Armed Forces Bill

House of Lords, Report Stage
Wednesday 27 April 2016

About the BMA
The British Medical Association (BMA) is a professional association and independent trade union, representing doctors and medical students from all branches of medicine across the UK and supporting them to deliver the highest standards of patient care. We have a membership of over 170,000, which continues to grow each year.

Key points
- The BMA supports amendment 9 which would ensure that in the event of a diagnosis of a mental health condition that has been caused by serving in the armed forces, an immediate lump sum payment would be made to the individual affected.
- The BMA also supports amendment 10, tabled by Lord Touhig and Baroness Jolly, which would create a specific obligation on the government to have particular regard to parity of esteem between mental and physical health in the Armed Forces Covenant.
- It is essential that serving armed forces personnel and veterans have sufficient access to healthcare services. However, the BMA is concerned about the viability of the future provision of high quality healthcare in the armed forces.
- The BMA believes that funding for mental health services like the Veterans and Reservists Mental Health Programme must continue.

Introduction
The medical branches of the armed forces and reserve armed forces are represented by the BMA’s Armed Forces Committee (AFC). These medical branches are referred to as the Defence Medical Services (DMS). DMS doctors make a strong commitment to the UK armed forces, delivering high quality care to their military colleagues both in the operational theatre and in the UK. The DMS have continued to provide high quality medical healthcare at a time of high operational tempo, despite considerable personnel shortages in the DMS. These shortages increase individual workload and have an obvious impact on the motivation and morale of the DMS.

Amendment on Armed Forces Covenant
The BMA supports amendment 10 ‘Armed forces covenant report on mental health parity of esteem’ which would legislate to ensure that there is a specific obligation on the government to have particular regard in the Armed Forces Covenant to parity of esteem between mental and physical health. We believe it is essential that parity of esteem between physical and mental health is applied equally to members of the armed forces as to the wider public. Embedding mental health within the Armed Forces Covenant would demonstrate the seriousness with which this issue is taken.

Armed Forces Compensation Scheme
The BMA supports amendment 9 ‘Special provision for sufferers of mental health conditions’ on mental health provision and compensation. The amendment would ensure that in the event of a diagnosis of a mental health condition that has been caused by serving in the armed forces, an immediate lump sum payment would be made to the individual affected. The BMA has ongoing concerns about the Armed Forces Compensation Scheme\(^1\) which remain unresolved. Currently, the scheme enables service personnel to
claim compensation for any illness or injury caused as a result of their service in the armed forces. All current and former members of the UK armed forces, including reservists, may submit a claim for compensation. The BMA is concerned that the current system does not work for those seeking compensation for mental illness.

Former service personnel, seeking compensation for mental health illnesses face a number of hurdles. It can take several years to be diagnosed, in which time veterans can have difficulty adjusting to civilian life and both their professional and personal lives can be affected. Once mental illness is diagnosed, the compensation process can be convoluted. For a claim to succeed, an assessment must be made of the ‘permanent level of disability’ caused by the illness. This can be difficult to analyse and can result in several years elapsing before the ‘permanent level of disability’ is confirmed; during this period no compensation is issued.

Adding amendment 9 to the Bill would ensure that once a veteran is being treated for a mental health condition that has been caused by serving in the armed forces, a retrospective compensation payment will be made. Currently there is a seven year time restriction on when a claim can be made, however, mental health illnesses often do not manifest themselves for several years, in many cases longer than the seven year cut off period. During this period, those with a mental illness can be profoundly affected in their professional and personal lives. An individual may be living with a condition which has a substantial impact on them and their family’s lives for several years without diagnosis.

The BMA calls on the government to provide statistics demonstrating the length of time it takes for veterans to receive compensation after a mental health diagnosis. We believe this will provide an insight into the severity of the problem.

Further background

Armed forces veterans have access to DMS mental health services for 6 months after the end of their service. This is a crucial resource which is well used by former service personnel and is invaluable at helping to ensure a healthy and successful transition back into civilian life.

The Veterans and Reservists Mental Health Programme (VRMHP) provides mental health assessments for veterans and reservists who have concerns about their mental health as a result of service. This is available to veterans who have been deployed since 1982 and are experiencing mental health issues as a result of military service. The VRMHP investigates patients' mental health concerns, including a full mental health assessment by a Consultant Psychiatrist and, so far as possible, it provides a diagnosis if the veteran has a mental health disorder. Recommendations and accompanying guidance on care and treatment for the veteran’s local clinical team are also provided as well as the extensive support network that is available to veterans and their families in the UK. The BMA believes that it is essential that funding for programmes like these continues.

The DMS also administers an enhanced mental health assessment (EMHA) into all routine and discharge medicals of the armed forces in order to facilitate treatment on return to civilian life. As part of this assessment, service personnel have to fill in a questionnaire which includes questions about depression, anxiety, post-traumatic stress disorder, alcohol use, sleep and anger. The BMA is unsure as to whether this assessment is effective and so call on the government to complete an analysis on how this has helped service personnel transition to civilian life.

For further information, please contact:

David Knowles, Senior Public Affairs Officer
T: 020 7383 6520 | M: 07917 041 018 | E dknowles@bma.org.uk
References: