officers were less likely to be targeted in witch-hunts.² This data also shows that the police services exercised significant agency determining if, when and whom to target (or not) for suspected homosexuality.

The services periodically updated the ban, though the general procedures never changed substantially. The most comprehensive updated order was DI(G) PERS 15-3. Promulgated in November 1985, the document listed four justifications for the ban:

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1. Command and morale – to retain discipline among troops.
2. National security – the threat of blackmail against gays and lesbians.
3. Health – an allusion to HIV/AIDS among gay men as a health threat.
4. Minors – to protect minors in the ADF.

Critics consistently pointed out that these rationales were illogical. For instance, the health and minors arguments played on false stereotypes of gay men as carriers of HIV and as sexual predators. The national security argument could just as easily apply to heterosexuals engaged in extramarital affairs or involved in vices such as gambling. Moreover, removing the ban would eliminate the threat of blackmail. The argument about morale was the same used by the US forces to justify racial segregation until 1948, and strong leadership could overcome any potential breakdowns in discipline.

Defence members had few channels to challenge this ban. Some complained to the Defence Force Ombudsman, prompting him to write to the Chief of the Defence Force (CDF) in 1988 requesting further justification for the ban. The CDF, General Peter Gratton, consulted within the leadership of the services and wrote back to the Ombudsman repeating the four standard explanations with more detail. The Defence Force Ombudsman's annual report in 1989 accepted the CDF's justification, while noting that it was speculative rather than based on any concrete evidence. Even if the Defence Force Ombudsman had opposed the ban, he only had the authority ensure that the ADF was properly following the procedures outlined in DI(G) PERS 15-3.

In the 1970s, the Campaign Against Moral Persecution (CAMP) occasionally challenged discrimination in the military, but through the 1980s there was almost nil LGB activism against the ban. In 1990, a lesbian servicewoman challenged her dismissal at the Human Rights and Equal Opportunities Commission (HREOC), prompting an investigation into not only her case but the ban more widely. Over the course of 1991 and into early 1992, the HREOC negotiated with the ADF in the hopes that they would lift the ban. These efforts came to nought when in June 1992 the Defence Minister, Senator Robert Ray, announced that the LGB ban would remain. The HREOC then turned to the Attorney-General, Michael Duffy, arguing that the ban violated Australia's obligations under both the International Labour Organization and the International Covenant on Civil

and Political Rights. Duffy challenged the legality of the ban under international law, prompting Prime Minister Paul Keating to set up a Caucus Joint Working Group on Homosexual Policy in the Australian Defence Force. The Caucus Joint Working Group methodically examined the international law question and took submissions and testimonies from the service chiefs and gay rights activists. In September 1992, in a 4–2 split, the Caucus Joint Working Group recommended the repeal of the LGB service ban.

Still, Duffy and Ray could not come to an agreement, so they prepared separate Cabinet submissions. On 23 November 1992 Cabinet met; Ray and Duffy presented their cases, and each member of Cabinet had the opportunity to express their opinion. The majority, including Keating, agreed with Duffy’s argument and Cabinet lifted the ban, opening the door for LGB, but not transgender, service. Keating’s press release said: ‘This decision reflects broad support in the Australian community for the removal of employment discrimination of any kind, including discrimination on grounds of sexual preference. The decision brings ADF policy into line with the tolerant attitudes of Australians generally.’ By 1994, the Coalition indicated that if elected they would not bring back the ban, confirming gay, lesbian and bisexual service as part of the ADF landscape.³

¹ E.J. Wheeler, ‘Policy on Homosexuality in the Services: Report by the Principal Administrative Officers Committee (Personnel)’, May 1974, in National Archives of Australia (NAA), 1985/18156 PART 1.

² Australian Senate, Estimates Committee B, Report to the Senate, ‘1992-93 Senate Estimates Hearing Committee B – 23 September 1992 Questions on Notice’, 144-45. See also documents from September – October 1992 in NAA, A6721, 1985/18156 PART 4 and PART 5.

³ Noah Riseman, 'Outmanoeuvring Defence: The Australian Debates over Gay and Lesbian Military Service, 1992', *Australian Journal of Politics and History* 61, no. 4 (2015): 562-75.