

According to a recent story in the Telegraph, the Ministry of Defence is still supposed to be rewriting its transgender policy, more than a year after the Supreme Court judgment on the meaning of "woman" in the Equality Act, leaving commanding officers and service personnel uncertain about the applicable rules.

Women's organisations and campaigners quoted by the paper argue that female personnel are being "failed" because there is no clear direction on issues such as accommodation, changing facilities and single-sex spaces.

The article suggests that the Armed Forces have continued operating under older guidance while awaiting a revised policy.

Transgender policy is hardly a priority matter compared to other crises facing the Department. The fact remains that we do not exclude transgender people from serving in the armed forces.

Irrespective of one's views on transgender policy, leaving personnel and commanding officers in uncertainty for such a long period is difficult to defend. The Armed Forces depend on clear administrative instructions.

Continued uncertainty affects everyone involved: women concerned about single-sex facilities, transgender personnel trying to understand their status, and commanders who may have to make difficult decisions without definitive guidance.

BAFF has generally tried to avoid taking ideological positions while arguing that all personnel deserve clear, workable rules and fair treatment.

We would be interested to know whether this delay is being reflected in service complaints or administrative cases. If units are making decisions based on interim interpretations rather than published Defence policy, that could become important later.

We would ask therefore, when will the revised policy be published, and what interim guidance should commanding officers and personnel follow until then?

No specific problems in this area have been raised with us either by non-transgender personnel, or by transgender personnel themselves. It would be good to think that this apparent tranquility results from common sense and mutual respect on the part of all involved, rather than from undue subservience to so-called "woke".

In September 2025 the MoD rejected the premise of a claim by a transgender serving officer, making a speech in a personal capacity, that transgender personnel might not be able to continue in service beyond the end of 2026.

BAFF full members wishing to raise such issues confidentially with us are always welcome to do so.

The current Defence-wide policy is contained in JSP 889 - Policy for the Recruitment and Management of Transgender Personnel, issued under the authority of the Chief of

More problematic than the Defence Investment Plan? - MOD transgender policy delayed

Defence People.

.