Government Systems Still Classify Neurological Disease as Mental Illness, a Legacy Decision Now Distorting Justice and Employment Data.

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A Portsmouth?based organisation has uncovered a long?standing structural flaw in Ministry of Justice (MoJ) data systems: M.E./C.F.S., a neurological disease recognised by the World Health Organisation, is still being categorised as a mental health condition or learning difficulty, not because of error, but because of an outdated classification decision embedded in government systems years ago.

Stripy Lightbulb CIC discovered the issue while analysing MoJ datasets for a research project. The organisation found that M.E./C.F.S. is consistently placed in mental?health or cognitive?learning categories across multiple linked datasets used by courts, employers, and researchers.

This is not a technical mistake. It is the result of a deliberate categorisation choice made in older administrative systems that grouped people by broad notions of “vulnerability” rather than medical accuracy. Those legacy labels have been carried forward into modern datasets without review, despite years of scientific progress.

The implications are significant:

- Employment Tribunal data may be misleading employers about the nature of M.E./C.F.S., influencing workplace policies and equality decisions
- Courts and probation services may be relying on inaccurate classifications when assessing needs or vulnerabilities
- Researchers and policymakers are working with distorted evidence
- For the ME/CFS community, this means unnecessary barriers to justice, inconsistent decisions, extra energy expenditure explaining the biomedical nature of the illness within the court process, and a system that simply isn’t aligned with modern medical understanding.

Because the MoJ inherits categories from operational systems, the misclassification has been replicated across multiple datasets, creating a nationwide ripple effect.

“This isn’t a glitch, it’s a legacy decision that has gone unchallenged for many years.”

Sally, founder of Stripy Lightbulb CIC, said:

> “This isn’t a glitch or a typo. Someone, years ago, chose to place M.E./C.F.S. in the wrong category, and that decision has been baked into government systems ever since.
>
> The result is a structural misrepresentation of a neurological disease across the justice system, employment data, and national research. It’s a legacy decision that has gone unchallenged for far too long.”

MoJ acknowledges internal discussions, but no commitment to fix the issue.

After being alerted, the MoJ’s Data First team confirmed that the issue has been passed to colleagues for internal discussion. No timeline or plan for correction has been provided.

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Stripy Lightbulb CIC is calling on the MoJ to update its classification systems to align with the World Health Organisation and ensure M.E./C.F.S. is correctly recognised as a neurological disease.

Sally added:

> “This is a structural problem with a simple solution. Updating these categories would immediately improve data accuracy and prevent further harm. People with ME/CFS deserve a justice system that recognises their illness for what it is, not what it was once assumed to be."

Contact

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