



Ministry
of Defence

Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

Ref: FOI2017/05651

Reply to: [REDACTED]

23 June 2017

Dear [REDACTED],

Thank you for your email of 30 May 2017 requesting the following information:

"1. With reference to the Armed Forces Compensation Scheme Order please provide:

a. Can an individual claim for compensation for multiple discrete mental disorders if attributable to service (ie initially PTSD, followed by Depression)?

b. If so, how many individuals have successfully claimed compensation through the AFCS for 2 or more mental disorders attributable to service?"

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOI Act).

Mental health symptoms and disorders differ from physical disorders and injuries as they are entirely subjective with no objectively verifiable features. Diagnosis is based mainly on self-reported symptoms. For physical disorders, there is a long tradition of disorder classifications, enabling clinicians and patients to use the same terminology e.g. wrist fracture / heart attack etc. This may be important for the research and development of best practice treatments.

Using disorder classifications is much more difficult for mental health problems. First, there are only two mental health disorder classifications and they may list the same diagnoses but in many cases use different criteria, which themselves change over time. In clinical practice the use of these classifications and diagnoses based only on published criteria is not mandatory. As a result, for mental health disorders, different clinicians may use different diagnoses for the same disorder. It is, therefore, not uncommon over time for diagnoses to be revised because a different clinician is involved.

In acknowledgement of these facts, it was decided that the Armed Forces' Compensation Scheme (AFCS) would adopt a generic approach to mental health disorders. There is no "list" of diagnoses where, for example, Post Traumatic Stress Disorder (PTSD) is considered by its very nature to be more severe and so worth a higher award than anxiety state or depression. Instead, awards can be made for mental health claims when a consultant psychiatrist or psychologist has made a diagnosis of a discrete mental health disorder according to any published classification. The actual amount paid depends on the associated overall functional restriction, limitation and duration, due to all diagnoses accepted as due to eligible service under the AFCS.

Psychological injury, often in the context of mental health disorder due to eligible service under the AFCS, commonly results in high rates of co-morbidity i.e. several different discrete disorders are found and all contribute to the overall disabling effects. In that situation, one award will be made. Rarely, there may be discrete episodes of illness with symptom-free intervals in between. In that

situation if two different diagnoses are given, and accepted as due to service on the case specific facts, two separate awards may be appropriate.

Turning now to the second part of your query, I can advise you that between 6 April 2005 and 31 March 2017, 62 people have successfully claimed compensation for two or more different mental disorders under the Armed Forces Compensation Scheme (AFCS). This figure includes those awarded for multiple mental disorders within one claim and those awarded following multiple claims.

Under Section 16 of the FOI Act (Advice and Assistance) I can advise that Defence Statistics publish a biannual National Statistic on claims and awards under the AFCS as at the link below:

<https://www.gov.uk/government/collections/armed-forces-compensation-scheme-statistics-index>

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance Team, Ground Floor, Zone D, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the FOI Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Defence People Secretariat FOI