

Around €3m awarded to 126 Sligo accident claimants in 2008

Report reveals more serious cases now being dealt with by the Injuries Board

The legal profession won't find much comfort from the latest figures from the Injuries Board. Not only are more and more people processing their claims through the body but the high value cases are also ending up being settled there.

If there was one crumb of comfort for the lawyers when PIAB (Personal Injuries Assessment Board), the forerunner to the Injuries Board, was established it was that the more serious cases were still going through the courts.

Compensation totalling €217 million was awarded in respect of 8,845 personal injury claimants in 2008 according to preliminary year-end data from the Injuries Board.

Of this overall figure, 126 awards were made to claimants in the Sligo area with the total compensation figure for the county amounting to €3,004,468.85.

Since 2004, personal injury claims in Ireland (excluding medical negligence) must be processed through the Injuries Board rather than through the Courts.

It led to many doubts initially amongst the legal profession about the effectiveness of the new scheme. However, after much angst, the legal profession began to play ball and the general public also began to embrace the new regime wholeheartedly.

Promises of quick settlements without legal costs were the main attractions of the Injuries Board.

The significant trend from the profile of awards made in 2008 is that the volume of high value claims (typically associated with complex or serious personal

injuries) is increasing - in line with service enhancements and increased public confidence in the Board.

This trend, according to the Board, further reduces claims processing costs - which has resulted in savings of between €200m and €250m to the economy since mid 2004.

Awards made by InjuriesBoard.ie are processed four times faster and at a 70% less delivery cost than the Courts.

"Evidence available to the Board suggests that as confidence in our non-adversarial model grows, a greater number of the more serious or complex injuries are assessed by us," said Patricia Byron, Chief Executive, InjuriesBoard.ie.

A review of the 2008 data shows that the amount of money awarded on claims above €38,000 rose from a quarter of all awards in 2007 to a third in 2008.

The number of claims in the sub €38,000 range, which are typically soft tissue/minor bone injuries, rose by a modest 4% in 2008.

In contrast, the number of awards associated with more serious cases - over €38,000 range - rose by 47%, with the number of awards over €100,000 rising by 87%.

The average value of awards under €38,000 rose by 3.1% while those over €38,000 rose on average by 4.7%.

Ms. Byron said that InjuriesBoard.ie had continued to fulfil its mission to deliver personal injuries claims fairly, promptly and transparently.

"We have now made over 23,500 awards since we opened our doors

in 2004, amounting to almost €530m in compensation.

"By delivering these awards four times faster and with a low administration charge, the InjuriesBoard.ie model has delivered direct and indirect savings of between €200m and €250m to the economy. "At a time when the country is facing enormous challenges, the need to maintain and, if possible, expand these savings was never greater," she said.

Some insurers, she added, had commented recently on a surge of personal injury claims due to the recession.

"From our point of view, it is simply too early to draw the same conclusion. The pace of increase in claims has reduced from 10% in 2006 / 2007 to 6% in 2007 / 2008 - a trend that is more indicative of a levelling off than a spike in volumes. To date in 2009, we have no evidence of an increase in claims volumes," she said.

Case studies of awards in excess of €100,000 made in 2008:

Case Study 1:

Andrew was fatally injured in a road accident. He was survived by his wife and two young

children. InjuriesBoard.ie retained professional actuaries to assist with the assessment of compensation. The total award for the bereavement and financial loss to the family and other expenses amounted to over €560,000. The claim was processed in nine months and the administration cost of handling this claim amounted to just €1,584.

Case Study 2:

Maria is retired. She was involved in a serious road traffic accident in 2006 when the vehicle in which she was travelling left the road and turned over landing on its roof.

Maria sustained serious spinal injuries and fractures to her ribs and skull. She spent a prolonged period in hospital and had intensive treatment including physiotherapy and pain management.

Maria submitted her claim directly to the InjuriesBoard.ie. The Board retained professional actuaries to assist with the independent assessment of compensation relating to future care. Maria was awarded a total of €229,000. The claim was processed in nine months and the administration cost of handling this claim amounted to just €1,100.

Case Study 3:

Rose is a nurse in her thirties. She was involved in a single vehicle accident when the vehicle in which she was a passenger hit a wall. Rose sustained serious injuries, including multiple fractures. She had two periods of hospitalisation and missed work for a year due to her injuries. Rose submitted her claim directly to the InjuriesBoard.ie. She was awarded a total of €125,000. The claim was processed in nine months and the administration cost of handling this claim amounted to just €1,270.

Full county breakdown of Awards made to Claimants

	No. of awards made to claimants	Total Value of compensation awarded
DUBLIN	2480	€57,494,150.15
CORK	1,100	€23,648,731.18
LIMERICK	563	€12,106,235.92
MEATH	428	€11,583,035.25
KILDARE	370	€9,395,417.28
GALWAY	370	€10,369,765.47
TIPPERARY	367	€8,484,123.50
LOUTH	337	€8,221,189.16
KERRY	247	€6,418,152.53
DONEGAL	228	€6,124,475.26
WICKLOW	208	€5,564,353.89
MAYO	176	€5,310,024.22
WATERFORD	174	€4,916,592.69
WEXFORD	170	€4,570,179.77
WESTMEATH	155	€3,790,282.79
CLARE	143	€3,765,865.60
CAVAN	134	€3,239,985.57
SLIGO	126	€3,004,468.85
OFFALY	124	€3,017,054.60
KILKENNY	124	€3,489,883.85
CARLOW	113	€2,987,409.56
ROSCOMMON	108	€2,893,707.01
MONAGHAN	95	€2,740,144.00
LAOIS	88	€2,560,500.59
LONGFORD	79	€2,129,582.96
LEITRIM	69	€1,990,103.73