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Journal article

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Riseman, Noah

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Hunting Gays and Lesbians in the Australian Defence Force, 1974-92

Noah Riseman

Australian Catholic University

In March 1991 the monthly gay magazine OutRage published a feature story revealing Royal Australian Air Force (RAAF) procedures for investigating suspected gays and lesbians. The article described how RAAF Police often deployed twenty-four hour surveillance, sent undercover officers into gay clubs, saunas and beats, and conducted intimidating interviews that usually resulted in lesbian, gay and bisexual (LGB) service members' expulsion.¹ The OutRage article caused a stir among Australian Defence Force (ADF) top brass because it specifically named three undercover agents in the RAAF Directorate of Security Services, and also because it exposed practices that ran counter to principles of presumed innocence and natural justice.² The next issue of OutRage included a letter from an ex-serviceman who "found the article's content to be most accurate,"³ and, as my discussion of oral interviews will demonstrate, even over

¹ "in defence of the realm?" OutRage, March 1991, 16-20. In this article I use the acronym LGB because the policies and investigations I discuss were specifically about sexuality, not gender identity. The ADF had different rules relating to transgender and intersex people. I discuss the history of transgender service in Noah Riseman, "Transgender Policy in the Australian Defence Force: Medicalization and Its Discontents," International Journal of Transgenderism 17, no. 3-4 (2016): 141-54.

² Richard Gration, interview with author, 13 December 2016, Sydney.

³ Terry Parkes, "raaf sex spies," OutRage, April 1991, 64.

twenty-five years later, numerous LGB ex-servicemen and women recollect personal experiences that align with the descriptions in this article.

In early 2018, under a Freedom of Information request, the office of ADF Provost Marshal Andrew Roberts released data confirming that service police from the RAAF, Navy and Army investigated at least 489 males and 165 females for homosexuality between 1967 and 1992.⁴ This incomplete tally reveals a consistent stream of investigations especially after 1973. It also shows that women were disproportionately targeted--representing twenty-five percent of the investigations even though they made up less than ten percent of ADF members for most of this era.⁵ Just this macro-data, incomplete though it may be, shows that policies banning LGB service targeted several hundred Defence members over the final twenty-five years before the Australian Government lifted the LGB ban in November 1992.⁶ This article will return to other quantitative

⁴ "Request statistics regarding investigations around homosexuality," 26 April 2018, Freedom of Information Disclosure Log FY 17/18, Department of Defence, available from http://www.defence.gov.au/FOI/Docs/Disclosures/358_1718_Documents.pdf, accessed 2 October 2018.

⁵ Interestingly, this mirrors American data on gender and discharges for homosexuality. See Steve Estes, "Ask and Tell: Gay Veterans, Identity and Oral History on a Civil Rights Frontier," *Oral History Review* 32, no. 2 (2005): 41.

⁶ See 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.

data for further analysis about the relationships among discharges, rank, gender and branch of service.

Due to privacy provisions under Australia's Archives Act, the 654 identified case files are generally not accessible for researchers. We are only able to access files with the permission of the LGB person investigated, and even then parts of the documents are redacted. The only publicly available records relating to LGB service are policy-related, and these are valuable for understanding the thinking of ADF leadership when formulating and defending the LGB ban. Such documents, including a 1982 Court of Inquiry investigating RAAF Police procedures, are also useful to understand what was (and was not) officially sanctioned during investigations of suspected LGB personnel. What these documents usually do not tell is how the investigations proceeded in practice, nor do they reveal the effects investigations had on LGB Defence members. Oral histories with LGB ex-service members are thus a valuable complementary set of sources to understand the history of how the ADF policed sexuality under the LGB service ban. Some narrators even kept personal archives that reinforce their memories of service police practices.⁷

My argument in this article relies on a mix of Defence documents, media reports and oral histories to chart the methods and effects of ADF investigations into homosexuality from the period 1974-92. My colleagues Shirleene Robinson, Graham Willett, and I have conducted 140 oral history interviews with lesbian, gay, bisexual, transgender and intersex (LGBTI) Defence members, past and present, as part of a project on the history of LGBTI military service in the

⁷ Noah Riseman, "The Interview-Document Nexus: Recovering Histories of LGBTI Military Service in Australia," Archivaria 87 (forthcoming Spring 2019).

post-Second World War era. Sixty-seven LGB interview participants performed part or all of their service during the heightened ban period between 1974 and 1992. The Departments of Defence and Veterans' Affairs Human Research Ethics Committee approved our application to conduct these interviews (protocol 762-14). We contacted the interview participants through a variety of means: word of mouth with other LGBTI Defence members; advertisements in the LGBTI press; and, particularly for current members, announcements through Defence LGBTI Information Service (DEFGLIS). All interviewees had the option of using their real names or pseudonyms, and in this article I reference the participants accordingly. We have also gone through records in the National Archives of Australia, Australian Lesbian and Gay Archives and personal archives shared by interview participants. The evidence collectively suggests a significant disconnect between how the ADF top brass suggested was the purpose of the policies on homosexuality--to outline procedures to investigate suspected cases of homosexuality in a fair and sensitive manner--and the harsh methods used by service police who implemented the policies. Yet, it was also this very disconnect between policies, rhetoric and practice that eventually sowed the seeds for the LGB ban's dismantling in November 1992.

Composure or Consistency?

To date there has been little research into the history of LGB military service in Australia, and the majority of existing work focuses on the world wars. Scholarly investigations on similar topics in the United States, the United Kingdom and Canada focus on the formulation of policies banning gay and lesbian military service, weaved with oral histories recollecting the lived

experiences of LGB service members during the wars.⁸ Only in the United States is there work on the post-Second World War histories of LGB military service, focusing especially on the biographies of those service members targeted and discharged under discriminatory policies. Oral histories are a principal source base for those texts, the most prominent being Randy Shilts's Conduct Unbecoming: Lesbians and Gays in the U.S. Military, Vietnam to the Persian Gulf, and Steve Estes's Ask & Tell: Gay and Lesbian Veterans Speak Out.⁹ These texts all present excellent narratives of LGB military service history, though only in one journal article

⁸ See for example: Allan Berube, Coming out under Fire: The History of Gay Men and Women in World War Two (New York: Free Press, 1990); Paul Jackson, One of the Boys: Homosexuality in the Military During World War II (Montreal: McGill University Press, 2004); Emma Vickers, Queen and Country: Same-Sex Desire in the British Armed Forces, 1939-45 (Manchester: Manchester University Press, 2013); and Stephen Bourne, Fighting Proud: The Untold Story of the Gay Men Who Served in Two World Wars (London: I.B. Taurus, 2017).

⁹ Randy Shilts, Conduct Unbecoming: Lesbians and Gays in the U.S. Military, Vietnam to the Persian Gulf (London: Penguin Books, 1993); Steve Estes, Ask & Tell: Gay and Lesbian Veterans Speak Out (Chapel Hill, NC: University of North Carolina Press, 2007). Other relevant texts are: E. Lawrence Gibson, Get Off My Ship: Ensign Berg Vs. The U.S. Navy (New York: Avon Books, 1978); Mike Hippler, Matlovich, the Good Soldier (Boston: Alyson Publications, 1989); Mary Ann Humphrey, My Country, My Right to Serve: Experiences of Gay Men and Women in the Military, World War II to the Present (New York: Harper Collins, 1990); Stephen Snyder-Hill, Soldier of Change: From the Closet to the Forefront of the Gay Rights Movement (Lincoln: University of Nebraska Press, 2014).

does Estes discuss oral history theory as it relates to his methodology and analysis.¹⁰ Yorick Smaal's 2015 book Sex, Soldiers and the South Pacific, 1939-45 is the first monograph about gay service in Australia and focuses on the Second World War. Smaal explores examples of men cruising for homosex in Brisbane and homosexual subcultures among servicemen deployed to Papua New Guinea.¹¹ Only Ruth Ford has examined post-war homosexual experiences in the Australian military, focusing on oral histories of lesbian servicewomen in the 1950s and 60s. Ford's lesbian interview participants report that service police regularly hunted and discharged lesbians from military service.¹² Our project is the first comprehensive investigation into the history of lesbian, gay, bisexual, transgender and intersex military service in Australia in the post-war era. We have published one monograph, Serving in Silence? Australian LGBT Service Men and Women, which uses fourteen LGBT current and ex-service members' life stories to

¹⁰ Estes, "Ask and Tell," 21-47.

¹¹ Yorick Smaal, Sex, Soldiers and the South Pacific, 1939-45: Queer Identities in Australia in the Second World War (London: Palgrave Macmillan, 2015). See also Yorick Smaal and Graham Willett, "Eliminate the 'Females': The New Guinea Affair and Medical Approaches to Homosexuality in the Australian Army in the Second World War," in The Pacific War: Aftermaths, Remembrance and Culture, ed. Christina Twomey and Ernest Koh (Abingdon, UK; New York: Routledge, 2015), 233-50.

¹² Ruth Ford, "Disciplined, Punished and Resisting Bodies: Lesbian Women and the Australian Armed Services, 1950s/ 60s," Lilith, no. 9 (1996): 53-63.

chart the changing experiences of LGBT service members.¹³ We have also authored book chapters and journal articles about: policy evolution towards LGBTI people from the Second World War to the present;¹⁴ how gay and lesbian activists did (and did not) challenge the LGB ban in the 1970s-80s;¹⁵ the political debates in 1992 over lifting the LGB ban;¹⁶ the history of policies and lived experiences of transgender service members, especially since 2000;¹⁷ and the lesbian subcultures in the women's services from the 1960s-80s.¹⁸ This article focuses on the investigations of LGB service members during the period of the heightened LGB ban, from 1974 until 1992.

There are striking similarities across the various eyewitness accounts of military police investigation procedures. This is not dissimilar to oral histories informing the American

¹³ Noah Riseman, Shirleene Robinson, and Graham Willett, Serving in Silence? Australian LGBT Servicemen and Women (Sydney: NewSouth Publishing, 2018).

¹⁴ Noah Riseman, "From Witch Hunts to Pride Balls: The ADF and LGBTI Service Personnel," in Beyond Combat: The Australian Military Off the Battlefield, ed. Tristan Moss and Tom Richardson (Sydney: NewSouth Publishing, 2018), 29–44

¹⁵ Noah Riseman, "Activism and Australia's Ban on Gay, Lesbian and Bisexual Military Service in the 1970s–80s," Australian Feminist Studies 33, no. 95 (2018): 151–56.

¹⁶ Riseman, "Outmanoeuvring Defence," 562–75.

¹⁷ Riseman, "Transgender Policy in the Australian Defence Force," 141–54.

¹⁸ Shirleene Robinson, "Sexuality at a Cost: Lesbian Servicewomen in the Australian Military, 1960s–1980s," in Beyond Combat, 45–58.

literature, which documents numerous examples of common investigation procedures.¹⁹ As I will demonstrate, common narrative tropes in the Australian interviews include the service police visiting the LGB suspect's home or workplace, hauling the accused in for an interview, and then asking intimidating questions--sometimes for hours on end--about their friends, relationships, places they hung out, sex lives and knowledge of other homosexuals. The police interrogators were always determined to have the suspect name other LGB military personnel. While all of our interview participants insisted that they did not give into this pressure, many of these people were themselves reported by others. Indeed, these interrogations were a key strategy for finding other suspects, and by the 1980s the increasing number of investigations searching for homosexuals became colloquially known as witch-hunts.²⁰

Using oral history interviews as evidence involves inherent tensions or even paradoxes: when researchers have only a small number of oral histories, they face accusations that the sample is not representative. When there are many oral histories that corroborate common tropes, the interviewers may be accused of constituting composed memories that are therefore inaccurate and unreliable. Graham Dawson introduced the concept of "composure" to scholarly discussions

¹⁹ Shilts, Conduct Unbecoming, especially 99-288 and 373-722; Humphrey, My Country, My Right to Serve; Estes, "Ask and Tell," 21-47.

²⁰ On the social construction of witch-hunts, see Ross E. Cheit, The Witch-Hunt Narrative: Politics, Psychology, and the Sexual Abuse of Children (New York: Oxford University Press, 2014), 6; 86.

of oral history theory in the 1990s,²¹ and it has since become a common analytical framework to discuss how people frame their memories, and the reliability of those memories. Composure has a double meaning: first it refers to how a narrator actually constructs, or composes, a narrative about themselves; second, it describes how narrators seek a sense of poise (composure) as they tell the story.²² The literature on composure describes two tendencies displayed by interviewees who narrate their own histories: they tend to compose their memories around what is publicly acceptable; or, alternatively, they will seek out public audiences that affirm their identities as presented in the framing of memory.²³

The other aspect of composure that has drawn significant critical attention is the relationship between dominant historical narratives and memories. There does not have to be a dominant narrative for people to compose their memories. Rather, oral historians argue that when there is a dominant public narrative, it may influence composure. Alistair Thomson's interviews of Australian First World War veterans, conducted in the 1980s, found a strong link

²¹ Graham Dawson, Soldier Heroes: British Adventure, Empire and the Imagining of Masculinities (London and New York: Routledge, 1994), 23.

²² Penny Summerfield, "Culture and Composure: Creating Narratives of the Gendered Self in Oral History Interviews," Cultural and Social History 1, no. 1 (2004): 69.

²³ Alistair Thomson, "Anzac Memories: Putting Popular Memory Theory into Practice in Australia," in The Oral History Reader, ed. Robert Perks and Alistair Thomson, 2nd ed. (London and New York: Routledge, 2006), 245; Summerfield, "Culture and Composure," 92–93; Nan Alamilla Boyd, "Who Is the Subject? Queer Theory Meets Oral History," Journal of the History of Sexuality 17, no. 2 (2008): 188.

between dominant, popular narratives of the war and how veterans composed their own memories. Thomson discussed the potency of popular culture and public discourse in shaping how individuals composed their memories to align with the dominant narratives of the battles of Gallipoli and service on the Western Front.²⁴ Thomson drew heavily on the work of the United Kingdom-based Popular Memory Group, a group of scholars who aimed to explore the presentation of, and uses of, history in non-academic circles. In a 1982 article theorizing their project, the Popular Memory Group collective wrote that “Private memories cannot, in concrete studies, be readily unscrambled from the effects of dominant historical discourses. It is often these that supply the very terms by which a private history is thought through.”²⁵ Wolf Kansteiner, Anna Green, and Penny Summerfield have similarly emphasized that public

²⁴ Thomson, "Anzac Memories," 244–54; Anzac Memories: Living with the Legend, 2nd ed. (Clayton, VIC: Monash University Publishing, 2013); "Anzac Memories Revisited: Trauma, Memory and Oral History," The Oral History Review 42, no. 1 (2015): 1–29. There have been numerous scholarly works about the difficulties confronting historians who challenge dominant narratives and mythologies of Australian military history. See Marilyn Lake and Henry Reynolds, What's Wrong with Anzac? The Militarisation of Australian History (Sydney: UNSW Press, 2010); Martin Crotty and Craig Stockings, “The Minefield of Australian Military History,” Australian Journal of Politics and History 60, no. 4 (2014): 580-91.

²⁵ Popular Memory Group, "Popular Memory: Theory, Politics, Methods," in The Oral History Reader, 2nd ed., 46.

discourse influences and shapes composure.²⁶ In different historical case studies, all three scholars conclude that individual and collective memories function in a dialogic relationship. As Lynn Abrams notes in her discussion of oral history theory: "People do not merely absorb dominant discourses, use them to shape their own life narratives and spout them back at the interviewer. Clearly there are gaps and tensions between individual accounts and dominant or public representations which may emerge in the interview context. These may be difficult to traverse."²⁷ The role of composure can also be overemphasized as an explanation for how and why individuals remember particular events. Anna Green has insisted that interviewers must consciously affirm their interviewees' agency and respect "the capacity of the conscious self to contest and critique cultural scripts or discourses." Indeed, Green notes that there is often tension between individual and collective memories and that individuals sometimes consciously aim to disrupt the dominant historical narratives.²⁸ Therefore, oral historians must regularly grapple with the ways dominant narratives can influence or even shape how interview participants

²⁶ Wolf Kansteiner, "Finding Meaning in Memory: A Methodological Critique of Collective Memory Studies," History and Theory 41, no. 2 (2002): 187–88; Anna Green, "Individual Remembering and 'Collective Memory': Theoretical Presuppositions and Contemporary Debates," Oral History 32, no. 2 (2004): 37–38; Summerfield, "Culture and Composure," 34.

²⁷ Lynn Abrams, Oral History Theory (London and New York: Routledge, 2010), 69.

²⁸ Green, "Individual Remembering and 'Collective Memory'," 42. See also Abrams, Oral History Theory, 30.

compose and narrate their memories of particular events, affecting the reliability of their memories.

As outlined later in this article, Australian LGB ex-service members describe investigations and interrogations with striking similarity. One possible reading of these similarities would be that through decades of telling and retelling of stories, LGB ex-service members have composed their memories around a dominant narrative which includes witch-hunts, police interrogations and devastating discharges (whether honorable or dishonorable) from the ADF. Such a reading would suggest that the oral histories are not necessarily reliable as sources. The second possible interpretation is that military police procedures were so standardized and fine-tuned over the years that it is not surprising that interview participants describe investigations as operating in a similar fashion. I accept the second possibility while still acknowledging that composure may play a role in shaping some LGB ex-service members' memories. The main rationale to disregard the composure argument in this context is that there has not been a dominant narrative of Australian LGB military service until the intervention of this research project. To demonstrate this point: in January 2018, I conducted an interview with ex-RAAF member Danny Liversidge. His recollection of the interrogation process in 1991 outlined similar procedures as other participants. Yet, until our interview, Danny believed that what happened to him was individualized, and he had no knowledge of a wider set of policies dictating how to handle investigations for homosexuality:

DL: So of course you take the, you decide to discharge, elect discharge, which unfortunately came back to bite me because it turned out, obviously it was a very well-planned path, it's a path that they've used before I'm sure...

Interviewer: It's what the policy actually says. I can show you the policy. What the policy said was, they saw it as being quite generous in the policy, because the policy said, "If someone's caught either they get the dishonourable discharge or we will give them the right to request it themselves and get an honourable." So they saw that as being a, as a sort of benign, "Oh, but we're letting you discharge honourably rather than this." That's what the policy was.

DL: I had no idea that was the policy.

Interviewer: I'll print you a copy of it.

DL: I'd love to read it.²⁹

This exchange effectively demonstrates that Danny was not composing his memory against a dominant narrative, because there was no dominant narrative about the investigation and discharge process for LGB service members.

Alistair Thomson notes that "When a life story does not match socially accepted versions of the past--ranging from reminiscence within the family or a veterans' group, through to the wider context of collective, national remembrance--then that dissonance is difficult and can be silencing."³⁰ That was certainly the case for many LGB people expelled from the ADF. The sheer shock of their discharges, particularly during an era when many were still not out to their friends or family, led many to lie about why they had left the ADF. To use Danny Liversidge again, it was not until 2016 that he made an emotional Facebook post revealing the truth to his

²⁹ Danny Liversidge, interview with author, 22 January 2018, Melbourne.

³⁰ Thomson, "Anzac Memories Revisited," 23.

family and friends about why he left the ADF twenty-five years earlier.³¹ Several other interview participants indicated that our interviews were the first time that they were sharing the persecution they had faced in the ADF to an audience other than their closest confidants.

Our interview participants generally presented clear, structured narratives of their experiences of having been investigated and discharged. As Thomson writes, “we create long-term memories about significant events which have an emotional charge, have memorable signposts, or are novel, dramatic or consequential.”³² Military service and the police investigations were clearly such significant moments for our interview participants, but they were generally private stories which were not shared widely. Wolf Kansteiner notes that small groups with shared traumas can only influence collective or national memory if they have the means to share and disseminate those memories. Moreover, there needs to be a contemporary interest in those histories for the stories of such groups to gain traction.³³ While there is interest in contemporary Australia in the project of redressing historic wrongs about homosexuality, there have not been specific historical investigations of the persecution of LGB people in the ADF before this project.³⁴ Since histories of LGB military service were not being shared or

³¹ Danny Liversidge, interview.

³² Thomson, "Anzac Memories Revisited," 26.

³³ Kansteiner, "Finding Meaning in Memory," 187–88.

³⁴ This project is beginning to raise public awareness and conversations about the history of LGBTI military service. In addition to a series of radio interviews, a public exhibition touring Melbourne, Sydney, Newcastle and Canberra, and coverage on *ABC News Breakfast*, I have written to politicians calling for a public apology and redress scheme for those LGBT people

recorded, there was little scope for public discourse to shape the composure of ex-service members' memories. If anything, news, public discourse and pop cultural references to the American "don't ask, don't tell" policy have been more prevalent in Australia than any specifically Australian narrative about LGB military service.

As I will demonstrate, the final reason to accept the oral histories as reliable sources is because they align with written records. Some of these documents are declassified Defence reports; others were saved in personal archives, and some are accessible from the Australian Lesbian and Gay Archives. Queer oral historian Nan Alamilla Boyd, in her analysis of six groundbreaking queer history texts that relied heavily on oral history, notes that having a critical mass of interview participants means that the narrators "could verify the accuracy of the 'data to be offered up for the historical record.' In this way, the narrators themselves provided a 'reality check'."³⁵ Indeed, oral historian Trevor Lummis similarly explains that when multiple oral

persecuted under past policies. See Melissa Davey, "'Injustice was official': Call for national apology to gay former military personnel," *The Guardian*, 26 September 2018, available from <https://www.theguardian.com/australia-news/2018/sep/26/injustice-was-official-call-for-national-apology-to-gay-former-military-personnel>, accessed 2 October 2018; Melissa Davey, "'I was absolutely shattered': the woman driven out of Australia's defence force," *The Guardian*, 28 September 2018, available from <https://www.theguardian.com/australia-news/2018/sep/27/i-was-absolutely-shattered-the-woman-driven-out-of-australias-defence-force>, accessed 2 October 2018.

³⁵ Nan Alamilla Boyd, "Who Is the Subject? Queer Theory Meets Oral History," *Journal of the History of Sexuality* 17, no. 2 (2008): 182–83.

histories contain common patterns, this reinforces the rich distinctness of each story.³⁶ As such, in this article I present multiple examples from the oral histories to demonstrate how the service police investigations into homosexuality operated in practice.

Setting a Policy Approach

The Navy, Army and RAAF had longstanding assumed prohibitions against LGB service, but until 1974 there was no consistent approach in regulation or in practice. In cases of suspected homosexuality, the response of commanders ranged from turning a blind eye to the initiation of court martial proceedings. Yorick Smaal has argued that the first explicit policies about homosexuality were developed during the Second World War. In December 1943, American authorities investigating homosexuals in their own ranks brought the presence of about fifty Australian homosexuals to the attention of Lieutenant-General Sir Leslie Morshead, the Australian Commander of New Guinea Force. Up until this time, the lack of a clear policy within the Australian armed forces led to confusion among commanders about whether to treat homosexuality as a medical or disciplinary issue. The ultimate directive of June 1944 was somewhat of a mix, with doctors playing a significant role to determine appropriate treatment and discharges.³⁷ Before 1974, there was a clear demarcation in the services between the treatment of women/lesbians from suspected gay men. During the Second World War, the

³⁶ Trevor Lummis, "Structure and Validity in Oral Evidence," in The Oral History Reader, 2nd ed., 258.

³⁷ Smaal, Sex, Soldiers and the South Pacific, 99–108.

Australian cabinet approved the formation of the Women's Auxiliary Australian Air Force, Australian Women's Army Service, and Women's Royal Australian Naval Service. Ruth Ford has found that while there were anxieties about lesbianism within these women's services, there were no formal policies, procedures or investigations of lesbians/bisexual women. Discharges did happen, but much was left to the discretion of commanding officers.³⁸ In the post-war era, there were more concerted efforts to target lesbianism within the reconstituted Women's Royal Australian Army Corps, Women's Royal Australian Air Force, and Women's Royal Australian Naval Service. Ford's description of what her interview participants dub "witch-hunts" during the 1950s-60s echoes the practices reported by both men and women from 1974-92: surveillance, intimidating interviews, pressure to name others, and ultimately discharge. As there was no formal rule explicitly against lesbianism, the charge was often "conduct prejudicial to the corps." Even Ford's informants suggest that while authorities more often suspected women than men of homosexuality, there were inconsistent practices within and across the services, with some commanders turning a blind eye while others vigorously persecuted lesbian/bisexual servicewomen.³⁹

³⁸ Ruth Ford, "Lesbians and Loose Women: Female Sexuality and the Women's Services During World War II," in Gender and War: Australians at War in the Twentieth Century, ed. Joy Damousi and Marilyn Lake (Cambridge: Cambridge University Press, 1995), 95–97.

³⁹ Ford, "Disciplined, Punished and Resisting Bodies," 53–77. An oral history that reinforces these findings is Lyn Grigg, interview with Shirleene Robinson, 7 December 2015, Canberra.

There is a theme of inconsistency across the testimonies of gay/bisexual men who served before 1974: namely, commanding officers, service police, and the three services were inconsistent in how they dealt with homosexuality. There is also a disconnection between policies and practices, which sometimes even tolerated homosexuality. Since at least 1954, Navy directives adapted from the British Admiralty condemned homosexual behavior under an instruction against “unnatural offences.” The 1966 version of the instruction explicitly stated: “The Royal Australian Navy cannot afford, and does not want, to retain homosexuals in its ranks. The corrupting influence of such men is widespread, and their eradication from the Service is essential if the Navy is not to betray its trust towards the young men in its midst who may be perverted by them.”⁴⁰ The policy had provisions calling for medical evidence to prove homosexual activity, including authorizing invasive anal and penile examinations to look for traces of semen, fecal matter or muscle elasticity. Updated policies in 1969 referred to “abnormal sexual behaviour” and began to shift from medical to psychological evidence. The new regulation distinguished between “confirmed homosexuals” and “isolated instances of homosexuality.” The policy stated that “In all cases the opinion of the Medical Officer which is to include specialist psychiatric advice should be sought. It may be that psychiatric treatment or

⁴⁰ Navy Order--Confidential Australian Navy Order 35--66, 6 July 1966, available from Australian Lesbian and Gay Archives (hereafter ALGA), record 1079, and National Archives of Australia (hereafter NAA), A1813, 321/251/1.

merely a sympathetic understanding of the individual[']s problems will correct a potentially unhealthy situation.”⁴¹

The Navy’s distinction between “confirmed homosexuals” and isolated experimentation drew on pre-1973 psychoanalytical understandings of homosexuality, which Navy officials had gleaned primarily from studies produced in the United Kingdom. Beginning in the 1930s, developmental psychologists had argued that homosexuality was a childlike state of development that all men (and the focus was on men) went through, but that they should outgrow as they matured sexually. Specialists like Dr. Clifford Allen argued that homosexuality was the result of either men who did not develop properly, or of men who “reverted” to homosexual acts when there was not an adequate heterosexual outlet. Allen’s study, and even the 1957 Wolfenden Report which recommended decriminalization of consenting adult homosexual acts in the United Kingdom, explicitly mentioned the military as one site where men who would otherwise be heterosexual might revert to performing homosexual acts.⁴² Therefore, the idea of a “confirmed homosexual” essentially was someone a psychiatrist certified as not having developed “properly,” whereas an experimenter was merely a heterosexual who (supposedly) erred and

⁴¹ Navy Orders--In Confidence Australian Navy Orders 1-2-69, 21 February 1969, available from ALGA, record 1079.

⁴² Clifford Allen, "Homosexuality: Its Nature, Causation, and Treatment," in The Problem of Homosexuality, eds. Charles Berg and Clifford Allen (New York: The Citadel Press, 1958), 14; 18; Sir John Wolfenden, "Report of the Committee on Homosexual Offences and Prostitution," ed. Scottish Home Department Home Office (London: Her Majesty's Stationery Office, 4 September 1957), 11–12.

reverted briefly to a childlike stage of sexual development. Of course, this policy was problematic because it was hard to distinguish the confirmed versus unconfirmed homosexual--a point noted by an Army medical doctor in 1985.⁴³

In 1973 the American Psychiatry Association removed homosexuality from its Diagnostic and Statistical Manual of Mental Disorders, and developmental explanations for homosexuality fell out of favor. But Australian Defence policy retained the outdated distinction, primarily because it had little practical effect. Only one of the interviewees for this project, an ex-sailor, managed to retain his job in the ADF by successfully arguing that his homosexual acts were experimentation and that he was not a confirmed homosexual. What distinguishes that case from others is that he had a powerful ally: his ship's captain was also a barrister who effectively defended him during the police investigation.⁴⁴ As we will see, such cases of high-ranking officials protecting LGB members were not unknown, but their relative rarity demonstrates how difficult it was to prove that an accused was not a confirmed homosexual when evidence of homosexual activity had been determined. Even an unpublished 1991 letter to OutRage from an anonymous ex-RAAF policeman stated: "There is no such thing as giving a 'warning' to one-off sexual transgressors, as Govt. psychologists have advised the ADF that a person does not dabble occasionally, infrequently, or by accident in sexually deviant behavior. The ADF cannot take the risk that the person might re-offend 'morally.'"⁴⁵ There was, of course, no mention in any

⁴³ A.R. Craig, Colonel, DPsych, 19 January 1985, in NAA, A6721, 1985/18156 PART 1.

⁴⁴ Darran Clark, interview with author, 25 August 2017, Brisbane.

⁴⁵ Ex-RAAF Policeman, unpublished letter to OutRage, 1991 (no date), available from ALGA.

policies about bisexuality at all, suggesting that bisexual men and women would be treated as homosexuals.

It was only in 1974 that Defence officials adopted a consistent tri-service approach to LGB service members that built on the continued acceptance of the distinction between confirmed homosexuals and experimenters. The impetus for the change was press coverage in 1973 about a dismissed lesbian member of the Women's Royal Australian Air Force (WRAAF). She described intimidating police practices, including an eight-hour interview, intimate questions about her sex life and about other WRAAF lesbians, a search of her apartment and the demand that she request her own discharge.⁴⁶ The mid-1970s was also the only time that activists from gay rights organization CAMP (Campaign Against Moral Persecution), founded in 1970, challenged the ban on LGB service.⁴⁷ The Defence Minister subsequently directed the services to come up with a uniform code on homosexuality, with the broad instruction that it "should be liberal, understanding, and designed to cause the least embarrassment in such situations whilst safeguarding the interests of the Service."⁴⁸ This was the era of the Whitlam Labor Government (1972-75), which implemented a raft of progressive social reforms in relation to race, welfare

⁴⁶ See "so you want to be a WRAAF," Camp Ink, issue 2, 1973, 4-5; "Inquiry into WRAAF sackings," Canberra Times, 11 July 1973, 12.

⁴⁷ Riseman, "Activism and Australia's Ban on Gay, Lesbian and Bisexual Military Service in the 1970s-80s," 151-56.

⁴⁸ E. J. Wheeler, "Policy on Homosexuality in the Services: Report by the Principal Administrative Officers Committee (Personnel)," May 1974, in NAA, A6721, 1985/18156 PART 1.

and women's rights. The Whitlam Government was also generally more sympathetic to homosexuals than previous governments, but laws criminalizing homosexual acts were under the purview of the state governments. Where the Whitlam government did have jurisdiction was over the Australian Capital Territory (ACT), Australian Public Service and Australian military. The House of Representatives under Whitlam passed a motion in October 1973 supporting the reform of laws concerning homosexuality, and the government believed that the Australian Public Service should not discriminate based on sexual preference (although such discrimination still happened in practice in the public service).⁴⁹

Given this context, one would have expected the Whitlam government to be more tolerant towards homosexuals in the military as well. The government ministers thought they were being more sympathetic, but in reality the new regulations laid the groundwork for a new era of discriminatory investigations. In June 1974, the Defence Minister approved new service policies on homosexual behavior or conduct (no longer explicitly defined as abnormal sexual behavior). Commanding officers would refer all allegations of homosexual conduct to the respective service police, who would investigate the circumstances. Cases of sexual assault, public indecency or fraternization across ranks would be referred for disciplinary action, while all other matters would be dealt with administratively.⁵⁰ If the homosexual act was deemed to be

⁴⁹ Acting Prime Minister Jim Cairns, to Mr Stankovic, Campus CAMP, 14 January 1975, in NAA, A451, 1974/6782.

⁵⁰ Under the ADF justice system, infractions may be dealt either as disciplinary or administrative actions. Disciplinary actions relate to specific, more serious crimes and follow strict legal rules as laid out in the Defence Force Discipline Act (1982) and, before that, through

an isolated occurrence, the suspect could remain in service; individuals described as being cases of confirmed homosexuality would be given the choice to request their own honorable discharge or to be dishonorably discharged under the categories of “services no longer required” or “unsuitable.”⁵¹ These policies were regularly updated, especially in 1985 when a new ADF-wide instruction gave more detailed justifications for the LGB ban. But the overarching framework remained in place until 1992.⁵² Both the government and the ADF thought giving LGB members the right to request an honorable discharge would have benign results and was being more understanding and respectful of LGB people. As the experiences outlined below demonstrate, this was far from the case.

Police Practices under the LGB ban

legal codes adopted from the British services. Administrative action is used for all other cases of professional misconduct and the rules for administrative action generally are less prescriptive.

⁵¹ See Navy Order IC ANO 3-74, 15 December 1974, available from ALGA; 1982, October 20--DI(A) PERS 96-1--Homosexual Behaviour (Army policy), 1985--18156 PART 1; DI (AF) PERS 4--13, 27 August 1980.

⁵² Defence Instruction 15-3 and explanatory notes, NAA, A6721, 1985/18156 PART 1.

Guidelines accompanying the 1974 policy indicated that investigations should be “conducted with tact and understanding.”⁵³ A Defence submission to Western Australia’s 1974 Honorary Royal Commission to Inquire into Matters Relating to Homosexuality twice mentioned that suspected homosexuals were “treated sympathetically and with discretion.”⁵⁴ This phrase would appear regularly in updated Defence policies and public statements over the next eighteen years. In a 1975 response to a letter from the gay rights organization CAMP, the First Assistant Secretary of Personnel Administration and Policy even wrote: “We are sympathetic to the problems facing homosexuals in the environment of an Armed Service, but the requirement to maintain discipline leaves no alternative to the policy.”⁵⁵ The assumption was that the 1974 guidelines protected suspects from unfair police practices.

The guidelines stated that “questions may be directed to establish the circumstances of the case, identify others involved and ascertain whether action on related matters, such as possible compromise on security, is required.” But investigators were advised that “questions on

⁵³ “Homosexual Behaviour--Guidelines for Investigation,” May 1974, in NAA, A6721, 1985/18156 PART 1. See also Australian Navy Order, IC ANO 3/74, 15 December 1974, 5, available from ALGA, record 1079.

⁵⁴ The submission is available from Western Australia State Records Office, AU WA S1989- cons5527 3, Western Australia, Honorary Royal Commission Appointed to Inquire Into and Report Upon Matters Relating to Homosexuality, 25 June 1974, transcript vol 3, and was also republished in Camp Ink 4, no. 4/5 (1975), 11-12.

⁵⁵ W. H. Boreham, First Assistant Secretary, Personnel Administration and Policy, to Mr Clohesy, 20 June 1975, published in Camp Ink 4, no. 4/5 (1975), 11.

the detail of sexual acts is to be avoided except to the minimum necessary to establish that homosexual conduct has in fact occurred and that the person concerned fully understands the nature of the allegations. In cases of alleged homosexual behaviour, investigating personnel are not to search any person or his or her property unless the person consents.”⁵⁶ These clauses appear to have been added in response to the dismissed WRAAF’s allegations of police excesses. Although the document aimed to limit police powers, what could and could not be asked about sexual acts was only vaguely described. The language also suggests that questions to identify other gays and lesbians were considered vital to these investigations. This document, therefore, codified not only a framework for how to conduct an investigation, but also implied that one case would lead to others. A 1981 memo from the head of Army Legal Services Branch, Brigadier M. J. Ewing, said that the respective services produced their own instructions for how to detect homosexuals and remove them from the forces,⁵⁷ though I have not been able to locate these manuals in the archives.

Gays and lesbians caught in the late 1970s and early 1980s present similar stories of how the investigations proceeded in the three services. Susie Struth recalls two Army policemen unexpectedly showing up at her apartment at 8:00am one day in 1977. She recalls of the police interview: “It was like are you gay? Are you lesbian? Are you in a relationship? Are you blah blah blah? It was like--what’s all this about? Where did this come from? . . . The details of that day are very hazy except that we were there all day and I can’t remember why. It was quite

⁵⁶ “Homosexual Behaviour--Guidelines for Investigation,” May 1974, in NAA, A6721, 1985/18156 PART 1.

⁵⁷ Brigadier M. J. Ewing, 5 June 1981, in NAA, A4090, 537/6/19.

intimidating. If intimidation was the factor, then it worked.” In a series of follow-up interviews, an official from the Special Investigation Branch kept asking Susie to name other lesbians. At one stage he handed Susie the list of women in her unit and asked her to tick off the names; she refused, retorting, “It would be quicker for me to tick off those that aren’t . . . you want to really think carefully about this because you are going to lose some really good people if you keep doing this.”⁵⁸ Eunice Coogan, caught in 1982, also vividly remembers her RAAF Police interview:

For twenty-four hours I didn’t tell them [I was a lesbian]. I wasn’t going to say it. And some of the things that they’ve started to say to me were just terrible, absolutely terrible. And then they started the tactic of, well, let’s kind of like harass her in to saying things. So you know, I’m busting to go to the toilet and then I’ve got to have one of them standing in front of me, watching me go to the toilet. Or I’m going to eat and they march me down, two policewomen standing beside me while I eat and they don’t eat. So they are portraying themselves to be guards. Do you know? Instead of at least even having something to eat. So I have to go through all of this humiliation. And then, and then eventually I told them. I just couldn’t take any more. Like it’s this, you know, they just seemed hell bent on getting me to say it and that’s it.⁵⁹

⁵⁸ Susie Struth, interview with Shirleene Robinson, 18 February 2017, Melbourne. See also Riseman, Robinson and Graham Willett, Serving in Silence?, 112–114.

⁵⁹ Eunice Coogan, interview with Shirleene Robinson, 24 August 2016, Evans Head, NSW.

A young soldier reported Keith Drew in 1980 after a sexual encounter with one of Keith's friends. For the next week and a half, the Army's Special Investigation Branch pulled Keith into interviews, questioning him about his relationship to the two men and about his sexuality. Keith angrily describes the experience: "Then they keep going on and on and harassing me and it wasn't making it look good because this young bloke was from battalion, some of the blokes were acting stupid, so I turned around to them and they kept on asking me if I was gay, and I went, 'Yes, I am' and that was it." The police continued hounding Keith to name other gays, but he would not do so.⁶⁰

Janet Carter was still an Army Officer Cadet at the Royal Military College, Duntroon in 1986 when the police summoned her. Because she cooperated during her three-hour interview, a sympathetic major vouched for her. The major's intervention left some leeway for Janet to stay in the Army, with her previous relationship written off as an isolated experience, but there was still significant pressure for her to resign. She was compelled to meet with an Army psychologist, who stated that the incident would stay on Janet's record and follow her throughout her career, limiting her security clearance, promotions and corps opportunities. As she recalls: "Effectively it was a way of saying, 'Look, you know, you can stay but the only reason you can stay is because we can't make you leave. So if we can't make you leave we're actually going to actively find ways to make your life so uncomfortable that you won't want to stay.' And at that point I went, 'Fine.'"⁶¹ Janet's case is interesting, because it demonstrates that individual commanders were willing to treat her sympathetically, but the larger institutional framework

⁶⁰ Keith Drew, interview with author, 13 August 2016, Darwin.

⁶¹ Janet Carter, interview with Shirleene Robinson, 9 August 2016, Perth.

pushed her to resign as the easiest solution to a situation that the Army had decided was a problem.

In other cases, there is little evidence of sympathy or discretion, and police interviews could become voyeuristic or abusive. Police regularly asked both men and women for specific sexual details, and in at least one woman's case the interviewers even suggested that she should have sex with her accusers to prove she was not a lesbian.⁶² Descriptions of incidents like this are common in the American literature but have not emerged in other Australian oral histories.⁶³ Yet, sexism and inappropriate sexual expectations could be what first brought suspected lesbians to authorities' attention. In an interview I conducted in 2015, "Terri" claimed that a superior with whom she refused to have sex, and who even tried to sexually assault her, reported her to the RAAF Police.⁶⁴

One critique of the LGB policy was that there was no protection against false claims. Police services were aware of this. In 1991, the anonymous ex-RAAF policeman's letter to OutRage said: "any Service member who doesn't like another member for any reason can report that person to the PROVOST UNIT, the S.P's ('Spits') as having made a sexual advance to him or her. Even an anonymous note or telephone message can find the recipient of such an accusation DISMISSED FROM THE SERVICE if the follow-up Service Police investigation

⁶² Deborah Cameron, "Why Inga Accuses the RAAF," Sydney Morning Herald, 19 November 1987, 4.

⁶³ Shilts, Conduct Unbecoming, 5.

⁶⁴ "Terri," interview with author, 19 October 2015, Sydney.

bears ‘evidence.’”⁶⁵ It was not until 1992 that the ADF even proposed mechanisms to address accusations that were “false and malicious, vexatious or mischievous.”⁶⁶ This meant that throughout the period of the LGB ban, any ADF member could accuse others of homosexuality, subjecting them to investigations, sometimes even without their knowledge.

This happened in the case of RAAF officer Lucy Kardas--a straight woman accused of being a lesbian. Lucy had lodged complaints about sexual harassment and fraud, which all came to naught. One of the men she accused took revenge by reporting that Lucy was a lesbian. Without her knowledge, the RAAF Police investigated her in 1991 and even recommended her discharge. When the case accidentally came to her attention in early 1992, Lucy filed a complaint with the Australian Human Rights and Equal Opportunity Commission. What followed was a drawn-out series of investigations into the treatment she received and the procedures followed by RAAF Police.⁶⁷ Lucy later testified before a 1998 Parliamentary Inquiry into Military Justice Procedures in the Australian Defence Force, where she described her fight against “a corrupted process” that exposed “the inequality and inconsistency of the application of the Defence Force Discipline Act.”⁶⁸

⁶⁵ Ex-RAAF Policeman, letter to OutRage, 1991 (no date), available from ALGA.

⁶⁶ Draft DI(A) PERS 96-1 Homosexual Behaviour, 5 November 1992, NAA, A6721, 1985/18156 PART 4.

⁶⁷ Lucy Kardas, interview with author, 19 September 2017, Geelong.

⁶⁸ Australia, Joint Standing Committee on Foreign Affairs, Defence and Trade, Reference: Military Justice Procedures, 18 May 1998, FADT 85. See also Australia, Joint

Unsurprisingly, such police investigations could have significant ramifications for Defence members' mental health. The anonymous RAAF policeman wrote that "some people are carried out of these mental breakdown sessions weeping hysterically!"⁶⁹ Army Captain Gen Ford, caught in 1988, chose to resign rather than face a court-martial. She remembers her reaction to the entire process, which played out over a weekend: "I was quite devastated, I really, I was devastated . . . it was devastating, it really, really was. I felt [pause], I was very upset, I was very, very upset because really, nothing was the same after that. I mean you serve out your notice or whatever, but you don't really; you're not going to go back to work. It was really just going through the processes of leaving the Army."⁷⁰ "Mark" describes a similar reaction to a process that began when Army police suspected him of drug use in 1988. They subjected him to a long interrogation because they sensed he was hiding something, and he eventually cracked, admitting he was gay.⁷¹ Mark requested his own discharge so that he could have the honorable status. Awaiting the discharge was a highly distressing period; Mark recollects: "I remember that was one of the most traumatic and stressful times in my life. I contemplated suicide many, many

Standing Committee on Foreign Affairs, Defence and Trade, "Submissions: Inquiry into Military Justice Procedures in the Australian Defence Force," vol. 4, June 1998, 783–785.

⁶⁹ Ex-RAAF Policeman, letter to OutRage, 1991 (no date), available from ALGA.

⁷⁰ Gen Ford, interview with author, 13 November 2014, London.

⁷¹ A strikingly similar case of at least nine gay men caught from what began as a drug investigation is available in NAA, A6721, 1985/18156 PART 1. The details do not quite match with "Mark's" case; he was discharged in August 1988 and the investigation from the archives happened in March 1989.

times. The anger that I actually felt, the self-hatred, the resentment was really, really awful . . . There was no one to talk to about how I was feeling, everything else like that. So, eventually when my discharge did come through, it was with massive relief.”⁷² Mark’s story hints at the sometimes tragic consequences of the LGB ban and its investigations. Neil Murray, who was responsible for processing much of the paperwork for homosexual discharges in the RAAF, recalls at least two cases of servicemen who committed suicide because of the strain of hiding their homosexuality.⁷³ A statistical breakdown of soldiers investigated for homosexuality in the Army between 1987 and 1992 noted that one member had taken their own life.⁷⁴ We will never know the number of people who committed suicide either because of the strain of hiding their sexuality or gender identity, or because of the trauma of the investigation process.

Even today, some ex-service members are still suffering mental health consequences from the experience of having been investigated. “Sandra,” who was discharged from the Women’s Royal Australian Naval Service in 1966 for being a lesbian, states: “I don’t cry. I don’t know why. I don’t cry do I? I don’t know whether that, all of that has affected my emotions. I just keep it inside, just keep it all inside . . . So you get emotionally stunted. And that’s, yeah, it’s just because of the way you’re treated back then, and then later.”⁷⁵ For years, Lucy Kardas has been seeing psychiatrists and psychologists for anxiety, which was exacerbated by her long

⁷² “Mark,” interview with author, 4 March 2016, Sydney. See also Riseman, Robinson and Willett, *Serving in Silence?*, 167–171.

⁷³ Neil Murray, interview with author, 31 May 2017, Sydney.

⁷⁴ Major S. N. Aird, 22 October 1992, in NAA, A6721, 1985/18156 PART 5.

⁷⁵ “Sandra,” interview with Shirleene Robinson, 3 April 2017, Orbost.

battle with the RAAF. She had to stop work and go on a disability support pension in 2012, and she is now on a Department of Veterans' Affairs Totally and Permanently Incapacitated (TPI) pension.⁷⁶

Army Senior Lieutenant Alix Blundell had been suffering from a physical injury at the time of her seven-hour interrogation in 1988. Within a month she was admitted to hospital due to the mental health distress caused by the investigation. Alix discharged in 1989 and has been seeking justice for the physical and emotional mistreatment she suffered ever since. She has been living with major recurrent depression, unable to find steady work. "I couldn't cope," she told me, "'cause I obviously had some mental problems. Depression and anger don't mix too well." Because Alix's discharge was administrative rather than medical, the Department of Veterans' Affairs has resisted recognizing her depression as linked to her time of service and has consistently denied her a TPI. It would take until November 2015, and a successful complaint to the Defence Abuse Response Taskforce (DART), before Alix received compensation and a formal apology from the Army, as well as a promise to reclassify her discharge as medical (though this, too, has run into delays).⁷⁷

⁷⁶ Lucy Kardas, interview.

⁷⁷ Alix Blundell, interview with author, 26 August 2017, Brisbane. After a series of ADF abuse scandals in the media, the Australian government set up DART in November 2012 to investigate allegations of abuse and workplace harassment within the ADF before 2011. DART authorized redress packages that could include financial compensation, amendments to service records or status with the Department of Veterans' Affairs, and restorative justice which

The examples I have provided thus far provide evidence for the interview techniques of the police investigations. Another component of the process was surveillance. Army Captain Tony McLeod came to police attention after he was spotted marching with a friend in the parade for Sydney Gay and Lesbian Mardi Gras. Tony never knew he was under investigation when he happened to resign in 1989. He later ran into a gay colleague who knew a military police officer, and Tony learned that “apparently there were cars parked outside the house watching movements and being followed and that sort of thing. I don’t know the details, but I certainly was being looked at and apparently they were within a week or two of tapping me on the shoulder and sitting me down and saying ‘We believe you’re gay, blah, blah, blah.’”⁷⁸

In 1992 Journalist Martyn Goddard reported that certain branches of the RAAF Police, often operating outside the bounds of policy, would engage in “a standard two weeks of 24 hours surveillance regime, the van parked down the road, people were befriended by incognito RAAF Police, taken to parties, photographs later ended up on their CO’s desk.”⁷⁹ Perhaps the best example of this comes from RAAF Leading Aircraftman Danny Liversidge, who in 1991 was summoned to an interview with RAAF Police. After a series of questions, the investigators presented Danny with photographs taken in the previous two weeks of him outside a gay nightclub and his then-lover’s house. Danny remembers the incredibly uncomfortable interview

sometimes included formal face-to-face apologies from high-ranking officers, including the service chiefs. DART eventually examined 1,751 complaints including Alix’s.

⁷⁸ Tony McLeod, interview with author, 20 April 2017, Bicheno, TAS.

⁷⁹ Martyn Goddard, in “Discriminating Service,” Four Corners, 3 August 1992, NAA, C475, 1746037.

culminating in “a photograph they put down and it was actually me kissing a guy, it was Darren, standing outside his unit. I was obviously heading back to the base and they had a photograph of me kissing a guy. It was like, and then the question came out, ‘Are you a homosexual?’”⁸⁰ Danny took the “voluntary,” honorable discharge option.

Secret searches were another element of police investigatory practices, and these blatantly contradicted the 1974 guidelines. Indeed, a 1986 telex cable sent to all RAAF Police units after a Defence member lodged a redress of grievance explicitly advised: “no power of search exists in respect of homosexual investigations, even with consent.”⁸¹ A 1987 Sydney Morning Herald article described a RAAF ex-policewoman named “Inga” who had been falsely accused of being a lesbian. Inga believed that as part of their surveillance, RAAF Police had broken into and searched her home.⁸² The anonymous RAAF ex-policeman wrote to OutRage in 1991: “Secret room checks and searches of personal belongings are regularly done with master keys and knowledge of the member’s work schedules and social habits. The “Spits” are authorized to enter any Commonwealth property, barracks or off-base billet, without a search warrant. The SP’s are looking for homosexual pornography, letters from same-sex lovers, snapshots showing say, two men in any kind of “socially acceptable or otherwise” embrace--

⁸⁰ Danny Liversidge, interview.

⁸¹ Telex with subject heading “Search of Suspects – Homosexual Investigations,” 12 June 1986, NAA B5679, 701/P1 PART 3.

⁸² Cameron, “Why Inga Accuses the RAAF,” 4.

one's arm around another's shoulders at a function.”⁸³ Karl Bryant was a clerk in the RAAF and remembers reading documents about police searching mail and applying for approvals to search suspected homosexuals' houses. Karl, too, came under suspicion when an employee spotted him at the movies with his partner in 1990. A friendly flight lieutenant warned Karl that an investigation was imminent and advised him to go home immediately and hide any evidence of his relationship. Karl remembers scrambling home and reorganizing: “So basically all I had to do was make the bed in the spare room, put all my clothes into the spare room, put some photos up about myself in the spare room, and I closed the door on the other room, because I didn't think that they were allowed to go into that room, because that was a housemate that had nothing to do with the military, so they weren't allowed access to that room.”⁸⁴ Fortunately, another officer intervened, and the investigation of Karl never went ahead.

RAAF Leading Aircraftman Shane Duniam, who in 1981 was living in Williamstown in Melbourne and stationed at Point Cook, recalls the not-so-discreet surveillance outside his house: “I used to go out quite a lot then, clubbing, having a damn fine time, and then I would notice leaving Point Cook headlights behind me, that would follow me. Or during the day a car would follow me. And then I realized that something was up. And I knew that I'd been sprung.” Shane was fed up with the surveillance and cracked one night: “I drove off, and as I got closer I saw them sink down in the seat. I went fuck this, and I just put my brakes on, wound down my

⁸³ Ex-RAAF Policeman, letter to OutRage, 1991 (no date), available from ALGA. See also Martyn Goddard, in “Discriminating Service,” Four Corners, 3 August 1992, NAA, C475, 1746037; B. Baker, “ADF Hate Policy,” Sydney Star Observer, 21 October 1999, 11.

⁸⁴ Karl Bryant, interview with author, 17 February 2016, Melbourne.

window: 'Hey, fellas, I'm going to Mandate [gay nightclub] tonight. I'm probably home about 3:00 in the morning. You can have the night off.'" Shane admitted to being gay during his hours-long interview a few days later, but only after police stated that another gay airman had already confessed. RAAF Police asked Shane permission to search his house. He accompanied them, and they confiscated a suitcase where he kept letters from another gay airman in Canberra.⁸⁵

As a result of this investigation, five airmen from Point Cook were eventually discharged, and the story was even reported in tabloid newspaper Truth. In that article, the RAAF spokesperson indicated: "We have not been involved in a 'witch-hunt of homosexuals', it is purely coincidental that there has been a spate of incidents. . . . It seems that once we catch one ring of homosexuals, other similar incidents are reported."⁸⁶ This is one of the earliest explicit descriptions of these investigations as witch-hunts, which became common terminology LGB service members used to describe the series of investigations in the 1980s. The term suggests that LGB people believed service police were actively searching far and wide for any homosexuals in the forces and were willing to investigate anyone based on any allegations, suspicions, or flimsy evidence. Describing a witch-hunt that spanned services, lesbian ex-RAAF member "Terri" explains: "First off there was this thing, it was like dob a person in [Australian colloquialism for informing on someone], started off in the Navy, spread rapidly like wildfire. It sort of was a two-pronged thing and didn't have anything to do with each other. They sent off an investigation,

⁸⁵ Shane Duniam, interview with author, 29 May 2017, Lismore, NSW.

⁸⁶ Squadron Leader Ken Llewelyn, quoted in Simon Hammond, "5 sacked in camp probes," Truth (Melbourne), 26 December 1981. For a retort to the Truth coverage, see "not in Today's Air Force," Klick! (Melbourne), March 1982, 20–21.

somebody got busted in the Navy who knew somebody, who knew somebody, who knew somebody. I didn't get caught up in that one but the girl I was living with [was]."⁸⁷ Terri's explanation of the series of investigations that followed upon each other is an apt description of how LGB service members socially constructed the concept of a witch-hunt.

Both Kate Carlisle and Gen Ford, serving in 1987 in the Navy and Army respectively, describe a so-called witch-hunt that spread out from an inter-services hockey tournament. Gen states: "I think one woman was approached by another woman; the woman being approached was not a lesbian and was approached by a lesbian who propositioned her. And she reported that, and that led I think to a bit of a witch-hunt around everyone that knew this other person."⁸⁸ Sandy Ashton recalls a period at RAAF Base Edinburgh in Adelaide in the mid-1980s when the police kept summoning members for hours on end, seeking the names of gays and lesbians. She remembers people essentially disappearing from the RAAF, presumably discharged and not heard from again.⁸⁹

There are no documents pointing to why these investigations accelerated in the mid-1980s, but ex-RAAF nurse Stuart Martin suspects that "when HIV became an issue and AIDS become a bigger issue there was this explosion in Defence Health and with the military police that they changed their approach, but not in a good way. So we started to get people coming in who were getting sick and having blood tests and who'd been diagnosed. And then suddenly

⁸⁷ "Terri," interview.

⁸⁸ Gen Ford, interview. See also Kate Carlisle, interview with author, 10 December 2017, Washington, DC.

⁸⁹ Sandy Ashton, interview with author, 29 August 2015, Melbourne.

there would be a witch-hunt, the military police would want to know everyone they'd had contact with.”⁹⁰ The link between HIV/AIDS and investigations is anecdotal, but there is a correlation in the timing: the data on homosexual discharges suggests that there was a spike around 1987, the year that Australia's National Advisory Committee on AIDS prepared an incredibly controversial yet memorable advertisement about AIDS featuring the grim reaper.⁹¹ The grim reaper advertisement was part of Australia's public health response to HIV/AIDS, which was non-partisan and involved specific measures to help at-risk groups, including the gay community.⁹² Yet, this progressive approach was not adopted in the ADF. Service members diagnosed with AIDS in the 1980s-90s generally faced discharge, and there were severe restrictions placed on those who were HIV positive.⁹³ In the end, however, this increase in the number of investigations and discharges did not go unchallenged, eventually drawing more critical public and political attention to the problematic LGB ban.

⁹⁰ Stuart Martin, interview with Graham Willett, 24 January 2017, Melbourne. See also Keith Scott “RAAF sacks AIDS carrier,” Canberra Times, 30 October 1987, 10.

⁹¹ This advertisement was one of Australia's most memorable, controversial and effective public health campaigns around HIV/AIDS. See <https://www.youtube.com/watch?v=U219eUIZ7Qo>, accessed 13 October 2017.

⁹² Paul Sendziuk, Learning to Trust: Australian Responses to AIDS (Sydney: UNSW Press, 2003).

⁹³ Riseman, Robinson, and Willett, Serving in Silence? Australian LGBT Servicemen and Women, 164.

Challenging Police Practices

By the late 1970s, LGB activists turned their attention away from the LGB ban, focusing instead on state law reform and, by the mid-1980s, HIV/AIDS.⁹⁴ Even in 1992 when the ban was on the public and political agenda, activists played only a minor role, leaving LGB service members to fight the ban themselves. There were no avenues within the chain of command for LGB service members to challenge the ban. Moreover, as personal testimonies reveal, the extreme pressure and “choice” between dishonorable discharge or voluntary resignation led most to choose the latter. Yet, in exceptional circumstances outlined below, there were some challenges to the ban and/or its implementation, and these challenges gradually exposed the intimidating nature of police practices.

The first significant challenge to the ban was in early 1982 at the Royal Australian Air Force Academy in Point Cook. A third-year cadet was caught after he had tried to climb into the bed of another cadet with whom he had previously had sexual relations. The sleeping cadet was no longer interested in a relationship and reacted angrily, sending the perpetrator to jump out of the ground floor window and run across the courtyard naked. When RAAF Police investigated over the course of two days in February 1982, they compelled the accused to name seven other cadets with whom he had sexual relations, including Richard Gration.⁹⁵ Richard had joined the

⁹⁴ Riseman, “Activism and Australia's Ban on Gay, Lesbian and Bisexual Military Service in the 1970s–80s,” 155–156.

⁹⁵ Richard Gration, interview with author, 13 December 2016, Sydney; “Proceedings of a Court of Inquiry into Allegations Made Against RAAF Police by RAAF Academy Cadets,” 29

Air Force Academy in 1981, and he had connections that most other Defence members did not: his father and uncle were high ranking Army and RAAF officers respectively. From 1984-87 his father Peter would serve as Chief of the General Staff--the present-day Chief of Army--and from 1987-93 he was Chief of the Defence Force. Richard's uncle Barry was Chief of Air Force from October 1992-94. RAAF Police summoned Richard for an interview just as he had returned from an eight-day training exercise. According to a handwritten report that Richard drafted two days after the interview, the first policeman responded angrily when Richard persistently asked what he was being accused of, yelling: "Don't tell me how to conduct a fucking interview--I have been interviewing people for 20 years and I don't want any fucking cadet telling me what to do."⁹⁶ After a few hours of pressure, Richard described his three sexual encounters with the other cadet. Only after Richard confessed did the formal interview commence, highlighting one of many inappropriate RAAF Police procedures. As another example, there were provisions in the RAAF Policy Regarding Homosexual Acts in the Defence Force that allowed suspects to request that a commissioned RAAF officer be present for the interview. In a statement drafted five days after Richard's interview he wrote: "He [flight sergeant] emphasized that the only reason I would want an Officer would be if I felt physically threatened. He also said that if I asked for an Officer

April 1982, in NAA, B4586, 704/1572/P1 PART 1; Record of interview conducted with cadet (name withheld to protect privacy) on 1 February 1982; RAAF Police Statement by cadet, 3 February 1982, documents courtesy of Richard Gration. The story is also available in Riseman, Robinson and Willett, Serving in Silence?, 120–129.

⁹⁶ Report on Investigation by RAAF (handwritten)--ACDT RC Gration, courtesy of Richard Gration.

I would have to wait until the Officer was brought in.” The interview transcript only includes what was said in the formal portion, and it contains the claim that the police informed Richard that he was not obliged to answer any questions. Richard wrote in a statement a few days after the interview that the flight sergeant advised “it was in my interest [sic] to answer all their questions as no answer would imply that I was guilty...He also said that ‘this was my opportunity to put my side of the story across’. This was not recorded on the record of interview. This was the first time I had received a caution.”⁹⁷

These details about inappropriate police conduct only emerged because, unlike almost all other cases of accused homosexuals, Richard fought the recommendation for discharge. Richard spoke to his father, who arranged for Richard to meet with Brigadier M. J. Ewing, the Director of Army Legal Services. Richard detailed the entire story from the first cadet being caught through to the police interview, and Ewing surprised both Peter and Richard by suggesting that they fight the dismissal on the grounds that Richard’s sexual encounters were isolated experiences and he was not a confirmed homosexual. As Ewing later wrote in a handwritten letter to Richard: “You don’t think I’d go to bat for you, and put my professional reputation at stake with the [Defence] Minister and CDFS [Chief of Defence Force Staff], unless I believed you had suffered a grave injustice that required being redressed.”⁹⁸ Ewing prepared a legal brief advising that Richard’s

⁹⁷ Statement Concerning Conduct of Interview of Richard Gration, no date. This document is based on both the handwritten and typed “Report on Investigation by RAAF,” drafted a few days after the initial interview. Documents courtesy of Richard Gration.

⁹⁸ Letter from BRIG MJ Ewing to Richard Gration, 11 April 1982, courtesy of Richard Gration.

entire interview was potentially inadmissible because the police did not follow proper rules of gathering evidence.⁹⁹ Richard, of course, did self-identify as gay, but he did not disclose this to Ewing or his father.¹⁰⁰

Ewing contacted the Defence Minister James Killen, advising him that RAAF Police had mistreated the cadets. Killen accepted Ewing's advice but worried that since everyone at the Air Force Academy knew about Richard and the three other accused cadets' homosexual encounters, they would not be comfortable serving alongside them. One evening the four accused summoned all Academy cadets to a meeting. As Richard recalls: "we explained the situation of 'Look, the Minister considers that it would be problematic that none of you would accept us. . . . We can't discuss with you the details about what's alleged and what's happened, but if you are happy for us to stay on in these circumstances we'd be very grateful if you'd write a statutory declaration saying that you're aware that something is being investigated but you're more than happy for us to stay on.' And so we got 120 stat decs; we got the whole Academy did it [sic]." The family of one of the other accused cadets gave the statutory declarations to their member of parliament, who forwarded them to the Defence Minister. Then, as Richard puts it, "the shit absolutely hit the proverbial fan."¹⁰¹ Minister Killen set up a Court of Inquiry into the Conduct of RAAF Police at the Air Force Academy.

⁹⁹ Legal Opinion by BRIG MJ Ewing, DALs, to Major-General Peter Gration, 15 March 1982, courtesy of Richard Gration.

¹⁰⁰ Richard Gration interview.

¹⁰¹ Richard Gration, interview.

The Court of Inquiry sat in April 1982. The legal officer representing Richard and the other cadets used civilian and military precedents to argue that the conditions of the interviews were unreasonable and constituted collecting evidence under duress. The ADF's legal officers argued that there was no misconduct in the investigation and that even the defendants were not challenging the police findings of fact.¹⁰² The Court of Inquiry's final report simultaneously vindicated and criticized the RAAF Police. It found that the RAAF Police's findings of facts were mostly accurate and "that the interviews were generally conducted properly and in accordance with the relevant rules and the required procedures contained in RAAF publications." But the Court of Inquiry also determined that there had been small procedural misjudgements around matters such as cautioning the cadets about how their interviews would be used, the timing and rushed nature of the interviews, the specificity and accuracy of the transcripts, and the unclear direction over the presence of a commissioned officer. Taken collectively, these minor procedural actions disadvantaged the cadets. The Court of Inquiry thus concluded that the cadets' admissions "would not be allowed into evidence in a Court Martial had they been handled as part of a disciplinary process. The evidence would be excluded on exercise of a Judge Advocate's discretion that the admissions had been made in situations which were unfair to the cadets and which worked to their disadvantage."¹⁰³ Essentially, the Court of Inquiry determined that the

¹⁰² "Transcript of Proceedings at RAAF, Fairbairn on Monday, 19 April 1982, at 1502 Hours," 1122, courtesy of Richard Gratton.

¹⁰³ "Proceedings of a Court of Inquiry into Allegations Made Against RAAF Police by RAAF Academy Cadets," 29 April 1982, NAA, B4586, 704/1572/P1 PART 1.

standards of evidence for an administrative process must adhere to the same rules as a disciplinary process.

The Court of Inquiry's findings were forwarded to the Attorney-General's Department and to the Defence Minister. The Crown Solicitor advised the Chief of Air Staff against discharging the cadets, arguing that any discharges could be challenged in an embarrassing Federal Court case. One document has a handwritten note with the words "very important" in the margins next to the point: "The Crown Solicitor didn't believe that the Federal Court would allow the RAAF to do administratively what it couldn't do judicially."¹⁰⁴ Both the new Defence Minister and his predecessor (who set up the Court of Inquiry)--representatives in a conservative Liberal-National Coalition Government not known for sympathy to LGB rights--were critical of the RAAF's administrative discharge system and wanted to make sure that appropriate protections for the accused would be put in place.¹⁰⁵ Richard and the other cadets were not discharged and instead only received written warnings not to engage in any homosexual conduct again.¹⁰⁶ This Court of Inquiry is the only known challenge to service police for their excessive practices investigating cases of homosexuality. The intervention of such high-profile personalities was clearly a factor, but the outcome remains telling, because the ruling underlined that the intimidating nature of police practices and methods of gathering evidence in cases of

¹⁰⁴ Author handwriting unclear, "Note of Action," 30 July 1982, NAA, B4586, 704/1572/P1 PART 1.

¹⁰⁵ Group Captain G.J. Pound, 2 September 1982, NAA, B4586, 704/1572/P1 PART 1.

¹⁰⁶ "Departmental Formal Warning, ACDT R.C. Gration A323545," 9 July 1982, courtesy of Richard Gration.

suspected homosexuality were at best inappropriate, and at worst unlawful. Legal departments within the ADF were aware of the Court of Inquiry's repercussions. When the Army was preparing a routine update to its policy on homosexuality later that year, Ewing noted the RAAF Court of Inquiry's key finding that if "admissions by a person suspect of homosexual behaviour have been obtained unfairly or improperly, so that they could not be used in a court of law, it would be contrary to natural justice to use such admissions for administrative purposes."¹⁰⁷ Yet, as the numerous examples I have provided underline, the Court of Inquiry did not lead to widespread change in police practices.

There were still few avenues through which accused gays and lesbians could contest the ban or appeal their own cases. In 1984, legislation established the Defence Force Ombudsman (DFO) within the Commonwealth Ombudsman's office.¹⁰⁸ By 1988, several closeted gay and lesbian service members were writing complaints to the DFO. In a letter to General Peter Gration, the Chief of the Defence Force (CDF), the DFO Roy Frost outlined four complaints about intrusive surveillance, workplace harassment, failure to promote suspected homosexuals, intimate interview questions and service police procedural errors. He also expressed doubt about the justification for the whole policy: "I am not sure that outlawing homosexual behaviour is

¹⁰⁷ Brigadier M.J. Ewing, "Proposed DI(A) Homosexual Behaviour," 18 August 1982, NAA, A4090, 537/6/19.

¹⁰⁸ Commonwealth Ombudsman, "Defence Force Ombudsman: Twenty-Five Years of Service," Canberra: Commonwealth Ombudsman, 2009, online, available from http://www.ombudsman.gov.au/_data/assets/pdf_file/0018/36207/onlineDefenceForceOmbudsman.pdf, 1–3.

either necessary or sufficient to satisfy these concerns [rationales].” Frost thus sought clarification from the CDF to justify the LGB ban and to ensure that the ADF adhered to strict standards of procedural fairness.¹⁰⁹ Gration responded to Frost by reasserting the four main justifications for the ban: troop morale, national security, the protection of minors and health, particularly measures to combat HIV/AIDS. The CDF defended the need to ask intimate questions on the grounds that it was necessary to determine if homosexual conduct was consensual, or whether it constituted the more serious crime of unwanted sexual advances. Gration also pointed out that “the Service Police have instructions which govern the conduct of enquiries. This is not to say that certain individuals are not overzealous in doing what they perceive as their duty, and we will continue to watch for such occurrences. However, I would point out that all police forces are subject to persistent allegations of victimization by homosexual individuals and organizations, and the Service Police are no exception.”¹¹⁰ The DFO accepted the CDF’s explanation, concluding: “In general I have few problems with the ADF’s stated policy [on homosexuality], although I believe much of the statement is conjectural rather than evidential. . . . I believe that our airing of the matter with Defence will effectively ensure

¹⁰⁹ R. Frost, Deputy Ombudsman (Defence Force), to General Peter Gration, 6 December 1988, NAA, A6721, 1985/18156 PART 1.

¹¹⁰ General Peter Gration, Chief of the Defence Force, to Defence Force Ombudsman, 17 May 1989, reproduced in Commonwealth Ombudsman and Defence Force Ombudsman Annual reports 1988–89 (Canberra: Australian Government Publishing Service, 1989), 191.

that the relevant instructions in such matters are properly followed.”¹¹¹ Even though Frost accepted Gration’s justification for the ban, the continuing pressure to justify the policy reveals that shifting social attitudes towards homosexuality were beginning to place the ban under increased scrutiny.

As I noted at the beginning of this article, the specious justifications for the ban came to a head in March 1991 with the publication and ripple effects of the OutRage exposé of RAAF investigations of suspected gays and lesbians. The article succeeded in bringing wider political attention to the LGB ban and encouraged Senator Janet Powell from the minor party Australian Democrats to become the strongest parliamentary advocate for the ban’s repeal. In 1991 and 1992 Powell spoke against the ban in the press and Senate, even threatening at one stage to introduce a bill to amend the *Defence Act* to allow LGB people to serve (though she never did this).¹¹² After the OutRage revelations, the Minister for Defence Sciences and Personnel promised an investigation into the alleged RAAF witch-hunts targeting gays and lesbians.¹¹³ As these events played out over the course of 1991-92, members of the Keating Labor Government,

¹¹¹ Commonwealth Ombudsman and Defence Force Ombudsman Annual reports 1988–89, 117. See also Commonwealth Ombudsman and Defence Force Ombudsman Annual reports 1987–88 (Canberra: Australian Government Publishing Service, 1988), 69.

¹¹² On Powell’s role, see Riseman, “Outmanoeuvring Defence,” 566-67.

¹¹³ “Govt promises action on RAAF’s gay witch-hunts” and “Democrats hit at Defence gay bans,” Sydney Star Observer, 8 March 1991, 3; “in defence of gay service people: Janet Powell,” OutRage, April 1991, 6–7.

most notably Attorney General Michael Duffy, also began to push for repeal of the ban.¹¹⁴ The OutRage article also placed pressure on the ADF, firstly because of the security breach with the three undercover agents named. The OutRage article's principal informant was called "John," who had been involved in a 1982 Air Force Academy incident leading to proceedings in a Court of Inquiry. The article stated, "There is one reason, obvious to those who know him [John], why his pursuers might have given up the chase; but that cannot be revealed without identifying him."¹¹⁵ This not-so-subtle reference, and the story of the classified Court of Inquiry, clearly indicated to Peter Gration that "John" was his son, Richard. General Gration immediately demanded that the RAAF Police halt their investigations of suspected gays and lesbians. As Richard recalls, "there was an edict that came down from the Chief of the Defence Force that the RAAF Police were not to behave in that way and then it really formalized the position that it's 'If you get a complaint, you can investigate it, but you are not to engage in entrapment'."¹¹⁶ The article in OutRage thus achieved its purposes: to raise public awareness of the operation and effects of the LGB ban, and to place it on the political agenda.

Only a month after this incident, in April 1991, one lesbian who had been dismissed from the Army and another who had been discharged from the Navy filed complaints with the Human Rights and Equal Opportunity Commission. Together the two cases presented a challenge to the

¹¹⁴ Bill Bowtell, interview with author, 26 May 2017, Sydney.

¹¹⁵ "in defence of the realm?" OutRage, March 1991, 16.

¹¹⁶ Richard Gration, interview. See also Martyn Goddard, in "Discriminating Service," Four Corners, 3 August 1992, NAA, C475, 1746037.

very legality of the ADF's LGB ban.¹¹⁷ Deliberations and exchanges between the Commission, ADF, the Defence Minister and the Minister for Defence Sciences and Personnel dragged on from April 1991 until June 1992. While this was playing out, in December 1991 the CDF placed a moratorium on discharging any Defence members pending the review of the policy. In June 1992 Defence Minister Senator Robert Ray announced in parliament that the LGB ban would remain, so General Gration lifted this moratorium.¹¹⁸ Within days, Attorney General Michael Duffy intervened, asserting that the ban violated Australia's obligations under international law. The debates continued within the government until November 1992,¹¹⁹ and the newfound political interest in the LGB ban required ADF officials to defend their position publicly. They wheeled out their standard arguments while unconvincingly claiming that "the ADF does not

¹¹⁷ Documents relating to the Army case are available from NAA, A6721, 1985/18156, PARTs 2, 3 and 4. See also Greg Austin, "Army Challenged on Anti-Gay Policy," Sydney Morning Herald, 2 April 1991, 5; "Lesbian May Force Army Rule Change," OutRage, May 1991, 9; Greg Austin, "Defence Force's Views of Gays May be Bending," Sydney Morning Herald, 6 September 1991, 3; "Army reinstates lesbian," Sydney Star Observer, 7 August 1992, 5; "Lesbian Is Back In The Army," The Age (Melbourne), 4 August 1992, 3

¹¹⁸ General Peter Gration, "ADF Homosexuality Policy," 23 June 1992, NAA, A6721, 1985/18156 PART 4.

¹¹⁹ See Riseman, "Outmanoeuvring Defence," 562–575.

discipline members because of their sexuality nor does it actively seek out homosexuals in its ranks.”¹²⁰

Attention to the actual numbers of investigations and discharged LGB service personnel helps to reveal whom, exactly, the service police tended to target in their investigations. The most useful data comes from a September 1992 question on notice at a Commonwealth Senate Estimates Committee.¹²¹ Greens Senator Christabel Chamarette queried the number of people discharged for homosexuality over the five-year period between 1987 and 1992. The numbers in the internal ADF documents do not add up perfectly, but the figures published in the Senate Estimates Committee B report to the Senate indicate that thirty-two RAAF, seventeen Army and twenty-four Navy members accused of homosexual conduct requested their own honorable discharges; there were also thirteen RAAF, five Army and three Navy dishonorable discharges.¹²²

1987-92, figures from report to Senate Estimates Committee

¹²⁰ Cabinet Submission 880--Policy on homosexuality--Australian Defence Force (ADF)--Decision 1375, 23 November 1992, 8, NAA, A14217, item 880.

¹²¹ When a public servant testifying before a parliamentary committee does not have the relevant information with them, they take the question “on notice” and must report the answer back to parliament within a specified time period.

¹²² Australian Senate, Estimates Committee B, Report to the Senate, “1992–93 Senate Estimates Hearing Committee B--23 September 1992 Questions on Notice,” 144–145. See also documents from September--October 1992 contained within NAA, A6721, 1985/18156 PART 4 and PART 5.

Service	Honorable Discharges	Dishonorable Discharges	Investigations: Male/Female	Officers
Army	17	5	25/31 (55% F)	1 or 2
RAAF	32	13	unknown	3
Navy	24	3	22/5 (18.5% F)	unknown

These numbers are difficult to interpret. Does the relatively small number of investigations and discharges across the services suggest that perhaps investigations were not so widespread? Or does it suggest that accused individuals managed to avoid naming others? Bear in mind that the number of cases for 1991 and 1992 would have been unusually small in all three services because of the moratorium on investigating cases of homosexuality. Nevertheless, these statistics do reinforce some of the observations presented in the oral histories. For instance, the data shows that there was a spike in reports about homosexual offenders in both the RAAF and Army between 1987 and 1988--a period that eyewitnesses describe as characterized by anti-LGB witch-hunts. The gender breakdown reveals a telling difference between Navy and Army attitudes. Five of the twenty-seven service personnel discharged from the Navy (or 18.5 percent) were women. Given that women made up approximately 12 percent of the Navy in 1990, this was not an excessively disproportionate gender gap (particularly given the small sample). In the Army, however, thirty-one out of fifty-six investigations (55 per cent) were women; of the discharges (both honorable and dishonorable), sixteen (67 per cent) were women and eight (33 per cent) were men. In every reported year except 1987, there were more investigations of women than men. Given that women made up 8.6 per cent of the Army in 1990, it seems clear that the Special Investigations Branch of the Army were more likely to target women/lesbians

than gay men.¹²³ The Australian military has a long history of policing women's bodies and sexuality, as was apparent in the policy, in place until the late 1960s, of discharging women who married or became pregnant. As Shirleene Robinson argues, these restrictions on married women serving created longstanding anxieties about the type of woman who would be attracted to military careers.¹²⁴ Indeed, Ford argues that these policies display a consistent "enforcement of heterosexual femininity within the armed services, particularly in relation to disciplining women's bodies and the construction of 'the lesbian' as deviant."¹²⁵ In a 1977 discussion about the security implications of lesbian servicewomen in the Australian Army, a British Army consultant psychiatrist cautioned that "most normal women did not consider service life attractive" and, like in the British Women's Royal Army Corps, "Australian servicewomen would show a similarly high predisposition towards anti-social or deviant behaviour and, hence,

¹²³ Documents from September--October 1992 contained within NAA, A6721, 1985/18156 PART 4 and PART 5. The internal document adds to twenty-four discharges, whereas the figure reported to Senate Estimates was twenty-two. For statistics on women's employment in the ADF, see Christine Reghenzani, "Women in the ADF: six decades of policy change (1950 to 2011)," Australian Parliamentary Library Summer Scholar's Paper, 42, available from <https://www.aph.gov.au/~media/05%20About%20Parliament/54%20Parliamentary%20Depts/544%20Parliamentary%20Library/pubs/apf/scholarship/CReghenzani.pdf?la=en>, accessed 16 April 2019.

¹²⁴ Robinson, "Sexuality at a Cost," 46–50.

¹²⁵ Ford, "Disciplined, Punished and Resisting Bodies," 54.

towards homosexual activities.”¹²⁶ Ford further argues that sexological and psychological discourse that constructed lesbians as masculine women underpinned widespread anxieties about their attraction to military service.¹²⁷ Given the stereotypes, restrictions and anxieties about lesbianism, it is not surprising that authorities were more prone to target, investigate and police women’s sexuality. One straight airwoman falsely accused of being a lesbian even commented to the press that many servicemen believed if a servicewoman was neither married nor sleeping around, she must be a lesbian.¹²⁸

The statistics the late 1980s and early 1990s also reveal a significant difference in the treatment of officers and other ranks. While the Navy data is not broken down by rank, both the RAAF and Army statistics clearly show that there were far fewer officers than enlisted men being discharged for homosexual acts in this period. The RAAF only charged two officers and one officer cadet, while the Army only charged one or two officers (the internal documents conflict).¹²⁹ There are several possible reasons for this disparity. Because officers had more authority and autonomy, there was likely less scope for police to investigate their activities

¹²⁶ Lt-Col G.F. Boileau, “Security--Homosexuals,” 8 September 1977, in NAA, A4090, 537/6/19.

¹²⁷ Ford, “Disciplined, Punished and Resisting Bodies,” 56; 64.

¹²⁸ Cameron, “Why Inga Accuses the RAAF,” 4.

¹²⁹ Documents from September--October 1992 contained within NAA, A6721, 1985/18156 PART 4 and PART 5. In another inconsistency, one document indicates that the two discharged Army officers were male, but interviewee Captain Gen Ford was discharged during this period.

without probable cause. The oral histories our project team collected also suggest that the ADF was more hesitant to investigate, let alone discharge, officers for this offense. Brian McFarlane recalls that Army officers did frequent gay bars in the 1960s and 1970s, and they were likely to protect each other any charges arose.¹³⁰ Having served under Captain Robert Percy on HMAS Perth between 1971 and 1972, Garry Gleadhill describes Percy as a gay sexual predator well-known for targeting vulnerable sailors. Yet Percy later rose to the rank of commodore, served as naval attaché in Washington and even was commander of the Western Australian Forces until his mysterious discharge in 1979.¹³¹

Neil Murray recalls visiting beats (Australian parlance for public sites where gay men cruise for sex), including beaches in Adelaide or Canberra where he regularly saw other officers such as a Group Captain who was Director of Personnel Officers in the Air Force Office--the very man responsible for discharging people for homosexuality. Murray worked for most of his RAAF career from 1965 to 1984 as an adjutant: the person assisting a base commanding officer with administrative tasks, paperwork and discipline. During his career, Murray was responsible for processing the paperwork relating to male homosexual discharges at various stations. When asked about officers, Neil responded:

¹³⁰ Brian McFarlane, interview with author, 10 July 2015, Bowral, NSW.

¹³¹ Garry Gleadhill, interview with author, 20 April 2017, Branxholm, TAS. On Percy, see Joseph Catanzaro, "Navy chief raped us: sailors," West Australian, 16 June 2012, <https://thewest.com.au/news/australia/navy-chief-raped-us-sailors-ng-ya-311453>, accessed 27 June 2017.

Neil: Officers' cases did come, but there was no occasion where an officer was ever discharged. It was more pick on the lowest ranks.

Author: What would happen to the officers, then?

Neil: Well, put it this way, they would be formally warned, cautioned and given a reprimand or a warning and told, "Listen, one step wrong again, you're gone." So, it put the fear into them and put the fear into me. Yes, there was a rule for one and a rule for another.¹³²

As already discussed, other interviewees, such as Gen Ford, Richard Gration and Tony McLeod, did point out that officers were not completely immune from investigations and discharge, but Murray's observation and discharge statistics indicate that there was at least a veneer of protection and a much higher threshold for investigation.

Conclusion

As this article has shown, between 1974 and 1992 service police consistently hunted for what a December 1981 Truth article called "rings of homosexuals."¹³³ The surveillance, intimidating interviews, demands to name other gays and lesbians and almost inevitable discharges created a climate of fear for LGB service personnel. There was a clear disconnect between official policies that advocated treating suspected gays and lesbians with sympathy and discretion and the intimidating practices deployed by the respective service police. These practices began to receive

¹³² Neil Murray, interview.

¹³³ "5 sacked in camp probes," Truth (Melbourne), 26 December 1981.

more public attention in the late 1980s, raising questions about the legality and ethics of the LGB ban. The ADF's first reaction was to merely tweak their justifications for the ban. ADF representatives (falsely) asserted that only a few rogue officers were responsible for the excesses and denied that the ban itself was creating a framework that tolerated persecution of LGB service members.

Also telling is that even as the Keating Government was debating the LGB ban from June to November 1992, the ADF was yet again reformulating its restrictive policies. Internal documents show that in July 1992 the Army began working to develop new regulations, which would have been even more prescriptive about how to deal with cases of homosexuality. The proposed instructions included a clearer definition of homosexual behavior, required enlistees to sign an attestation that they were not homosexual, introduced a process where accused homosexuals could argue for their retention, delineated circumstances warranting discharge, and even contained sample oral and written warnings. The policy also contained the usual language that suspected homosexuals were to be treated "discreetly, and with speed, sensitivity, thoroughness and impartiality." The new policy was scheduled for release on 1 December 1992.¹³⁴ On 23 November 1992, though, the Keating Cabinet overturned the LGB ban, ending formal investigations and persecutions of LGB Defence members. Removing this threat of discharge took a serious weight off those LGB service members who were so fearful of the service police and their witch-hunts. Even though LGB people could enlist and serve openly, it

¹³⁴ Draft DI(A) PERS 96-1 Homosexual Behaviour, 5 November 1992, NAA, A6721, 1985/18156 PART 4 and PART 5.

would not be until the mid-2000s that the ADF adopted an inclusion agenda to move beyond merely tolerating the presence of homosexuals.