

Ref: FOI2020/08940

1 September 2020

Ms

Dear Ms

Thank you for your letter of 4 August 2020 to the Ministry of Defence (MOD) requesting the following information:

"In respect of Veterans UK and the Armed Forces Compensation Scheme we would request the following information

- How many Article 59s have been made during the period of August 2018 to present date*
- How many Article 59s that have been made during this time were ruled in favour of Applicant*
- How many Article 59s that were submitted were successful having been reviewed under a different Article within the Armed Forces Compensation Scheme i.e. an Article 59 was submitted but Veterans UK choose to look at it under Article 52 instead of the Article 59."*

A search for the information has now been completed within the MOD and I can confirm all information in scope of your request is held. However, I must advise you that we will not be able to answer your request without exceeding the appropriate cost limit.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central Government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it.

To identify claims submitted as an Article 59, which were also looked at under Article 52, the MOD would be required to manually search individual claim files. Therefore, in order to fully answer your questions, it would take 11 days at an estimated cost of £2,000 to manually search the files.

Under Section 16 (Advice and Assistance), I can confirm that should you wish to refine your request, the Department may be able to provide some information in scope of point one and two. Claims under the Armed Forces Compensation Scheme (AFCS) where individuals registered an Article 59 between 1 August 2018 and 31 March 2020 is held and the outcome of these claims, whether in favour of the claimant or otherwise, is also held as at 31 March 2020.

In addition, the MOD may be able to provide some information in scope of your request for point three if you were to substantially reduce the time period requested to bring the cost of compliance under the limit. However, please note the latest date we can currently report to is 31 March 2020.

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). 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

Defence Business Services Secretariat