



Defence Business Services
Secretariat
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Ref: FOI2022/02421

DBSRES-Secretariat@mod.gov.uk

Mr [REDACTED]
[REDACTED]

22 March 2022

Dear Mr [REDACTED]

Thank you for your emails of 11 and 23 February 2022 to the Ministry of Defence (MOD), requesting:

- *How many AFCS Tier 1 Tribunals have taken place over the last year?*
- *How much total money has been spent on these Tribunal cases by Veterans UK?*
- *How many of these AFCS Tribunal cases resulted in either an award or increase in award.*

And clarified as:

To clarify, the question is:

1. How many AFCS Tier 1 Tribunals have taken place over the last year? If this is regarded as 'cleared appeals' by the MOD then include this.

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

A search for the information has now been completed within the MOD and I can confirm some 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 limit. This is because between 1 April 2020 and 31 March 2021, there were 740 injury appeals cleared, involving 685 claimants. A manual search of the 685 individual case files would be required to establish if the appeal was cleared at a First Tier Tribunal.

It is estimated that the average time required to retrieve and extract this information would be 15 minutes per case file and would therefore take in excess of 171 hours work to examine the 685 case files involved.

Section 12 of the FOIA 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.

However, under Section 16 of the FOIA (Advice and Assistance) you may find it helpful to note, information on the number of AFCS appeals cleared between 1 January 2021 and 31 December 2021 and the outcome can be electronically retrieved. This information is already published within the AFCS National Statistic from 6 April 2005 to 31 March 2021. This information can be found in Table 4 of the supplementary tables accompanying the bulletin, which can be found at the following link:

<https://www.gov.uk/government/statistics/armed-forces-compensation-scheme-statistics-financial-year-202021>

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

A black rectangular redaction box covering the signature of the Defence Business Services Secretariat.

Defence Business Services Secretariat