

**SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE
REFERENCES COMMITTEE**

**INQUIRY INTO RECRUITMENT & RETENTION
OF DEFENCE PERSONNEL**

SUBMISSION

Submission No: 98

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Mr Paul Barsdell
Secretariat: Foreign Affairs, Defence
and Trade Committee
The Senate, Parliament House
Canberra ACT 2600

20 May 2001



Dear Mr Barsdell,

Re: Submission to FADT Senate Inquiry
Recruitment and Retention Issues for ADF Personnel

I write as a Member of Parliament who has been approached by several ADF personnel during my two years in the Senate, with complaints, concerns and expressions of distress and anxiety over discrimination and harassment they have experienced and claim to experience in the ADF.

This discrimination is a direct result of their sexuality.

For many it has meant consideration of, or actual departure from the ADF.

While the former Keating Government repealed the ban on lesbians and gays serving in the ADF, the many hundreds of homosexual personnel in the ADF continue to experience both systemic and cultural discrimination.

Equity programs and Officers do not address sexuality based discrimination and harassment, and no attempt has been made by the Government to ensure integration of gay and lesbian personnel into the ADF and to provide education of all ADF members on the issue of anti-homosexual discrimination.

There appears to be a very strong ADF culture of "keep your mouth shut" if you are gay or lesbian. However, this situation is unhealthy for the social and psychological welfare of gay and lesbian personnel, given that no such expectation is made of heterosexual peers. This oppressive culture nurtures an environment of invisibility, silence, and fear for many ADF members.

In my experience, at least with talking to and meeting many gay and lesbian ADF personnel, the sometimes difficult and hostile environment many experience is perpetrated by covert Government philosophy and the particular prejudice of some Officers at some bases, but is not universally shared or supported by most ADF personnel.

It seems reasonable to conclude that while the 'gay ban' has been lifted for almost a decade, there is a culture of resistance to that reform by some senior members of the ADF and through complementary Government policy that clashes with the lifting of the ban. I doubt this resistance would be tolerated if it were extended towards the integration of women or Aborigines in the ADF, for example.

While the repeal of the ban stands as solid policy, the original policy of removing gay and lesbian people from the ADF seems to remain in practice. Only the method of removal has changed.

As a result of this, many good, qualified, experienced and enthusiastic members of the general community decline to join the ADF. Equally, many good, qualified, experienced and enthusiastic members of the ADF leave.

This situation is compounded by the lack of partnership recognition for the many hundreds of same sex couples serving in the ADF. Relocation difficulties for couples, along with a refusal to grant superannuation and death benefits to same sex spouses strains many relationships to the point where members will leave the forces rather than destroy a long-term relationship. These difficulties are not imposed on heterosexual couples, whether married or de facto in nature.

In summary

The continuing policy of direct and indirect discrimination against lesbian and gay members of the ADF is a serious barrier to the recruitment of many good Australians, and remains a key cause of the departure from the ADF by many others.

This discrimination appears contrary to the United Nations' Covenant on Civil and Political Rights, and is in stark contrast to the inclusive and non-discriminatory defence force policies by comparable jurisdictions.

Recommendations

- 1) **Ensure all Equity Programs unambiguously address gay and lesbian discrimination and homophobia.**
- 2) **Extend all partnership rights experienced by married and heterosexual de facto members of the ADF to same sex couples.**

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- 3) **Resource and educate Equity Officers to explicitly address issues of anti-lesbian and anti-gay harassment and discrimination.**
- 4) **Allow for a complaints mechanism to investigate and take action against this discrimination, and in which ADF members have faith.**

Yours sincerely,



Senator Brian Greig
Democrat's spokesperson for Law & Justice; Sexuality Issues.

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