

Ref: FOI2020/09791

21 September 2020

Dear Ms

Thank you for your email of 1 September 2020 to the Ministry of Defence (MOD) requesting the following information:

*“Please can you provide the information which you have stated is available in respect of the following request*

- *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”*

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.

An Article 59 is a term used under the AFCS referring to a ‘review due to ignorance or mistake’. Between 1 August 2018 and 31 March 2020, there have been 337 Article 59s registered under the Armed Forces Compensation Scheme (AFCS). Of these Article 59s, 229 were ruled in favour of the claimant. Please note, however, that of the 337 Article 59s registered within the specified timeframe, six do not have an outcome as of 31 March 2020. Therefore, the total figure regarding favourable outcomes should be treated as a minimum with the potential to change at a later date.

You may wish to note that even though your request asks for data up to the the present day, the latest date we can report to is 31 March 2020 as figures are compiled only at the end of the financial year.

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

**D**efence Business Services Secretariat