

# PIAB faster and cheaper than courts

by Catherine Shanahan

PURSuing compensation claims through the Personal Injuries Assessment Board (PIAB) is four times faster and 70% cheaper than going to court, according to the PIAB.

In addition, compensation paid through the PIAB was at the same level of awards made in court because both systems use the Book of Quantum as a guide to compensation levels for particular injuries, the PIAB has claimed.

A total of 8,200 personal injury claimants benefited from €181 million in PIAB awards last year, a 47% increase on 2006. According to the PIAB, the speed of delivery — more than two years quicker than going to court — and the reduced legal costs resulted in savings of €40 million last year.

PIAB chief executive Patricia Byron said the figures clearly showed “the sustainable benefits of the non-adversarial model”.

“PIAB is not just faster and more efficient, but claimants benefit from awards at the same level as the courts while avoiding the stress of a court appearance, this is not to be underestimated,” said Ms Byron.

However, Stuart Gilhooly, chair of the Law Society’s litigation committee, said approximately half of the claims lodged with PIAB were not processed by the board because either the person against whom the claim was made chose in-

stead to go to court or because the insurance company settled with the claimant.

“Of the remaining 50% of claims that do go through, two in five are turned down by one of the two parties to the claim and it can then go to court. This adds another layer to the claim process and to the cost,” said Mr Gilhooly.

He said up to 95% of claimants that go to the PIAB use a solicitor.

Mr Gilhooly also disputed the claim that PIAB awards were on a par with court awards.

“The majority who turn down the PIAB award, which is not binding, and opt to go to court, get higher awards in court,” he said.

The number of claimants who go to court is likely to reduce further this year following a legislative change that makes claimants who reject PIAB awards, but subsequently fail to secure higher awards in court, liable for the legal costs arising.

● PIAB can be contacted directly at its Helpline, Lo-Call 1890 829121 between 8am and 8pm from Monday to Saturday or by post to PIAB, PO Box 8, Clonakilty, Co Cork.

## Examples of savings

### SUSAN'S STORY

Susan was out socialising with friends when she was knocked to the ground by unruly patrons in a nightclub. As a result she suffered a serious hip injury. Following review of the initial medical report submitted with Susan’s claim, PIAB referred her to its independent medical panel for a further opinion.

PIAB processed Susan’s claim within the nine-month timeframe, awarding compensation of €44,000 at a delivery cost of €1,340. Under the old litigation system, Susan’s award would have cost circa €20,200 to deliver and would have taken three years.

### SEAN'S STORY

Sean was traveling home from work in a minibus when it suddenly braked. Sean sustained a soft tissue injury to his neck and back and was out of work for some time as a result. PIAB referred Sean to its independent medical panel of experts for further assessment and review of the full impact of his injuries.

PIAB awarded Sean €13,600 compensation at a delivery cost of €1,180. His claim was processed within the nine-month timeframe. Under the old litigation system, it would have taken three years to process Sean’s claim at a cost of circa €6,200.

**PIAB 2007 HIGHLIGHTS**

|                              | 2006                            | 2007    | Change |
|------------------------------|---------------------------------|---------|--------|
| Number of awards             | 5,573                           | 8,200   | +47%   |
| Total value of awards        | €115.3m                         | €181m   | +56%   |
| Average award                | €20,689                         | €22,057 | +7%    |
| Average time to assess claim | 6.7 months v 3 years (pre-PIAB) |         |        |

There was some minor variation in the value of average awards by category as follows: Employer liability had the highest average award at €26,038, followed by motor liability and public liability at €21,707 and €20,792, respectively.