The role of PIAB in Personal Injuries in Ireland

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Agenda

- Overview – Personal Injury in Ireland / PIAB awareness
- About PIAB – process / operation / performance
- Reform Programme
- Key (PIAB) information for medical practitioners
While there are estimated to be more than **50,000 personal injury claims** made annually in Ireland, the actual number is unknown.

- **18,500 cases** are suitable for assessment by PIAB.
- A proportion of these cases are either settled directly or not pursued, the rest enter the PIAB process.
- **33,500 claims** are received by PIAB each year.
  - **1,500 not pursued**
  - **7,500 non-consents**
  - **6,000 early releases**
- PIAB assesses **12,500 cases** each year.
- **6,000 cases settled, not pursued further or released as not appropriate**
- **5,500 of these assessments are rejected**
- **7,000 of PIAB’s assessments are accepted & settled each year**
- An estimated **1,800 claims are settled through the Courts**
• Commissioned by PIAB April 2019
  • 60% of people aware of PIAB
  • 83% of those who have made a claim are aware of PIAB
PIAB was set up in 2004 to assess personal injury claims (motor, employer liability & public liability) where liability is not in dispute

- Fair and transparent
- Low administration/overhead cost
- Quick turnaround
- Reflect prevailing level of damages
- **PIAB does not set damages levels**
PIAB Facts

• Independent Statutory Body
• All PI claims (apart from certain exempted categories) must come to PIAB in first instance
• Assess personal injury claims quickly /efficiently
• Paper-based assessment process
• Handle claims ranging from minor to catastrophic
• Our statistics – valuable source of data
PIAB Process

1. Claim submitted by claimant (or their solicitor)
2. Consent to assess claim is sought from respondent (usually insurer)
3. If consent granted, board assesses claim. If consent denied, case released to court
4. Case is assessed (must be within 9 months) and notice of award sent to claimant and respondent
5. If award accepted by both parties - respondent pays award. If rejected - released to court
6. Cases released to court dealt with between respondent and solicitor and either settled or litigated
PIAB Operation

- Paper process
- Efficient operating model – digitalisation plans
- Outsourced model – dedicated medical professional support team
- 400 approx. panel medical practitioners
- 24,000 medico legal type reports p/a
- Recent legislation – commencement in April
- Medical professionals = key stakeholder
PIAB Performance To Date

• > 400,000 claims received
• > 135,000 awards made
• With a value > €3 billion
• Cases assessed - average 7.2 months
• 90% assessed in under 9 months
• Processing costs (% of award) – 6.1%
• Highest award so far was €1.39m
• Little change in total volumes over past 5 years - decrease in motor and increase in employer liability (motor 55%, public liability 25%, employer liability 20%)
PIAB Statistics – Average Awards

- 2018 Awards value: €300m approx.
- 70% motor, 18% PL, 12% EL (69% of all cases involve ‘Whiplash’ – average award)
- Overall Average 2018 - €24,649
  - Motor €22,682
  - PL €28,372
  - EL €30,839
- 53% are under €20k, 87% are under €38k
- 109 cases (less than 1%) are over €100k
Sample Analysis

- **Motor**
  - Drivers 54% Male, 46% Female
  - Pedestrians 60% are Female
  - Cyclists 74% are Male
  - Friday is the most common day for RTAs, Sunday is the least common day

- **PL**
  - Two thirds are Female
  - Friday and Saturday are the most common days
  - 63%; fall on same level from slipping/tripping and stumbling

- **EL**
  - 69% are Male
  - Monday is the most common day
Current PI Landscape / Reform

- Cost of Insurance working Group (CIWG)
- Personal Injuries Commission (PIC)
- PIC recommendations
  - New template
  - Soft-tissue education programme
- Implementation (PIAB) / ICD
- Book of Quantum
- Judicial Council
Key Information for Medical Professionals

• Any / all medics will most likely at some stage be asked to prepare a personal injury medical report

• Revenue stream

• PIAB website - [www.piab.ie](http://www.piab.ie)
  - Information for medical professionals – panel requirements / SLA
  - Forms (new template - PIAB Medical Assessment Form (Form B) – Guidelines for Medical Practitioners)

• Legislative indemnity

• What information is received from PIAB in advance of a commissioned medical examination

• Bear in mind very few cases end up in litigation

• Clear, comprehensive, concise and with a final prognosis

• Use official sources for required ICD10 coding
- Information on recovery periods
- Where full recovery is unlikely residual symptoms / effects to be outlined
- Has the accident exacerbated any pre-existing injury
- Consult where necessary with treating practitioners in a timely manner
- Include scarring photographs when requested
- Submit reports securely / Data protection compliance
Conclusion

- PIAB will continue to provide a low cost claims resolution alternative
- Well positioned to contribute to debate/reform
- Actively involved in overall PI reform programme
- Value of PIAB’s data - insight, transparency
- Will continue to code and publish data
- Happy to supply our data to judiciary etc.
- Key focus = ongoing engagement with medics – information / feedback etc.
Thank You

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