Injuries board keep compo claims out of courts

THE clampdown on 'compo culture' has led to a huge drop in personal injury cases reaching the courts.

It emerged yesterday that in three out of every four cases, claimants are accepting awards from the fast-track service, the Personal Injuries Assessment Board (PIAB).

The board's first set of annual figures revealed that the number of cases relating to personal injury in both the High Court and circuit courts fell dramatically last year. The number of High Court plenary matters relating to personal injury fell more than 20-fold last year, dropping to 750 compared with 15,200 in 2004.

Meanwhile, there were approximately 3,000 circuit court civil bills relating to personal injury in 2005, compared with approximately 20,000 in 2004.

PIAB chief executive Patricia Byron said 2005 had seen a dramatic cultural shift in how personal injury cases in Ireland are dealt with.

Last year the PIAB approved awards worth €11 million. In all, 1,500 assessments have already been completed by the board while a further 8,900 are either within the 90-day period, the start point for the assessment procedure, or within the nine-month statutory assessment period.

Around 4,000 up-front settlements were facilitated by the PIAB while an estimated 2,450 cases were settled during the assessment process.

A further 900 cases were deemed not within the PIAB remit and an estimated 2,450 cases saw liability disputed by the respondent or the insurance company.

The organisation said it did not have a breakdown of the type of injuries dealt with in the claims but 49% related to motor liability such as road traffic accidents. Another 30% of cases were claims under public liability, and the remaining 21% were employer liability claims.

Dublin had the highest number of claims at 27% and Leitrim had the lowest, while Limerick had the highest proportion of claims per head of population.

The PIAB said its awards were in line with those handed down by the courts and said overall delivery costs stood at €847,560, compared with the estimated cost under the old system of €5.1m, which was made up of fees for solicitors and other bodies.

Michael Horan of the Irish Insurance Federation said the PIAB had a positive influence.

"We are moving in the right direction on anti-fraud claims," he said.

"The efforts of the industry, the PIAB and the Government have all helped to change the landscape and that has resulted in a period of falling premiums."

He said that the industry would launch another anti-fraud advertising campaign this year in tandem with its confidential hotline and added that a number of actions relating to fraudulent claims were currently "in the pipeline."

But the legal profession said solicitors were still a vital part of the process and claimed that the awards granted by the PIAB were at the low-to-moderate end of the scale.

The Law Society's personal injuries solicitor Stuart Gilhooly said that in his view, the awards were of a sufficient level to tempt people. But he suggested: "As time goes by, more and more cases will come out of the PIAB and back into the courts."

He also claimed that no more than 50% of total claims notified to the PIAB were ultimately dealt with by the body.

Mr Gilhooly said some people were disillusioned with the PIAB and that 80% of claimants using the PIAB still dealt with solicitors.

by Noel Baker

Injuries board breakdown

- Value of assessments accepted by both parties in 2005: €11.19 million.
- 80% of PIAB awards under €20,000.
- 14% between €20,000 and €40,000.
- 5% of awards between €40,000 to €100,000.
- 1% of awards over €100,000.
- Dublin had 27% of total claims.
- 49% were motor liability claims
- 30% public liability claims.
- 21% employer liability claims.
- PIAB system costs claimant €50 if dealing with PIAB directly.