



Ministry  
of Defence

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Reference: FOI2019/05353

06 June 2019

Dear [REDACTED]

Thank you for your email received on 7 May 2019 requesting the following information:

"I have a three part request for you.

- a) Please can you provide me with the number of military employees currently serving in any capacity, who received compensation for any form of mental illness, including PTSD.
- b) Please also provide me with the number of military employees currently serving in any capacity, who have applied for compensation for PTSD.
- c) Please provide me with the number of military employees released from active service in part of wholly due to psychological ill health."

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

The Ministry of Defence requires further information to determine whether it holds information within the scope of your request in response to parts a) and b). In particular, it would be useful to know:

1. Which compensation scheme does your request refer to? Serving UK Armed Forces personnel diagnosed with Service-attributable mental illness may be awarded compensation under two MOD compensation schemes:
  - a) The Armed Forces Compensation Scheme (AFCS): The AFCS awards no-fault compensation to former and current Service personnel diagnosed with Service-attributable mental illness on or after 6 April 2005.
  - b) The MOD Common Law Compensation Scheme: Compensation may also be paid out to former and current service personnel under common law where successful claims have been brought against the MOD alleging a failure of the Department to properly recognise, diagnose and treat a mental illness.

Please note that no-fault compensation is also paid out under the War Pension Scheme (WPS) to those diagnosed with Service-attributable mental illness prior to 6 April 2005. However, this scheme is only open to former Service personnel and therefore will not be relevant to your request.

2. Is there a period of time that is of particular interest? Note that there is increased likelihood of the request exceeding the FOI cost limit, should your request cover a longer period of time.

Once you have clarified your request, I will be pleased to consider it again.

Please remember to quote the reference number above in any future communications.

Under Section 16 (advice and assistance) you may wish to note the following:

## Medical Discharges

In response to part c) of your request, information on the number of UK Armed Forces personnel who have been medically discharged from Service as a result of Mental and Behavioural Disorders is already in the public domain. Defence Statistics publish an annual Statistical Bulletin which presents information on medical discharges:

<https://www.gov.uk/government/statistics/uk-service-personnel-medical-discharges-financial-year-201718> (next release 11 July 2019).

As this information is already in the public domain, it is exempt under Section 21 of the Freedom of Information Act (FOIA), because it is reasonably accessible to you by other means.

Please refer to the following Tables in the Official Statistic Excel document:

- Table 2 and A1.2 for Medical Discharges from the Naval Services.
- Table 4 and A4.2 for Medical Discharges from the Army.
- Table 6 and A5.2 for Medical Discharges from the Royal Air Force.

Medical discharges are the result of a number of specialists (medical, occupational, psychological, personnel, etc) coming to the conclusion that an individual is suffering from a medical condition that pre-empts their continued service in the Armed Forces. Statistics based on these discharges do not represent measures of true morbidity or pathology. At best they indicate a minimum burden of ill-health in the Armed Forces. Furthermore, the number and diversity of processes involved with administering a medical discharge introduce a series of time lags, as well as impact on the quality of data recorded.

## Armed Forces Compensation Scheme

The AFCS came into force on 6 April 2005 to pay compensation for injury, illness or death attributable to Service that occurred on or after that date. It replaced the previous compensation arrangements provided by the War Pensions Scheme (WPS) and the attributable elements of the Armed Forces and Reserve Forces Pensions Scheme. Defence Statistics publish an annual National Statistic on claims and awards under the AFCS:

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

The latest update was published on 28 June 2018 (as at 31 March 2018). The next update (as at 31 March 2019) will be published on 27 June 2019.

AFCS data is sourced from the Compensation and Pension System (CAPS) which is administrated and managed by DBS Veterans UK.

## Common law claims

Common law claims are dealt with by the Claims Unit within the department's Directorate of Judicial Engagement Policy (DJEP), by contractors operating in accordance with instructions provided by the Claims Unit, or by delegated authorities. When compensation claims are received, they are considered on the basis of whether or not the MOD has a legal liability to pay compensation. Where there is a proven legal liability, compensation is paid.

The MOD publish statistics on claims brought against the MOD for compensation at common law:

<https://www.gov.uk/government/collections/mod-compensation-claims-statistics>

The latest update covering the period 2017/18 was published on 8 November 2018.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)).

Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

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